

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Fourteenth Legislature

OF THE

State Of Maine

VOLUME I

FIRST REGULAR SESSION

December 7, 1988 to May 10, 1989

attempts are made to initiate studies that are dealing in the public domain and in the policy making domain, that it happen with the involvement of the Legislature and the people of the state of Maine. Thank you.

The ADJOURNMENT ORDER having been returned from the House READ and PASSED, in concurrence, on motion by Senator DUTREMBLE of York, ADJOURNED until Friday, March 3, 1989, at 10:00 in the morning.

ONE HUNDRED AND FOURTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION
21st Legislative Day
Friday, March 3, 1989

The House met according to adjournment and was called to order by the Speaker.

Prayer by Reverend Vladimir Strejcek, Winthrop Friends-Quaker Church.

The Journal of Monday, February 27, 1989, was read and approved.

Quorum call was held.

PAPERS FROM THE SENATE

The following Joint Resolution: (S.P. 198)
JOINT RESOLUTION COMMEMORATING THE 150TH ANNIVERSARY
OF THE TOWN OF SMYRNA, MAINE

WHEREAS, the rural New England town has been recognized across America as one of the wellsprings of our nation's democratic institutions and has deservedly come to serve as a symbol of the virtues of direct citizen government, thrift, simple beauty and long-held values; and

WHEREAS, the Town of Smyrna, located in the valley of the East Branch of the Mattawamkeag River, typifies the valued qualities of the small communities of Maine; and

WHEREAS, the town was first carved out of the vast reaches of the north woods in 1830 by Nehemiah Leavitt, and as the town was incorporated on March 7, 1839 as the 344th town in the State of Maine; and

WHEREAS, the inhabitants of this Aroostook County community have since watched with quiet satisfaction as their town established and nurtured a successful agrarian economy and a manufacturing industry and take well-deserved pride in the generations of solid Maine citizens reared within their borders; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Fourteenth Legislature, now assembled in the First Regular Session, take this occasion to recognize the 150th anniversary of the Town of Smyrna, and to commend the inhabitants and officials of this town for the success which they have achieved together for more than a century and a half, and to extend to each our sincere hopes and best wishes for continued achievement over the next 150 years; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the citizens and officials of this proud community in honor of the occasion.

Came from the Senate, read and adopted.

Was read and adopted in concurrence.

Bill "An Act to Allow Certain Former State Employees to be Eligible for State Health Insurance" (S.P. 202) (L.D. 480)

Bill "An Act Relating to Benefits for Members of the Maine State Retirement System Who Transfer from Positions Under Special Plans to Positions Not Under Special Plans" (S.P. 204) (L.D. 482)

Came from the Senate, referred to the Committee on Aging, Retirement and Veterans and Ordered Printed.

Were referred to the Committee on Aging, Retirement and Veterans in concurrence.

Bill "An Act to Provide for Alternative Site Programs for Operating-under-the-influence Offenders" (S.P. 212) (L.D. 490)

Came from the Senate, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Was referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill "An Act to Prohibit Discrimination Against Persons with the Human Immunodeficiency Virus for Purposes of Insurance Coverage" (S.P. 196) (L.D. 444)

Bill "An Act to Amend the Maine Insurance Code" (S.P. 203) (L.D. 481)

Bill "An Act Related to Medical Liability Insurance" (S.P. 209) (L.D. 487)

Came from the Senate, referred to the Committee on Banking and Insurance and Ordered Printed.

Were referred to the Committee on Banking and Insurance in concurrence.

Bill "An Act to Extend the Scope of the Returnable Container Law" (S.P. 197) (L.D. 445)

Bill "An Act to Require Pricing Disclosures on Vans and Pickup Trucks" (S.P. 208) (L.D. 486)

Came from the Senate, referred to the Committee on Business Legislation and Ordered Printed.

Were referred to the Committee on Business Legislation in concurrence.

Bill "An Act Concerning Bear Hunting with Dogs" (S.P. 211) (L.D. 489)

Came from the Senate, referred to the Committee on Fisheries and Wildlife and Ordered Printed.

Was referred to the Committee on Fisheries and Wildlife in concurrence.

Bill "An Act to Change the Name of the Maine Committee on Problems of the Mentally Retarded and to Update the Definition of Mental Retardation" (S.P. 195) (L.D. 443)

Came from the Senate, referred to the Committee on Human Resources and Ordered Printed.

Was referred to the Committee on Human Resources in concurrence.

Bill "An Act to Clarify the Law Regarding Immunity of Nonprofit Organization Directors, Officers and Volunteers" (S.P. 201) (L.D. 479)

Came from the Senate, referred to the Committee on Judiciary and Ordered Printed.

Was referred to the Committee on Judiciary in concurrence.

Bill "An Act Concerning Removal and Replacement of Candidates on Election Ballots" (S.P. 207) (L.D. 485)

Came from the Senate, referred to the Committee on Legal Affairs and Ordered Printed.

Was referred to the Committee on Legal Affairs in concurrence.

Bill "An Act to Change the Process of Selecting the Commissioner of Educational and Cultural Services" (S.P. 205) (L.D. 483)

Came from the Senate, referred to the Committee on State and Local Government and Ordered Printed.

Was referred to the Committee on State and Local Government in concurrence.

Bill "An Act to Provide a Sales Tax Exemption to Child Abuse and Neglect Councils" (S.P. 206) (L.D. 484)

Came from the Senate, referred to the Committee on Taxation and Ordered Printed.

Was referred to the Committee on Taxation in concurrence.

Bill "An Act to Amend the Motor Vehicle Laws" (S.P. 210) (L.D. 488)

Came from the Senate, referred to the Committee on Transportation and Ordered Printed.

Was referred to the Committee on Transportation in concurrence.

Non-Concurrent Matter

Bill "An Act to Regulate Incineration Plants" (S.P. 182) (L.D. 339) which was referred to the Committee on Energy and Natural Resources in the House on February 23, 1989.

Came from the Senate with that Body having insisted on its former action whereby the Bill was referred to the Committee on Utilities in non-concurrence.

On motion of Representative Gwadosky of Fairfield, tabled pending further consideration and later today assigned.

Non-Concurrent Matter

Bill "An Act to Amend the Laws on Interest on Delinquent County Taxes" (H.P. 252) (L.D. 364) which was referred to the Committee on State and Local Government in the House on February 23, 1989.

Came from the Senate referred to the Committee on Taxation in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

Bill "An Act to Eliminate the Requirement that Counties Provide Facilities and Equipment to State Courts" (H.P. 289) (L.D. 401) which was referred to the Committee on Appropriations and Financial Affairs in the House on February 23, 1989.

Came from the Senate referred to the Committee on State and Local Government in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

Bill "An Act to Establish a Volunteer Firefighters' Pension Fund" (H.P. 302) (L.D. 414) which was referred to the Committee on State and Local Government in the House on February 23, 1989.

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

The House voted to recede and concur.

COMMUNICATIONS

The following Communication: (S.P. 199)

114TH MAINE LEGISLATURE

February 24, 1989

Senator Dennis L. Dutremble
 Representative Gregory G. Nadeau
 Chairpersons
 Joint Standing Committee on Housing and Economic
 Development
 114th Legislature
 Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Lynn Wachtel of Winchester, Massachusetts for appointment as Commissioner of the Department of Economic and Community Development.

Pursuant to Title 534, Public Laws of 1987, this nomination will require review by the Joint Standing Committee on Housing and Economic Development and confirmation by the Senate.

Sincerely,
s/Charles P. Pray
President of the Senate
s/John L. Martin
Speaker of the House

Came from the Senate, Read and Referred to the Committee on Housing and Economic Development.

Was Read and Referred to the Committee on Housing and Economic Development in concurrence.

The following Communication: (S.P. 200)
114TH MAINE LEGISLATURE
February 24, 1989

Senator N. Paul Gauvreau
Representative Peter J. Manning
Chairpersons
Joint Standing Committee on Human Resources
114th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Jane Sheehan of Augusta for appointment as the Child Welfare Service Ombudsman.

Pursuant to Title 22, M.R.S.A. Section 5001 (Supp. 1988), this nomination will require review by the Joint Standing Committee on Human Resources and confirmation by the Senate.

Sincerely,
s/Charles P. Pray
President of the Senate
s/John L. Martin
Speaker of the House

Came from the Senate, Read and Referred to the Committee on Human Resources.

Was Read and Referred to the Committee on Human Resources in concurrence.

The following Communication:
MAINE STATE LEGISLATURE
Augusta, Maine 04333
MAINE WATER SUPPLY STUDY COMMISSION
February 27, 1989

President Pray
Speaker Martin
State House
Augusta, ME 04333

Dear President Pray and Speaker Martin:

The Maine Water Supply Study Commission is pleased to submit its report to the Legislature pursuant to P.L. 1987 c. 816.

Sincerely,
s/Rep. Judith C. Foss
Chair

Was read and with accompanying report ordered placed on file.

The following Communication:
STATE OF MAINE
STATE HOUSE STATION #120
Augusta, Maine 04333
ADVISORY COMMISSION ON RADIOACTIVE WASTE
February 24, 1989

John L. Martin
Speaker of the House
State House Station #2
Augusta, Maine 04333
Dear Speaker Martin:

The accompanying document is the Advisory Commission on Radioactive Waste's annual report for the calendar year 1988. This report is submitted to you in accordance with 38 M.R.S.A. 1453 (4), which requires the Advisory Commission to "report to the Governor and the Legislature annually, during the regular legislative session and at other times as necessary."

If you have any questions, please don't hesitate to call me.

Sincerely,
s/Rep. James Mitchell
Chair
Advisory Commission on
Radioactive Waste

Was read and with accompanying report ordered placed on file.

The following Communication:
MAINE STATE LEGISLATURE
Augusta, Maine 04333
February 27, 1989

Honorable John L. Martin
Speaker of the House
State House Station #2
Augusta, ME 04333

Dear Speaker Martin:

I am pleased to submit the report of the Juvenile Corrections Planning Commission, undertaken pursuant to Resolves 1987, Chapter 68.

The report, entitled "Juvenile Corrections in Maine: An Action Plan for the 1990's," is the culmination of more than a full year of work. It sets forth the current services and procedures for juvenile offenders, describes the system we believe should be sought and details the many changes which must be made to bring the existing system in line with what is desired.

Members of the Commission would be pleased to discuss this report and recommendations with you or a member of your staff at your convenience.

Sincerely,
s/Cushman D. Anthony, Chair
Juvenile Corrections
Planning Commission

Was read and with accompanying report ordered placed on file.

The following Communication:
MAINE STATE RETIREMENT SYSTEM
STATE HOUSE STATION 46
AUGUSTA, MAINE 04333
February 28, 1989

Charles P. Pray, President
Maine State Senate
Representative John L. Martin, Speaker
House of Representatives

Dear President Pray and Speaker Martin:

In accordance with the provisions of 5 MRSA, §17806, the Board of Trustees of the Maine State Retirement System hereby notifies you that a 4% increase in retirement benefits paid to state employees, teachers and retirees of certain participating local districts was authorized effective September 1, 1988. This was a cost-of-living increase based upon the increase in the Consumer Price Index. The Consumer Price Index

(CPI-U) published by the United States Department of Labor, Bureau of Labor Statistics, increased 4% in the twelve month period ending June 1988.

The 4% cost-of-living increase paid to state employees and teachers will cost approximately \$4.7 million in the current year. The total increase in the System's reserve requirements generated by this cost-of-living increase is \$49.9 million.

Sincerely,
s/Claude R. Perrier
Executive Director

Was read and ordered placed on file.

**PETITIONS, BILLS AND RESOLVES
REQUIRING REFERENCE**

The following Bills and Resolve were received and, upon the recommendation of the Committee on Reference of Bills, were referred to the following Committees, Ordered Printed and Sent up for Concurrence:

Aging, Retirement and Veterans

Bill "An Act to Facilitate Conversion of the Maine State Retirement System Records to an Automated System" (H.P. 394) (L.D. 525) (Presented by Representative HICKEY of Augusta) (Cosponsored by Senator TITCOMB of Cumberland, Representative JALBERT of Lisbon and Representative RICHARD of Madison)

Ordered Printed.
Sent up for Concurrence.

Agriculture

Bill "An Act to Amend the Animal Welfare Laws" (H.P. 397) (L.D. 528) (Presented by Representative TARDY of Palmyra) (Cosponsored by Representative HUSSEY of Milo, Representative SHERBURNE of Dexter and Representative RIDLEY of Shapleigh)

Ordered Printed.
Sent up for Concurrence.

Joint Select Committee on Corrections

Bill "An Act to Encourage Development and Use of Private Community Corrections Programs" (H.P. 370) (L.D. 501) (Presented by Representative CONLEY of Portland) (Cosponsored by Representative OLIVER of Portland)

(The Committee on Appropriations and Financial Affairs had been suggested.)

On motion of Representative Carter of Winslow, was referred to the Joint Select Committee on Corrections, ordered printed and sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act to Make Allocations from the Public Utilities Commission Regulatory Fund and the Public Utilities Reimbursement Fund for the Fiscal Years Ending June 30, 1990, and June 30, 1991" (EMERGENCY) (H.P. 366) (L.D. 497) (Presented by Representative CARTER of Winslow) (Cosponsored by Representative HIGGINS of Scarborough, Senator PEARSON of Penobscot and Senator PERKINS of Hancock)

Bill "An Act to Make Allocations from the Maine Nuclear Emergency Planning Fund for the Fiscal Years Ending June 30, 1990, and June 30, 1991" (EMERGENCY) (H.P. 365) (L.D. 496) (Presented by Representative HIGGINS of Scarborough) (Cosponsored by Representative CARTER of Winslow, Senator PEARSON of Penobscot and Senator PERKINS of Hancock)

Bill "An Act to Construct 2 Small Dams on Rocky Lake in Whiting, Maine" (H.P. 383) (L.D. 514)

(Presented by Representative TOWNSEND of Eastport) (Cosponsored by Representative FARRIN of Cherryfield, Representative LOOK of Jonesboro and Senator ERWIN of Oxford)

Ordered Printed.
Sent up for Concurrence.

Joint Select Committee on Corrections

Bill "An Act to Establish a Community Penalty Program" (H.P. 382) (L.D. 513) (Presented by Representative CONLEY of Portland) (Cosponsored by Representative FARNSWORTH of Hallowell and Senator GAUVREAU of Androscoggin)

(The Committee on Appropriations and Financial Affairs had been suggested.)

On motion of Representative Carter of Winslow, was referred to the Joint Select Committee on Corrections, ordered printed and sent up for concurrence.

Banking and Insurance

Bill "An Act to Require Physicians Providing Medicare Services to Bill Secondary Payors Directly for Balances Due" (H.P. 379) (L.D. 510) (Presented by Representative BREWER of Boothbay Harbor) (Cosponsored by Representative KILKELLY of Wiscasset)

Bill "An Act to Regulate Health Insurance Rates" (H.P. 398) (L.D. 529) (Presented by Representative ROLDE of York)

Ordered Printed.
Sent up for Concurrence.

Business Legislation

Bill "An Act to Require Deposits on Liquor Bottles" (H.P. 361) (L.D. 492) (Presented by Representative MCGOWAN of Canaan) (Cosponsored by Representative JACQUES of Waterville, Representative MICHAUD of East Millinocket and Representative ALLEN of Washington)

Bill "An Act to Inform Consumers of Credit Rating Information" (H.P. 375) (L.D. 506) (Presented by Representative BELL of Caribou) (Cosponsored by Representative ADAMS of Portland, Representative MARSTON of Oakland and Representative GRAHAM of Houlton)

Bill "An Act to Amend the Law on Beverage Container Redemption" (H.P. 399) (L.D. 543) (Presented by Representative ALLEN of Washington) (Cosponsored by Representative LORD of Waterboro and Representative GRAHAM of Houlton)

Ordered Printed.
Sent up for Concurrence.

Education

Bill "An Act to Clarify the Responsibilities of School Boards" (EMERGENCY) (H.P. 385) (L.D. 516) (Presented by Representative GWADOSKY of Fairfield) (Cosponsored by Representative PARENT of Benton, Senator MATTHEWS of Kennebec and Representative BURKE of Vassalboro)

Ordered Printed.
Sent up for Concurrence.

Energy and Natural Resources

Bill "An Act to Clarify the Natural Resources Law" (H.P. 386) (L.D. 517) (Presented by Representative MELENDY of Rockland)

Bill "An Act to Amend the Low-level Radioactive Waste Authority Laws" (H.P. 369) (L.D. 500)

(Presented by Representative COLES of Harpswell) (Cosponsored by Representative MICHAUD of East Millinocket, Representative ANDERSON of Woodland and Senator KANY of Kennebec)

Bill "An Act to Amend and Unify the Residential Energy Efficiency Building Standards" (H.P. 396) (L.D. 527) (Presented by Representative DEXTER of Kingfield) (Cosponsored by Senator KANY of Kennebec, Senator LUDWIG of Aroostook and Representative MICHAUD of East Millinocket) (Submitted by the Office of Energy Resources pursuant to Joint Rule 24.)

Bill "An Act to Conform Maine Water Quality Law with Federal Requirements" (H.P. 376) (L.D. 507) (Presented by Representative MICHAUD of East Millinocket) (Cosponsored by Representative ANDERSON of Woodland, Representative JACQUES of Waterville and Senator KANY of Kennebec) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 24.)

Ordered Printed.
Sent up for Concurrence.

Fisheries and Wildlife

Bill "An Act to Amend the Framework Dates During which the Commissioner of Inland Fisheries and Wildlife May Establish a Deer Hunting Season" (H.P. 364) (L.D. 495) (Presented by Representative GREENLAW of Standish) (Cosponsored by Representative WALKER of Norway and Representative CARROLL of Southwest Harbor) (Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 24.)

Bill "An Act Regarding Hunting on Private Property" (H.P. 392) (L.D. 523) (Presented by Representative STEVENS of Sabattus) (Cosponsored by Representative LORD of Waterboro, Representative NUTTING of Leeds and Senator BERUBE of Androskoggin)

Bill "An Act to Allow Handicapped Fishers to Use Electric Motors on Restricted Fishing Waters" (H.P. 390) (L.D. 521) (Presented by Representative STEVENSON of Unity) (Cosponsored by Representative MARSH of West Gardiner, Representative AULT of Wayne and Representative SMITH of Island Falls)

Ordered Printed.
Sent up for Concurrence.

Judiciary

Bill "An Act to Amend the Litter Laws" (H.P. 360) (L.D. 491) (Presented by Representative MITCHELL of Freeport) (Cosponsored by Representative LORD of Waterboro, Representative HUSSEY of Milo and Representative NUTTING of Leeds)

Bill "An Act Relating to Theft of Services" (H.P. 362) (L.D. 493) (Presented by Representative PARADIS of Augusta)

Bill "An Act Relating to Civil Penal Damages to be Awarded in Cases of Unlawful Discrimination" (H.P. 373) (L.D. 504) (Presented by Representative PARADIS of Augusta) (Cosponsored by Representative CONLEY of Portland, Representative FARNSWORTH of Hallowell and Senator HOBBS of York)

Bill "An Act to Expand the Jurisdiction of the District Courts to Include Violations within Municipal Harbors and to Impose the Same Penalties for Harbor Violations that Have Been Created for Land Use Violations" (H.P. 389) (L.D. 520) (Presented by Representative MITCHELL of Freeport) (Cosponsored by Representative ADAMS of Portland, Representative ANTHONY of South Portland and Representative WENTWORTH of Wells)

Bill "An Act to Amend Disorderly Conduct Offenses" (H.P. 391) (L.D. 522) (Presented by Representative GURNEY of Portland) (Cosponsored by

Representative O'GARA of Westbrook and Representative REED of Falmouth)

Bill "An Act to Extend the Statute of Limitations for Medical Malpractice Cases" (H.P. 400) (L.D. 544) (Presented by Representative PARADIS of Old Town)

Ordered Printed.
Sent up for Concurrence.

Legal Affairs

Bill "An Act to Change the Number of Rooms Required for Hotel Liquor Licenses" (H.P. 388) (L.D. 519) (Presented by Representative BEGLEY of Waldoboro) (Cosponsored by Senator HOLLOWAY of Lincoln)

Bill "An Act to Clarify Election Law Procedures" (H.P. 401) (L.D. 545) (Presented by Representative MAYO of Thomaston)

Ordered Printed.
Sent up for Concurrence.

Later Today Assigned

Bill "An Act Regarding the Liability of Marine Pilots" (H.P. 367) (L.D. 498) (Presented by Representative TOWNSEND of Eastport) (Cosponsored by Representative CROWLEY of Stockton Springs and Representative RAND of Portland)

(The Committee on Marine Resources had been suggested.)

On motion of Representative Coles of Harpswell, tabled pending reference and later today assigned.

Transportation

Bill "An Act Concerning the Maintenance of Cattle Fences on State Land" (H.P. 374) (L.D. 505) (Presented by Representative MAYO of Thomaston)

(The Committee on State and Local Government had been suggested.)

On motion of Representative Joseph of Waterville, was referred to the Committee on Transportation, ordered printed and sent up for concurrence.

State and Local Government

Bill "An Act to Increase the Recording Fees for Services Rendered by the County Offices of Registry of Deeds" (H.P. 371) (L.D. 502) (Presented by Representative LOOK of Jonesboro) (Cosponsored by Senator RANDALL of Washington, Representative NORTON of Winthrop and Representative TAMMARO of Baileyville)

Resolve, Authorizing the Supreme Judicial Court Plan and Design Commission to Accept Gifts (H.P. 378) (L.D. 509) (Presented by Representative FOSTER of Ellsworth) (Cosponsored by Senator BUSTIN of Kennebec and Representative DAGGETT of Augusta)

Ordered Printed.
Sent up for Concurrence.

Taxation

Bill "An Act to Prohibit Local Assessors from Using the Phantom House Lot Method of Valuation" (H.P. 368) (L.D. 499) (Presented by Representative TARDY of Palmyra) (Cosponsored by Representative NUTTING of Leeds, Representative JACKSON of Harrison and Representative WHITCOMB of Waldo)

Bill "An Act to Provide a Sales Tax Exemption for Sales to Providers of Certain Support Systems for Single-parent Families" (H.P. 363) (L.D. 494) (Presented by Representative CASHMAN of Old Town) (Cosponsored by Senator ANDREWS of Cumberland)

Bill "An Act to Provide a Property Tax Exemption for Veterans over 62 Years of Age Who Served in the Allied Forces in World War II" (H.P. 387) (L.D. 518) (Presented by Representative TOWNSEND of Eastport) (Cosponsored by Representative JALBERT of Lisbon and Representative HICKEY of Augusta)

Bill "An Act to Provide a Sales Tax Exemption to Certain Providers of Services for the Elderly" (H.P. 393) (L.D. 524) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsored by Representative SWAZEY of Bucksport, Representative CONLEY of Portland and Senator ANDREWS of Cumberland)

Bill "An Act to Amend the Tree Growth and Farm and Open Space Laws" (H.P. 395) (L.D. 526) (Presented by Representative HUTCHINS of Penobscot) (Cosponsored by Representative HICHBORN of LaGrange, Senator PERKINS of Hancock and Representative McCORMICK of Rockport)

Bill "An Act to Provide a Sales Tax Exemption to Youth Scouting Organizations" (H.P. 380) (L.D. 511) (Presented by Representative STROUT of Windham)

Ordered Printed.
Sent up for Concurrence.

Tabled and Assigned

Bill "An Act Requiring Protective Headgear for All Operators and Passengers on Motorcycles, Motor Driven Cycles and Mopeds" (H.P. 381) (L.D. 512) (Presented by Representative STROUT of Windham)

(The Committee on Transportation had been suggested.)

On motion of Representative Gwadlosky of Fairfield, tabled pending reference and specially assigned for Monday, March 6, 1988.

Utilities

Bill "An Act to Prohibit a Minimum Fee on Certain Utility Bills" (H.P. 372) (L.D. 503) (Presented by Representative CLARK of Millinocket) (Cosponsored by Representative MICHAUD of East Millinocket) (BY REQUEST)

Ordered Printed.
Sent up for Concurrence.

Energy and Natural Resources

Bill "An Act to Permit Water Utilities to Repair, Maintain and Replace Existing Facilities" (H.P. 377) (L.D. 508) (Presented by Representative HOGLUND of Portland) (Cosponsored by Senator ERWIN of Oxford, Representative LORD of Waterboro and Representative MICHAUD of East Millinocket)

(The Committee on Utilities had been suggested.)

On motion of Representative Clark of Millinocket, was referred to the Committee on Energy and Natural Resources, ordered printed and sent up for concurrence.

Utilities

Bill "An Act Concerning the Regulatory Treatment of Consumer-owned Electric Utilities" (H.P. 384) (L.D. 515) (Presented by Representative RICHARD of Madison)

Ordered Printed.
Sent up for Concurrence.

REPORTS OF COMMITTEES

Unanimous Leave to Withdraw

Representative HICHBORN from the Committee on Transportation on Bill "An Act to Extend the

Reporting Deadline on the Casco Bay Ferry Service Study" (EMERGENCY) (H.P. 82) (L.D. 113) reporting "Leave to Withdraw"

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

CONSENT CALENDAR

First Day

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

(H.P. 100) (L.D. 135) Bill "An Act to Expand the Eligibility for Participation in the Maine Conservation Corps to Include More Low-income Maine People" (EMERGENCY) Committee on Energy and Natural Resources reporting "Ought to Pass"

There being no objections, the above item was ordered to appear on the Consent Calendar of Monday, March 6, 1989, under the listing of Second Day.

The following item appearing on Supplement No. 1 was taken up out of order by unanimous consent:

CONSENT CALENDAR

First Day

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

(H.P. 142) (L.D. 194) Bill "An Act to Amend the Charter of the Waldoboro Sewer District" (EMERGENCY) Committee on Utilities reporting "Ought to Pass"

Under suspension of the rules, Second Day Consent Calendar notification was given, the House Paper was passed to be engrossed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Amend the Membership of the Advisory Council to the Department of Marine Resources (H.P. 105) (L.D. 142)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 133 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

(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:

PASSED TO BE ENACTED

Emergency Measure

An Act to Amend the Charter of the Waldoboro Sewer District (H.P. 142) (L.D. 194)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 129 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The Chair laid before the House the following matter: Bill "An Act Regarding the Liability of Marine Pilots" (H.P. 367) (L.D. 498) which was tabled earlier in the day and later today assigned pending reference.

On motion of Representative Coles of Harpswell, was referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

The Chair laid before the House the following matter: Bill "An Act to Regulate Incineration Plants" (S.P. 182) (L.D. 339) which was referred to the Committee on Energy and Natural Resources in the House on February 23, 1989 (Came from the Senate with that Body having insisted on its former action whereby the Bill was referred to the Committee on Utilities in non-concurrence) which was tabled earlier in the day and later today assigned pending further consideration.

On motion of Representative Clark of Millinocket, the House voted to recede and concur.

(Off Record Remarks)

On motion of Representative Pouliot of Lewiston, Adjourned until Monday, February 6, 1989, at ten o'clock in the morning.

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

In Senate Chamber
Friday
March 3, 1989

Senate called to Order by the President.

Prayer by Reverend Joseph Brown of the Assembly of God Church in Thomaston.

REVEREND BROWN: Let us unite our hearts together in prayer. Our Father and our God, it is with gratitude and thanksgiving that we come before You this day. We enter into Your courts with praise and into Your gates with thanksgiving. We have awakened with a healthy body, we have a sound and rational mind and, Lord, we have been given an ambition to make this day worthy by our attention and by our decisions.

We reverence Your name. We acknowledge Your grace as being sufficient for all of our personal needs. We request Your wisdom as a corporate body to lead us in the right paths of justice, of equity, and of truth. Teach us, O Lord, how important we are as individuals. Teach us, my God, that we might be led in the right paths of righteousness. Father, You have given to each one of us individual gifts and that there is worth in each of us. Father, through these very gifts we add to the wisdom and the knowledge and the discretion of this whole Body. We know that all good and perfect gifts cometh from You, from the Father of lights, and there is no variableness, Lord, nor shadow of turning with Thee. So, we thank You for the ambition that You give us to learn and to grow and to develop the potential of our lives that when we are called to serve our fellow man and our country, we are able to put forth the best that we have to serve our generation and to ready the next generation to do the same.

Lord, ever let it remain in our hearts that our democracy is built by those who live to give, but it is destroyed by those who live to get. In order for it to survive, Lord, it must be born anew in the heart of each generation. So, let us leave them a good and a righteous legacy. Lord, above all, let this prayer time of this distinguished Senate when clergy and priest and rabbi are called upon to pray, please let it never become a mere formality or an uninteresting opening of the sessions and the agenda of the day. Rather, let it be an acknowledgment of our lack, but your sufficiency; our dependency, but your ability to supply grace and wisdom for our time of need, Lord, especially our submission unto You who is the God of all the earth, realizing that in You we live, we move, and we have our being and without You we can do nothing. This we ask in the name of our God and our Lord and Saviour, Jesus Christ. Amen.

Reading of the Journal of Monday, February 27, 1989.

PAPERS FROM THE HOUSE
House Papers

Bill "An Act to Allow Teachers to Obtain Retirement Benefits at 55 Years of Age if They Have 30 Years of Service"

H.P. 340 L.D. 459

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