

# 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

authority at this time so that we can get Bills into the process on a quicker basis. Is there no objections? The Chair hears none.

Off Record Remarks

On motion by Senator BRANNIGAN of Cumberland, ADJOURNED until Tuesday, April 11, 1989, at 12:00 in the afternoon.

ONE HUNDRED AND FOURTEENTH MAINE LEGISLATURE  
FIRST REGULAR SESSION  
42nd Legislative Day  
Tuesday, April 11, 1989

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

Prayer by Reverend Doctor Peter Misner, Wayne-North Wayne Community Church, Wayne.

The Journal of Monday, April 10, 1989, was read and approved.

PAPERS FROM THE SENATE

Bill "An Act to Increase the Penalty for Major Cocaine Traffickers and to Encourage Cooperation with Prosecutors" (S.P. 416) (L.D. 1082)

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

Was referred to the Committee on Judiciary in concurrence.

Unanimous Leave to Withdraw

Report of the Committee on State and Local Government reporting "Leave to Withdraw" on Bill "An Act to Clarify the Voting Requirements for a Board Containing 3 or More Members" (S.P. 282) (L.D. 728)

Report of the Committee on Taxation reporting "Leave to Withdraw" on Bill "An Act to Provide a Sales Tax Exemption to Athletic Organizations for Children" (S.P. 159) (L.D. 307)

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

COMMUNICATIONS

The following Communication:

State of Maine  
Department of Transportation  
State House Station 16  
Augusta, Maine 04333

April 6, 1989

The Honorable John L. Martin

Speaker of the House  
State House Station #2  
Augusta, Maine 04333

Dear Speaker Martin:

It is my pleasure to enclose herewith a copy of the 1989 Highway Cost Allocation Study requested under legislation enacted last session. It updates and expands a similar study done in 1982.

Expressed in a most basic way, the Highway Cost Allocation Study is an effort to compare the revenues collected from various groups of highway users against the construction and maintenance costs created by those users. While it identifies groups which may be paying more or less than their fair share, the Study is not intended to provide specific solutions or to generate additional revenues. It is a revenue-neutral attempt to identify inequities between the revenues collected from highway users and their cost responsibilities.

In methodology, the Study looked at the present, made some reasoned projections for the future, exposed problems in the current system, and expressed concerns, but left the refining of Legislation to address those problems and concerns as a topic for discussion and resolution between the Department and the Legislature.

The updated Study uses 1986-87 as a base year and concludes that, at that time, four axle single unit trucks and six axle combination trucks paid less than their fair share of highway and bridge expenditures.

It also concludes that in 1986-87 passenger cars, light trucks, and other types of straight and semi-trailer trucks were paying at least their fair share of the cost of building and maintaining Maine's highways and bridges.

In looking forward to 1990-91, the Study finds that, if no adjustments are enacted between now and then, all single unit trucks and the six axle combination truck will be paying less than their fair share, while the other vehicle groups will be paying at least their fair share of highway and bridge expenditures.

The Study also contains eight specific recommendations:

1. Consider legislation which would help vehicle groups pay a fairer share of their highway expenditures.
2. Consider, in conjunction with the possible adjustments referred to in Recommendation #1, adjustments to the fuel decal fee to more properly reflect only administrative expenses.
3. Improve motor vehicle data collection through combined computerization of registration, permit and title files for commercial vehicles by vehicle class.
4. Regulate lift-axles through increased enforcement, automated equipment and self-steering axles.
5. Study the need for increased fuel tax auditing and enforcement.
6. Conduct periodic future cost allocation studies to track equity among highway users.
7. Continue study of weight-distance taxation as a possible means of improving future highway equity.
8. Apply Operating Authority Fund revenues to size and weight enforcement troopers now funded from the dedicated highway fund and study possible adjustments or alternatives to the Operating Authority Program.

The Study also suggests a number of funding options which might be considered. They were included for illustrative purposes only and certainly do not reflect a recommendation or endorsement by the Department. We feel it is most important that recommendations for equity adjustments be made cooperatively between the Department and the Legislature.

In that spirit, we look forward to addressing any questions or concerns you may have regarding the Study contents or findings. We also welcome the opportunity to work with you in developing and analyzing possible adjustments to improve equity among highway user groups.

Sincerely,  
 Maine Department of Transportation  
 S/Dana F. Connors  
 Commissioner

Was read and with accompanying report ordered placed on file.

**PETITIONS, BILLS AND RESOLVES  
 REQUIRING REFERENCE**

The following Bills and Resolutions 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:

**Appropriations and Financial Affairs**

Bill "An Act to Establish a Special Housing Allowance for the Aid to Families with Dependent Children Program" (EMERGENCY) (H.P. 799) (L.D. 1111) (Presented by Speaker MARTIN of Eagle Lake)

(Cosponsored by Senator BRANNIGAN of Cumberland, Representative MANNING of Portland and Representative STROUT of Corinth)

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$4,400,000 for Sewerage Facilities Construction" (H.P. 801) (L.D. 1113) (Presented by Representative FOSS of Yarmouth) (Cosponsored by Senator PEARSON of Penobscot, Senator HOLLOWAY of Lincoln and Representative RIDLEY of Shapleigh)

Bill "An Act to Increase Family Support Services to Maine Families Who Choose to Care for Their Developmentally Disabled Children at Home" (H.P. 805) (L.D. 1117) (Presented by Representative RYDELL of Brunswick) (Cosponsored by Representative PINES of Limestone, Representative CARROLL of Gray and Senator BRANNIGAN of Cumberland)

Bill "An Act to Create a Hazardous Highway Spills Fund" (H.P. 809) (L.D. 1121) (Presented by Representative KILKELLY of Wiscasset) (Cosponsored by Representative JACQUES of Waterville, Senator HOLLOWAY of Lincoln and Representative MICHAUD of East Millinocket)

Ordered Printed.  
 Sent up for Concurrence.

**Business Legislation**

Bill "An Act to Recover Windfall Profits from Bottle Deposits" (H.P. 787) (L.D. 1099) (Presented by Representative TOWNSEND of Eastport) (Cosponsored by Representative MOHOLLAND of Princeton, Representative LOOK of Jonesboro and Representative GOULD of Greenville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Ordered Printed.  
 Sent up for Concurrence.

**Education**

Bill "An Act to Better Incorporate Vocational Education into High School Graduation Requirements" (H.P. 784) (L.D. 1096) (Presented by Representative WHITCOMB of Waldo) (Cosponsored by Representative SMALL of Bath, Representative CROWLEY of Stockton Springs and Senator ESTES of York)

Bill "An Act to Ensure that All Maine Students Leave Secondary School with Basic Literacy Skills" (H.P. 800) (L.D. 1112) (Presented by Representative HEPBURN of Skowhegan) (Cosponsored by Representative PARADIS of Frenchville, Senator GILL of Cumberland and Representative AULT of Wayne)

Bill "An Act to Enhance the Status of Vocational-technical Education in Maine" (H.P. 815) (L.D. 1127) (Presented by Representative CROWLEY of Stockton Springs) (Cosponsored by Representative NORTON of Winthrop, Senator ESTES of York and Senator KANY of Kennebec)

Ordered Printed.  
 Sent up for Concurrence.

**Energy and Natural Resources**

Bill "An Act to Exempt Certain Lands Classified as Wetlands under Local Ordinances" (H.P. 780) (L.D. 1092) (Presented by Representative WHITCOMB of Waldo) (Cosponsored by Representative DEXTER of Kingfield, Representative GOULD of Greenville and Representative LORD of Waterboro)

Bill "An Act to Require the Use of Carry-out Bags that Can Be Recycled" (H.P. 790) (L.D. 1102) (Presented by Representative ADAMS of Portland) (Cosponsored by Senator LUDWIG of Aroostook,

Representative TRACY of Rome and Representative GOULD of Greenville)

Bill "An Act to Amend the Natural Resources Protection Act" (H.P. 813) (L.D. 1125) (Presented by Representative MARSH of West Gardiner) (Cosponsored by Representative JACQUES of Waterville) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 24.)

Ordered Printed.  
Sent up for Concurrence.

#### Judiciary

Bill "An Act to Reduce Administrative Burdens on County Jails" (H.P. 783) (L.D. 1095) (Presented by Representative MILLS of Bethel) (Cosponsored by Representative HOGLUND of Portland, Representative NUTTING of Leeds and Senator ERWIN of Oxford)

Bill "An Act to Conform the Scope of Prior Convictions When Used to Enhance the Penalty for Negotiating a Worthless Instrument" (H.P. 785) (L.D. 1097) (Presented by Representative GOULD of Greenville) (Cosponsored by Representative SIMPSON of Casco, Representative TRACY of Rome and Senator ESTES of York)

Bill "An Act to Clarify the Definition of Cocaine" (H.P. 795) (L.D. 1107) (Presented by Representative SMITH of Island Falls) (Cosponsored by Representative MOHOLLAND of Princeton, Representative McSWEENEY of Old Orchard Beach and Senator BOST of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Bill "An Act Criminalizing the Unlawful Possession of Class Z Drugs" (H.P. 798) (L.D. 1110) (Presented by Representative BURKE of Vassalboro) (Cosponsored by Senator BUSTIN of Kennebec, Representative DAGGETT of Augusta and Representative GWADOSKY of Fairfield) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Bill "An Act to Clarify the Exempt Status of a Bona Fide Lienholder under the Forfeiture of Assets Act" (H.P. 802) (L.D. 1114) (Presented by Representative STEVENS of Bangor) (Cosponsored by Representative CONLEY of Portland and Senator HOBBS of York)

Bill "An Act Concerning Bed and Breakfast Establishments" (H.P. 803) (L.D. 1115) (Presented by Representative ROLDE of York)

Bill "An Act to Increase the Penalty for Drug Crimes Committed while in Possession of a Firearm" (H.P. 804) (L.D. 1116) (Presented by Representative JACQUES of Waterville) (Cosponsored by Representative McKEEN of Windham, Representative ALLEN of Washington and Representative MITCHELL of Freeport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Bill "An Act to Increase the Penalties for Tampering With a Juror or a Victim" (H.P. 807) (L.D. 1119) (Presented by Representative MELENDY of Rockland) (Cosponsored by Senator BALDACCI of Penobscot, Representative HEESCHEN of Wilton and Representative LARRIVEE of Gorham)

Ordered Printed.  
Sent up for Concurrence.

#### Judiciary

Bill "An Act to Provide a Fee Adjustment for Civil Process Servers" (H.P. 781) (L.D. 1093) (Presented by Representative GREENLAW of Standish) (Cosponsored by Representative MARSANO of Belfast, Representative PARADIS of Augusta and Representative PRIEST of Brunswick)

(The Committee on Legal Affairs had been suggested.)

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

#### Legal Affairs

Bill "An Act to Strengthen the Law Pertaining to Taking or Defacing Political Campaign Signs" (H.P. 791) (L.D. 1103) (Presented by Representative NORTON of Winthrop) (Cosponsored by Senator DILLENBACK of Cumberland, Representative JACKSON of Harrison and Representative BAILEY of Farmington)

Bill "An Act to Allow Municipal Clerks to Inspect Blank Ballots Prior to Election Day" (H.P. 794) (L.D. 1106) (Presented by Representative MANNING of Portland) (Cosponsored by Representative PRIEST of Brunswick, Senator BALDACCI of Penobscot and Senator MATTHEWS of Kennebec)

Bill "An Act to Provide for Forfeiture of Altered Radar Detectors and to Make Possession a Civil Violation" (H.P. 797) (L.D. 1109) (Presented by Representative KETOVER of Portland) (Cosponsored by Representative JALBERT of Lisbon and Representative RICHARD of Madison)

Bill "An Act to Mandate that Ingredients be Listed on Labels of Liquor Bottles Sold at State Liquor Stores" (H.P. 806) (L.D. 1118) (Presented by Representative HOGLUND of Portland) (Cosponsored by Representative MURPHY of Berwick and Representative COTE of Auburn)

Bill "An Act to Encourage Higher Voter Participation in All Elections by Allowing Absentee Balloting With or Without Cause" (H.P. 810) (L.D. 1122) (Presented by Representative JOSEPH of Waterville) (Cosponsored by Senator MATTHEWS of Kennebec, Representative ALLEN of Washington and Representative COTE of Auburn) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Bill "An Act to Enhance Enforcement of the Driving Under the Influence of Alcohol and Drug Laws" (H.P. 814) (L.D. 1126) (Presented by Representative PARADIS of Augusta) (Cosponsored by Representative MAYO of Thomaston, Representative PRIEST of Brunswick and Senator MATTHEWS of Kennebec)

Ordered Printed.  
Sent up for Concurrence.

#### State and Local Government

Bill "An Act to Increase the Compensation for Part-time Deputy Sheriffs" (H.P. 788) (L.D. 1100) (Presented by Representative NADEAU of Lewiston) (Cosponsored by Representative LISNIK of Presque Isle and Representative HEESCHEN of Wilton)

Bill "An Act to Require the Bureau of Purchases to Purchase Those Products Made Only in The United States" (H.P. 792) (L.D. 1104) (Presented by Representative MURPHY of Berwick) (Cosponsored by Representative DUFFY of Bangor and Representative MCGOWAN of Canaan) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for 4-Year Terms for Senators and Representatives (H.P. 808) (L.D. 1120) (Presented by Representative MAHANY of Easton) (Cosponsored by Senator LUDWIG of Aroostook, Representative ANDERSON of Woodland and Senator MATTHEWS of Kennebec)

Ordered Printed.  
Sent up for Concurrence.

**Taxation**

Bill "An Act to Provide a More Accurate Basis for Excise Tax" (H.P. 779) (L.D. 1091) (Presented by Representative PARADIS of Frenchville) (Cosponsored by Representative KILKELLY of Wiscasset, Representative MAHANY of Easton and Representative GRAHAM of Houlton)

Bill "An Act Providing Conformity with the United States Internal Revenue Code Under the Maine Income Tax Law for 1988" (EMERGENCY) (H.P. 782) (L.D. 1094) (Presented by Representative JACKSON of Harrison) (Cosponsored by Representative SWAZEY of Bucksport, Representative WHITCOMB of Waldo and Senator BALDACCI of Penobscot)

Bill "An Act to Create a Local Option Sales Tax" (H.P. 789) (L.D. 1101) (Presented by Representative MITCHELL of Freeport) (Cosponsored by Representative LAWRENCE of Kittery, Representative DiPIETRO of South Portland and Senator CLARK of Cumberland)

Bill "An Act to Provide a Sales Tax Exemption for the Purchase of Certain Medical Equipment and Supplies" (H.P. 796) (L.D. 1108) (Presented by Representative DORE of Auburn) (Cosponsored by Representative JACKSON of Harrison, Senator ANDREWS of Cumberland and Representative COTE of Auburn)

Bill "An Act to Provide Property Tax Relief Through Per Capita Grants to Towns" (EMERGENCY) (H.P. 811) (L.D. 1123) (Presented by Representative SMALL of Bath) (Cosponsored by Representative REED of Falmouth, Representative FOSS of Yarmouth and Representative MACOMBER of South Portland)

Bill "An Act to Amend the Veterans' Property Tax Exemption" (H.P. 812) (L.D. 1124) (Presented by Representative LAWRENCE of Kittery) (Cosponsored by Representative DiPIETRO of South Portland and Representative SWAZEY of Bucksport)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Permit Municipalities to Freeze Property Taxes for Residents upon Reaching the Age of 65 (H.P. 778) (L.D. 1090) (Presented by Representative ROLDE of York)

Ordered Printed.  
Sent up for Concurrence.

**Transportation**

Bill "An Act to Make Certain Motor Vehicle Laws Applicable to All-terrain Vehicles" (H.P. 793) (L.D. 1105) (Presented by Representative COLES of Harpswell) (Cosponsored by Representative CARROLL of Gray, Representative MICHAUD of East Millinocket and Senator MATTHEWS of Kennebec)

Ordered Printed.  
Sent up for Concurrence.

**Energy and Natural Resources**

Bill "An Act to Provide Free Access to Any Impoundment Controlled by a Dam" (H.P. 786) (L.D. 1098) (Presented by Representative CLARK of Millinocket) (Cosponsored by Representative MICHAUD of East Millinocket, Representative DUFFY of Bangor and President PRAY of Penobscot)

(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.

**REPORTS OF COMMITTEES  
Divided Report**

**Tabled and Assigned**

Majority Report of the Committee on Taxation reporting "Ought Not to Pass" on Bill "An Act to Protect Confidentiality of Private Business Transactions" (H.P. 235) (L.D. 347)

Signed:  
Senators: BALDACCI of Penobscot  
ANDREWS of Cumberland  
EMERSON of Penobscot  
Representatives: CASHMAN of Old Town  
NADEAU of Saco  
DiPIETRO of South Portland  
SWAZEY of Bucksport  
JACKSON of Harrison  
DORE of Auburn  
SEAVEY of Kennebunkport  
DUFFY of Bangor  
TARDY of Palmyra

Minority Report of the same Committee reporting "Ought to Pass" on same Bill.

Signed:  
Representative: WHITCOMB of Waldo

Reports were read.  
Representative Cashman of Old Town moved that the House accept the Majority "Ought Not to Pass" Report.

On further motion of the same Representative, tabled pending his motion that the House accept the Majority "Ought Not to Pass" Report and specially assigned for Wednesday, April 12, 1989.

**CONSENT CALENDAR**

**First Day**

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

(H.P. 87) (L.D. 122) Bill "An Act Relating to Credit Services Organizations" Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-58)

(H.P. 561) (L.D. 759) Bill "An Act to Make Records of Quasi-judicial Proceedings Confidential" Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-57)

(H.P. 327) (L.D. 446) Bill "An Act to Amend an Act Incorporating the Trustees of Bridgton Academy" Committee on Education reporting "Ought to Pass"

(S.P. 195) (L.D. 443) 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" Committee on Human Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (S-33)

There being no objections, the above items were ordered to appear on the Consent Calendar of Wednesday, April 12, 1989, under the listing of Second Day.

**CONSENT CALENDAR**

**Second Day**

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

(H.P. 227) (L.D. 311) Bill "An Act to Adjust the Metes and Bounds Between the Towns of Osborn, Mariaville and Waltham in Hancock County"

No objections having been noted at the end of the Second Legislative Day, the House Paper was Passed to be Engrossed and sent up for concurrence.

(S.P. 270) (L.D. 698) Bill "An Act to Clarify Certain Provisions in the Maine State Retirement System Laws"

On motion of Representative Hickey of Augusta, was removed from the Consent Calendar, Second Day.

Subsequently, the Committee Report was accepted, the Bill read once and assigned for second reading Wednesday, April 12, 1989.

(H.P. 252) (L.D. 364) Bill "An Act to Amend the Laws on Interest on Delinquent County Taxes"

(H.P. 567) (L.D. 771) Bill "An Act to Make Technical Corrections in the Laws Concerning Gasoline Stations" (C. "A" H-54)

(H.P. 496) (L.D. 676) Bill "An Act to Provide that Certain Interest and Income Earned May Be Credited to the Maine State Retirement System for Administration" (C. "A" H-55)

(H.P. 108) (L.D. 145) Bill "An Act to Encourage Recycling of Lead-acid Batteries" (C. "A" H-56)

No objections having been noted at the end of the Second Legislative Day, the House Papers were Passed to be Engrossed or Passed to be Engrossed as Amended and sent up for concurrence.

**PASSED TO BE ENGROSSED**

Resolve, to Study the Structure and Operations of the Legislature (EMERGENCY) (H.P. 770) (L.D. 1081)

Bill "An Act to Incorporate Certain Bond Statutes into the Recodification of County and Municipal Laws" (EMERGENCY) (H.P. 777) (L.D. 1089)

Were reported by the Committee on Bills in the Second Reading, read the second time, Passed to be Engrossed, and sent up for concurrence.

**PASSED TO BE ENGROSSED**

**As Amended**

Bill "An Act to Amend and Unify the Residential Energy Efficiency Building Standards" (H.P. 396) (L.D. 527) (C. "A" H-45)

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

Representative Tammaro of Baileyville offered House Amendment "A" (H-60) and moved its adoption.

House Amendment "A" was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" thereto and sent up for concurrence.

**PASSED TO BE ENACTED**

**Emergency Measure**

An Act to Increase the Annual Public Utilities Commission Regulatory Fund Assessment, Establish a Consumer Assistance Specialist Position and Make Certain Other Changes (S.P. 143) (L.D. 263) (S. "A" S-32 to C. "A" S-27)

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. 126 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.

**PASSED TO BE ENACTED**

**Emergency Measure**

An Act to Make Additional Allocations for Administrative Expenses of the Bureau of Alcoholic

Beverages, Department of Finance, for the Fiscal Year Ending June 30, 1989 (H.P. 62) (L.D. 86) (C. "A" H-26)

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. 128 voted in favor of the same and 1 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**PASSED TO BE ENACTED**

**Emergency Measure**

An Act to Make Additional Allocations from the Maine Nuclear Emergency Planning Fund for the Fiscal Year Ending June 30, 1989 (H.P. 64) (L.D. 88) (C. "A" H-25)

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. 126 voted in favor of the same and 1 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**PASSED TO BE ENACTED**

**Emergency Measure**

An Act to Increase the Debt Limit for the South Berwick Water District (H.P. 187) (L.D. 252) (C. "A" H-29)

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. 128 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.

**PASSED TO BE ENACTED**

**Emergency Measure**

An Act to Clarify the Jurisdiction of the Public Utilities Commission over the Construction of Transmission Lines by Electric Utilities (H.P. 216) (L.D. 296) (C. "A" H-31)

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. 124 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.

**FINALLY PASSED**

**Emergency Measure**

Resolve, Directing the Office of Comprehensive Land Use Planning to Prepare a Guide to the Manufactured Housing Laws (H.P. 47) (L.D. 61) (C. "A" H-27)

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. 124 voted in favor of the same and none against and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

**PASSED TO BE ENACTED**

An Act to Amend the Law Regarding Food Services Operated by the Blind in Public Buildings (H.P. 72) (L.D. 103) (C. "A" H-33)

An Act to Amend the Charitable Solicitations Act (H.P. 165) (L.D. 230) (C. "A" H-36)

An Act to Amend the Law Governing Disposition of the Bodies of Persons Who Die in State Correctional Facilities (H.P. 171) (L.D. 236)

An Act to Extend the Toll Call Discount Given to Deaf, Hearing Impaired or Speech Impaired Persons (H.P. 282) (L.D. 394) (C. "A" H-30)

An Act to Change the Name of the Governor's Committee on Employment of the Handicapped to the Governor's Committee on Employment of People with Disabilities (H.P. 464) (L.D. 629) (C. "A" H-35)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

**FINALLY PASSED**

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory (H.P. 224) (L.D. 304) (C. "A" H-34)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, finally passed, signed by the Speaker and sent to the Senate.

**ORDERS OF THE DAY**

**TABLED AND TODAY ASSIGNED**

The Chair laid before the House the first tabled and today assigned matter:

HOUSE DIVIDED REPORT - Majority (10) "Ought to Pass" amended by Committee Amendment "A" (H-51) - Minority (3) - "Ought Not to Pass" - Committee on Business Legislation on Bill "An Act Relating to Confidentiality of Investigative Records of Boards and Commissions" (H.P. 232) (L.D. 316)

TABLED - April 10, 1989 by Representative ALLEN of Washington.

PENDING - Motion of same Representative to accept the Majority "Ought to Pass" as amended Report.

On motion of Representative Gwadosky of Fairfield, retabled pending the motion of the Representative from Washington, Representative Allen, that the House accept the Majority "Ought to Pass" as amended Report, specially assigned for Wednesday, April 12, 1989.

The Chair laid before the House the second tabled and today assigned matter:

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Change the Terms of Members of the Senate from 2 to 4 Years (S.P. 392) (L.D. 1037) - In Senate, Referred to the Committee on State and Local Government.

TABLED - April 10, 1989 by Representative MAYO of Thomaston.

PENDING - Reference in concurrence.

Subsequently, was referred to the Committee on State and Local Government in concurrence.

The Chair laid before the House the third tabled and today assigned matter:

Bill "An Act to Annex Township 4, Range 3 WELS to the Town of Island Falls" (H.P. 164) (L.D. 229)

- In House, Bill and Accompanying Papers Recommended to the Committee on State and Local Government on March 30, 1989.

- In Senate, Majority "Ought Not to Pass" Report of the Committee on State and Local Government read and accepted in non-concurrence.

TABLED - April 10, 1989 by Representative GWADOSKY of Fairfield.

PENDING - Motion of Representative SMITH of Island Falls to Recede.

On motion of Representative Gwadosky of Fairfield, tabled Unassigned pending the motion of the Representative from Island Falls, Representative Smith, that the House recede.

The Chair laid before the House the fourth tabled and today assigned matter:

Bill "An Act to Expand the Types of Medication Included in the Elderly Low-cost Drug Program" (H.P. 229) (L.D. 313)

TABLED - April 10, 1989 by Representative GWADOSKY of Fairfield.

PENDING - Passage to be Engrossed.

Representative Manning of Portland offered House Amendment "A" (H-61) and moved its adoption.

House Amendment "A" (H-61) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended House Amendment "A" and sent up for concurrence.

Representative Skoglund of St. George was granted unanimous consent to address the House:

Representative SKOGLUND: Mr. Speaker, Ladies and Gentlemen of the House: It is with great pride that I greet and introduce the boys' basketball team from Vinalhaven, their coach, Jonas Pratt and Robert Calderwood, father of one of the players. They are in front of the balcony.

Vinalhaven hasn't been on one of our economic tours so I will say a few words about the island. It is the largest island on the Maine coast not connected to the mainland by a bridge or causeway. I am told by reputable authorities that it has the largest landing of lobsters of any town in Maine.

These young men had to be on the ferry boat at seven this morning in order to be with us and probably had one of the most beautiful boat rides anywhere on the eastern coast into Rockland.

Vinalhaven still has the kind of high school that, for most of us, is still just a pleasant memory. There are 62 students in the school, so all students have to participate. Half of the boys in the senior class are on the team in the balcony today, that is three of the boys. Although they are represented by their basketball team today, I would like you to know that Vinalhaven also emphasizes academics. In a recent state math competition, Vinalhaven's math team, under their coach and math teacher, Peter Peterson, placed first in schools having an enrollment under 250. Vinalhaven placed second in schools under 300. One of Vinalhaven's Sophomore's Melissa Webster was the fourth ranking Sophomore in the state in math competition.

For the past 10 years, Vinalhaven's basketball team has made it to the tournaments. This year, they were number one in Class D Western Maine but lost in the semi-finals to Rangeley and, of course, Rangeley went on to win the state championship. Coach Pratt is somewhat consoled that Vinalhaven had defeated Rangeley earlier.

These young men should be proud of themselves, they are a credit to their school, to their community and to the State of Maine.

One of Vinalhaven's players in particular deserves special recognition, Raymond Alley, whom the local papers are pleased to call "the incredible Raymond Alley." This season he beat all state



records by scoring 2,306 points, that is an all-time state record. (applause, members rising)

(Off Record Remarks)

On motion of Representative Carter of Winslow, Adjourned until Wednesday, April 12, 1989, at twelve o'clock noon.

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

In Senate Chamber  
Tuesday  
April 11, 1989

Senate called to Order by the President.

Prayer by Reverend Jeffrey Symnykwiz of the First Universalist Church in Rockland.

REVEREND SYMYNKWIZ: O Thou eternal Spirit of righteousness, Who fills the whole universe with a golden glow of truth and love, be with us now, we pray, at this chosen hour. We invoke Thy grace and Thy wisdom upon all whose task it is to serve our communities, our state, our nation, and our world.

Kindle within the hearts of all of us an intense passion for social justice. Bless those who will not be content so long as some have too little while others have too much. Inspire those who labor that all women and men may receive a just reward for the work they do. Empower those whose care it is that the workless and the destitute, the homeless and the outcast, the poor and the needy, the sick and the afflicted, should be remembered not just in our prayers, but in our deeds as well. Deliver us, we pray, from the withering blight of selfishness and allow us to reflect in our own brotherhood and sisterhood together Your transcending and transforming power of love and justice.

Help us, Spirit of righteousness, to see beyond the confusion and the turmoil of our time and to catch a glimpse of the new age that yet can be. Help us, we pray, to clear away those things which bind us to the errors of the past, and to do that which we must do, each in our own way, to bring about a world of peace and justice for all human kind. Amen.

Reading of the Journal of Yesterday.

Senate at Ease  
Senate called to order by the President.

Off Record Remarks

PAPERS FROM THE HOUSE  
Non-concurrent Matter

Bill "An Act to Make Minor Changes in the Motor Vehicle Laws"

S.P. 75 L.D. 65  
(S "A" S-29 to C "A"  
S-23)

In Senate, April 3, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-23) AS AMENDED BY SENATE AMENDMENT "A" (S-29) thereto.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-23) AS AMENDED BY SENATE AMENDMENT "A" (S-29) AND HOUSE AMENDMENT "A" (H-53), thereto, in NON-CONCURRENCE.

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

Non-concurrent Matter  
Bill "An Act Concerning Agricultural Road Signs"  
H.P. 576 L.D. 780

Committee on BUSINESS LEGISLATION suggested and ORDERED PRINTED.