

# 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

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

In Senate Chamber  
Tuesday  
February 21, 1989

Senate called to Order by the President.

Prayer by Reverend Robert Hargreaves of St. Marks Episcopal Church in Augusta.

REVEREND HARGREAVES: Let us pray. O Lord our Governor, Your glory is in all the earth. At this time when we remember the great leaders You have given our nation in the past, we lift up to You those who govern us now. To all who exercise the authority of government at the national, state, or local level, give wisdom and guidance. Especially we pray for the members of this Senate now assembled. Give them, we pray, special gifts of wisdom and understanding, of counsel and of strength; that the laws they enact may promote the dignity and freedom of every person more fully, and may guide us in caring for this good earth You have placed in our care. We place these trusted servants in Your hands, and commend them to Your care and guidance, in the name of Him who came among us as one who serves, even Jesus Christ, our Saviour. Amen.

Reading of the Journal of Thursday, February 16, 1989.

Off Record Remarks

PAPERS FROM THE HOUSE  
House Papers

Bill "An Act to Alter Certain Provisions of the Weights and Measures Laws to Recognize the Recently Created National Institute of Standards and Technology"

H.P. 163 L.D. 228

Comes from the House referred to the Committee on AGRICULTURE and ORDERED PRINTED.

Which was referred to the Committee on AGRICULTURE and ORDERED PRINTED, in concurrence.

Resolve, Appropriating Funds for the Chester Dental Clinic

H.P. 175 L.D. 240

Comes from the House referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.

Which was referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED, in concurrence.

Bill "An Act to Amend the Revised Maine Securities Act and Related Statutes"

H.P. 189 L.D. 254

Comes from the House referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED.

Which was referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED, in concurrence.

Bill "An Act to Amend the Charitable Solicitations Act"

H.P. 165 L.D. 230

Comes from the House referred to the Committee on BUSINESS LEGISLATION and ORDERED PRINTED.

Which was referred to the Committee on BUSINESS LEGISLATION and ORDERED PRINTED, in concurrence.

Bill "An Act to Establish the Maine Greenbelt Commission"

H.P. 182 L.D. 247

Bill "An Act to Strengthen Land Use Management in Maine's Unorganized Territories" (Emergency)

H.P. 183 L.D. 248

Come from the House referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED.

Which were referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED, in concurrence.

Bill "An Act to Eliminate the Registration Fee on Municipal Dams"

H.P. 185 L.D. 250

Committee on UTILITIES suggested and ORDERED PRINTED.

Comes from the House referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED.

Which was referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED, in concurrence.

Bill "An Act Concerning the Fishing of Smelt"

H.P. 161 L.D. 226

Bill "An Act to Prohibit Anyone from Hunting or Trapping on Land which Has Been Posted to Prohibit Hunting or Trapping"

H.P. 174 L.D. 239

Bill "An Act to Eliminate the Requirement that First-time Trappers take a Safety Course"

H.P. 180 L.D. 245

Bill "An Act Concerning Agents Selling Hunting and Fishing Licenses"

H.P. 181 L.D. 246

Come from the House referred to the Committee on FISHERIES AND WILDLIFE and ORDERED PRINTED.

Which were referred to the Committee on FISHERIES AND WILDLIFE and ORDERED PRINTED, in concurrence.

Bill "An Act Concerning Public Assistance Eligibility"

H.P. 157 L.D. 222

Bill "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

Bill "An Act to Prohibit Smoking in Enclosed Areas on Ferries"

H.P. 176 L.D. 241

Come from the House referred to the Committee on HUMAN RESOURCES and ORDERED PRINTED.

Which were referred to the Committee on HUMAN RESOURCES and ORDERED PRINTED, in concurrence.

Bill "An Act to Grant the Power of Equitable Jurisdiction to the Maine District Court"

H.P. 167 L.D. 232

Bill "An Act to Amend How Municipalities Designate Court Officers"

H.P. 179 L.D. 244

Come from the House referred to the Committee on JUDICIARY and ORDERED PRINTED.

Which were referred to the Committee on JUDICIARY and ORDERED PRINTED, in concurrence.

Bill "An Act to Allow All Employees to Observe Religious Holidays"

H.P. 162 L.D. 227

Bill "An Act to Amend the Labor Laws Regarding Union Strike Activities"

H.P. 166 L.D. 231

Come from the House referred to the Committee on LABOR and ORDERED PRINTED.

Which were referred to the Committee on LABOR and ORDERED PRINTED, in concurrence.

Bill "An Act to Change the Definition of Blood-alcohol Level"

H.P. 188 L.D. 253

Comes from the House referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED.

Which was referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED, in concurrence.

Bill "An Act to Correct Errors in the County and Municipal Law Recodification" (Emergency)

H.P. 156 L.D. 208

Bill "An Act to Preserve Maine's Part-time Citizen Legislature by Making the Legislative Process More Efficient and Less Costly to Maine Taxpayers"

H.P. 159 L.D. 224

Bill "An Act to Annex Township 4, Range 3 WELS to the Town of Island Falls"

H.P. 164 L.D. 229

Bill "An Act to Promote Thorough Consideration of Gubernatorial Appointments"

H.P. 173 L.D. 238

Bill "An Act to Return Certain Positions within the Department of Environmental Protection to Classified Service under the Civil Service Law"

H.P. 177 L.D. 242

Bill "An Act to Allow the Town of Standish to Plow and Sand Certain Private Roads"

H.P. 186 L.D. 251

Come from the House referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED.

Which were referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED, in concurrence.

Bill "An Act to Extend the Sales Tax Exemption to Certain Vietnam Veterans' Registry-keeping Organizations"

H.P. 158 L.D. 223

Bill "An Act to Provide a Sales Tax Exemption for Residential Customers of Electricity"

H.P. 160 L.D. 225

Bill "An Act Relating to the Meals Tax"

H.P. 168 L.D. 233

Bill "An Act to Reinstate the Tax Exemption Related to Lottery Winnings"

H.P. 178 L.D. 243

Bill "An Act to Impose a Tax on Capital Gains from Speculative Land Sales"

H.P. 184 L.D. 249

Come from the House referred to the Committee on TAXATION and ORDERED PRINTED.

Which were referred to the Committee on TAXATION and ORDERED PRINTED, in concurrence.

Bill "An Act to Expand the Circuit Breaker Program"

H.P. 172 L.D. 237

Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS suggested and ORDERED PRINTED.

Comes from the House referred to the Committee on TAXATION and ORDERED PRINTED.

Which was referred to the Committee on TAXATION and ORDERED PRINTED, in concurrence.

Resolve, Establishing the Commission to Study Route 1 in Southern Maine (Emergency)

H.P. 169 L.D. 234

Bill "An Act to Extend Maine Turnpike Commuter Passes"

H.P. 170 L.D. 235

Come from the House referred to the Committee on TRANSPORTATION and ORDERED PRINTED.

Which were referred to the Committee on TRANSPORTATION and ORDERED PRINTED, in concurrence.

Bill "An Act to Increase the Debt Limit for the South Berwick Water District"

H.P. 187 L.D. 252

Comes from the House referred to the Committee on UTILITIES and ORDERED PRINTED.

Which was referred to the Committee on UTILITIES and ORDERED PRINTED, in concurrence.

COMMUNICATIONS

The Following Communication: S.P. 138

WORKERS' COMPENSATION COMMISSION

STATE HOUSE STATION 27

AUGUSTA, MAINE 04333

February 8, 1989

Honorable Charles P. Pray

President of the Senate

State House Station 3

Augusta, Maine 04333

RE: Quarterly Report for the Fourth Quarter of Calendar 1988 39 M.R.S.A. §92(3).

Dear President Pray:

This letter and statistical attachments are the quarterly report of Commissioner caseload and progress mandated by 39 M.R.S.A. §92(3).

During the fourth quarter of 1988 the Commission received an estimated 3,168 petitions and disposed of 3,269 by decision or dismissal.

We have rounded our year-end statistics for simplicity of presentation. In summary, 1988 was a record year in terms of workload. Additional Commissioners and prompt appointments were a major factor in keeping backlog at 1987 levels.

11,200 petitions were decided or dismissed in 1988. The backlog decreased from 7,500 to 7,300 undecided petitions. Often, more than one petition is filed in a case and the backlog represents an estimated 5,200 individual claims.

Approximately 11,000 petitions were filed. By way of comparison, about 8,000 were filed in 1987, 7,500 in 1986. We believe 1988 was unusual. However, the trend is upward due to significant employment growth.

The Commission has developed a statistical model to predict petition filings for the next two years. We anticipate roughly 10,000 in 1989 and 10,500 in 1990.

As in 1987, it took about a year to fully litigate petitions for award or review. 25% of petitions for award and 29% of reviews are decided within 6 months. Timelines are almost identical afterwards. 64% are decided within a year, 85% within 18 months, and 93% within two years. Only 7% of cases take more than two years to decide, but they are enough to skew the average.

There have been no complaints or filings in connection with the 30 day decision rule of 39 M.R.S.A. §99-B as implemented by Commission Rule 22.11.

A summary of caseload and dispositions is presented in the attached tables. I would be happy to discuss this report further if you wish.

Sincerely,  
S/Ralph L. Tucker  
Chairman

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

Sent down for concurrence.

Sincerely,  
S/Paul B. Frederic  
Director  
Land Use Regulation  
Commission

Comes from the House READ and with Accompanying Papers referred to the Committee on ENERGY AND NATURAL RESOURCES.

Which was READ and with Accompanying Papers REFERRED to the Committee on ENERGY AND NATURAL RESOURCES, in concurrence.

The Following Communication: H.P. 190  
MAINE TURNPIKE AUTHORITY  
430 RIVERSIDE STREET  
PORTLAND, ME 04103  
February 15, 1989

Honorable John L. Martin  
Speaker of the House  
P.O. Box 250  
Eagle Lake, ME 04739

Dear Speaker Martin:

I am pleased to submit to you in accordance with Section 1966, paragraph 4, of Title 23, M.R.S.A., the Maine Turnpike Authority's Legislative Report, which will serve as the semi-annual report to the Transportation Committee.

I look forward to working with you, other members of leadership, the Joint Standing Committee on Transportation and the Legislature as we work toward meeting Maine's transportation needs.

The Authority intends to continue to work closely with the Transportation Committee in 1989. We will be briefing the committee as to the status of our various programs, including the widening shortly. If you would like a similar briefing, please let me know. If I can be of further assistance in this regard, please feel free to contact me at any time.

Sincerely,  
S/Paul E. Violette  
Executive Director

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

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

The Following Communication: H.P. 191  
DEPARTMENT OF CONSERVATION  
STATE HOUSE STATION 22  
AUGUSTA, MAINE 04333  
February 14, 1989

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

Dear Speaker Martin:

Attached are recent revisions to the Land Use Regulation Commission's regulations. As required by 12 M.R.S.A., Section 685-A, 8, we are submitting these amendments to the Legislature for approval or modification. The referenced part of the Land Use Regulation Law reads as follows:

"Amendments to land use standards so adopted shall be effective immediately but shall be submitted to the next regular or special session of the Legislature for approval or modification. If the Legislature fails to act, such standards shall continue in full force and effect."

Please let me know if we can be of any assistance in your review of these amendments.

The Following Communication: H.P. 192  
STATE OF MAINE  
OFFICE OF SECRETARY OF STATE  
AUGUSTA, MAINE 04333

February 15, 1989

To the Honorable 114th Legislature of the State of Maine

Attention: House of Representatives, Clerk Pert

Info: Senate, Secretary O'Brien

I have the honor to transmit herewith an initiated resolution entitled, "A Resolution regarding the Testing of Cruise Missiles in Maine," and the results of the examination by this office of the initiative petitions relative to it.

The minimum number of valid signatures required to initiate this resolution is 42,686. These petitions were filed in this office on January 18, 1989 which met the requirement of the Maine Constitution. After extensive review we have determined the number of valid signatures is 66,142.

In view of the foregoing determination, I hereby certify that these petitions have met the constitutional requirement of the minimum of 42,686 valid signatures. Since these petitions have previously satisfied the constitutional requirements in all respects, under the provisions of Article IV, Part Third, Section 18, of the Constitution of Maine, I do hereby declare this initiative petition to be valid.

In the event the Legislature rejects this initiative proposal, a referendum election will be called for November, 1989.

Respectfully,  
S/G. William Diamond  
Secretary of State

Comes from the House READ and ORDERED PLACED ON FILE.

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

The Initiated Resolution, "A Resolution Regarding the Testing of Cruise Missiles in Maine"

I.B. 1 L.D. 255

Comes from the House referred to the Committee on STATE AND LOCAL GOVERNMENT.

Which was referred to the Committee on STATE AND LOCAL GOVERNMENT, in concurrence.

The Following Communication: H.P. 193  
STATE OF MAINE  
OFFICE OF SECRETARY OF STATE  
AUGUSTA, MAINE 04333

February 15, 1989

To the Honorable 114th Legislature of the State of Maine

Attention: House of Representatives, Clerk Pert

Info: Senate, Secretary O'Brien

I have the honor to transmit herewith an initiated bill, "AN ACT to Limit Spending and Contributions in Campaigns for Governor," and the results of the

examination by this office of the initiative petitions relative to it.

The minimum number of valid signatures required to initiate this legislation is 42,686. These petitions were filed in this office on January 26, 1989 which met the requirement of the Maine Constitution. After extensive review we have determined the number of valid signatures is 46,668.

In view of the foregoing determination, I hereby certify that these petitions have met the constitutional requirement of the minimum of 42,686 valid signatures. Since these petitions have previously satisfied the constitutional requirements in all respects, under the provisions of Article IV, Part Third, Section 18, of the Constitution of Maine, I do hereby declare this initiative petition to be valid.

In the event the Legislature rejects this initiative proposal, a referendum election will be called for November, 1989.

Respectfully,  
S/G. William Diamond  
Secretary of State

Comes from the House READ and ORDERED PLACED ON FILE.

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

The Initiated Bill, "An Act to Limit Spending and Contributions in Campaigns for Governor"

I.B. 2 L.D. 256

Comes from the House referred to the Committee on LEGAL AFFAIRS.

Which was referred to the Committee on LEGAL AFFAIRS, in concurrence.

The Following Communication:  
STATE OF MAINE

ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS  
February 15, 1989

The Honorable Charles P. Pray  
President of the Senate  
State House

Augusta, Maine 04333

Dear President Pray:

Please find enclosed the final report of the Joint Standing Committee on Appropriations and Financial Affairs studying the methods by which the Department of Human Services and the Department of Mental Health and Mental Retardation purchase "community services". Legislation to implement our statutory recommendations has been submitted to the Revisor of Statutes.

The Appropriations Committee has fulfilled its obligations as directed by Public Law 1987, c. 816, Part KK, section 29. We would be pleased to answer any questions you may have regarding our recommendations.

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

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

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

February 16, 1989  
Hon. Joy J. O'Brien  
Secretary of the Senate  
State House Station #3

Augusta, ME 04333

Dear Madam Secretary:

Pursuant to my authority under 3 M.R.S.A., Section 2-A, I have appointed Mr. Robert Remy of Damariscotta to the State Compensation Commission.

Please let me know if you have any questions about this appointment.

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

Which was READ and ORDERED PLACED ON FILE.

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

February 16, 1989  
Hon. Joy J. O'Brien  
Secretary of the Senate  
State House Station #3  
Augusta, ME 04333

Dear Madam Secretary:

Pursuant to my authority under Chapter 779 of the Public Laws of 1987, I have reappointed the following Senators to the Subcommittee on Rehabilitation.

Senator N. Paul Gauvreau  
Senator Dennis L. Dutremble  
Senator Thomas A. Andrews  
Senator Donald F. Collins

Please let me know if you have any questions about these reappointments.

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

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
DEPARTMENT OF PUBLIC SAFETY  
STATE HOUSE STATION 42  
AUGUSTA, MAINE 04333

February 14, 1989

Joy J. O'Brien  
Secretary of the Senate  
State House Station #3  
Augusta, ME 04333

Dear Ms. O'Brien:

Enclosed please find a copy of the application submitted to the Bureau of Justice Assistance for funding under the Drug Control and System Improvement Grant Program.

The program requires that the application be submitted to the State Legislature or its designated body for review. Unless I receive further instructions from you, I will consider that the Department of Public Safety has fulfilled its obligation in this area.

Sincerely,  
S/John R. Atwood  
Commissioner

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

The Following Communication:  
STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
STATE HOUSE STATION 17  
AUGUSTA, MAINE 04333

S.P. 156

DATE: February 10, 1989  
TO: Senator Charles P. Pray, President of the Senate  
FROM: Dean C. Marriott, Commissioner

SUBJ: MAINE'S 1988 WATER QUALITY ASSESSMENT

Pursuant to 38 M.R.S.A. Section 464(3)(A) I am submitting the enclosed report on the quality of the State's waters. The report describes existing water quality, identifies those waters which are not attaining the requirements of their classification and describes State, Regional and Local programs for the protection and improvement of waters.

As for what measures are necessary for the correction of water quality problems, some are easier to identify than others. Many of the remaining discharges of untreated municipal wastewater will be corrected through the planned construction of treatment facilities. The elimination of combined sewer overflows will be more difficult, more costly and is currently under study.

Measures for the control of nonpoint source pollution are being identified through development of a federally required Nonpoint Source Pollution Management Program which should be completed by June 30, 1989. The Nonpoint Source Pollution Control Program will be one component of a State Clean Water Strategy. During 1989, the Bureau will be conducting an extensive public participation effort to aid preparation of the Clean Water Strategy. The goal of this effort is to improve water quality management through better targeting of the State's water quality problems.

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

Sent down for concurrence.

Off Record Remarks

SENATE PAPERS

Bill "An Act to Allow State Employees and Teachers to Purchase Retirement Credit for Time Worked Under Contract to the Governor's Office from 1974 to 1978"

S.P. 141 L.D. 261

Presented by Senator BERUBE of Androscoggin  
Cosponsored by Representative ALIBERTI of Lewiston, Representative POULIOT of Lewiston and Representative TELOW of Lewiston

Bill "An Act to Allow Teachers to Purchase Retirement Credits for Years Spent Teaching at a Private College Formerly Connected with a Secondary Institute"

S.P. 149 L.D. 269

Presented by Senator LUDWIG of Aroostook  
Cosponsored by Representative PARADIS of Frenchville, Representative NORTON of Winthrop and Senator ESTES of York

Which were referred to the Committee on AGING, RETIREMENT AND VETERANS and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Provide for Continued Group Health Insurance Coverage to Certain Injured Employees"

S.P. 142 L.D. 262

Presented by Senator BALDACCII of Penobscot (BY REQUEST)

Cosponsored by President PRAY of Penobscot and Senator DUTREMBLE of York

Bill "An Act to Strengthen the Regulation of Insurance"

S.P. 155 L.D. 275

Presented by Senator COLLINS of Aroostook

Cosponsored by Senator BERUBE of Androscoggin, Representative ALLEN of Washington and Representative WEBSTER of Cape Elizabeth  
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24.  
Which were referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED.  
Sent down for concurrence.

Bill "An Act to Extend the Transition Period for Implementation of the New Real Estate System"

S.P. 147 L.D. 267

Presented by Senator BALDACCII of Penobscot

Which was referred to the Committee on BUSINESS LEGISLATION and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Clarify and Make Changes to the Statute Governing the Operation of the Department of Corrections"

S.P. 145 L.D. 265

Presented by Senator GILL of Cumberland

Cosponsored by Senator PERKINS of Hancock, Representative MANNING of Portland and Representative HIGGINS of Scarborough  
Submitted by the Department of Corrections pursuant to Joint Rule 24.

Which was referred to the Joint Select Committee on CORRECTIONS and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Amend the School Finance Act to Clarify that Certain Educational Costs Provided to Special Populations are Allowable Special Education Costs"

S.P. 148 L.D. 268

Presented by Senator GILL of Cumberland

Cosponsored by Representative SMALL of Bath, Representative NORTON of Winthrop and Representative HANDY of Lewiston  
Submitted by the Department of Educational and Cultural Services pursuant to Joint Rule 24.

Which was referred to the Committee on EDUCATION and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Allow Municipalities to Assess Impact Fees for Activities that Create or Intensify Problems for Municipalities with Respect to the Availability of Affordable Housing"

S.P. 153 L.D. 273

Presented by Senator ANDREWS of Cumberland

Cosponsored by Representative CROWLEY of Stockton Springs, Senator DUTREMBLE of York and Representative MILLS of Bethel

Which was referred to the Committee on HOUSING AND ECONOMIC DEVELOPMENT and ORDERED PRINTED.

Sent down for concurrence.

(See Action Later Today)

Bill "An Act to Amend the Interpreter Service for the Hearing Impaired"

S.P. 144 L.D. 264

Presented by Senator CLARK of Cumberland

Cosponsored by Senator GILL of Cumberland, Representative WEBSTER of Cape Elizabeth and Representative KETOVER of Portland  
Submitted by the Department of Human Services pursuant to Joint Rule 24.

Which was referred to the Committee on HUMAN RESOURCES and ORDERED PRINTED.  
Sent down for concurrence.

Bill "An Act to Implement the Aroostook Band of Micmacs Settlement Act"

S.P. 152 L.D. 272

Presented by Senator LUDWIG of Aroostook  
Cosponsored by Senator COLLINS of Aroostook,  
Representative MacBRIDE of Presque Isle and  
Representative LISNIK of Presque Isle  
Which was referred to the Committee on JUDICIARY  
and ORDERED PRINTED.  
Sent down for concurrence.

Bill "An Act to Permit Law Enforcement Officers to Solicit Funds for a Law Enforcement Officers' Memorial" (Emergency)

S.P. 154 L.D. 274

Presented by Senator LUDWIG of Aroostook  
Cosponsored by Representative NORTON of Winthrop,  
Representative CARROLL of Southwest Harbor and  
Representative PAUL of Sanford  
Which was referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED.  
Sent down for concurrence.

Bill "An Act to Require Liquor Sellers' Permits"

S.P. 151 L.D. 271

Presented by Senator TWITCHELL of Oxford  
Cosponsored by Representative WALKER of Norway  
and Representative JACKSON of Harrison  
Committee on LEGAL AFFAIRS suggested and ORDERED PRINTED.

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending REFERENCE.

Bill "An Act Concerning Seafood Market Development"

S.P. 140 L.D. 260

Presented by Senator BRAWN of Knox  
Cosponsored by Representative HUTCHINS of Penobscot, Senator BRANNIGAN of Cumberland and Representative MITCHELL of Freeport  
Submitted by the Department of Marine Resources pursuant to Joint Rule 24.  
Which was referred to the Committee on MARINE RESOURCES and ORDERED PRINTED.  
Sent down for concurrence.

Bill "An Act to Designate April 9 as Former Prisoner of War Recognition Day"

S.P. 146 L.D. 266

Presented by Senator BALDACCI of Penobscot  
Cosponsored by Representative PARADIS of Old Town, President PRAY of Penobscot and Speaker MARTIN of Eagle Lake  
Which was referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED.  
Sent down for concurrence.

Bill "An Act to Prohibit Motor Vehicles on Beaches"

S.P. 139 L.D. 259

Presented by Senator BALDACCI of Penobscot  
Bill "An Act to Amend the Commercial Vehicle Weight Requirements"

S.P. 150 L.D. 270

Presented by Senator CARPENTER of York  
Cosponsored by Representative PAUL of Sanford and Senator GOULD of Waldo  
Which were referred to the Committee on TRANSPORTATION and ORDERED PRINTED.  
Sent down for concurrence.

Bill "An Act to Increase the Annual Public Utilities Commission Regulatory Fund Assessment, Establish a Consumer Assistance Specialist Position and Make Certain Other Changes" (Emergency)

S.P. 143 L.D. 263

Presented by Senator BOST of Penobscot  
Cosponsored by Representative CLARK of Millinocket, Representative PARADIS of Old Town and Representative STROUT of Windham  
Submitted by the Public Utilities Commission pursuant to Joint Rule 24.  
Which was referred to the Committee on UTILITIES and ORDERED PRINTED.  
Sent down for concurrence.

On motion by Senator CLARK of Cumberland, the Senate RECONSIDERED whereby it referred to the Committee on HOUSING AND ECONOMIC DEVELOPMENT:

Bill "An Act to Allow Municipalities to Assess Impact Fees for Activities that Create or Intensify Problems for Municipalities with Respect to the Availability of Affordable Housing"

S.P. 153 L.D. 273

On further motion by same Senator, Tabled 1 Legislative Day, pending REFERENCE.

Senate at Ease  
Senate called to order by the President.

Off Record Remarks

ORDERS OF THE DAY

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

Bill "An Act to Raise the Alcohol Premium"

S.P. 133 L.D. 218

Tabled - February 16, 1989, by Senator CLARK of Cumberland.

Pending - REFERENCE

(Committee on TAXATION suggested and ORDERED PRINTED.)

On motion by Senator CLARK of Cumberland, Tabled Unassigned, pending REFERENCE.

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

Bill "An Act to Prohibit Certain Student Loan Fees"

S.P. 111 L.D. 166

Tabled - February 16, 1989, by Senator CLARK of Cumberland.

Pending - REFERENCE

(Committee on APPROPRIATION AND FINANCIAL AFFAIRS suggested and ORDERED PRINTED.)

On motion by Senator CLARK of Cumberland, Tabled Unassigned, pending REFERENCE.

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



LEGISLATIVE RECORD - SENATE, FEBRUARY 21, 1989

Bill "An Act to Establish a Seabrook Station Nuclear Emergency Planning Fund" (Emergency)

S.P. 127 L.D. 212

Tabled - February 16, 1989, by Senator CLARK of Cumberland.

Pending - REFERENCE

(Committee on AGING, RETIREMENT AND VETERANS suggested and ORDERED PRINTED.)

On motion by Senator CLARK of Cumberland, referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED.

Sent down for concurrence.

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

ORDERS

Joint Order

On motion by Senator WEBSTER of Franklin the following Joint Order:

S.P. 157

ORDERED, the House concurring, that when the House and Senate adjourn on Tuesday, February 21, 1989, they do so until Tuesday, March 7, 1989 at 10:00 a.m. in the morning.

Which was READ.

On motion by Senator WEBSTER of Franklin, supported by a Division of at least one-fifth of the Members present and voting, a Roll Call was ordered.

On motion by Senator DUTREMBLE of York, Tabled to a Time Certain, 11:00 this morning, pending PASSAGE.

Off Record Remarks

On motion by Senator CLARK of Cumberland, RECESSED until 10:55 this morning.

After Recess

Senate called to order by the President.

Off Record Remarks

ORDERS OF THE DAY

The Chair laid before the Senate the Tabled to a Time Certain, 11:00 in the morning:

Joint Order Relative to Adjournment until Tuesday, March 7, 1989, at 10:00 in the morning.

S.P. 157

Tabled - February 21, 1989, by Senator DUTREMBLE of York.

Pending - PASSAGE

(In Senate, February 21, 1989, READ.)

THE PRESIDENT: The pending question before the Senate is the motion of Senator WEBSTER of Franklin, that the Joint Order be PASSED.

A vote of Yes will be in favor of PASSAGE.

A vote of No will be opposed.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators CAHILL, CARPENTER, COLLINS, DILLENBACK, EMERSON, GILL, GOULD, LUDWIG, PERKINS, RANDALL, WEBSTER, WEYMOUTH, WHITMORE

NAYS: Senators ANDREWS, BALDACCI, BERUBE, BOST, BUSTIN, CLARK, DUTREMBLE, ERWIN, ESTES, ESTY, GAUVREAU, HOBBS, KANY, MATTHEWS, PEARSON, THERIAULT, TITCOMB, TWITCHELL, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators BRANNIGAN, BRAWN, HOLLOWAY  
13 Senators having voted in the affirmative and  
19 Senators having voted in the negative, with 3  
Senators being absent, the motion of Senator WEBSTER  
of Franklin, for PASSAGE of the Joint Order, FAILED.

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

On motion by Senator WEBSTER of Franklin,  
ADJOURNED until Wednesday, February 22, 1989, at  
10:00 in the morning.