

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Thirteenth Legislature

OF THE

State Of Maine

VOLUME IV

SECOND REGULAR SESSION

March 25, 1988 to May 5, 1988

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HOUSE & SENATE LEGISLATIVE SENTIMENTS

December 3, 1986 to December 6, 1988

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

In Senate Chamber
Thursday
April 21, 1988

Senate called to Order by the President.

Prayer by the Honorable Nancy Randall Clark of Cumberland.

SENATOR CLARK: Let us bow in prayer. Almighty God as we prepare to complete our duties here this day, help us to remember that You have commanded us to do what is right. You have allowed us to labor handy men and women and in this Chamber and in this building we have been builders and menders, cleaners and polishers for the laws of Maine. Let us continue to work tirelessly and insist on the values of human kinship, love, aspiration and grace. Amen.

Reading of the Journal of Yesterday.

Off Record Remarks

ORDERS OF THE DAY

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

An Act to Amend the Law Relating to Unitary Taxation of Corporations

H.P. 928 L.D. 1244
(C "A" H-710)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 18, 1988, PASSED TO BE ENACTED.)

(In Senate, April 15, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-710), in concurrence.)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (H-701).

On further motion by same Senator, Senate Amendment "A" (S-511) to Committee Amendment "A" (H-701) READ and ADOPTED.

Committee Amendment "A" (H-701) as Amended by Senate Amendment "A" (S-511) 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.

Senate at Ease
Senate called to order by the President.

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

An Act to Create a Commission to Examine Rent Increases and Other Issues Concerning Mobile Homes
H.P. 1510 L.D. 2060
(C "A" H-668)

Tabled - April 15, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 15, 1988, PASSED TO BE ENACTED.)

(In Senate, April 13, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-668), in concurrence.)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (H-668).

On further motion by same Senator, Senate Amendment "A" (S-529) to Committee Amendment "A" (H-668) READ and ADOPTED.

Committee Amendment "A" (H-668) as Amended by Senate Amendment "A" (S-529) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

An Act to Establish a Pilot Program for Transitional Services for Department of Mental Health and Mental Retardation Clients Between the Ages of 20 and 26

S.P. 794 L.D. 2091
(C "A" S-390)

Tabled - April 11, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 8, 1988, PASSED TO BE ENACTED.)

(In Senate, April 4, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-390).)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (S-390).

On further motion by same Senator, Senate Amendment "A" (S-500) to Committee Amendment "A" (S-390) READ and ADOPTED.

Committee Amendment "A" (S-390) as Amended by Senate Amendment "A" (S-500) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

An Act to Reduce Special Education Costs to Local School Administrative Units

H.P. 1607 L.D. 2198
(C "A" H-560)

Tabled - April 5, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 5, 1988, PASSED TO BE ENACTED.)

(In Senate, March 31, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-560), in concurrence.)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (H-560).

On further motion by same Senator, Senate Amendment "A" (S-512) to Committee Amendment "A" (H-560) READ and ADOPTED.

Committee Amendment "A" (H-560) as Amended by Senate Amendment "A" (S-512) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

Emergency Resolve

Resolve, To Establish the Commission to Study the Status of Nursing Professions in Maine

S.P. 847 L.D. 2203
(C "A" S-454)

Tabled - April 18, 1988, by Senator CLARK of Cumberland.

Pending - FINAL PASSAGE

(In House, April 18, 1988, FINALLY PASSED.)

(In Senate, April 14, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-454).)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (S-454).

On further motion by same Senator, Senate Amendment "A" (S-534) to Committee Amendment "A" (S-454) READ and ADOPTED.

Committee Amendment "A" (S-454) as Amended by Senate Amendment "A" (S-534) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

An Act Relating to Coastal Search and Rescue Responsibilities and Creating the Study Commission on Coastal Search and Rescue

S.P. 855 L.D. 2231
(C "A" S-367)

Tabled - April 4, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 4, 1988, PASSED TO BE ENACTED.)

(In Senate, March 30, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-367).)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (S-367).

On further motion by same Senator, Senate Amendment "A" (S-535) to Committee Amendment "A" (S-367) READ and ADOPTED.

Committee Amendment "A" (S-367) as Amended by Senate Amendment "A" (S-535) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

An Act to Respond to Health Care Occupation Shortages in Maine through the Health Occupations Training Project

S.P. 892 L.D. 2304
(C "A" S-468)

Tabled - April 20, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 20, 1988, PASSED TO BE ENACTED.)

(In Senate, April 18, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-468).)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (S-468).

On further motion by same Senator, Senate Amendment "B" (S-513) to Committee Amendment "A" (S-468) READ and ADOPTED.

Committee Amendment "A" (S-468) as Amended by Senate Amendment "B" (S-513) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

LEGISLATIVE RECORD - SENATE, APRIL 21, 1988

An Act to Promote the Creation and Expansion of Independent Living Opportunities for Maine's Citizens with Disabilities

H.P. 1694 L.D. 2327
(C "A" H-691)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 18, 1988, PASSED TO BE ENACTED.)
(In Senate, April 14, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-691), in concurrence.)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (H-691).

On further motion by same Senator, Senate Amendment "A" (S-527) to Committee Amendment "A" (H-691) READ and ADOPTED.

Committee Amendment "A" (H-691) as Amended by Senate Amendment "A" (S-527) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

Emergency

An Act to Study the Necessity and Feasibility of Establishing a Health Information Recording System
H.P. 1719 L.D. 2358
(C "A" H-716)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 18, 1988, PASSED TO BE ENACTED.)
(In Senate, April 15, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-716), in concurrence.)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (H-716).

On further motion by same Senator, Senate Amendment "A" (S-536) to Committee Amendment "A" (H-716) READ and ADOPTED.

Committee Amendment "A" (H-716) as Amended by Senate Amendment "A" (S-536) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

An Act to Create the Railroad Preservation and Assistance Act and to Provide for Annual Track Inspections

H.P. 1747 L.D. 2396
(C "A" H-673)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 18, 1988, PASSED TO BE ENACTED.)
(In Senate, April 14, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-673), in concurrence.)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (H-673).

On further motion by same Senator, Senate Amendment "A" (S-526) to Committee Amendment "A" (H-673) READ and ADOPTED.

Committee Amendment "A" (H-673) as Amended by Senate Amendment "A" (S-526) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

An Act to Enhance and Clarify the Role of the State Board of Education

H.P. 1756 L.D. 2405
(C "A" H-550)

Tabled - April 4, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 4, 1988, PASSED TO BE ENACTED.)
(In Senate, March 31, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-550), in concurrence.)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (H-550).

On further motion by same Senator, Senate Amendment "A" (S-514) to Committee Amendment "A" (H-550) READ and ADOPTED.

Committee Amendment "A" (H-550) as Amended by Senate Amendment "A" (S-514) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

Emergency

An Act to Require the Study of the Laws Regulating Antitrust Activities of the Insurance Industry

S.P. 920 L.D. 2411
(C "A" S-463)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, April 18, 1988, PASSED TO BE ENACTED.)
(In Senate, April 15, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-463).)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (S-463).

On further motion by same Senator, Senate Amendment "A" (S-538) to Committee Amendment "A" (S-463) READ and ADOPTED.

Committee Amendment "A" (S-463) as Amended by Senate Amendment "A" (S-538) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

An Act to Require a Study of the Maine Blueberry Commission

S.P. 921 L.D. 2412
(C "A" S-405)

Tabled - April 12, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, April 11, 1988, PASSED TO BE ENACTED.)
(In Senate, April 6, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-405).)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (S-405).

On further motion by same Senator, Senate Amendment "A" (S-530) to Committee Amendment "A" (S-405) READ and ADOPTED.

Committee Amendment "A" (S-405) as Amended by Senate Amendment "A" (S-530) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

An Act to Increase the Frequency of Restaurant Inspections

H.P. 1775 L.D. 2428
(C "A" H-689)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, April 18, 1988, PASSED TO BE ENACTED.)
(In Senate, April 14, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-689), in concurrence.)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (H-689).

On further motion by same Senator, Senate Amendment "A" (S-503) to Committee Amendment "A" (H-689) READ and ADOPTED.

Committee Amendment "A" (H-689) as Amended by Senate Amendment "A" (S-503) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

An Act to Protect Lake Water from Phosphorous Pollution

H.P. 1784 L.D. 2445
(C "A" H-580)

Tabled - April 11, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, April 8, 1988, PASSED TO BE ENACTED.)
(In Senate, April 5, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-580), in concurrence.)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (H-580).

On further motion by same Senator, Senate Amendment "A" (S-515) to Committee Amendment "A" (H-580) READ and ADOPTED.

Committee Amendment "A" (H-580) as Amended by Senate Amendment "A" (S-515) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

Resolve, Regarding the Study of Low-Level Radioactive Waste in the Town of Greenbush

H.P. 1794 L.D. 2458
(S "A" S-338)

Tabled - March 21, 1988, by Senator PEARSON of Penobscot.

Pending - FINAL PASSAGE

(In House, March 18, 1988, FINALLY PASSED.)

(In Senate, March 15, 1988, PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-338).)

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

On further motion by same Senator, 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 whereby it ADOPTED Senate Amendment "A" (S-338).

On further motion by same Senator, Senate Amendment "A" (S-516) to Senate Amendment "A" (S-338) READ and ADOPTED.

Senate Amendment "A" (S-338) as Amended by Senate Amendment "A" (S-516) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

An Act to Provide a Mechanism for Insurance for Foster Care and Respite Care

H.P. 1821 L.D. 2496

(C "A" H-552)

Tabled - April 4, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 4, 1988, PASSED TO BE ENACTED.)

(In Senate, March 31, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-552), in concurrence.)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (H-552).

On further motion by same Senator, Senate Amendment "A" (S-525) to Committee Amendment "A" (H-552) READ and ADOPTED.

Committee Amendment "A" (H-552) as Amended by Senate Amendment "A" (S-525) 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.

Senate at Ease

Senate called to order by the President.

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

Emergency

An Act to Make Supplemental Appropriations for Expenditures of the Judicial Department and to Change

Certain Provisions of the Law Necessary to the Operation of the Judicial Department for the Fiscal Years Ending June 30, 1988, and June 30, 1989

H.P. 1866 L.D. 2551

(C "A" H-680)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 18, 1988, PASSED TO BE ENACTED.)

(In Senate, April 14, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-680), in concurrence.)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (H-680).

On further motion by same Senator, Senate Amendment "A" (S-517) to Committee Amendment "A" (H-680) READ and ADOPTED.

Committee Amendment "A" (H-680) as Amended by Senate Amendment "A" (S-517) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

An Act to Expand the Property Tax Circuit Breaker Program

H.P. 1882 L.D. 2574

(H "A" H-702 to C "A" H-652)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 18, 1988, PASSED TO BE ENACTED.)

(In Senate, April 14, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-652) AS AMENDED BY HOUSE AMENDMENT "A" (H-702) thereto, in concurrence.)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (H-652) as Amended by House Amendment "A" (H-702) thereto.

On further motion by same Senator, Senate Amendment "A" (S-502) to Committee Amendment "A" (H-652) READ and ADOPTED.

Committee Amendment "A" (H-652) as Amended by House Amendment "A" (H-702) and Senate Amendment "A" (S-502) 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.

LEGISLATIVE RECORD - SENATE, APRIL 21, 1988

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

An Act to Create the Economic Corridor Action Grant Program

H.P. 1904 L.D. 2601
(S "A" S-383; S "B"
S-385)

Tabled - April 5, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 5, 1988, PASSED TO BE ENACTED.)

(In Senate, March 31, 1988, PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-383) AND SENATE AMENDMENT "B" (S-385).)

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

On further motion by same Senator, 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 whereby it ADOPTED Senate Amendment "A" (S-383).

On further motion by same Senator, Senate Amendment "A" (S-518) to Senate Amendment "A" (S-383) READ and ADOPTED.

Senate Amendment "A" (S-383) as Amended by Senate Amendment "A" (S-518) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

Emergency
An Act to Establish the Maine Information Commission on Agent Orange and Radiation

H.P. 1914 L.D. 2613
(H "D" H-690)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 18, 1988, PASSED TO BE ENACTED.)

(In Senate, April 14, 1988, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "D" (H-690), in concurrence.)

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

On further motion by same Senator, 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 whereby it ADOPTED House Amendment "D" (H-690).

On further motion by same Senator, Senate Amendment "A" (S-532) to House Amendment "D" (H-690) READ and ADOPTED.

House Amendment "D" (H-690) as Amended by Senate Amendment "A" (S-532) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

Emergency Resolve
Resolve, Concerning a Proposed Supreme Judicial Court Facility

H.P. 130 L.D. 159
(H "A" H-485 to C "A"
H-481; S "A" S-374)

Tabled - April 4, 1988, by Senator PEARSON of Penobscot.

Pending - FINAL PASSAGE

(In House, April 4, 1988, FINALLY PASSED.)

(In Senate, March 30, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE "A" (H-481) AS AMENDED BY HOUSE AMENDMENT "A" (H-485) thereto, AND SENATE AMENDMENT "A" (S-374), in concurrence.)

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

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

On further motion by same Senator, Senate Amendment "B" (S-528) 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.

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

Emergency
An Act to Provide Emergency Shelter Services to Homeless Youth

S.P. 760 L.D. 2023
(C "A" S-409)

Tabled - April 12, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 11, 1988, PASSED TO BE ENACTED.)

(In Senate, April 6, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-409).)

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

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

On further motion by same Senator, Senate Amendment "A" (S-501) 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.

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

An Act to Amend the Maine Tree Growth Tax Law
H.P. 1591 L.D. 2177

Tabled - February 9, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, February 8, 1988, PASSED TO BE ENACTED.)

(In Senate, February 4, 1988, PASSED TO BE ENGROSSED, in concurrence.)

On further motion by same Senator, 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-522) 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.

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

An Act to Provide Funds for the Seed Potato Breeding Program

H.P. 1605 L.D. 2196

Tabled - March 28, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, March 25, 1988, PASSED TO BE ENACTED.)
(In Senate, March 22, 1988, PASSED TO BE ENGROSSED, in concurrence.)

On further motion by same Senator, 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-499) 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.

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

An Act to Expand the Medicaid Dental Program to Include Adults

S.P. 945 L.D. 2492

Tabled - March 17, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, March 16, 1988, PASSED TO BE ENACTED.)
(In Senate, March 10, 1988, PASSED TO BE ENGROSSED.)

On further motion by same Senator, 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-505) 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.

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

Emergency
An Act to Fund the Office of Child Welfare Services Ombudsman

H.P. 1861 L.D. 2559

Tabled - April 15, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, April 15, 1988, PASSED TO BE ENACTED.)
(In Senate, April 13, 1988, PASSED TO BE ENGROSSED, in concurrence.)

On further motion by same Senator, 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-504) 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.

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

An Act to Provide for a State Trademark for Maine Products

H.P. 1880 L.D. 2572

Tabled - March 29, 1988, by Senator CLARK of Cumberland.

Pending - ENACTMENT
(In House, March 29, 1988, PASSED TO BE ENACTED.)
(In Senate, March 24, 1988, PASSED TO BE ENGROSSED, in concurrence.)

On further motion by same Senator, 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-523) 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.

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

An Act to Appropriate Funds to Conduct a Marine Pollution Monitoring Program

H.P. 1728 L.D. 2371

Tabled - March 22, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, March 22, 1988, PASSED TO BE ENACTED.)
(In Senate, March 18, 1988, PASSED TO BE ENGROSSED, in concurrence.)

On further motion by same Senator, 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-520) 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.

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

Emergency Resolve
Resolve, to Amend the Duties, Title and Reporting Date of the Special Commission to Study School-Entrance Age and Preschool Services

H.P. 1874 L.D. 2566

(C "A" H-568)

Tabled - April 5, 1988, by Senator PEARSON of Penobscot.

Pending - FINAL PASSAGE
(In House, April 5, 1988, FINALLY PASSED.)

(In Senate, March 30, 1988, PASSED TO BE ENACTED. Subsequently, RECONSIDERED ENACTMENT.)

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

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

On further motion by same Senator, Senate Amendment "A" (S-531) 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.

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

An Act to Encourage and Monitor the Use of New Potato Varieties

H.P. 1893 L.D. 2586

Tabled - March 31, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, March 31, 1988, PASSED TO BE ENACTED.)

(In Senate, March 29, 1988, PASSED TO BE ENGROSSED, in concurrence.)

On further motion by same Senator, 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-521) 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.

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

An Act to Ensure Confidential and Reliable Substance Abuse Testing of Employees and Applicants

S.P. 975 L.D. 2589

Tabled - April 5, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 4, 1988, PASSED TO BE ENACTED.)

(In Senate, March 29, 1988, PASSED TO BE ENGROSSED.)

On further motion by same Senator, 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-519) 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.

Senate at Ease

Senate called to order by the President.

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

Emergency Resolve

Resolve, to Establish the Special Commission on Boating

H.P. 1785 L.D. 2446

(C "A" H-618)

Tabled - April 12, 1988, by Senator PEARSON of Penobscot.

Pending - FINAL PASSAGE

(In House, April 11, 1988, FINALLY PASSED.)

(In Senate, April 6, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-618), in concurrence.

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

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

On further motion by same Senator, Senate Amendment "A" (S-539) 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.

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

An Act to Provide Additional Funding for Crisis Information and Suicide Prevention Services in Somerset County

H.P. 1506 L.D. 2056

(C "A" H-659)

Tabled - April 15, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 15, 1988, PASSED TO BE ENACTED.)

(In Senate, April 13, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-659), in concurrence.)

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

On further motion by same Senator, 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-659).

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

On further motion by same Senator, Committee Amendment "A" (H-659) INDEFINITELY POSTPONED in NON-CONCURRENCE.

On further motion by same Senator, Senate Amendment "A" (S-507) 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.

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

An Act to Study Alternative Dispute Resolution in the Superior Court

S.P. 861 L.D. 2249

(C "A" S-324)

Tabled - March 17, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, March 16, 1988, PASSED TO BE ENACTED.)

(In Senate, March 10, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-324).)

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

On further motion by same Senator, 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" (S-324).

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

On further motion by same Senator, Committee Amendment "A" (S-324) INDEFINITELY POSTPONED in NON-CONCURRENCE.

On further motion by same Senator, Senate Amendment "A" (S-508) 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.

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

An Act to Enhance Outdoor Recreation Opportunities

S.P. 889 L.D. 2301
(H "A" H-621 to C "A" S-363)

Tabled - April 12, 1988, by Senator BERUBE of Androscoggin.

Pending - ENACTMENT

(In House, April 12, 1988, PASSED TO BE ENACTED.)
(In Senate, April 8, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-363) AS AMENDED BY HOUSE AMENDMENT "A" (H-621) thereto, in concurrence.)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (S-363) as Amended by House Amendment "A" (H-621) thereto.

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

On further motion by same Senator, the Senate RECONSIDERED whereby it ADOPTED House Amendment "A" (H-621) to Committee Amendment "A" (S-363).

On further motion by same Senator, House Amendment "A" (H-621) to Committee Amendment "A" (S-363) INDEFINITELY POSTPONED in NON-CONCURRENCE.

On further motion by same Senator, Senate Amendment "A" (S-524) to Committee Amendment "A" (S-363) READ and ADOPTED.

On further motion by same Senator, Committee Amendment "A" (S-524) as Amended by Senate Amendment "A" (S-524) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

An Act to Extend and Strengthen the State's Mandatory Shoreland Zoning Laws

H.P. 1731 L.D. 2374
(H "A" H-650 to C "A" H-597)

Tabled - April 14, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 14, 1988, PASSED TO BE ENACTED.)
(In Senate, April 12, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-597) AS AMENDED BY HOUSE AMENDMENT "A" (H-650) thereto, in concurrence.)

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

On further motion by same Senator, 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 House Amendment "A" (H-650) to Committee Amendment "A" (H-597).

On further motion by same Senator, House Amendment "A" (H-650) to Committee Amendment "A" (H-597) INDEFINITELY POSTPONED in NON-CONCURRENCE.

On further motion by same Senator, Committee Amendment "A" (H-597) ADOPTED.

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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

Emergency Resolve
Resolve, Creating the Commission on Marine Research

H.P. 1741 L.D. 2387
(C "A" H-617)

Tabled - April 12, 1988, by Senator PEARSON of Penobscot.

Pending - FINAL PASSAGE

(In House, April 11, 1988, FINALLY PASSED.)
(In Senate, April 6, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-617), in concurrence.)

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

On further motion by same Senator, 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-617).

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

On further motion by same Senator, Committee Amendment "A" (H-617) INDEFINITELY POSTPONED in NON-CONCURRENCE.

On further motion by same Senator, Senate Amendment "A" (S-537) 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.

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

Emergency

An Act to Amend the Rehabilitation System under the Workers' Compensation Act

H.P. 1915 L.D. 2614
(S "A" S-416; H "A"
H-614; H "B" H-657)

Tabled - April 14, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 14, 1988, PASSED TO BE ENACTED.)
(In Senate, April 13, 1988, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENTS "A" (H-614) AND "B" (H-657) AND SENATE AMENDMENT "A" (S-416), in concurrence.)

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

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

On further motion by same Senator, Senate Amendment "B" (S-533) READ and ADOPTED.

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

On further motion by same Senator, the Senate RECONSIDERED whereby it ADOPTED House Amendment "B" (H-657).

On further motion by same Senator, House Amendment "B" (H-657) INDEFINITELY POSTPONED 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 DUTREMBLE of York, RECESSED until 1:15 this afternoon.

After Recess

Senate called to order by the President.

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

Emergency

An Act to Make Health Care More Accessible to Low-Income Elderly and Disabled Individuals, Children and Pregnant Women

H.P. 1643 L.D. 2242
(C "A" H-722)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 18, 1988, PASSED TO BE ENACTED.)
(In Senate, April 15, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-722), in concurrence.)

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

On further motion by same Senator, 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-722).

On further motion by same Senator, Committee Amendment "A" (H-722) INDEFINITELY POSTPONED in NON-CONCURRENCE.

Which was PASSED TO BE ENGROSSED 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 Establish a Presidential Primary in Maine

S.P. 123 L.D. 328
(H "A" H-484 to C "A"
S-329)

Tabled - March 24, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, March 21, 1988, PASSED TO BE ENACTED.)
(In Senate, March 17, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-329) AS AMENDED BY HOUSE AMENDMENT "A" (H-484) 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.

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

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

H.P. 313 L.D. 412
(H "A" H-751)

Tabled - April 20, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 20, 1988, PASSED TO BE ENACTED.)
(In Senate, April 19, 1988, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-751), 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:

An Act to Establish an Interim Assistance Revolving Loan Fund for Mentally Impaired Individuals

S.P. 558 L.D. 1670
(C "A" S-441)

Tabled - April 15, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 15, 1988, PASSED TO BE ENACTED.)
(In Senate, April 13, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-441).)

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:

An Act to Revise the General Assistance Laws

H.P. 1249 L.D. 1705
(H "B" H-749)

Tabled - April 20, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

LEGISLATIVE RECORD - SENATE, APRIL 21, 1988

(In House, April 20, 1988, PASSED TO BE ENACTED.)
(In Senate, April 19, 1988, PASSED TO BE
ENGROSSED AS AMENDED BY HOUSE AMENDMENT "B" (H-749),
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:

An Act Relating to Geographic Isolation Grants
H.P. 1422 L.D. 1933
(C "A" H-454)

Tabled - March 3, 1988, by Senator PEARSON of
Penobscot.

Pending - ENACTMENT
(In House, March 2, 1988, PASSED TO BE ENACTED.)

(In Senate, February 29, 1988, PASSED TO BE
ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"
(H-454), 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:

An Act to Provide a Sales Tax Exemption for
Charitable Suppliers of Medical Equipment
H.P. 1451 L.D. 1962
(C "A" H-495)

Tabled - March 24, 1988, by Senator PEARSON of
Penobscot.

Pending - ENACTMENT
(In House, March 24, 1988, PASSED TO BE ENACTED.)

(In Senate, March 22, 1988, PASSED TO BE
ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"
(H-495), 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:

An Act to Appropriate Funds for Structural
Repairs to the Woodbury Pond Dam
S.P. 771 L.D. 2028
(C "A" S-337)

Tabled - March 22, 1988, by Senator PEARSON of
Penobscot.

Pending - ENACTMENT
(In House, March 22, 1988, PASSED TO BE ENACTED.)

(In Senate, March 16, 1988, PASSED TO BE
ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"
(S-337).)

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:

An Act to Implement the Department of Human
Services Long-Term Care Plan for the Elderly,
Handicapped and Citizens with Long-Term Care Needs
S.P. 788 L.D. 2065
(C "A" S-447)

Tabled - April 15, 1988, by Senator PEARSON of
Penobscot.

Pending - ENACTMENT
(In House, April 15, 1988, PASSED TO BE ENACTED.)
(In Senate, April 13, 1988, PASSED TO BE
ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"
(S-447).)

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:

An Act to Provide Increased Funding for the Civil
Air Patrol
H.P. 1526 L.D. 2080
(C "A" H-464)

Tabled - March 15, 1988, by Senator PEARSON of
Penobscot.

Pending - ENACTMENT
(In House, March 14, 1988, PASSED TO BE ENACTED.)
(In Senate, March 10, 1988, PASSED TO BE
ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"
(H-464), 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:

An Act to Provide Additional Appropriations to
Continue the Dioxin Study
S.P. 818 L.D. 2138

Tabled - March 22, 1988, by Senator PEARSON of
Penobscot.

Pending - ENACTMENT
(In House, March 22, 1988, PASSED TO BE ENACTED.)
(In Senate, March 14, 1988, 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.

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

An Act to Provide for Child Care and Child
Development Training for Student Parents
H.P. 1575 L.D. 2150
(C "A" H-474)

Tabled - March 21, 1988, by Senator PEARSON of
Penobscot.

Pending - ENACTMENT
(In House, March 18, 1988, PASSED TO BE ENACTED.)
(In Senate, March 16, 1988, PASSED TO BE
ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"
(H-474), 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:

An Act to Ban Disposable Polystyrene Foam Food
and Drink Containers from Public Cafeterias
H.P. 1592 L.D. 2178
(C "A" H-604)

Tabled - April 12, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 11, 1988, PASSED TO BE ENACTED.)

(In Senate, April 6, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-604), 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:

An Act to Require Supervisory Auditors to Obtain Professional Certification within 3 Years

H.P. 1594 L.D. 2180

(H "A" H-559 to H "A"

H-519)

Tabled - April 6, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 6, 1988, PASSED TO BE ENACTED.)

(In Senate, March 31, 1988, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-519) AS AMENDED BY HOUSE AMENDMENT "A" (H-559) 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.

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

An Act Relating to Shellfish Sanitation and Monitoring

H.P. 1599 L.D. 2188

(C "A" H-541)

Tabled - April 4, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 4, 1988, PASSED TO BE ENACTED.)

(In Senate, March 29, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-541), 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:

An Act to Make Interim Adjustments in the Certificate of Need Development Account

S.P. 845 L.D. 2191

(S "A" S-491)

Tabled - April 20, 1988, by Senator PEARSON of Penobscot.

Pending - PASSAGE TO BE ENACTED

(In House, April 20, 1988, PASSED TO BE ENACTED.)

(In Senate, April 19, 1988, PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-491).)

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:

An Act to Appropriate Funds for Nonresidential Services in Sheltered Group Homes for Girls

H.P. 1627 L.D. 2222

(C "A" H-558)

Tabled - April 5, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 5, 1988, PASSED TO BE ENACTED.)

(In Senate, March 31, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-558), 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:

An Act to Appropriate Funds for Replacement of Real Estate Tax Validation Machines in County Registries of Deeds

H.P. 1638 L.D. 2237

(C "B" H-725)

Tabled - April 19, 1988, by Senator CLARK of Cumberland.

Pending - ENACTMENT

(In House, April 19, 1988, PASSED TO BE ENACTED.)

(In Senate, April 18, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-725), 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:

An Act to Protect the Well-Being of Young Children and to Help Prevent Emotional and Behavioral Disorders

H.P. 1639 L.D. 2238

(C "A" H-658)

Tabled - April 15, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 15, 1988, PASSED TO BE ENACTED.)

(In Senate, April 13, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-658), 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:

An Act to Amend the Sentencing Provisions of the Maine Criminal Code

H.P. 1683 L.D. 2312

(C "A" H-720)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 18, 1988, PASSED TO BE ENACTED.)

(In Senate, April 15, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-720), 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.

LEGISLATIVE RECORD - SENATE, APRIL 21, 1988

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

An Act to Consolidate State Land Use Statutes into the Natural Resources Protection Act

H.P. 1687 L.D. 2316
(S "A" S-437 & S "B"
S-466 to C "A" H-641)

Tabled - April 19, 1988, by Senator CLARK of Cumberland.

Pending - ENACTMENT

(In House, April 19, 1988, PASSED TO BE ENACTED.)

(In Senate, April 18, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-641) AS AMENDED BY SENATE AMENDMENTS "A" (S-437) AND "B" (S-466) thereto.)

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:

An Act Establishing the Maine Seed Capital Tax Credit Program

H.P. 1730 L.D. 2373
(C "A" H-564)

Tabled - April 5, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 5, 1988, PASSED TO BE ENACTED.)

(In Senate, March 31, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-564), 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:

An Act to Strengthen the Drunk Driving Laws

H.P. 1746 L.D. 2395
(S "A" S-472 to C "A"
H-669)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 18, 1988, PASSED TO BE ENACTED.)

(In Senate, April 15, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-669) AS AMENDED BY SENATE AMENDMENT "A" (S-472) thereto.)

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 Require Licensure of Certain Railroad Personnel

H.P. 1748 L.D. 2397
(S "B" S-453 to C "A"
H-645)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 18, 1988, PASSED TO BE ENACTED.)

(In Senate, April 13, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-645) AS AMENDED BY SENATE AMENDMENT "B" (S-453) thereto.)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

An Act to Create the Maine Student Artist Awards Program

H.P. 1773 L.D. 2426
(S "A" S-371 to C "A"
H-540)

Tabled - April 4, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 4, 1988, PASSED TO BE ENACTED.)

(In Senate, March 30, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-540) AS AMENDED BY SENATE AMENDMENT "A" (S-371) thereto.)

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:

An Act to Fund a Demonstration Teaching Nursing Home

H.P. 1778 L.D. 2431
(C "A" H-661)

Tabled - April 15, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 15, 1988, PASSED TO BE ENACTED.)

(In Senate, April 13, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-661), 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:

An Act to Provide Funds for Teenage Suicide Prevention

S.P. 924 L.D. 2435
(C "A" S-439)

Tabled - April 15, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 15, 1988, PASSED TO BE ENACTED.)

(In Senate, April 13, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-349).)

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

LEGISLATIVE RECORD - SENATE, APRIL 21, 1988

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

An Act to Require the Department of Human Services to Reimburse Home Health Agencies for the Reasonable Costs of Recruiting, Training and Retaining Qualified Nursing Staff

S.P. 935 L.D. 2455
(C "A" S-401)

Tabled - April 11, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 8, 1988, PASSED TO BE ENACTED.)

(In Senate, April 5, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-401).)

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:

An Act to Promote Greater Workplace Safety

S.P. 936 L.D. 2469
(H "B" H-620 to C "A"
S-396)

Tabled - April 12, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 11, 1988, PASSED TO BE ENACTED.)

(In Senate, April 6, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-396) AS AMENDED BY HOUSE AMENDMENT "B" (H-620) 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.

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

An Act Relating to School Construction

H.P. 1828 L.D. 2504
(C "A" H-573)

Tabled - April 5, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 5, 1988, PASSED TO BE ENACTED.)

(In Senate, March 31, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-573), 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:

An Act to Correct Inequities in the Maine State Retirement System

S.P. 960 L.D. 2548
(H "A" H-507)

Tabled - March 24, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, March 24, 1988, PASSED TO BE ENACTED.)

(In Senate, March 22, 1988, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-507), 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:

An Act to Amend the Endangered Species Act

H.P. 1875 L.D. 2567
(H "A" H-528)

Tabled - March 31, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, March 31, 1988, PASSED TO BE ENACTED.)

(In Senate, March 29, 1988, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-528), 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:

An Act to Enhance Enforcement of the Handicapped Parking Laws

S.P. 974 L.D. 2587
(S "A" S-389)

Tabled - April 6, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 6, 1988, PASSED TO BE ENACTED.)

(In Senate, March 31, 1988, PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-389).)

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:

An Act to Require Application and Approval for Railroads to Receive Financial Assistance from the State and to Require Notice of Major Modifications in Rail Service

H.P. 1933 L.D. 2634
(C "A" H-735)

Tabled - April 19, 1988, by Senator CLARK of Cumberland.

Pending - ENACTMENT

(In House, April 19, 1988, PASSED TO BE ENACTED.)

(In Senate, April 18, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-735), 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:

An Act Concerning Storage Of Radioactive Material in Public Buildings

S.P. 1003 L.D. 2637

Tabled - April 20, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 20, 1988, PASSED TO BE ENACTED.)

(In Senate, April 19, 1988, 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.

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

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

Resolve, to Compensate Kenneth and Janice Demuth
S.P. 862 L.D. 2250
(C "A" S-377)

Tabled - April 5, 1988, by Senator PEARSON of Penobscot.

Pending - FINAL PASSAGE
(In House, April 5, 1988, FINALLY PASSED.)
(In Senate, March 31, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-377).)

Which was FINALLY PASSED 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:

Resolve, Authorizing the Bureau of Health to Conduct a Time-Trend Study of Leukemia Incidence in Maine

H.P. 1769 L.D. 2422
(C "A" H-598)

Tabled - April 11, 1988, by Senator PEARSON of Penobscot.

Pending - FINAL PASSAGE
(In House, April 8, 1988, FINALLY PASSED.)
(In Senate, April 6, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-598), in concurrence.)

Which was FINALLY PASSED 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 matters inclusively:

Emergency

An Act to Amend the Law Concerning the Maine Student Incentive Scholarship Program

S.P. 730 L.D. 1989
(C "A" S-317)

Tabled - March 1, 1988, by Senator BERUBE of Androscoggin.

Pending - ENACTMENT
(In House, February 29, 1988, PASSED TO BE ENACTED.)

(In Senate, February 23, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-317).)

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

Emergency

An Act to Regulate the Use of Oxen, Pony and Draft Horse Competitions

H.P. 1565 L.D. 2132
(C "A" H-642)

Tabled - April 14, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, April 14, 1988, PASSED TO BE ENACTED.)
(In Senate, April 12, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-642), in concurrence.)

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

Emergency

An Act to Provide for the Establishment of a Nonlapsing Fund for the Maine Student Incentive Scholarship Program

S.P. 822 L.D. 2144
(C "A" S-321)

Tabled - March 11, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, March 10, 1988, PASSED TO BE ENACTED.)
(In Senate, March 3, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-321).)

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

Emergency

An Act to Promote Solid Waste Research

H.P. 1652 L.D. 2260
(H "A" H-545 to C "A" H-492)

Tabled - March 31, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, March 31, 1988, PASSED TO BE ENACTED.)
(In Senate, March 29, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-492) AS AMENDED BY HOUSE AMENDMENT "A" (H-545) thereto, in concurrence.)

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

Emergency

An Act to Continue the Driver Education Evaluation Program

S.P. 886 L.D. 2298
(C "A" S-475)

Tabled - April 19, 1988, by Senator CLARK of Cumberland.

Pending - ENACTMENT

LEGISLATIVE RECORD - SENATE, APRIL 21, 1988

(In House, April 19, 1988, PASSED TO BE ENACTED.)
(In Senate, April 15, 1988, PASSED TO BE
ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"
(S-475).)

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

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

Emergency

An Act to Provide for the Education of Students Residing in Long-Term Drug Treatment Centers

H.P. 1700 L.D. 2333
(C "A" H-538)

Tabled - April 4, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 4, 1988, PASSED TO BE ENACTED.)
(In Senate, March 29, 1988, PASSED TO BE
ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"
(H-538), in concurrence.)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Improve the Linked Investment Program for Agricultural Loans

H.P. 1718 L.D. 2357
(C "A" H-646)

Tabled - April 14, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 14, 1988, PASSED TO BE ENACTED.)
(In Senate, April 12, 1988, PASSED TO BE
ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"
(H-646), in concurrence.)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Establish Guidelines for Genetic Engineering Experimentation

H.P. 1727 L.D. 2370
(H "A" H-626 to C "A"
H-583)

Tabled - April 12, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 11, 1988, PASSED TO BE ENACTED.)
(In Senate, April 7, 1988, PASSED TO BE
ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-583) AS

AMENDED BY HOUSE AMENDMENT "A" (H-626) thereto, in concurrence.)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Provide a Sales Tax Exemption to Nonprofit Organizations which Fulfill the Last Wishes of Terminally Ill Children

H.P. 1742 L.D. 2388
(C "A" H-500)

Tabled - March 28, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, March 25, 1988, PASSED TO BE ENACTED.)
(In Senate, March 22, 1988, PASSED TO BE
ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"
(H-500), in concurrence.)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Improve the Services Provided to the Members and Retirees of the Maine State Retirement System

H.P. 1763 L.D. 2416

Tabled - March 28, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, March 28, 1988, PASSED TO BE ENACTED.)
(In Senate, March 24, 1988, PASSED TO BE
ENGROSSED, in concurrence.)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act Relating to Horse Racing and Racing Facilities

H.P. 1781 L.D. 2434
(S "A" S-381)

Tabled - April 5, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 5, 1988, PASSED TO BE ENACTED.)
(In Senate, March 31, 1988, PASSED TO BE
ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-381).)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the

President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Provide for a Partial Rebate of 1987 Individual Income Tax

H.P. 1833 L.D. 2510
(S "A" S-471 to C "A" H-711)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, April 18, 1988, PASSED TO BE ENACTED.)
(In Senate, April 15, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-711) AS AMENDED BY SENATE AMENDMENT "A" (S-471) thereto.)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Develop a Plan to Minimize and Dispose of Household Hazardous Waste

H.P. 1850 L.D. 2532
(H "A" H-508)

Tabled - March 28, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, March 25, 1988, PASSED TO BE ENACTED.)
(In Senate, March 22, 1988, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-508), in concurrence.)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Create the Maine Educational Loan Authority

S.P. 988 L.D. 2616
(C "A" S-462)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, April 18, 1988, PASSED TO BE ENACTED.)
(In Senate, April 14, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-462).)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

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

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Make the Language of the Constitution Gender-Neutral

H.P. 1877 L.D. 2571
(H "B" H-579; H "A" H-521; S "A" S-360)

Tabled - April 5, 1988, by Senator PEARSON of Penobscot.

Pending - FINAL PASSAGE
(In House, April 5, 1988, FINALLY PASSED.)
(In Senate, March 31, 1988, PASSED TO BE ENGROSSED AS AMENDED HOUSE AMENDMENTS "A" (H-521) AND "B" (H-579) AND SENATE AMENDMENT "A" (S-360), in concurrence.)

This being a Constitutional Amendment and having received the affirmative vote of 26 Members of the Senate, with 1 Senators having voted in the negative and 26 being more than two-thirds of those Members present and voting was FINALLY PASSED and having been signed by the President was presented by the Secretary to the Secretary of State.

Off Record Remarks

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 Revise the Salaries of Certain County Officers" (Emergency)

H.P. 1941 L.D. 2639

In Senate, April 19, 1988, PASSED TO BE ENGROSSED, in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "B" (H-778) in NON-CONCURRENCE.

Senator TUTTLE of York moved to RECEDE and CONCUR. THE PRESIDENT: The Chair recognizes the same Senator.

Senator TUTTLE: Thank you Mr. President. Mr. President, men and women of the Senate. Based upon the figures that I have been given with this new amendment that has been offered in the House there will be according to my legislative staff a four thousand dollar shortfall possibly in the Aroostook county budget. I moved to Recede and Concur, but I would hope that someone from the Aroostook County Delegation would speak on the Record to clarify the intent of this amendment.

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

Senator COLLINS: Thank you Mr. President. Mr. President, men and women of the Senate. The budget that has been developed and the shortfall that is indicated will not come to pass. It relates to a per diem for meetings attended by county commissioners. The data that results in the shortfall of four thousand dollars in a result of a computation of fifty-two meetings, times the number of commissioners present. In fact there were probably only be fifteen meetings so there will not be a shortfall of four

thousand dollars. The Aroostook County Delegation has no problem with it. Thank you.

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

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 TRANSPORTATION on Bill "An Act to Reallocate Funds from the Maine Turnpike Authority for Construction and Maintenance of Secondary Roads"

H.P. 1574 L.D. 2149

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-638).

Comes from the House, Bill and Accompanying Papers INDEFINITELY POSTPONED.

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (H-638) READ and ADOPTED.

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

Off Record Remarks

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

On further motion by same Senator, the Bill and Accompanying Papers INDEFINITELY POSTPONED, 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:

Bond Issue

An Act to Establish an Enhanced 9-1-1 System
H.P. 1911 L.D. 2608
(C "A" H-761)

Comes from the House FAILING OF ENACTMENT.

This being a Bond Authorization Act 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 Membership present and voting was PASSED TO BE ENACTED 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:

An Act To Promote the Prompt and Peaceful Settlement of Labor Disputes

S.P. 956 L.D. 2531
(H "A" H-777)

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

ORDERS OF THE DAY

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

Bill "An Act to Freeze Further Increases in the Minimum Lobster Size"

H.P. 1881 L.D. 2573

Tabled - March 28, 1988, by Senator CLARK of Cumberland.

Pending - REFERENCE

(In House, March 25, 1988, referred to the Committee on MARINE RESOURCES and ORDERED PRINTED.)

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

HOUSE REPORTS - from the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Require Full State Funding of any Legislative Mandate"

H.P. 877 L.D. 1178

Majority - Ought Not to Pass

Minority - Ought to Pass in New Draft

H.P. 1623 L.D. 2218

Tabled - February 11, 1988, by Senator CLARK of Cumberland.

Pending - ACCEPTANCE OF EITHER REPORT

(In Senate, February 11, 1988, Reports READ.)

(In House, February 10, 1988, Majority OUGHT NOT TO PASS Report READ and ACCEPTED.)

On further motion by same Senator, the Minority OUGHT TO PASS IN NEW DRAFT Report was ACCEPTED in NON-CONCURRENCE.

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

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:

HOUSE REPORTS - from the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act Requiring Fiscal Impact Statements Describing the Costs and Benefits Associated with Each Legislative Document and Agency Rule that Affect Political Subdivisions of the State"

H.P. 855 L.D. 1149

Majority - Ought Not to Pass

Minority - Ought to Pass

Tabled - February 8, 1988, by Senator CLARK of Cumberland.

Pending - Motion of Senator TUTTLE of York to ACCEPT the Majority OUGHT NOT TO PASS Report, in concurrence

(In Senate, February 4, 1988, Reports READ.)

(In House, February 3, 1988, Majority OUGHT NOT TO PASS Report READ and ACCEPTED.)

On motion by Senator TUTTLE of York, the Majority OUGHT NOT TO PASS Report was ACCEPTED, in concurrence.

Senate at Ease

Senate called to order by the President.

Senator CLARK of Cumberland requested and received Leave of the Senate to allow Members to remove their jackets during Senate Sessions for the remainder of this Second Regular Session of the 113th Maine Legislature.

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

Off Record Remarks

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

Senator KERRY of York was granted unanimous consent to address the Senate off the Record.

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

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 \$33,600,000 to Finance Construction and Capital Improvements on the Campuses of the University of Maine System

H.P. 1884 L.D. 2576
(C "A" H-763)

Comes from the House FAILING OF ENACTMENT.

On motion by Senator BALDACCI of Penobscot, the Senate SUSPENDED THE RULES.

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (H-763).

On further motion by same Senator, Senate Amendment "A" (S-543) to Committee Amendment "A" (H-763) READ and ADOPTED.

Committee Amendment "A" (H-763) as Amended by Senate Amendment "A" (S-543) 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.

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

Senator BALDACCI: Thank you Mr. President. Mr. President, men and women of the Senate. Very briefly, this amendment to the University Bond Issue was an amendment that had been developed by the University of Maine Board of Trustees and by the Governor's Office and Legislators that have worked on this. It started out at sixty million and came down to where it ended up at thirty-one. This was one of the pegs and this is not something that has been developed legislatively, but it is something that has been developed by people that we have appointed that serve on the Board of Trustees and by people in the Governor's Office that are working on this particular issue. I will circulate the difference between the thirty-one and the thirty-six million dollar Bond

Issue for those members of the Senate who might be interested.

Senator PEARSON of Penobscot moved to RECONSIDER whereby the Bill was PASSED TO BE ENGROSSED.

THE PRESIDENT: The Chair would advise the Senator the issue is no longer before us having been sent forthwith under suspension of the Rules.

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

Senator PEARSON: Thank you Mr. President. Mr. President, men and women of the Senate. It is my impression that the University of Maine Board of Trustees did not involve themselves with the formulation of this particular amendment. It is also somewhat disappointing to me that I didn't get a chance to speak on it because I would not support this particular amendment.

THE PRESIDENT: For the Record the Chair would state that there was opportunity.

Senator PEARSON: Thank you Mr. President, ladies and gentlemen of the Senate. I was not in any way trying to suggest that I didn't have an opportunity because of an action that you took, but because of my inaction and not being quick enough on my feet. It was just a matter of not being on the ball.

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

COMMUNICATIONS

The Following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333

April 21, 1988

Honorable Joy J. O'Brien
Secretary of the Senate
113th Legislature
Augusta, Maine 04333

Dear Madam Secretary:

The House voted today to insist on Senate Paper 1001 relative to recalling L.D. 2205 from the Governor's desk to the Senate.

Sincerely,
S/Edwin H. Pert
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.

Off Record Remarks

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 Correct Additional Errors and Inconsistencies in the Laws of Maine" (Emergency)

H.P. 1939 L.D. 2638
(H "A" H-755)

In Senate, April 20, 1988, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-755), in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENTS "A" (H-755) AND "B" (H-784) in NON-CONCURRENCE.

On motion by Senator CLARK of Cumberland, the Senate RECEDED FROM PASSAGE TO BE ENGROSSED AS AMENDED.

House Amendment "B" (H-784) READ.

Senator CLARK of Cumberland moved the INDEFINITE POSTPONEMENT of House Amendment "B" (H-784).

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

Senator CAHILL: Thank you Mr. President. Mr. President, men and women of the Senate. Could I ask the good Senator to explain. I am kind of lost in the numbers and if she would kindly explain the amendment she is on at this point please.

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. Before us on Supplement #49 is the second Errors and Inconsistencies Bill. An issue has surfaced both in this Body and in the other Body that deals with clam licenses and frankly, I would rather that it hadn't because I have been up to my hip boots literally in this issue for the greater part of whatever day it is today. In the budget there was an addition and with no disrespect to the individual who inserted the addition into that budget, that addition eroded the home rule act whereby local municipalities in the state can determine their own procedures to issue clam licenses to men and women, mostly men obviously who make their living and their livelihood digging claims - an honorable endeavor and fraught with our

marine heritage and we hope that it continues. I think it was two evenings ago now when a Representative from my Senate District from the town of Brunswick noted the addition of that wording in the budget document and suggested that the Town of Brunswick and the delegation so involved might have been apprised of those words which effectively negated a practice whereby clam licenses are issued in the Town of Brunswick. The budget document moved from the other Chamber down to this Chamber and I happen to be in the other Chamber at the time that this exchange occurred. We were adjourning that morning until the next day and I spoke at some length with the Representative from the Town of Brunswick about the issue that I had overheard as I was returning to this Chamber. I know this is long and involved members of the Senate, I just want you to understand the background. I sought the person who had inserted the language in the budget document who sits on Appropriations and told him that I had some concern about it. As a matter of fact, despite the fact that we didn't get much sleep that evening, I was called twice before 6:30 by people from the Shellfish Commission in the Town of Brunswick and a local marine warden expressing their outrage that a practice that had worked well for that municipality was being negated at the state level. You know all of the ramifications of those kinds of actions. And so the good representative from the other Body and I met and we sought to resolve this and I am ever and most sincerely grateful to that young gentlemen for his kindness and his understanding and that resolution was embodied in House Amendment "B" which I seek to indefinitely postpone. He expressed to me most concisely why he had inserted into the budget document language which would have impacted on municipalities home rule. And it was for justification from his perspective and he shared with me his fear that the practice of issuing clam licenses in the Town of Brunswick in Senate District 26, would become popular in other areas along the coast. He was right. For that practice has indeed

been noted by surrounding towns most notably in senate district 26. Because this morning the municipality of Freeport has made a representative of the Shellfish Commission an officer of local government and a member of the Shellfish Commission have called me and one has visited me and asked me not to accept the resolution that we had come to mutually embodied in House Amendment "B", and requested that I indefinitely postpone that resolution for it provides only for grandparenting the practice currently exercised in the Town of Brunswick for there are other towns now in Senate District 26 who want to exercise the same kinds of practices. That is just what we need men and women of the Senate on the last day of our Session. If you have noted that I have been in and out and round about this morning and now afternoon, it is because I have been as I mentioned earlier up to my hip boots in mud flats. I seek to present a Senate amendment and will do so presenting Senate amendment "A" to L.D. 2638 and moving its adoption and will speak briefly to my motion explaining to you what this amendment seeks to achieve, under filing number (S-497).

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

Senator CAHILL: Thank you Mr. President. Mr. President, men and women of the Senate. I would like to pose a question to the Senator from Cumberland, Senator Clark. My question is, did you reach a compromise with the good gentlemen from the other Body?

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. The compromise as embodied in House Amendment "B" to this Bill was acceptable to me for it did provide a grandparenting provision, but I notified that gentlemen upon meeting with an official from the Town of Freeport that I found that I would have to move away from that compromise which had addressed the issue for the Town of Brunswick and attempt to remove from the budget document what was inserted and which does impact all coastal communities significantly and which should be an issue before this Legislature in a separate legislative document and should have public hearing thereby providing all coastal communities with an opportunity to submit to the Legislature in public forum their positions relative to what was inserted in the budget which effectively eliminated local control and violates what I believe to be the home rule provision in the Maine Constitution.

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

Senator PEARSON: Thank you Mr. President. Mr. President, men and women of the Senate. It used to be as I understand it and I am certainly not an expert on clams or fish or anything else like that, but it used to be that it eventually got to the point where each town was shutting out people from outside. As I understand it and I could be corrected, eventually that went to court and it was said that you could not shut out anybody from outside making a livelihood if they came from Town X and they wanted to go to Town Y and dig clams. But the court further said that you could establish in the town a mechanism for giving out licenses. What these people do who make a living digging clams is that when their licenses are going to be issued, they line up in front of the door and some of them camp out overnight literally to get their licenses and be the first at the door because that is their livelihood. They know that they can't make a livelihood in just one town,

so they get licenses in two or three and they go to the different beds when there are a lot of clams in them. One of the towns, the Town of Brunswick as I understand it, has decided that instead of a first come first serve type of method, that they would create a lottery method so that it means that somebody who is truly dependent upon that business for their livelihood, can't depend on it anymore because it is just a matter of chance as to whether or not they get enough licenses to be able to dig clams. One of the members of the Appropriations Committee was concerned about that because people in his towns were concerned that they couldn't make a living any more because of a lottery that had been instituted by the Town of Brunswick. He sought to redress their grievances. Those people in that town immediately went to their Senator and said can you stop this from happening. Their Senator said yes, I think I can grandfather you so you won't be effected. A compromise was reached by both sides saying okay, I can accept that but if this goes the whole length of the coast, people aren't going to be able to make a living anymore. Well, low and behold we found that it was not only happening in Brunswick, but it was being instituted in Freeport and the fear that the gentlemen expressed is growing. I am no expert on clams or anything and I am willing to say that there probably ought to be in a separate legislative document and considered on its merits, but I do understand the fear that the gentlemen expressed because it was growing so rapidly that people who made a living doing this were going to be swept out of their ability to make a living. That is the vehicle that he chose and it seemed to me to be a logical argument because we were getting back to the very same situation that we had before where towns were excluding people from outside and they have now found another effective way to do that. I don't see anything wrong with either one of their positions in trying to legislate their positions and will leave it to you to be the judge of whether it ought to happen or it ought not to happen.

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. I think in my attempt to not involve personalities and to not involve the legislative procedure, what we have inserted into the budget document is what we call a bobble. It is irrelevant to the budget document and it is substantive in nature and it effects home rule. No one can deny those three outstanding features. The Town of Brunswick developed their municipal ordinance relative to non-resident lottery for licenses as the result of difficulties with what a number of communities exercise and is called the first come, first serve basis where people literally camp out in the town clerks office or in the parking lot of the municipal building for as long as two days waiting for the first come first serve basis. The lottery in Brunswick requires the non-resident to show up prior to the lottery and fill out an application. It requires the participant to have a valid state clamming license in hand when applying to provide non diggers from participating in the lottery. One of the greatest fears of the initiator of this bobble has been forted in one municipality by the fact that they have to have a state license. This years lottery in Brunswick was held on April 1 at 3:00 p.m. and about twenty-five people participated. The Shellfish Committee in Brunswick and the town attorney and the Town Clerk and the Marine Warden feel that the lottery does work well and that municipal ordinances should not be

superseded by state action. It was the first year that the lottery was exercised under their local ordinance. Last year there was a lottery, it didn't work as well because there were no formal rules and through public hearing and through the local legislative body, these rules which govern the operation of the lottery were adopted, again in public hearing and public meeting of the Town Council. I have admitted that we, the gentlemen from the other Body and myself, had agreed to a resolution, but I want you to be very clear that listen to the rest of my statement. I clearly and candidly and honestly admit that there is another town who is already developing, I didn't know it until today, guidelines for an institution of a similar way of issuing non-resident licenses - my home town. Should we in this state, without public hearing before the Committee on Marine Resources, prohibit that municipality from determining its own destiny relative to non-resident clamming licenses? The good Senator from Penobscot readily admits that he is not an expert in clamming, but no one can ever fault his loyalty to his committee members and that is a quality I greatly admire. But what we have represented in that insertion in the budget document is a circumvention of legislative process which this Body has certainly lent this Majority Leader some direction in recent hours and days. I would be most surprised if we would not maintain our consistency relative to that circumvention. And so I urge you to support the pending motion of Indefinite Postponement. Allow local communities along the coast to develop their own guidelines under our home rule provisions. Should this be a matter of the 114th Legislature, we all can be assured whether we are here or not here, that the public legislative process will make perhaps a more open process of determining how municipalities will work under this aura of issuing non-resident licenses. Thank you Mr. President.

On motion by Senator CLARK of Cumberland, House Amendment "B" (H-784) INDEFINITELY POSTPONED in NON-CONCURRENCE.

On further motion by same Senator, Senate Amendment "A" (S-497) READ AND ADOPTED.

On motion by Senator WEBSTER of Franklin, the Senate RECONSIDERED whereby it ADOPTED House Amendment "A" (H-755).

On further motion by same Senator, House Amendment "A" (H-755) INDEFINITELY POSTPONED in NON-CONCURRENCE.

On motion by Senator BRANNIGAN of Cumberland, Tabled until Later in Today's Session, pending PASSAGE TO BE ENGROSSED AS AMENDED in NON-CONCURRENCE.

Senate at Ease

Senate called to order by the President.

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

An Act to Require Principles of Reimbursement for Intermediate Care Facilities for the Mentally Retarded to Include Provisions for Covering Increases in Insurance Premiums

S.P. 176 L.D. 491
(C "A" S-312)

Tabled - February 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, February 17, 1988, PASSED TO BE ENACTED.)

LEGISLATIVE RECORD - SENATE, APRIL 21, 1988

(In Senate, February 10, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-312).)

On further motion by same Senator, the Bill and Accompanying Papers INDEFINITELY POSTPONED in NON-CONCURRENCE.

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

Senate at Ease

Senate called to order by the President.

On motion by Senator PEARSON of Penobscot, under suspension of the Rules, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following matters inclusively:

An Act Relating to Taxation of Trucks
H.P. 1284 L.D. 1757
(H "A" H-440)

Tabled - February 11, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, February 10, 1988, PASSED TO BE ENACTED.)

(In Senate, February 8, 1988, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-440), in concurrence.)

Emergency

An Act to Clarify the Law Governing Prelitigation Screening Panels

S.P. 711 L.D. 1941
(H "A" H-675 & S "A"
S-452 to C "A" S-395)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 18, 1988, PASSED TO BE ENACTED.)

(In Senate, April 13, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-395) AS AMENDED BY HOUSE AMENDMENT "A" (H-675) AND SENATE AMENDMENT "A" (S-452) thereto.)

An Act to Provide for Retail Inspection of Potatoes

H.P. 1447 L.D. 1958
(C "A" H-477)

Tabled - March 21, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, March 18, 1988, PASSED TO BE ENACTED.)

(In Senate, March 16, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-477), in concurrence.)

Emergency

An Act to Increase Reimbursement Rates to Boarding Care Facilities

H.P. 1472 L.D. 1983
(C "A" H-660)

Tabled - April 15, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 15, 1988, PASSED TO BE ENACTED.)

(In Senate, April 13, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-660), in concurrence.)

Emergency

An Act to Provide Elderly Mental Health Service Needs

S.P. 742 L.D. 2001
(C "A" S-440)

Tabled - April 15, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 15, 1988, PASSED TO BE ENACTED.)
(In Senate, April 13, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-440).)

An Act to Increase the Minimum Standards for Eligibility for the Elderly Low-Cost Drug Program and the Household Tax and Rent Refund Act

H.P. 1512 L.D. 2062
(C "A" H-651)

Tabled - April 15, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 15, 1988, PASSED TO BE ENACTED.)

(In Senate, April 13, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-651), in concurrence.)

An Act to Expand the Membership and Clarify the Role of the Commission on Intergovernmental Relations

S.P. 790 L.D. 2078
(C "A" S-354)

Tabled - April 4, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 4, 1988, PASSED TO BE ENACTED.)

(In Senate, March 24, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-354).)

An Act Concerning State Mandates to Local Governments

H.P. 1536 L.D. 2090
(H "A" H-613 to C "A"
H-578)

Tabled - April 11, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 8, 1988, PASSED TO BE ENACTED.)

(In Senate, April 5, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-578) AS AMENDED BY HOUSE AMENDMENT "A" (H-613) thereto, in concurrence.)

Emergency

An Act to Provide Prevocational Services for Persons with Long-Term Mental Illness

H.P. 1548 L.D. 2108
(C "A" H-663)

Tabled - April 15, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 15, 1988, PASSED TO BE ENACTED.)

(In Senate, April 13, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-663), in concurrence.)

An Act to Increase Funding of Elderly Legal Services

H.P. 1552 L.D. 2112
(C "A" H-581)

Tabled - April 11, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 8, 1988, PASSED TO BE ENACTED.)

(In Senate, April 5, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-581), in concurrence.)

An Act to Amend the Principles of Reimbursement for Nonhealth Employees of Nursing Homes

S.P. 817 L.D. 2137
(C "A" S-391)

Tabled - April 11, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 8, 1988, PASSED TO BE ENACTED.)

(In Senate, April 4, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-391).)

LEGISLATIVE RECORD - SENATE, APRIL 21, 1988

An Act Relating to Special Education in Maine Schools

H.P. 1588 L.D. 2172
(S "A" S-428 to C "A" H-630)

Tabled - April 13, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, April 13, 1988, PASSED TO BE ENACTED.)
(In Senate, April 8, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-630) AS AMENDED BY SENATE AMENDMENT "A" (S-428) thereto.)

Emergency

An Act to Establish the Maine Science and Technology Commission and to Authorize Funding for Centers for Innovation

H.P. 1602 L.D. 2193
(C "A" H-672)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, April 18, 1988, PASSED TO BE ENACTED.)
(In Senate, April 14, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-672), in concurrence.)

An Act to Provide Greater Public Dissemination of Information Concerning Prohibition of Certain Land Usages

H.P. 1609 L.D. 2200
(C "A" H-480)

Tabled - March 21, 1988, by Senator BERUBE of Androscoggin.

Pending - ENACTMENT
(In House, March 21, 1988, PASSED TO BE ENACTED.)
(In Senate, March 17, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-480), in concurrence.)

An Act to Require Municipal Approval of Public Land Acquired by the State

H.P. 1640 L.D. 2239
(C "A" H-648)

Tabled - April 15, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, April 15, 1988, PASSED TO BE ENACTED.)
(In Senate, April 13, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-648), in concurrence.)

An Act to Amend Property Tax Exemptions

H.P. 1657 L.D. 2267
(C "A" H-586)

Tabled - April 11, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, April 8, 1988, PASSED TO BE ENACTED.)
(In Senate, April 6, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-586), in concurrence.)

An Act to Provide Volunteer Literacy Services for Maine Citizens

S.P. 876 L.D. 2279
(C "A" S-330)

Tabled - March 21, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, March 18, 1988, PASSED TO BE ENACTED.)
(In Senate, March 14, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-330).)

An Act to Establish the Maine Elderly Tax Assistance Program

S.P. 880 L.D. 2283
(C "A" S-358)

Tabled - March 30, 1988, by Senator PEARSON of

Penobscot.

Pending - ENACTMENT

(In House, March 30, 1988, PASSED TO BE ENACTED.)
(In Senate, March 25, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-358).)

Emergency

An Act to Determine the Extent and Impact of Unemployed Persons No Longer Eligible for Unemployment Insurance Upon the State of Maine

H.P. 1674 L.D. 2293
(C "A" H-511)

Tabled - March 28, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, March 28, 1988, PASSED TO BE ENACTED.)
(In Senate, March 24, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-511), in concurrence.)

An Act to Establish an Occupational Health Program

H.P. 1676 L.D. 2295
(C "A" H-721)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, April 18, 1988, PASSED TO BE ENACTED.)
(In Senate, April 15, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-721), in concurrence.)

Emergency

An Act to Enhance the Effectiveness of the Operating-Under-the-Influence Laws

S.P. 885 L.D. 2297
(S "A" S-408 to C "A" S-398)

Tabled - April 12, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, April 11, 1988, PASSED TO BE ENACTED.)
(In Senate, April 5, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-329) AS AMENDED BY SENATE AMENDMENT "A" (S-408) thereto.)

An Act to Amend the Requirement that Counties Contribute to the Support of the Superior Courts and the Supreme Judicial Court

H.P. 1677 L.D. 2306
(S "A" S-459 to C "A" H-647)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, April 18, 1988, PASSED TO BE ENACTED.)
(In Senate, April 14, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-647) AS AMENDED BY SENATE AMENDMENT "A" (S-459) thereto.)

An Act to Create the Maine Choice Fund

H.P. 1695 L.D. 2328

Tabled - March 1, 1988, by Senator BERUBE of Androscoggin.

Pending - ENACTMENT
(In House, February 29, 1988, PASSED TO BE ENACTED.)
(In Senate, February 25, 1988, PASSED TO BE ENGROSSED, in concurrence.)

Emergency

An Act to Create a Home-Based Treatment and Education Demonstration Program for Persons with Mental Illness and their Families

S.P. 898 L.D. 2334
(S "A" S-442)

Tabled - April 14, 1988, by Senator PEARSON of Penobscot.

LEGISLATIVE RECORD - SENATE, APRIL 21, 1988

Pending - ENACTMENT
 (In House, April 14, 1988, PASSED TO BE ENACTED.)
 (In Senate, April 12, 1988, PASSED TO BE
 ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-442).)
 An Act to Promote Economic Development in the
 State by Enhancing Employment Opportunities for Maine
 People

H.P. 1703 L.D. 2340
 (H "A" H-730; S "A"
 (S-467 to C "A" H-705)

(In House, April 19, 1988, PASSED TO BE ENACTED.)
 (In Senate, April 18, 1988, PASSED TO BE
 ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"
 (H-705) AS AMENDED BY HOUSE AMENDMENT "A" (H-730) AND
 SENATE AMENDMENT "A" (S-467) thereto, in concurrence.)

An Act to Enable Additional Agencies to
 Participate under the Finance Authority of Maine Loan
 Program

S.P. 909 L.D. 2364
 (C "A" S-400)

Tabled - April 11, 1988, by Senator PEARSON of
 Penobscot.

Pending - ENACTMENT
 (In House, April 8, 1988, PASSED TO BE ENACTED.)
 (In Senate, April 8, 1988, PASSED TO BE ENACTED.
 Subsequently, RECONSIDERED ENACTMENT.)

An Act to Create the Commission to Examine Issues
 Relating to Legal Expenses Incurred by State
 Employees in the Execution of their Official Duties
 and Related Disciplinary Issues

S.P. 914 L.D. 2383
 (H "A" H-684 to C "A"
 S-430)

Tabled - April 15, 1988, by Senator PEARSON of
 Penobscot.

Pending - ENACTMENT
 (In House, April 15, 1988, PASSED TO BE ENACTED.)
 (In Senate, April 13, 1988, PASSED TO BE
 ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"
 (S-430) AS AMENDED BY HOUSE AMENDMENT "A" (H-684)
 thereto, in concurrence.)

An Act to Implement the Recommendations of the
 Special Commission to Study Teacher Training in the
 University of Maine System

H.P. 1739 L.D. 2385
 (C "A" H-539)

Tabled - April 4, 1988, by Senator PEARSON of
 Penobscot.

Pending - ENACTMENT
 (In House, April 4, 1988, PASSED TO BE ENACTED.)
 (In Senate, March 29, 1988, PASSED TO BE
 ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"
 (H-539), in concurrence.)

Resolve, Establishing the Advisory Committee on
 Education and Critical Issues for Student Decision
 Making

H.P. 1776 L.D. 2429
 (C "A" H-589)

Tabled - April 11, 1988, by Senator PEARSON of
 Penobscot.

Pending - FINAL PASSAGE
 (In House, April 8, 1988, FINALLY PASSED.)
 (In Senate, April 6, 1988, PASSED TO BE ENGROSSED
 AS AMENDED BY COMMITTEE AMENDMENT "A" (H-589), in
 concurrence.)

An Act to Allow Greater Flexibility in Education,
 Financial Assistance, Training and Wages Relating to
 Health Care Facilities Experiencing Labor Shortages

H.P. 1780 L.D. 2433
 (C "A" H-728)

Tabled - April 19, 1988, by Senator CLARK of
 Cumberland.

Pending - ENACTMENT
 (In House, April 19, 1988, PASSED TO BE ENACTED.)

(In Senate, April 18, 1988, PASSED TO BE
 ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"
 (H-728), in concurrence.)

Resolve, to Establish the Commission to Study the
 Management of Water Resources in Maine
 H.P. 1822 L.D. 2497
 (C "A" H-574)

Tabled - April 5, 1988, by Senator PEARSON of
 Penobscot.

Pending - FINAL PASSAGE
 (In House, April 5, 1988, FINALLY PASSED.)
 (In Senate, March 31, 1988, PASSED TO BE
 ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"
 (H-574), in concurrence.)

An Act to Exempt Law Enforcement Personnel from
 Having to Pay Ferry Tolls

H.P. 1823 L.D. 2498
 (S "A" S-415)

Tabled - April 12, 1988, by Senator PEARSON of
 Penobscot.

Pending - ENACTMENT
 (In House, April 11, 1988, PASSED TO BE ENACTED.)
 (In Senate, April 6, 1988, PASSED TO BE ENGROSSED
 AS AMENDED BY SENATE AMENDMENT "A" (S-415).)

An Act to Ensure the Complete Payment of Health
 Insurance Premiums for Teachers over a Certain Age

H.P. 1852 L.D. 2535

Tabled - March 22, 1988, by Senator PEARSON of
 Penobscot.

Pending - ENACTMENT
 (In House, March 22, 1988, PASSED TO BE ENACTED.)
 (In Senate, March 18, 1988, PASSED TO BE
 ENGROSSED, in concurrence.)

An Act to Amend the Statutes Pertaining to the
 Emergency Treatment and Continuing Supervision of
 Chemically Dependent Persons

H.P. 1857 L.D. 2542
 (C "A" H-718)

Tabled - April 18, 1988, by Senator PEARSON of
 Penobscot.

Pending - ENACTMENT
 (In House, April 18, 1988, PASSED TO BE ENACTED.)
 (In Senate, April 15, 1988, PASSED TO BE
 ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"
 (H-718), in concurrence.)

An Act to Continue State Benefits to Retired
 Teachers who have Joined a New Insurance Plan upon
 Retirement

H.P. 1862 L.D. 2547

Tabled - March 28, 1988, by Senator PEARSON of
 Penobscot.

Pending - ENACTMENT
 (In House, March 25, 1988, PASSED TO BE ENACTED.)
 (In Senate, March 21, 1988, PASSED TO BE
 ENGROSSED, in concurrence.)

An Act to Change the Sales Tax Status of
 Equipment, Fuel and Electricity Used in Snowmaking by
 Commercial Ski Areas

H.P. 1867 L.D. 2554

Tabled - March 28, 1988, by Senator PEARSON of
 Penobscot.

Pending - ENACTMENT, in NON-CONCURRENCE
 (In House, March 28, 1988, Bill and Accompanying
 Papers INDEFINITELY POSTPONED.)
 (In Senate, March 22, 1988, PASSED TO BE
 ENGROSSED.)

Resolve, to Appropriate Funds to the AIDS Lodging
 House, Inc.

S.P. 965 L.D. 2560
 (C "A" S-410)

Tabled - April 12, 1988, by Senator PEARSON of
 Penobscot.

Pending - FINAL PASSAGE
 (In House, April 11, 1988, FINALLY PASSED.)

LEGISLATIVE RECORD - SENATE, APRIL 21, 1988

(In Senate, April 6, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-410).)

An Act to Create a State Capitol Commission
S.P. 966 L.D. 2563

Tabled - March 30, 1988, by Senator BERUBE of Androscoggin.

Pending - ENACTMENT
(In House, March 29, 1988, PASSED TO BE ENACTED.)

(In Senate, March 23, 1988, PASSED TO BE ENGROSSED.)

An Act Concerning Law Enforcement Education and Training and Funding for Training

H.P. 1899 L.D. 2594

Tabled - April 4, 1988, by Senator BERUBE of Androscoggin.

Pending - ENACTMENT
(In House, April 4, 1988, PASSED TO BE ENACTED.)

(In Senate, March 30, 1988, PASSED TO BE ENGROSSED, in concurrence.)

Emergency

An Act to Create a Demonstration Project to Provide for Ladders of Advancement in the Nursing Profession

H.P. 1906 L.D. 2603

Tabled - April 4, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, April 4, 1988, PASSED TO BE ENACTED.)

(In Senate, March 30, 1988, PASSED TO BE ENGROSSED, in concurrence.)

An Act Concerning the Regulation of Welders

H.P. 1910 L.D. 2607

Tabled - April 7, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, April 6, 1988, PASSED TO BE ENACTED.)

(In Senate, March 31, 1988, PASSED TO BE ENGROSSED, in concurrence.)

An Act to Establish Greater Communication in the Rule-Making Process and to Provide Better Standards for the Adoption of Rules

H.P. 1912 L.D. 2611

Tabled - April 12, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, April 11, 1988, PASSED TO BE ENACTED.)

(In Senate, April 7, 1988, PASSED TO BE ENGROSSED, in concurrence.)

Emergency Resolve

Resolve, Creating the Commission to Study Private Ways and Private Roads

H.P. 1922 L.D. 2622

Tabled - April 12, 1988, by Senator BERUBE of Androscoggin.

Pending - FINAL PASSAGE
(In House, April 12, 1988, FINALLY PASSED.)

(In Senate, April 8, 1988, PASSED TO BE ENGROSSED, in concurrence.)

On further motion by same Senator, the Bills and Accompanying Papers INDEFINITELY POSTPONED in NON-CONCURRENCE.

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

Off Record Remarks

Senate at Ease

Senate called to order by the President.

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 Establish the Maine Information Commission on Agent Orange and Radiation

H.P. 1914 L.D. 2613

(S "A" S-532 to H "D" H-690)

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.

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 Rehabilitation System under the Workers' Compensation Act

H.P. 1915 L.D. 2614

(S "A" S-416; H "A" H-614; S "B" S-533)

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.

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 Emergency Shelter Services to Homeless Youth

S.P. 760 L.D. 2023

(S "A" S-501; C "A" S-409)

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.

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 Fund the Office of Child Welfare Services Ombudsman

H.P. 1861 L.D. 2559

(S "A" S-504)

This being an Emergency Measure 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 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 Law Relating to Unitary Taxation of Corporations

H.P. 928 L.D. 1244
(S "A" S-511 to C "A"
H-710)

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:

ENACTORS

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

Emergency

An Act to Make Supplemental Appropriations for Expenditures of the Judicial Department and to Change Certain Provisions of the Law Necessary to the Operation of the Judicial Department for the Fiscal Years Ending June 30, 1988, and June 30, 1989

H.P. 1866 L.D. 2551
(S "A" S-517 to C "A"
H-680)

This being an Emergency Measure 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 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

An Act to Require the Study of the Laws Regulating Antitrust Activities of the Insurance Industry

S.P. 920 L.D. 2411
(S "A" S-538 to C "A"
S-463)

This being an Emergency Measure 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 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

An Act to Study the Necessity and Feasibility of Establishing a Health Information Recording System

H.P. 1719 L.D. 2358
(S "A" S-536 to C "A"
H-716)

This being an Emergency Measure 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 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 Maine Tree Growth Tax Law
H.P. 1591 L.D. 2177
(S "A" S-522)

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:

ENACTORS

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

An Act to Study Alternative Dispute Resolution in the Superior Court

S.P. 861 L.D. 2249
(S "A" S-508)

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:

ENACTORS

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

An Act to Provide Funds for the Seed Potato Breeding Program

H.P. 1605 L.D. 2196
(S "A" S-499)

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:

ENACTORS

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

An Act Relating to Coastal Search and Rescue Responsibilities and Creating the Study Commission on Coastal Search and Rescue

S.P. 855 L.D. 2231
(S "A" S-535 to C "A"
S-367)

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:

ENACTORS

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

An Act to Enhance Outdoor Recreation Opportunities

S.P. 889 L.D. 2301
(S "A" S-524 to C "A" S-363)

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:

ENACTORS

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

An Act to Respond to Health Care Occupation Shortages in Maine through the Health Occupations Training Project

S.P. 892 L.D. 2304
(S "B" S-513 to C "A" S-468)

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:

ENACTORS

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

An Act to Promote the Creation and Expansion of Independent Living Opportunities for Maine's Citizens with Disabilities

H.P. 1694 L.D. 2327
(S "A" S-527 to C "A" H-691)

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:

ENACTORS

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

An Act to Appropriate Funds to Conduct a Marine Pollution Monitoring Program

H.P. 1728 L.D. 2371
(S "A" S-520)

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:

ENACTORS

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

An Act to Extend and Strengthen the State's Mandatory Shoreland Zoning Laws

H.P. 1731 L.D. 2374
(C "A" H-597)

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:

ENACTORS

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

An Act to Create the Railroad Preservation and Assistance Act and to Provide for Annual Track Inspections

H.P. 1747 L.D. 2396
(S "A" S-526 to C "A" H-673)

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:

ENACTORS

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

An Act to Require a Study of the Maine Blueberry Commission

S.P. 921 L.D. 2412
(S "A" S-530 to C "A" S-405)

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:

ENACTORS

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

An Act to Increase the Frequency of Restaurant Inspections

H.P. 1775 L.D. 2428
(S "A" S-503 to C "A" H-689)

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:

ENACTORS

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

An Act to Protect Lake Water from Phosphorous Pollution

H.P. 1784 L.D. 2445
(S "A" S-515 to C "A" H-580)

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:

ENACTORS

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

An Act to Expand the Medicaid Dental Program to Include Adults

S.P. 945 L.D. 2492
(S "A" S-505)

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:

ENACTORS

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

An Act to Provide a Mechanism for Insurance for Foster Care and Respite Care

H.P. 1821 L.D. 2496
(S "A" S-525 to C "A"
H-552)

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:

ENACTORS

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

An Act to Provide for a State Trademark for Maine Products

H.P. 1880 L.D. 2572
(S "A" S-523)

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:

ENACTORS

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

An Act to Expand the Property Tax Circuit Breaker Program

H.P. 1882 L.D. 2574
(H "A" H-702 & S "A"
S-502 to C "A" H-652)

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:

ENACTORS

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

An Act to Encourage and Monitor the Use of New Potato Varieties

H.P. 1893 L.D. 2586
(S "A" S-521)

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:

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

S.P. 975 L.D. 2589
(S "A" S-519)

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:

ENACTORS

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

An Act to Create the Economic Corridor Action Grant Program

H.P. 1904 L.D. 2601
(S "A" S-518 to S "A"
S-383; S "B" S-385)

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:

ENACTORS

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

Emergency Resolve

Resolve, Concerning a Proposed Supreme Judicial Court Facility

H.P. 130 L.D. 159
(S "A" S-374; S "B"
S-528; H "A" H-485 to C
"A" H-481)

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 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:

ENACTORS

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

Emergency Resolve

Resolve, Creating the Commission on Marine Research

H.P. 1741 L.D. 2387
(S "A" S-537)

This being an Emergency Measure 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 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.

Off Record Remarks

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 Make Health Care More Accessible to Low-Income Elderly and Disabled Individuals, Children and Pregnant Women" (Emergency)

H.P. 1643 L.D. 2242

In Senate, April 15, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-722), in concurrence.

In House, April 18, 1988, PASSED TO BE ENACTED.

In Senate, April 21, 1988, PASSED TO BE ENGROSSED

LEGISLATIVE RECORD - SENATE, APRIL 21, 1988

in NON-CONCURRENCE.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "B" (H-783) 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 Enhance and Clarify the Role of the State Board of Education

H.P. 1756 L.D. 2405
(S "A" S-514 to C "A" H-550)

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:

ENACTORS

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

Emergency

An Act to Adjust the Rainy Day Fund Program

S.P. 1007 L.D. 2640

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with No 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 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:

Resolve

Resolve, Regarding the Study of Low-Level Radioactive Waste in the Town of Greenbush

H.P. 1794 L.D. 2458
(S "A" S-516 to S "A" S-338)

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:

COMMUNICATIONS

The Following Communication:

COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS
ONE HUNDRED AND THIRTEENTH LEGISLATURE

April 21, 1988

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 Second Regular Session of the 113th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	102
Unanimous reports	95

Leave to Withdraw	36
Ought to Pass	11
Ought Not to Pass	8
Ought to Pass as Amended	40
Ought to Pass in New Draft 0	

Divided reports	4
Rereferred	3

Respectfully submitted,

S/Michael D. Pearson Senate Chair	S/Donald V. Carter House Chair
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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 MARINE RESOURCES

ONE HUNDRED AND THIRTEENTH LEGISLATURE

April 15, 1988

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 Second Regular Session of the 113th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	14
Unanimous reports	10
Leave to Withdraw	2
Ought to Pass	1
Ought Not to Pass	0
Ought to Pass as Amended	6
Ought to Pass in New Draft 1	

Divided reports	4
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Respectfully submitted,

S/John L. Tuttle, Jr Senate Chair	S/James Mitchell House Chair
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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

Bill "An Act to Require Full State Funding of any Legislative Mandate"

H.P. 1623 L.D. 2218

In Senate, April 21, 1988, PASSED TO BE ENGROSSED. Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-786) in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

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

COMMITTEE REPORTS

House

Leave to Withdraw

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

Resolve, to Ensure Payment of Attorney Fees Incurred by Maine State Police Trooper Michael T. Edes (Emergency)

H.P. 1816 L.D. 2486

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 Supplement Crisis Intervention Services for Penobscot, Piscataquis, Hancock and Washington Counties

H.P. 1506 L.D. 2056
(S "A" S-507)

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.

ORDERS OF THE DAY

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

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

H.P. 1939 L.D. 2638
(S "A" S-497)

Tabled - April 21, 1988, by Senator BRANNIGAN of Cumberland.

Pending - PASSAGE TO BE ENGROSSED AS AMENDED in NON-CONCURRENCE

(In House, April 21, 1988, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENTS "A" (H-755) AND "B" (H-784) in NON-CONCURRENCE.)

(In Senate, April 21, 1988, RECEDED FROM PASSAGE TO BE ENGROSSED AS AMENDED. House Amendment "B" (H-784) READ and INDEFINITELY POSTPONED in NON-CONCURRENCE. RECONSIDERED ADOPTION of House Amendment "A" (H-755) and INDEFINITELY POSTPONED same. Senate Amendment "A" (S-497) READ and ADOPTED.)

On motion by Senator BRANNIGAN of Cumberland, Senate Amendment "B" (S-545) READ.

THE PRESIDENT: The Chair recognizes the same Senator.

Senator BRANNIGAN: Thank you Mr. President. Mr. President, men and women of the Senate. This is the amendment dealing the various school administrative bodies and the removal of members who do not attend, this deals with unexcused absences. As presented to us as a House Amendment it did not do all of the things that people wanted it to do. After a lot of research on the part of various people, I decided to make it consistent throughout and to present it to you for your approval or your disapproval, to try to lay this to rest for once and for all. If people want it explained what it does, there are certain community school districts, and their are two types and that was different in this Bill, school unions, S.A.D.'s and municipal school committees. On certain types of community school districts the law now allows that the member of that committee may be removed for three unexcused absences. There is the type of community school district that each town has their own elementary system and they just group together for a high school. There are other community school districts in which all K-12 is run and those folks are elected directly to the community school district board. I don't know how that is any different from S.A.D.'s, but it is in the law and there are school unions and of course school boards in each of those towns which to do have a peculiar community school district. Therefore, this amendment would allow someone who has three absences, it allows that board to declare a vacancy in all of those. Thank you.

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

Senator WEBSTER: Thank you Mr. President. Mr. President, men and women of the Senate. My opposition to this Bill is perhaps the lateness of it, perhaps the fact that this is the Errors Bill and this is a substantive change and we have dealt with this issue before. I would like to pose a question through the Chair as to whether this Bill if properly before the Body under Joint Rule 20?

THE PRESIDENT: The Chair would answer in the affirmative.

The Chair recognizes the Senator from Franklin, Senator Webster.

Senator WEBSTER: Is the Amendment properly before the Body?

THE PRESIDENT: The Chair would answer that Senate Amendment "B" (S-545) that was just presented is in violation of Joint Rule 20.

The Chair recognizes the Senator from Kennebec, Senator Kany.

Senator KANY: Thank you Mr. President. Mr. President, men and women of the Senate. I rose to suggest that certainly the amendment does consist of an inconsistency.

Senator CLARK of Cumberland moved to SUSPEND THE RULES.

Senator WEBSTER of Franklin Objected.

THE PRESIDENT: The pending question before the Senate is the motion of Senator CLARK of Cumberland to SUSPEND THE RULES.

The Chair will order a Division.

Will all those Senators in favor of the motion of Senator CLARK of Cumberland, to SUSPEND THE RULES, 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 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion of Senator CLARK of Cumberland, to SUSPEND THE RULES, FAILED.

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

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 Special Commission on Boating

H.P. 1785 L.D. 2446
(S "A" S-539; C "A" H-618)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with No Senators having voted in negative, and 32 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.

Emergency Resolve

Resolve, to Amend the Duties, Title and Reporting Date of the Special Commission to Study School-Entrance Age and Preschool Services

H.P. 1874 L.D. 2566
(C "A" H-568; S "A"
S-531)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with No Senators having voted in negative, and 32 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:

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 \$36,800,000 to Finance Construction and Capital Improvements on the Campuses of the University of Maine System

H.P. 1884 L.D. 2576
(S "A" S-543 to C "A"
H-763)

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

Senator PEARSON: Thank you Mr. President. Mr. President, men and women of the Senate. I would like to pose a question to anybody who might care to respond. As I understand it this bond issue has been upped for all campuses in the system. I have not seen anything on my desk, but then I have a lot on my desk that explains the break down. It has been passed to me just now, but it is a little late. Is there any logic to this? Who decided where it was going to go? Was there a meeting of the minds within the University System? What is the rationale for the breakdown within the different campuses?

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

The Chair recognizes the Senator from Aroostook, Senator Collins.

Senator COLLINS: Thank you Mr. President. Mr. President, men and women of the Senate. There is a great deal of rationale with respect to the numbers that are now before us. I think that many of you may recall reading in the papers some four months ago with respect to the work the University System Trustees were doing in order to determine the status of their real estate, the physical plant at all of the different campuses. A rather extensive study occurred and a determination was made by the University Trustees that there was a need for about sixty million dollars worth of construction, rehabilitation improvements and changes at the seven University Campuses. The Trustees for a while hoped that they might secure a sixty million dollar Bond Issue, but recognizing the needs of other parts of state government, they gradually paired their requests down and when it came to the Appropriations Committee, it came at about 31.8 million. However, on the way down from sixty million, one of the stopping points was 36.8 million so that the composition of the Bill that is before us is one that has the support of the University Trustees. In fact, they will be much happier with it than the proposal that originally appeared before the Appropriations Committee. Those of you who didn't happen to see the changes that were made, perhaps I should read into the Record. From the 31.8 the increases are as follows: For the University of Maine 2.5 million

additional. For the University of Southern Maine, 1.2 million additional. For the University at Farmington, \$600,000. At Fort Kent, \$100,000. At Machias, \$150,000. At Presque Isle, \$250,000. At Augusta \$200,000. Those are in addition to the funding that was provided for in the original 31.8 million. If my arithmetic is correct those will add up to 36.8. Thank you Mr. President.

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

Senator PEARSON: Thank you Mr. President. Mr. President, men and women of the Senate. I appreciate the logical explanation from the Senator from Aroostook, Senator Collins. It does bother me somewhat to understand what forty thousand dollars can do for example at the University of Maine at Augusta and a hundred thousand dollars can do at the University of Maine at Fort Kent. I hope that the spending that they figured into this is indeed those kinds of spending that can be done with a Bond Issue and are not salary kinds of things and kinds of things that are prohibited by Maine law and constitution for bonding. I trust that they are intelligent enough to know the difference. Sometimes I have wondered about that, but in this case I hope that they have.

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:

ORDERS

Joint Resolution

On motion by Senator MATTHEWS of Kennebec (Cosponsored by: President PRAY of Penobscot, Speaker MARTIN of Eagle Lake, Representative CARTER of Winslow) (Approved for Introduction by the Legislative Council pursuant to Joint Rule 35) the following Joint Resolution:

S.P. 1008

JOINT RESOLUTION MEMORIALIZING
THE INTERSTATE COMMERCE COMMISSION AND
THE MEMBERS OF THE UNITED STATES CONGRESS
TO ENSURE AN ADEQUATE RAIL SERVICE
FOR MAINE AND NEW ENGLAND

WE, your Memorialists, the Senate and House of Representatives of the State of Maine in the Second Regular Session of the One Hundred and Thirteenth Legislature, now assembled, most respectfully present and petition the Interstate Commerce Commission and the MEMBERS of the United States Congress, as follows:
WHEREAS, concern lingers over the level and quality of service provided by Guilford Transportation Industries in this State; and

WHEREAS, the deterioration of rail service is a real threat to the economic vitality of many industries in this State; and

WHEREAS, it is vitally necessary that steps be taken at the earliest possible time to ensure the stabilization and improvement of rail service throughout the region; and

WHEREAS, these necessary steps to ensure a reliable and efficient rail system throughout this region can only be taken by the Interstate Commerce Commission; now, therefore, be it

RESOLVED: That We, your Memorialists, do hereby respectfully urge the Members of the Interstate Commerce Commission and members of the United States

Congress to do all within their respective powers to ensure the stabilization and improvement of rail service in Maine and the New England area and to consider implementation of directional service at the earliest possible time to provide the relief necessary for this essential service; and be it further

RESOLVED: That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to each member of the Interstate Commerce Commission for the United States and 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 Maine Congressional Delegation.

Which was READ and ADOPTED.

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

ORDERS OF THE DAY

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

Emergency

An Act to Make Supplemental Allocations from the Highway Fund for the Fiscal Years Ending June 30, 1988, and June 30, 1989

H.P. 1788 L.D. 2449
(C "A" H-584)

Tabled - April 20, 1988, by Senator CLARK of Cumberland.

Pending - Motion of same Senator to RECONSIDER ENACTMENT

(In Senate, April 20, 1988, PASSED TO BE ENACTED, in concurrence.)

Senator CLARK of Cumberland requested and received Leave of the Senate to withdraw her motion to RECONSIDER ENACTMENT.

Under suspension of the Rules, ordered sent forthwith.

On motion by Senator DUTREMBLE of York, the Senate removed from the Unassigned Table the following:

An Act to Create a Single Point of Contact for the Operators of Commercial Vehicles

S.P. 796 L.D. 2093
(H "A" H-498 to C "A" S-322)

Tabled - April 20, 1988 by Senator DUTREMBLE of York.

Pending - Motion of Senator CLARK of Cumberland to RECONSIDER ENACTMENT

(In Senate, April 20, 1988, PASSED TO BE ENACTED, in concurrence.)

Senator CLARK of Cumberland requested and received Leave of the Senate to withdraw her motion to RECONSIDER ENACTMENT.

Under suspension of the Rules, ordered sent forthwith.

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

Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$3,000,000 for Construction and Renovation of Public Safety Facilities

S.P. 970 L.D. 2578
(C "A" S-494)

Tabled - April 20, 1988, by Senator CLARK of Cumberland.

Pending - ENACTMENT

(In House, April 20, 1988, PASSED TO BE ENACTED.)

(In Senate, April 19, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-494).)

This being a Bond Authorization Act and having received the affirmative vote of 30 Members of the Senate, with 2 Senators having voted in the negative, and 30 being more than two-thirds of the entire elected 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.

Off Record Remarks

The Chair at this time would like to take a moment to reflect upon this Session that is almost over. I would like to say something about the two individuals who have decided by their own choice not to seek re-election. I have, over the last couple of days, taken the opportunity to review their performance and record of serving in the Legislature. Both the Senator from Lincoln, Senator Sewall, and the Senator from Cumberland, Senator Usher, started out in the House of Representatives. I found it interesting to go back and read a little bit of the Legislative Record. The Senator from Lincoln, Senator Sewall, started out with her debate in the House of Representatives talking about buying insurance policies at airports. Representative Beyers, at that time, found that insurance policies and insurance issues were a major concern which is evident and has kept abreast of and has been a major concern throughout her public career serving in the Legislature. Upon her marriage and becoming Representative Sewall, the first bill that she discussed in debate was one dealing with property taxes and the shifting of burdens of who paid property taxes, another issue we have heard a fair amount of discussion from her expressing concerns on those issues. I think that sometimes when we look back upon an individual's tenure in the Legislature and we see a consistency of philosophy and policy and an individual who has a true conviction that those things can be reflected over the years and the tenure of her service in the Legislature and her concern on those two issues that had followed her throughout her House and Senate career speaks highly of her convictions to those particular issues. We may not have always agreed on the outcomes of those issues, but I think both of us maybe with varying philosophies always had the concerns of the constituencies and the citizens that we represented at heart in our philosophical differences. I think that I was impressed by reading back over those years of that type of commitment to her beliefs.

The Senator from Cumberland, Senator Usher and I have a particular bond. We have served together from our first term on a committee together. I think we started out on the Fisheries and Wildlife Committee some fourteen years ago and over that time period have been the closest of friends, roommates and just plain friends. I will miss him in the sessions to come and I am sure that our friendship will continue far beyond the adjournment of the One Hundred and Thirteenth Legislature. I have appreciated his counsel, his advice, sharing the rough times and the

easy times, the good times and the bad times over those years. I also reviewed the comments and the issues that he had talked about over that time period. It is interesting to note and we all know that he has a great deal of love for the fish and game issues of our state. The first issue that he debated in the House dealt with the transporting of deer to be visibly seen. It was one of those issue to those of us who served on the Fisheries and Wildlife Committee remember the great hours of discussion and debate in the committee room. I think that as a friend I have had the opportunity to observe and watch him grow in his position of going from the lowly House member that he started out at to his elevation to the Senate and the service that he did for the state on the Committee on Energy and Natural Resources as the Chairman of that in this last year. He pointed out in his remarks earlier today and talked about the entire process and all of us together. He talked about what we have done in the environmental areas as well as many others. He paid a compliment to the Senator from Kennebec, Senator Kany for the amount of work that she had done in that area before he took the reins over in that committee and I want to extend to him the warm remarks of those of us who are concerned about the environment and about the ability of individuals on various sides of economic development and environmental concerns to see a continuation of policy that has moved us over the last couple of years far into the leadership role that this state plays in the nation in protecting our environment; ground water, air, discharges. These were tough and hard issues. The Senator from Aroostook, Senator Ludwig mentioned earlier as we passed the growth management bill which is a landmark piece of legislation and I think compliment has to not only be given to the entire committee, but also to the Legislature and the process which it handled it. Later this evening after the Governor comes up and speaks I will be putting the Senator from Cumberland, Senator Usher on the rostrum to bring the final gavel down on this Session of the House and Senate being in. Of course we will have several confirmation sessions. I think there are roughly fifty four gubernatorial nominations that we will have to deal with throughout this summer between now and December until the next Legislature comes in. I have talked to the Governor today to try and make that as easily as possible and with as much advanced notice so we can handle it in a timely fashion. As far as the adjournment of the Second Regular Session, that Senator capping off his career will be bringing that final gavel down. It is the final gavel on a marvelous career representing constituents who time and time again have sent him to Augusta to represent them. I would like to extend to both him and the Senator from Lincoln, Senator Sewall our best and warmest wishes in their future endeavors wherever they are we are sure whomever replaces them chosen by their constituencies will find that they have a large pair of shoes to fill in both instances and that the type of service they have given is something that they can both be proud of through the rest of their lives. We would like to extend our thank you to both of you.

Off Record Remarks

ORDERS OF THE DAY

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

following:

An Act to Increase the State Funding of Educational Costs

H.P. 272 L.D. 355
(C "A" H-701)

Tabled - April 20, 1988, by Senator CLARK of Cumberland.

Pending - ENACTMENT

(In House, April 20, 1988, PASSED TO BE ENACTED.)

(In Senate, April 20, 1988, PASSED TO BE ENACTED, in concurrence. Subsequently, RECONSIDERED ENACTMENT.)

On motion by Senator PEARSON of Penobscot, the Senate SUSPENDED THE RULES.

On further motion by same Senator, 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 Senate, the Senate RECONSIDERED whereby it ADOPTED Senate Amendment "A" (S-492).

On further motion by same Senator, Senate Amendment "B" (S-544) to Senate Amendment "A" (S-492) READ and ADOPTED.

Senate Amendment "A" (S-492) as Amended by Senate Amendment "B" (S-544) 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 PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

Emergency Resolve

Resolve, to Create a Day Care Demonstration Project as an Employment Incentive to Help Address the Nursing Shortage

S.P. 791 L.D. 2079
(S "A" S-465 to C "A" S-461)

Tabled - April 18, 1988, by Senator PEARSON of Penobscot.

Pending - FINAL PASSAGE

(In House, April 18, 1988, FINALLY PASSED.)

(In Senate, April 15, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-461) AS AMENDED BY SENATE AMENDMENT "A" (S-465) thereto.)

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

On further motion by same Senator, 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 whereby it ADOPTED Committee Amendment "A" (S-461) as Amended by Senate Amendment "A" (S-465) thereto.

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

On further motion by same Senator, the Senate RECONSIDERED whereby it ADOPTED Senate Amendment "A" (S-465) to Committee Amendment "A" (S-461).

On further motion by same Senator, Senate Amendment "A" (S-465) to Committee Amendment "A" (S-461) INDEFINITELY POSTPONED in NON-CONCURRENCE.

On further motion by same Senator, Committee Amendment "A" (S-461) INDEFINITELY POSTPONED in NON-CONCURRENCE.

On further motion by same Senator, Senate Amendment "A" (S-564) 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.

Off Record Remarks

HELD BILL

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

Senator BRANNIGAN: Thank you Mr. President. Mr. President is the Senate in possession of L.D. 2463?

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

On motion by Senator BRANNIGAN of Cumberland, the Senate RECONSIDERED whereby it FAILED TO ENACT:

Emergency

Act Act to Fund a Supplemental Highway Program and to Establish a Program to Fund the Construction of Extraordinary Bridges

H.P. 1799 L.D. 2463
(C. C. "A" H-762)

(In House, April 20, 1988, PASSED TO BE ENACTED.)

(In Senate, April 20, 1988, FAILED ENACTMENT in NON-CONCURRENCE.)

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.

THE PRESIDENT: The pending question before the Senate is PASSAGE TO BE ENACTED.

A vote of Yes will be in favor of ENACTMENT.

A vote of No will be opposed.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

President PRAY of Penobscot who would have voted NAY requested and received Leave of the Senate to pair his vote with Senator DOW of Kennebec who would have voted YEA.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators BALDACCI, BLACK, BRANNIGAN, BRAWN, CAHILL, CLARK, COLLINS, DILLENBACK, EMERSON, ERWIN, GAUVREAU, GILL, GOULD, KANY, MATTHEWS, MAYBURY, PEARSON, PERKINS, RANDALL, THERIAULT, TWITCHELL, USHER, WEBSTER, WHITMORE

NAYS: Senators ANDREWS, BERUBE, BUSTIN, DUTREMBLE, ESTES, KERRY, LUDWIG, SEWALL, TUTTLE

ABSENT: Senators None

PAIRED: Senators DOW, THE PRESIDENT - CHARLES P. PRAY

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with 9 Senators having voted in the negative, and 2 Senators having paired their vote, 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.

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

Senator CAHILL: Thank you Mr. President, having voted on the prevailing side, I now move reconsideration and I would urge you to vote against my motion.

A Viva Voce Vote being had, the motion of Senator CAHILL of Sagadahoc to RECONSIDER ENACTMENT, FAILED.

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:

An Act to Establish the Additional Support for People in Retraining and Education Program

H.P. 1744 L.D. 2390
(H "C" H-780 to C "C" H-770)

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

On further motion by same Senator, the Senate RECONSIDERED whereby it ADOPTED Committee Amendment "C" (H-770) as Amended by House Amendment "C" (H-780).

On further motion by same Senator, Senate Amendment "A" (S-542) to Committee Amendment "C" (H-770) READ and ADOPTED.

Committee Amendment "C" (H-770) as Amended by Senate Amendment "A" (S-542) and House Amendment "C" (H-780) 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.

Off Record Remarks

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

PAPERS FROM THE HOUSE

Non-concurrent Matter

An Act to Replace the Sales Tax with an Excise Tax on Jet Fuel Used by Turbine-Powered Aircraft Providing Commercial Air Service in Maine

H.P. 1470 L.D. 1981
(S "A" S-506 to C "A" H-496)

In House, March 24, 1988, PASSED TO BE ENACTED.

In Senate, April 21, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-496) AS AMENDED BY SENATE AMENDMENT "A" (S-506) thereto in NON-CONCURRENCE.

Comes from the House, that Body ADHERED.

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

Senator BALDACCI: Thank you Mr. President. Mr. President, men and women of the Senate. I am going to be moving that the Senate Recede and Concur with the other Body in this particular matter because of the interest in the particular issue that was being discussed in this Chamber late last night and because of the need for more public discussion and hearing on this particular matter. Also because of the good faith of the proponents that indeed it is correct and a correct approach. We are very hopeful that we will be able to have that before the next day in which we will come down to handle matters that we would have to deal with from legislation that we are passing. So, I would like to thank the Presiding Officer.

On motion by Senator BALDACCI of Penobscot, the Senate RECEDED and CONCURRED.

ORDERS OF THE DAY

On motion by Senator CLARK of Cumberland, the

Senate removed from the Unassigned Table 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, 1988, and June 30, 1989

S.P. 831 L.D. 2156
(C "A" S-489)

Tabled - April 20, 1988, by Senator CLARK of Cumberland.

Pending - ENACTMENT

(In House, April 20, 1988, PASSED TO BE ENACTED.)
(In Senate, April 19, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-489).)

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

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

Emergency

An Act to Establish the Strategic Training for Accelerated Reemployment Program

S.P. 946 L.D. 2494
(H "B" H-750)

Tabled - April 20, 1988, by Senator CLARK of Cumberland.

Pending - ENACTMENT

(In House, April 20, 1988, PASSED TO BE ENACTED.)
(In Senate, April 19, 1988, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "B" (H-750).)

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

Emergency

An Act to Revise the Salaries of Certain County Officers

H.P. 1941 L.D. 2639
(H "B" H-778)

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with 1 Senator having voted in negative, and 29 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

An Act to Create a Commission to Examine Rent Increases and Other Issues Concerning Mobile Homes

H.P. 1510 L.D. 2060
(S "A" S-529 to C "A" H-668)

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.

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

Senator BALDACCI: Thank you Mr. President. Mr. President, men and women of the Senate. Speaking for myself and maybe for a few other members and my seat mate who I have conferred with on matters throughout the Session, we have decided in our caucus here, my seat mate and I, that this was a very efficiently run session of the Senate and Legislature and it was conducted very fairly. You have thanked many people and I think it is appropriate and my caucus has decided that we thank you for a Session well done. Thank you Mr. 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:

An Act to Establish a Pilot Program for Transitional Services for Department of Mental Health and Mental Retardation Clients Between the Ages of 20 and 26

S.P. 794 L.D. 2091
(S "A" S-500 to C "A" S-390)

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:

ENACTORS

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

An Act to Reduce Special Education Costs to Local School Administrative Units

H.P. 1607 L.D. 2198
(S "A" S-512 to C "A" H-560)

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:

ENACTORS

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

Emergency Resolve

Resolve, To Establish the Commission to Study the Status of Nursing Professions in Maine

S.P. 847 L.D. 2203

(S "A" S-534 to C "A" S-454)

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 FINALLY PASSED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Senator WEBSTER of Franklin was granted unanimous consent to address the Senate off the Record.

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

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

COMMITTEE REPORTS

Senate

Committee of Conference

The Committee of Conference on the disagreeing action between the two branches of the Legislature, on Bill "An Act to Improve Services for Maine's Elderly"

S.P. 943 L.D. 2490

Have had the same under consideration and ask leave to report that they are Unable to Agree.

Signed on the part of the Senate:

Senator BUSTIN of Kennebec

Senator BRANNIGAN of Cumberland

Senator BLACK of Cumberland

Signed on the part of the House:

Representative CASHMAN of Old Town

Representative RYDELL of Brunswick

Representative SEAVEY of Kennebunkport

Which Report was READ and ACCEPTED.

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

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

Senator PERKINS: Thank you Mr. President. On behalf of myself and my caucus, I would like to express our personal thanks to you and to your associates on the other side of the aisle for your kindness and courtesy. Also to the staff, both here and on the first and second floor for all the kindness that has been given to us in the last two years. It is indeed part of the tradition I think of this Legislature that we work and we mention many times of the family closeness which we find ourselves gathering under. We are happy to say to you that we felt a kinship to all of you and the tradition has continued. Any member of our caucus as well as your caucus has been made to feel a closeness which is accorded to those not only in this Body, but in the other Body and that courtesy has not gone unnoticed and has been certainly appreciated. For the staff who have been thanked, I don't know if I could thank you enough on behalf of my caucus, because they indeed that found themselves to be very helpful to us in our chores and the long days and the many things we have had to do throughout these two years.

To my friend from Lincoln, who leaves us this evening after many years. We started together as many of these fourteen years ago and have gone through the many years in trials of the Legislature. Graduating from the lower Body to the upper Body and

enjoying both with their own particular idiosyncrasies and we find ourselves this evening changing vocations. I wish to her from all of us I am sure and of you too our best wishes and god speed.

To my friend the Senator from Cumberland, who without I would never have been able to operate Steve Gould night and the Gould/Michaud Auctions and who I enjoyed so many times the gatherings and the foolishness we have had in putting on this fund raiser. I wish to you the most pleasant of future years.

Senator WEBSTER of Franklin was granted unanimous consent to address the Senate off the Record.

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

Senator DUTREMBLE of York was granted unanimous consent to address the Senate off the Record.

Senate at Ease

Senate called to order by the President.

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

Emergency

An Act to Assist Homeowners and Businesses to Comply with the Overboard Discharge Law

S.P. 863 L.D. 2251

Tabled - April 11, 1988, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 8, 1988, PASSED TO BE ENACTED.)

(In Senate, April 4, 1988, PASSED TO BE ENGROSSED.)

On further motion by same Senator, 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 "B" (S-541) 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.

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 Correct Additional Errors and Inconsistencies in the Laws of Maine" (Emergency)

H.P. 1939 L.D. 2638

(S "A" S-497)

In Senate, April 20, 1988, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-755), in concurrence.

In House, April 21, 1988, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENTS "A" (H-755) AND "B" (H-784) in NON-CONCURRENCE.

In Senate, April 21, 1988, PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-497) in NON-CONCURRENCE.

Comes from the House that Body ADHERED.

On motion by Senator WEBSTER of Franklin, the

Senate ADHERED.

The Secretary has so informed the Speaker of the House.

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 Full State Funding of any Legislative Mandate

H.P. 1623 L.D. 2218
(H "A" H-786)

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.

Off Record Remarks

On motion by Senator DUTREMBLE of York, 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:

COMMITTEE REPORTS

House

Ought to Pass

The Committee on TRANSPORTATION on Bill "An Act to Amend the Motor Vehicle Laws and to Allocate Funds to the Division of Motor Vehicles" (Emergency)

H.P. 1930 L.D. 2630

Reported that the same Ought to Pass, pursuant to Joint Order H.P. 1916.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "B" (H-772).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

House Amendment "B" (H-772) 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:

ENACTORS

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

An Act to Make Health Care More Accessible to Low-Income Elderly and Disabled Individuals, Children and Pregnant Women

H.P. 1643 L.D. 2242
(H "B" H-783)

The Bill and Accompanying Papers INDEFINITELY POSTPONED in NON-CONCURRENCE.

On motion by the Chair, the Senate RECONSIDERED whereby the Bill and Accompanying Papers were INDEFINITELY POSTPONED.

Which 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, to Create a Day Care Demonstration Project as an Employment Incentive to Help Address the Nursing Shortage

S.P. 791 L.D. 2079
(S "A" S-546)

The Bill and Accompanying Papers INDEFINITELY POSTPONED in NON-CONCURRENCE.

On motion by the Chair, the Senate RECONSIDERED whereby the Bill and Accompanying Papers were INDEFINITELY POSTPONED.

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with 1 Senator having voted in negative, and 24 being 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.

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order: H.P. 1945 ORDERED, the Senate concurring, that when the House and Senate adjourn, they do so until Wednesday, May 4, 1988, at 10 o'clock in the morning.

Comes from the House READ and PASSED.

Which was READ and PASSED, in concurrence.

Off Record Remarks

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

Joint Resolution

The Following Joint Resolution: H.P. 1943
JOINT RESOLUTION IN HONOR OF THE BICENTENNIAL
OF THE TOWN OF NOBLEBORO

WHEREAS, "Territory is but the body of a nation for it is the people who inhabit its hills and valleys that are its soul, its spirit and its life;" and

WHEREAS, within that vast territory of the Province of Massachusetts centered in Lincoln County, a settlement was formed in 1640 to become known as Nobleboro; and

WHEREAS, led by James Noble, the town's namesake, inhabitants located on the eastern shore of the beautiful Damariscotta Lake and improved the land; and

WHEREAS, this special place was accorded supreme importance in 1788 by its incorporation into a town which provided the structure for a better life and a proud, new hearthfire for civilization in the forest; now, therefore be it

RESOLVED: That We, the members of the 113th Legislature of the great and sovereign State of Maine now assembled in the Second Regular Session, take this occasion to recognize the 200th anniversary of the Town of Nobleboro and to offer its good citizens the best wishes and support of the Maine Legislature

and the people of Maine as they look to the future; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the town officials to commemorate the bicentennial observance of this historic community.

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:

Joint Resolution

The Following Joint Resolution: H.P. 1944

JOINT RESOLUTION REQUESTING THE HONORABLE JOHN R. MCKERNAN, JR. GOVERNOR OF MAINE TO CALL A SPECIAL SESSION TO PROVIDE FOR PROPERTY TAX RELIEF

WHEREAS, state revenues for fiscal year 1988 are running higher than anticipated; and

WHEREAS, there are strong indications that revenues will continue to exceed expectations through the end of the fiscal year; and

WHEREAS, property tax relief has been a foremost concern of the 113th Maine Legislature; and

WHEREAS, the "circuit breaker" tax relief program has provided \$4,000,000 since adopted by the Legislature in 1987; and

WHEREAS, the 1988 supplemental budget included and additional \$5,400,000 in property tax relief through the "circuit breaker" plan; and

WHEREAS, existing revenue estimates supplied by the McKernan Administration limit the Legislature's ability to provide additional property tax relief to the citizens of Maine; and

WHEREAS, it is the intent of the Legislature to expand this highly successful program to benefit a greater number of Maine residents; now, therefore, be it

RESOLVED: That We, the members of the 113th Maine Legislature now assembled in the Second Regular Session respectfully request that the Honorable John R. McKernan, Jr., Governor of Maine, recognize the need for property tax relief and that he be made aware of the Legislature's desire to use surplus revenues to provide additional tax relief to the people of Maine; and be it further

RESOLVED: That since the statutory adjournment provision of Maine law denies the Legislature the ability to apply surplus revenues to further property tax relief, that the members of the Maine Legislature respectfully request that the Honorable John R. McKernan, Jr. exercise his powers under the Constitution of Maine under Article V, Part First, Section 13 and call the Legislature into Special Session following the release of the final revenue figures for 1988, for the expressed purpose of using revenues from an unanticipated surplus to expend property tax relief efforts through the "circuit breaker" program or any other appropriate program; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to Governor McKernan as notice of this request.

Comes from the House READ and ADOPTED.

Which was READ.

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

Senator PEARSON: Thank you Mr. President. I don't want to create a situation that will put us in Non-Concurrence or anything like that, but this is

really a pretty unfortunate piece of paper here in my opinion. We just got through using most of the surplus revenue in various different ways including property tax relief and to call a special session of the Legislature to use money that we no longer have it seems to me is a rather sad use of taxpayers money to even print this on a piece of paper. Like I say, I don't want to create a situation that brings us in Non-Concurrence, but this is not very nice.

Senator SEWALL of Lincoln moved to TABLE the Joint Resolution Unassigned.

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

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:

Emergency

An Act to Increase the State Funding of Educational Costs

H.P. 272 L.D. 355
S "B" S-544 to S "A"
S-492)

This being an Emergency Measure 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 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.

Senate at Ease

Senate called to order by the President.

ORDERS OF THE DAY

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

JOINT RESOLUTION - Requesting the Honorable John R. McKernan, Jr., Governor of Maine to Call a Special Session to Provide for Property Tax Relief

H.P. 1944

Tabled - April 22, 1988, by Senator CLARK of Cumberland.

Pending - ADOPTION

(In Senate, April 22, 1988, READ.)

(In House, April 21, 1988, READ and ADOPTED.)

Senator SEWALL of Lincoln requested and received Leave of the Senate to withdraw her motion to TABLE.

The same Senator further moved the INDEFINITE POSTPONEMENT of the Joint Resolution in NON-CONCURRENCE.

THE PRESIDENT: The pending question before the Senate is the motion of Senator SEWALL of Lincoln, to INDEFINITELY POSTPONE the Joint Resolution.

The Chair will order a Division.

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

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

21 Senators having voted in the affirmative and 6 Senators having voted in the negative, the motion by Senator SEWALL of Lincoln, to INDEFINITELY POSTPONE

the Joint Resolution in NON-CONCURRENCE, PREVAILED.

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

ORDERS
Senate Order

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

ORDERED, that a message be sent to His Excellency, Governor John R. McKernan, Jr., Extending an invitation to him to make such communication as pleases him.

Which was READ and PASSED.

The President requested the Sergeant-At-Arms to escort the Senator from Cumberland, Senator USHER and the Senator from Lincoln, Senator SEWALL to convey the message to His Excellency, GOVERNOR JOHN R. MCKERNAN, JR.

Subsequently, Senator USHER of Cumberland and Senator SEWALL of Lincoln, reported that they had delivered the message with which they were charged, and informed the good Senate that the Governor would attend forthwith.

At this time, the HONORABLE JOHN R. MCKERNAN, JR., GOVERNOR of the State of Maine, entered the Senate Chamber and was escorted by the Sergeant-At-Arms, to the Rostrum. (Amid prolonged applause, the Members rising.)

THE PRESIDENT: The Chair is pleased to recognize and welcome to the Rostrum, the Honorable John R. McKernan, Jr., the Governor of the State of Maine.

(Applause, the Members rising)

GOVERNOR MCKERNAN: Thank you Mr. President, ladies and gentlemen of the Senate. I would like to just tell you a story. When I grew up as a child in Bangor we had ten thousand Republicans, but it was the Democrats who were out at night.

A couple of months ago at one of our "Capitals for a Day" in Ellsworth as a matter of fact, we were asked by a local radio show for the Governor's top ten favorite songs. The other day I was reading John Hale's column in the Bangor Daily News and I realized that I had forgotten one very important song by the Rolling Stones. It's lyrics somehow seem appropriate tonight. I know what kind of a mood you are in, but I am going to refrain from singing them. I think I will just quote them to you. They go like this, you can't always get what you want, but if you try sometimes you might find you get what you need. Well tonight, looking back over the last four months, I think we can take pride in the fact that while none of us have gotten exactly what he or she wanted and when all is said and done the One Hundred and Thirteenth Legislature did what was needed for this state and for our future. If you think about it, one hundred days ago Maine didn't have comprehensive methods to protect our environment against over development and rapid growth. Well now we do. One hundred days ago the state could not offer many welfare recipients a viable chance at building an independent and rewarding life. Well now we can. One hundred days ago, actually about forty-five minutes ago Maine didn't know how we would make up the federal shortfall in our highway funds, let alone embark on an ambitious highway and bridge improvement plan that would transplant us into the next century. Well now we do. I want to thank those of you who supported us for your willingness to tackle what we feel is a very critical issue in a very difficult election year. I know it wasn't easy and frankly the method by which we have decided to fund our

transportation costs would make Rube Goldberg proud. But the key was to fund a long-term investment, a seven hundred million dollar transportation program for Maine and we have done that. Together we have also achieved landmark environmental legislation on growth management, banning CFC's and the acquisition of Donnell Pond. Working together we have broken new ground on welfare reform and on child care and we continue the course that we embarked on last year. A course that in the near future will mean that Maine will have the most comprehensive job training programs of any state in this country. We have continued the process of providing additional funds for local education in an effort to improve our schools and relieve the property tax burden. We have taken other steps to ease tax burdens as well by returning the windfall from the Federal Government to the people of Maine as well as by increasing the tax credit for low income, high property taxpayers.

I promised Sawin Millett that I would be brief so that he could get home to milk his cows and I intend to do that. Before I wish all of you a pleasant summer, I really do want to thank each and every one of you for your devotion to this state and also to the people that you represent. Frankly, I wasn't really thrilled to find out that in both Chambers of this Legislature I was escorted by lame ducks. I was afraid there might be a message in that. I have to say to Senator Sewall and to Senator Usher that we go back a long way together - fifteen years and I have enjoyed working with both of you over those years and especially the last two years. I want to tell each of you that this state is much better off because of your service. I think that all of us would share in that. I would also say to your Senate President as well as to the Chairman of your Appropriations Committee, Senator Pearson, how well that I think the Executive and Legislative Branches worked together. I know that is because Leadership on both sides of the aisle put aside partisan differences. I wasn't sure we were going to, but in the last two weeks I think that we have demonstrated that the system really does work and all of you should be proud of the achievements that we have had during this Session. I know how frustrating and exhausting the legislative process can be. We have found that up close and personal these last few days and I think that we realized that these last days of the Session are difficult.

In doing what needs to be done for this state and for our children, I think that all of you have proved once again that the process really does work and that when we work together, government can have a profound and a beneficial impact on all that it seeks to serve. I want to thank all of you for what I think has been a very successful Session. I wish you all a pleasant summer. I look forward to seeing you in the months ahead. Thank you very much.

(Applause, the Members rising.)

The Sergeant-At-Arms escorted the Honorable John R. McKernan, Jr., Governor of the State of Maine from the Senate Chamber, amid prolonged applause, the Members rising.

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:
An Act to Assist Homeowners and Businesses to

Comply with the Overboard Discharge Law
S.P. 863 L.D. 2251
(S "B" S-541)

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

Off Record Remarks

Senator WEBSTER of Franklin was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

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:

Emergency

An Act to Amend the Motor Vehicle Laws and to Allocate Funds to the Division of Motor Vehicles

H.P. 1930 L.D. 2630
(H "B" H-772)

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.

An Act to Establish the Additional Support for People in Retraining and Education Program

H.P. 1744 L.D. 2390
(S "A" S-542 & H "C"
H-780 to C "C" (H-770)

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

Off Record Remarks

The ADJOURNMENT ORDER having been returned from the House READ and PASSED, in concurrence, on motion by Senator USHER of Cumberland, ADJOURNED until Wednesday, May 4, 1988, at 10:00 in the morning.

ONE HUNDRED AND THIRTEENTH MAINE LEGISLATURE
SECOND REGULAR SESSION
71st Legislative Day
Wednesday, May 4, 1988

The House met according to adjournment and was called to order by the Speaker.

Prayer by Reverend Arthur H. St. Pierre, Immaculate Heart of Mary Church, Fairfield.

National Anthem by the Old Orchard Junior High School Band.

The Journal of Thursday, April 21, 1988, was read and approved.

Quorum call was held.

(Off Record Remarks)

(At Ease)

The House was called to order by the Speaker.

The following item appearing on Supplement No. 2 was taken up out of order by unanimous consent:

PETITIONS, BILLS AND RESOLVES
REQUIRING REFERENCE

Reported Pursuant to the Statutes

Representative DUFFY from the Committee on Fisheries and Wildlife, pursuant to the Maine Revised Statutes Annotated, Title 12, section 7035, subsection 4, paragraph B ask leave to submit its findings and report that the accompanying Bill "An Act to Reimburse the Department of Inland Fisheries and Wildlife for Search and Rescue Operations" (H.P. 1949) (L.D. 2642) be referred to the Joint Standing Committee on Appropriations and Financial Affairs for Public Hearing and printed pursuant to Joint Rule 18.

Report was read and accepted and the Bill referred to the Committee on Appropriations and Financial Affairs, Ordered Printed and sent up for concurrence.

By unanimous consent, was ordered sent forthwith to the Senate.

(At Ease)

The House was called to order by the Speaker.

SENATE PAPER
Non-Concurrent Matter

Joint Resolution Requesting the Honorable John R. McKernan, Jr., Governor of Maine to Call a Special Session to Provide for Property Tax Relief (H.P. 1944) which was read and adopted in the House on April 21, 1988.

Came from the Senate indefinitely postponed in non-concurrence.

The House voted to Insist.

The following item appearing on Supplement No. 4 was taken up out of order by unanimous consent:

ORDERS

On motion of Representative WHITCOMB of Waldo, the following Joint Resolution: (H.P. 1942) (Cosponsors: Senator BROWN of Knox, Representatives TAYLOR of Camden and MARSANO of Belfast)

JOINT RESOLUTION IN HONOR OF
JUSTICE DAVID A. NICHOLS
OF THE MAINE SUPREME JUDICIAL COURT