

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred And Fourteenth Legislature
OF THE
State Of Maine

VOLUME IV

FIRST SPECIAL SESSION
August 21, 1989 to August 22, 1989
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FIRST CONFIRMATION SESSION
October 30, 1989
Index

SECOND CONFIRMATION SESSION
December 12, 1989
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SECOND REGULAR SESSION
January 3, 1990 to March 19, 1990

Senator CAHILL of Sagadahoc was granted unanimous consent to address the Senate off the Record.

The ADJOURNMENT ORDER having been returned from the House READ and PASSED, in concurrence, on motion by Senator ERWIN of Oxford, ADJOURNED until Friday, February 23, 1990, at 12:00 in the afternoon.

**ONE HUNDRED AND FOURTEENTH MAINE LEGISLATURE
SECOND REGULAR SESSION
21st Legislative Day
Friday, February 23, 1990**

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

Prayer by Reverend Douglas Dodson, Free Methodist Church, Gardiner.

The Journal of Tuesday, February 20, 1990, was read and approved.

Quorum call was held.

PAPERS FROM THE SENATE

The following Communication:

Maine State Senate
Augusta, Maine 04333

February 20, 1990

The Honorable John L. Martin
Speaker of the House
114th Legislature
Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed the following:
Upon the recommendation of the Joint Standing Committee on Judiciary:

Reginald E. Burleigh of Fort Fairfield for appointment as a member of the Workers' Compensation Commission.

Reginald E. Burleigh is replacing David Soucy.

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

Was read and ordered placed on file.

Non-Concurrent Matter

Bill "An Act to Regulate Food Salvage Operations" (H.P. 1536) (L.D. 2121) which was passed to be engrossed as amended by Committee Amendment "A" (H-767) in the House on February 14, 1990.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-767) as amended by Senate Amendment "A" (S-515) thereto in non-concurrence.

The House voted to recede and concur.

COMMUNICATIONS

The following Communication:

STATE OF MAINE

MANDATED BENEFITS ADVISORY COMMISSION

February 15, 1990

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

Dear Speaker Martin:

Pursuant to 24-A M.R.S.A. section 2751, I am pleased to provide you with a Report on Mandated Health Insurance Benefits for Screening Mammography and for Screening PAP Tests.

Copies of the report are also being provided to members of the Senate and to the Governor as required by law.

Respectfully submitted,
S/David R. Clough, Chair
Mandated Benefits
Advisory Commission

Was read and with accompanying report ordered placed on file.

**PETITIONS, BILLS AND RESOLVES
REQUIRING REFERENCE**

The following Bills and Resolves 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:

Agriculture

Resolve, Providing for a Study of the Establishment of a Testing Program for the Purity of Agricultural Food Products (H.P. 1689) (L.D. 2339) (Presented by Representative WEBSTER of Cape Elizabeth) (Cosponsored by Representative LIBBY of Kennebunk and Senator EMERSON of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

Appropriations and Financial Affairs

Bill "An Act to Appropriate Funds for Nonresidential Services and Sheltered Group Homes for Girls" (H.P. 1697) (L.D. 2346) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsored by Representative POULIOT of Lewiston, Senator HOBBS of York and Senator DUTREMBLE of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Bill "An Act to Amend the Maine Rainy Day Fund" (EMERGENCY) (H.P. 1698) (L.D. 2347) (Presented by Representative HIGGINS of Scarborough) (Cosponsored by Senator PERKINS of Hancock, Senator PEARSON of Penobscot and Representative CARTER of Winslow)

Bill "An Act to Amend the Laws Governing Submission of Bills with Supplemental Appropriations" (H.P. 1707) (L.D. 2356) (Presented by Representative CARTER of Winslow) (Cosponsored by Senator PEARSON of Penobscot, Senator BRANNIGAN of Cumberland and Representative FOSS of Yarmouth) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Ordered Printed.
Sent up for Concurrence.

Banking and Insurance

Bill "An Act to Amend the Laws Applicable to Medicare Supplement Insurance Policies" (H.P. 1708) (L.D. 2357) (Presented by Representative GARLAND of Bangor) (Cosponsored by Senator THERIAULT of Aroostook, Representative ERWIN of Rumford and Senator COLLINS of Aroostook)

Ordered Printed.
Sent up for Concurrence.

Energy and Natural Resources

Bill "An Act to Enhance the Ability of the State to Respond to Oil Spills" (H.P. 1691) (L.D. 2341) (Presented by Representative FARNSWORTH of Hallowell) (Cosponsored by Senator HOLLOWAY of Lincoln, Representative HOGGLUND of Portland and Representative ROLDE of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Correct Errors in the Solid Waste Laws" (H.P. 1705) (L.D. 2354) (Presented by Representative MICHAUD of East Millinocket) (Cosponsored by Senator KANY of Kennebec, Representative DEXTER of Kingfield and Representative HOGGLUND of Portland) (Approved for introduction by a

majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Amend the Laws Administered by the Maine Land Use Regulation Commission" (H.P. 1709) (L.D. 2358) (Presented by Representative MICHAUD of East Millinocket) (Cosponsored by Representative ANDERSON of Woodland and Representative COLES of Harpswell) (Submitted by the Department of Conservation pursuant to Joint Rule 24.)

Ordered Printed.
Sent up for Concurrence.

Housing and Economic Development

Bill "An Act to Improve the Job Opportunities Zone Act" (H.P. 1690) (L.D. 2340) (Presented by Representative BAILEY of Farmington) (Cosponsored by Representative MARSANO of Belfast, Representative MICHAUD of East Millinocket and Senator WEYMOUTH of Kennebec)

Ordered Printed.
Sent up for Concurrence.

Human Resources

Bill "An Act Concerning the Funding of Boarding Home Depreciation Accounts Under the Cost-reimbursement Program" (EMERGENCY) (H.P. 1699) (L.D. 2348) (Presented by Representative BOUTILIER of Lewiston) (Cosponsored by Representative LISNIK of Presque Isle, Representative CARROLL of Gray and Senator TITCOMB of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Ordered Printed.
Sent up for Concurrence.

Judiciary

Bill "An Act to Authorize the Atlantic Sea Run Salmon Commission to Take the Edwards Dam by Right of Eminent Domain" (EMERGENCY) (H.P. 1700) (L.D. 2349) (Presented by Representative MARSH of West Gardiner) (Cosponsored by Representative CARTER of Winslow, Senator HOLLOWAY of Lincoln and Senator KANY of Kennebec)

Bill "An Act Concerning Child Support Guidelines" (EMERGENCY) (H.P. 1704) (L.D. 2353) (Presented by Representative ANTHONY of South Portland) (Cosponsored by Senator HOBBS of York and Representative RICHARDS of Hampden) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

Marine Resources

Bill "An Act to Ensure and Maintain Water Quality" (H.P. 1703) (L.D. 2352) (Presented by Representative STEVENS of Bangor) (Cosponsored by Representative CARTER of Winslow, Senator BRANNIGAN of Cumberland and Representative MARSH of West Gardiner) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Ordered Printed.
Sent up for Concurrence.

**PASSED TO BE ENGROSSED
WITHOUT REFERENCE TO COMMITTEE**

Resolve, to Approve the Kennebec County Commissioners' Nominations to the Kennebec County Budget Committee (EMERGENCY) (H.P. 1702) (L.D. 2351)

(Presented by Representative JOSEPH of Waterville)
(Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 27.)

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

Under suspension of the rules, the Resolve was
read twice, passed to be engrossed without reference
to any committee and sent up for concurrence.

By unanimous consent, ordered sent forthwith to
the Senate.

Taxation

Bill "An Act Providing for the Protection and
Preservation of Rail Transportation in the State"
(H.P. 1701) (L.D. 2350) (Presented by Representative
GWADOSKY of Fairfield) (Cosponsored by Senator
MATTHEWS of Kennebec) (Approved for introduction by a
majority of the Legislative Council pursuant to Joint
Rule 27.)

Ordered Printed.

Sent up for Concurrence.

**PASSED TO BE ENGROSSED
WITHOUT REFERENCE TO COMMITTEE**

Resolve, that the Timetable for the Revision of
the State's Motor Vehicle Laws be Extended
(EMERGENCY) (H.P. 1688) (L.D. 2338) (Presented by
Speaker MARTIN of Eagle Lake) (Approved for
introduction by a majority of the Legislative Council
pursuant to Joint Rule 27.)

(The Committee on Transportation had been
suggested.)

Under suspension of the rules, the Resolve was
read twice, passed to be engrossed without reference
to any committee and sent up for concurrence.

By unanimous consent, ordered sent forthwith to
the Senate.

Reported Pursuant to Resolve

Representative HANDY for the Blue Ribbon Task
Force to Promote Equity of Opportunity for Women in
the Public School System, pursuant to Resolve 1989,
Chapter 55 ask leave to submit its findings and to
report that the accompanying Bill "An Act to Promote
Equity of Opportunity for Women in Administrative
Positions in the Public School System" (H.P. 1692)
(L.D. 2342) be referred to the Joint Standing
Committee on Education for Public Hearing and printed
pursuant to Joint Rule 18.

Report was read and accepted, and the bill
referred to the Committee on Education, ordered
printed and sent up for concurrence.

Reported Pursuant to Resolves

Representative COLES for the Commission on
Maine's Future, pursuant to Resolve 1987, Chapter 60
and Resolve 1989, Chapter 3 ask leave to submit its
findings and to report that the accompanying Resolve,
to Create the Commission to Evaluate the Need for
Changes in the Responsibilities of State, County and
Local Government for the 21st Century (H.P. 1693)
(L.D. 2343) be referred to the Joint Standing
Committee on State and Local Government for Public
Hearing and printed pursuant to Joint Rule 18.

Report was read and accepted, and the Resolve
referred to the Committee on State and Local
Government, ordered printed and sent up for
concurrence.

Reported Pursuant to Resolve

Representative CATHCART for the Blue Ribbon Task
Force to Promote Equity of Opportunity for Women in
the Public School System, pursuant to Resolve 1989,
Chapter 55 ask leave to submit its findings and to
report that the accompanying Bill "An Act to
Establish Financial Incentives for the Promotion of
Gender Equity in Public School Administration" (H.P.
1696) (L.D. 2344) be referred to the Joint Standing
Committee on Education for Public Hearing and printed
pursuant to Joint Rule 18.

Report was read and accepted, and the bill
referred to the Committee on Education, ordered
printed and sent up for concurrence.

Reported Pursuant to Resolves

Representative COLES for the Commission on
Maine's Future, pursuant to Resolve 1987, Chapter 60
and Resolve 1989, Chapter 3 ask leave to submit its
findings and to report that the accompanying Bill "An
Act to Provide for a Decennial Commission on Maine's
Future" (H.P. 1706) (L.D. 2355) be referred to the
Joint Standing Committee on State and Local
Government for Public Hearing and printed pursuant to
Joint Rule 18.

Report was read and accepted, and the bill
referred to the Committee on State and Local
Government, ordered printed and sent up for
concurrence.

Reported Pursuant to Private and Special Law

Representative CLARK for the Public Utilities
Commission through the Joint Standing Committee on
Utilities, pursuant to Private and Special Law 1989,
Chapter 24 ask leave to submit its findings and to
report that the accompanying Bill "An Act to
Establish a System to Provide Continuous
Telecommunications Relay Services for Deaf, Hearing
Impaired or Speech Impaired Persons Who Must Rely on
Teletypewriter Equipment for Telecommunications"
(EMERGENCY) (H.P. 1710) (L.D. 2361) be referred to
the Joint Standing Committee on Utilities for Public
Hearing and printed pursuant to Joint Rule 18.

Report was read and accepted, and the bill
referred to the Committee on Utilities, ordered
printed and sent up for concurrence.

ORDERS

REPORTS OF COMMITTEES

Unanimous Ought Not to Pass

Representative HOGLUND from the Committee on
Energy and Natural Resources on Bill "An Act to
Reduce Color, Odor and Foam in Maine Rivers" (H.P.
1656) (L.D. 2292) reporting "Ought Not to Pass"

Representative CARTER from the Committee on
Appropriations and Financial Affairs on Bill "An Act
to Implement Certain Recommendations of the State
Compensation Commission" (EMERGENCY) (H.P. 1616)
(L.D. 2238) reporting "Ought Not to Pass"

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

Unanimous Leave to Withdraw

Representative MITCHELL from the Committee on
Marine Resources on Resolve, to Study the Effect of
Maine's Antifouling Paint Laws (EMERGENCY) (H.P.
1539) (L.D. 2124) reporting "Leave to Withdraw"

Representative MOHOLLAND from the Committee on
Transportation on Resolve, to Name the Route 223

Bridge in Caribou in Memory of Sergeant John Gagnon (EMERGENCY) (H.P. 1683) (L.D. 2329) reporting "Leave to Withdraw"

Representative CARTER from the Committee on Appropriations and Financial Affairs on Bill "An Act to Amend the Elderly Low-cost Drug Program" (EMERGENCY) (H.P. 1443) (L.D. 2012) reporting "Leave to Withdraw"

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

Refer to the Committee on Labor

Representative CROWLEY from the Committee on Education on Bill "An Act to Clarify the Negotiability of Sabbatical Leave Agreements" (H.P. 1613) (L.D. 2230) reporting that it be referred to the Committee on Labor.

Report was read and accepted and the bill referred to the Committee on Labor and sent up for concurrence.

Divided Report

Majority Report of the Committee on Aging, Retirement and Veterans reporting "Ought to Pass" as amended by Committee Amendment "A" (H-804) on Bill "An Act Requiring the State to Pay a Portion of the Health Insurance Premium for Dependents of Retired State Employees" (H.P. 1411) (L.D. 1963)

Signed:

Senators: TITCOMB of Cumberland

CLARK of Cumberland

Representatives: McSWEENEY of Old Orchard Beach

RICHARD of Madison

DUTREMBLE of Biddeford

JALBERT of Lisbon

HICKEY of Augusta

STEVENSON of Unity

BREWER of Boothbay Harbor

DELLERT of Gardiner

AULT of Wayne

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.

Signed:

Senator: CAHILL of Sagadahoc

Representative: MERRILL of Dover-Foxcroft

Reports were read.

On motion of Representative Hickey of Augusta, the Majority "Ought to Pass" Report was accepted, the Bill read once.

Committee Amendment "A" (H-804) was read by the Clerk and adopted and the Bill assigned for second reading Monday, February 26, 1990.

CONSENT CALENDAR

First Day

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

(S.P. 843) (L.D. 2162) Bill "An Act to Prohibit Motor Vehicle Insurers from Adjusting Personal Insurance Rates of Law Enforcement Officers" Committee on Banking and Insurance reporting "Ought to Pass"

(S.P. 757) (L.D. 1982) Bill "An Act to Preserve the Natural Values of Public Water Utility Lands" Committee on Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (S-507)

(S.P. 181) (L.D. 338) Bill "An Act to Clarify Costs Associated with the Purchase of Land by School Administrative Units" Committee on Education

reporting "Ought to Pass" as amended by Committee Amendment "B" (S-509)

(H.P. 1546) (L.D. 2131) Bill "An Act to Amend the Laws Relating to the Maine Committee on Aging" Committee on Aging, Retirement and Veterans reporting "Ought to Pass" as amended by Committee Amendment "A" (H-808)

(H.P. 1474) (L.D. 2059) Bill "An Act to Amend the Fuel Adjustment Clause" Committee on Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (H-809)

(H.P. 1589) (L.D. 2201) Bill "An Act to Create the Maine Coast Environmental Trust Fund" Committee on Energy and Natural Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-811)

(H.P. 1537) (L.D. 2122) Bill "An Act to Establish the Advisory Board on Rights of Children in Need of Treatment" Committee on Human Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-812)

(H.P. 250) (L.D. 362) Bill "An Act to Provide for Base-year Revisions for Intermediate Care Facilities for the Mentally Retarded" Committee on Human Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-813)

(H.P. 1470) (L.D. 2055) Bill "An Act to Increase Awareness of Fetal Alcohol Syndrome and the Effects of Alcohol and Drugs on Fetuses" Committee on Human Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-814)

(H.P. 1562) (L.D. 2168) Bill "An Act Regarding Mobile Home Safety Standards" Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-815)

There being no objections, the above items were ordered to appear on the Consent Calendar of Monday, February 26, 1990, 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:

(S.P. 844) (L.D. 2163) Bill "An Act to Amend the Laws Relating to the Maine Insurance Guaranty Association and the Maine Life and Health Insurance Guaranty Association"

(S.P. 791) (L.D. 2042) Bill "An Act to Allow Inclusion of Nonagricultural Products in the Quality Program" (C. "A" S-502)

(S.P. 841) (L.D. 2160) Resolve, to Study Threats to Maine Lakes (EMERGENCY) (C. "A" S-503)

(S.P. 842) (L.D. 2161) Bill "An Act Concerning the Driving of Deer" (C. "A" S-501)

(S.P. 714) (L.D. 1891) Bill "An Act to Amend the Maine Severance Pay Laws" (C. "A" S-500)

(S.P. 845) (L.D. 2164) Resolve, to Require the Office of Comprehensive Land Use Planning to Study Municipal Implementation of Manufactured Housing Laws (C. "A" S-499)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were Passed to be Engrossed or Passed to be Engrossed as Amended in concurrence.

(S.P. 717) (L.D. 1892) Bill "An Act to Amend the Definition of Dealer Under the Used Car Information Laws" (C. "A" S-505)

On motion of Representative Gwadosky of Fairfield, was removed from the Consent Calendar, Second Day.

Subsequently, the Committee Report was read and accepted, the Bill read once.

Committee Amendment "A" (S-505) was read by the Clerk and adopted and the Bill assigned for second reading Monday, February 26, 1990.

(H.P. 1630) (L.D. 2257) Bill "An Act to Amend the Law Concerning the Hunting of Coyote"

(H.P. 1318) (L.D. 1820) Bill "An Act Regarding the Availability of Insurance Information" (C. "A" H-800)

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.

(H.P. 1329) (L.D. 1846) Bill "An Act to Provide for Increased Penalties for Land Use Violations within Certain Resource Protection Zones" (C. "A" H-803)

On motion of Representative Michaud of East Millinocket, was removed from the Consent Calendar, Second Day.

Subsequently, the Committee Report was read and accepted, the Bill read once.

Committee Amendment "A" (H-803) was read by the Clerk and adopted and the Bill assigned for second reading Monday, February 26, 1990.

**PASSED TO BE ENGROSSED
As Amended**

Bill "An Act Authorizing Further Assessments for Public Advocate Participation in Workers' Compensation Insurance Rate Proceedings" (EMERGENCY) (S.P. 802) (L.D. 2050) (S. "A" S-511 to C. "A" S-498)

Was reported by the Committee on Bills in the Second Reading, read the second time and Passed to be Engrossed as Amended in concurrence.

**ORDERS OF THE DAY
TABLED AND TODAY ASSIGNED**

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

An Act to Coordinate and Consolidate Student Financial Assistance Services under the Finance Authority of Maine (EMERGENCY) (S.P. 865) (L.D. 2216) (C. "A" S-484)

TABLED - February 20, 1990 by Representative GWADOSKY of Fairfield.

PENDING - Passage to be Enacted.

On motion of Representative Gwadosky of Fairfield, retabled pending passage to be enacted and specially assigned for Monday, February 26, 1990.

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

Bill "An Act Concerning the Travel Information Advisory Council" (H.P. 1512) (L.D. 2092)

TABLED - February 20, 1990 by Representative GWADOSKY of Fairfield.

PENDING - Adoption of Committee Amendment "A" (H-761)

Representative Gwadosky of Fairfield offered House Amendment "B" (H-805) to Committee Amendment "A" (H-761) and moved its adoption.

House Amendment "B" (H-805) to Committee Amendment "A" (H-761) was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Gwadosky.

Representative GWADOSKY: Mr. Speaker, Ladies and Gentlemen of the House: Several years ago, when the laws were changed within the state of Maine to do away with billboards, the Maine Travel Information Advisory Council was established to oversee what was then to be called "The Official Business Directional Signs" as well as to provide advice to the Department of Transportation on various rules that were going to be interpreted for off-premise signs. The current makeup of the Maine Travel Information Advisory Council deals with a number of people from various industries -- there is one from lodging, one from restaurants, one from recreation, one from agriculture, one from environment, one from the historical society and one from sign makers. I, like many of you, have had questions over the years by individual constituents and business people who have had constituent concerns as to how get the most appropriate sign located. Currently, there is a review being conducted by DOT as to where we stand right now in this entire scheme of things and we thought it might be appropriate to add two legislators, one from the House and one from the other body, on to this Travel Information Advisory Council. In fact, that is what this amendment would do. It would put a member chosen by the Speaker and a member chosen by the President of the Senate who would become a full-time members of the Travel Information Advisory Council.

This council does not meet an inordinate amount of time, I believe it is less than half a dozen times a year, but I think it would allow the council important feedback from your constituents and mine by virtue of the fact that we will have a couple of legislators on that particular council.

The SPEAKER: The Chair recognizes the Representative from Eliot, Representative McPherson.

Representative McPHERSON: Mr. Speaker, Ladies and Gentlemen of the House: I realize it is late and it is Friday afternoon but I do feel that I should convey to you my feelings which I expressed in the committee. My opposition to the two legislators on this advisory council should be on the study. I just feel that it is an expansion at this time when state government should be growing smaller if anything. I feel that the legislators can help as far as the study but beyond that, being permanently on that council -- I don't feel there is any need for it.

Any problems that I have ever had with signs along the highway, a call to DOT usually has taken care of it.

I feel that the original amendment that came from the committee is the way to go, which is to leave the legislators on for the study and, at the end of the study, they are off the council.

Mr. Speaker, I would ask for a roll call.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of more than one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Hale.

Representative HALE: Mr. Speaker, Ladies and Gentlemen of the House: I don't want to belabor this issue but I'm afraid that I do have to agree that the original bill did include two legislators, appointed. These people would have no direct interest or gain. The makeup of the committee, if you go down through -- restaurant, innkeepers, etc.,

you would have two people that represent all of the people. They would have a better input, it would round out the committee more, and I urge you to adopt the amendment.

The SPEAKER: A roll call has been ordered. The pending question before the House is adoption of House Amendment "B" to Committee Amendment "A."

The Chair recognizes the Representative from Thomaston, Representative Mayo.

Representative MAYO: Mr. Speaker, pursuant to House Rule 7, I request permission to pair my vote with the Representative from Old Town, Representative Cashman. If he were present and voting, he would be voting no; I would be voting yes.

The SPEAKER: The pending question before the House is the adoption of House Amendment "B" to Committee Amendment "A." Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 167

YEA - Adams, Aliberti, Anthony, Bell, Boutilier, Brewer, Burke, Cahill, M.; Carroll, D.; Carter, Cathcart, Clark, H.; Clark, M.; Coles, Constantine, Cote, Crowley, Daggett, DiPietro, Dore, Duffy, Dutremble, L.; Erwin, P.; Farnsworth, Gould, R. A.; Graham, Gurney, Gwadosky, Hale, Handy, Heesch, Hichborn, Hickey, Hoggund, Holt, Hussey, Jacques, Jalbert, Joseph, Ketover, Kilkelly, Larrivee, Lawrence, Luther, Macomber, Mahany, Manning, Marston, Martin, H.; McCormick, McGowan, McHenry, McKeen, McSweeney, Melendy, Michaud, Mitchell, Moholland, Nadeau, G. R.; Nutting, O'Dea, O'Gara, Oliver, Paradis, J.; Paradis, P.; Paul, Pederson, Pineau, Plourde, Pouliot, Priest, Rand, Richard, Ridley, Rolde, Rotondi, Ruhlin, Rydell, Sheltra, Skoglund, Smith, Stevens, P.; Strout, D.; Swazey, Tamaro, Telow, Tracy, Walker, The Speaker.

NAY - Aikman, Anderson, Ault, Bailey, Begley, Butland, Carroll, J.; Curran, Dellert, Dexter, Donald, Farnum, Farren, Foss, Foster, Garland, Greenlaw, Hanley, Hastings, Hepburn, Higgins, Hutchins, Lebowitz, Libby, Look, Lord, MacBride, Marsano, Marsh, McPherson, Merrill, Murphy, Paradis, E.; Pendleton, Pines, Reed, Richards, Seavey, Small, Stevens, A.; Stevenson, Strout, B.; Tupper, Webster, M.; Wentworth, Whitcomb.

ABSENT - Allen, Chonko, Conley, Jackson, LaPointe, Lisnik, Mills, Nadeau, G. G.; Norton, Parent, Sherburne, Simpson, Tardy, Townsend.

PAIRED - Cashman, Mayo.

Yes, 89; No, 46; Absent, 14; Paired, 2; Excused, 0.

89 having voted in the affirmative and 46 in the negative with 14 being absent and 2 having paired, House "B" (H-805) to Committee Amendment "A" (H-761) was adopted.

Committee Amendment "A" as amended by House Amendment "B" thereto was adopted.

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

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

PAPERS FROM THE SENATE

Bill "An Act Relating to Health Maintenance Organizations" (S.P. 926) (L.D. 2337)

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

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

Bill "An Act Relating to Restructuring Maine Public Schools" (S.P. 930) (L.D. 2359)

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

Was referred to the Committee on Education in concurrence.

Bill "An Act to Amend the Laws Governing the Maine Environmental Protection Fund" (EMERGENCY) (S.P. 931) (L.D. 2360)

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

Was referred to the Committee on Energy and Natural Resources in concurrence.

Bill "An Act to Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY) (S.P. 927) (L.D. 2345)

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

Was referred to the Committee on Judiciary in concurrence.

The following item appearing on Supplement No. 2 was taken up out of order by unanimous consent:

PASSED TO BE ENACTED

An Act to Improve Indoor Air Quality Through Accurate Testing and Effective Reduction of Radon Levels in Buildings (H.P. 655) (L.D. 889) (C. "B" H-769)

Was 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.

(Off Record Remarks)

On motion of Representative Hickey of Augusta, Adjourned until Monday, February 26, 1990, at twelve o'clock noon.