

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

to be Engrossed or Passed to be Engrossed as Amended and sent up for concurrence.

SECOND READER

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

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

On motion of Representative Gwadosky of Fairfield, tabled pending passage to be engrossed and specially assigned for Wednesday, April 5, 1989.

(At Ease)

The House was called to order by the Speaker.

(Off Record Remarks)

On motion of Representative Mills of Bethel, Adjourned until Wednesday, April 5, 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 4, 1989

Senate called to Order by the President.

Prayer by Reverend Ernest L'Heureux of St. Anne's Church in Gorham.

REVEREND L'HEUREUX: Heavenly Father, in an age when equality is so strongly and so rightly demanded, the principle of leadership is nevertheless paramount. For without leadership which is the foundation of any worthwhile system of government, that same government is destined to lose its name and its force. As we begin this meeting of the legislative branch, we are grateful to You for providing us with that delicate balance of state, legislative, and national executive American branches of government.

Grant that the members of the Senate may deliberate in a manner becoming to their office, helping the citizens of this beautiful State become more respectful of one another, of our natural resources, and our environment. We ask You to bless these men and women, as they continue this important work. Help them to be forever open to Your divine impulse, that favorable conclusions may be attained. Amen.

Reading of the Journal of Yesterday.

Off Record Remarks

PAPERS FROM THE HOUSE
House Papers

Bill "An Act Regarding the Handling Fee for Returnable Beverage Containers"

H.P. 726 L.D. 1003

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 Include Unorganized Territories as School Administrative Units"

H.P. 727 L.D. 1004

Bill "An Act to Revise the Truancy Laws"

H.P. 732 L.D. 1009

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

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

Bill "An Act to Implement an Ozone Control Strategy for the State"

H.P. 736 L.D. 1013

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.

Resolve, to Establish the Commission to Study Foreign Ownership and Investment in Maine Land and Business

H.P. 735 L.D. 1012

Comes from the House referred to the Committee on HOUSING AND ECONOMIC DEVELOPMENT and ORDERED PRINTED. Which was referred to the Committee on HOUSING AND ECONOMIC DEVELOPMENT and ORDERED PRINTED, in concurrence.

Bill "An Act to Amend the Smoking in Restaurants Law"

H.P. 724 L.D. 1001

Bill "An Act to Prohibit Smoking in Hospitals"

H.P. 728 L.D. 1005

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 Provide Reasonable Costs of Wages Paid to Employees of Boarding Care Facilities" (Emergency)

H.P. 725 L.D. 1002

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

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

Bill "An Act Concerning the Right to Die" (Emergency)

H.P. 733 L.D. 1010

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

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

Bill "An Act to Establish a Reporting Mechanism for Legislators Attending Educational Conferences"

H.P. 734 L.D. 1011

Bill "An Act Concerning the Number of Terms Which a Legislator May Serve Consecutively in Either Chamber"

H.P. 737 L.D. 1014

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 Provide an Exemption from Sales Tax for Charitable Funds"

H.P. 729 L.D. 1006

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide Tax Relief to Owners of Registered Historic Properties

H.P. 730 L.D. 1007

Bill "An Act Concerning Residential Real Property Tax Relief" (Emergency)

H.P. 731 L.D. 1008

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.

Joint Orders

The following Joint Order: H.P. 738
ORDERED, the Senate concurring, that the Joint Standing Committee on State and Local Government report out the bill entitled "An Act to Correct Errors in the County and Municipal Law Recodification", H.P. 156, L.D. 208, divide the

contents of that bill into 2 parts and report each part out as a separate bill.

Comes from the House READ and PASSED.

Which was READ and PASSED, in concurrence.

Off Record Remarks

COMMUNICATIONS

The Following Communication:
COMMITTEE ON STATE AND LOCAL GOVERNMENT
ONE HUNDRED AND FOURTEENTH LEGISLATURE
March 31, 1989

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 114th Maine Legislature, the Joint Standing Committee on State and Local Government has had under consideration the nomination of Dennis P. Lemieux of Brunswick, for reappointment to the Civil Service Appeals Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 3
Representatives 8

NAYS: 0

ABSENT: 2 Rep. Hanley of Paris
Rep. Cahill of Mattawamkeag

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Dennis P. Lemieux of Brunswick, for reappointment to the Civil Service Appeals Board be confirmed.

Sincerely,

S/Georgette B. Berube Senate Chair
S/Ruth Joseph House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on STATE AND LOCAL GOVERNMENT has recommended the nomination of Dennis P. Lemieux of Brunswick, for reappointment to the Civil Service Appeals Board, be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on STATE AND LOCAL GOVERNMENT be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 114th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None
NAYS: Senators ANDREWS, BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, COLLINS, DILLENBACK, DUTREMBLE, ESTES, ESTY, GAUVREAU, GOULD, HOBBS, HOLLOWAY, KANY, LUDWIG, PEARSON, PERKINS, RANDALL, THERIAULT, TITCOMB, TWITCHELL, WEBSTER, WEYMOUTH, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators EMERSON, ERWIN, GILL,
MATTHEWS

No Senators having voted in the affirmative and 31 Senators having voted in the negative, with 4 Senators being absent, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Dennis P. Lemieux, for reappointment to the Civil Service Appeals Board, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:
COMMITTEE ON STATE AND LOCAL GOVERNMENT
ONE HUNDRED AND FOURTEENTH LEGISLATURE
March 31, 1989

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 114th Maine Legislature, the Joint Standing Committee on State and Local Government has had under consideration the nomination of Franklin C. Leavitt, Jr. of Topsham, for appointment to the Civil Service Appeals Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 3
Representatives 8

NAYS: 0

ABSENT: 2 Rep. Hanley of Paris
Rep. Cahill of Mattawamkeag

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Franklin C. Leavitt, Jr. of Topsham, for appointment to the Civil Service Appeals Board be confirmed.

Sincerely,

S/Georgette B. Berube
Senate Chair

S/Ruth Joseph
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on STATE AND LOCAL GOVERNMENT has recommended the nomination of Franklin C. Leavitt, Jr. of Topsham, for appointment to the Civil Service Appeals Board, be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on STATE AND LOCAL GOVERNMENT be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 114th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None
NAYS: Senators ANDREWS, BALDACCI, BERUBE,
BOST, BRANNIGAN, BRAWN, BUSTIN,
CAHILL, CARPENTER, CLARK, COLLINS,
DILLENBACK, DUTREMBLE, ESTES, ESTY,
GAUVREAU, GOULD, HOBBS, HOLLOWAY,
KANY, LUDWIG, PEARSON, PERKINS,

RANDALL, THERIAULT, TITCOMB,
TWITCHELL, WEBSTER, WEYMOUTH,
WHITMORE, THE PRESIDENT - CHARLES P.
PRAY

ABSENT: Senators EMERSON, ERWIN, GILL,
MATTHEWS

No Senators having voted in the affirmative and 31 Senators having voted in the negative, with 4 Senators being absent, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Franklin C. Leavitt, Jr., for appointment to the Civil Service Appeals Board, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:
COMMITTEE ON ENERGY AND NATURAL RESOURCES
ONE HUNDRED AND FOURTEENTH LEGISLATURE
April 3, 1989

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 114th Maine Legislature, the Joint Standing Committee on Energy and Natural Resources has had under consideration the nomination of Owen R. Stevens of South Berwick, for appointment to the Board of Environmental Protection.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 2
Representatives 9

NAYS: 0

ABSENT: 2 Sen. Erwin of Oxford
Rep. Coles of Harpswell

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Owen R. Stevens of South Berwick, for appointment to the Board of Environmental Protection be confirmed.

Sincerely,

S/Judy Kany
Senate Chair

S/Michael Michaud
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on ENERGY AND NATURAL RESOURCES has recommended the nomination of Owen R. Stevens of South Berwick, for appointment to the Board of Environmental Protection, be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on ENERGY AND NATURAL RESOURCES be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 114th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None
NAYS: Senators ANDREWS, BALDACCI, BERUBE,
BOST, BRANNIGAN, BRAWN, BUSTIN,

CAHILL, CARPENTER, CLARK, COLLINS,
DILLENBACK, DUTREMBLE, ESTES, ESTY,
GAUVREAU, GOULD, HOBBS, HOLLOWAY,
KANY, LUDWIG, PEARSON, PERKINS,
RANDALL, THERIAULT, TITCOMB,
TWITCHELL, WEBSTER, WEYMOUTH,
WHITMORE, THE PRESIDENT - CHARLES P.
PRAY

ABSENT: Senators EMERSON, ERWIN, GILL,
MATTHEWS

No Senators having voted in the affirmative and 31 Senators having voted in the negative, with 4 Senators being absent, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Owen R. Stevens, for appointment to the Board of Environmental Protection, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:
COMMITTEE ON STATE AND LOCAL GOVERNMENT
ONE HUNDRED AND FOURTEENTH LEGISLATURE
April 3, 1989

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 114th Maine Legislature, the Joint Standing Committee on State and Local Government has had under consideration the nomination of Waldemar G. Buschmann of Sidney, for appointment to the Civil Services Appeals Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 3
Representatives 9

NAYS: 0

ABSENT: 1 Rep. Hanley of Paris

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Waldemar G. Buschmann of Sidney, for appointment to the Civil Services Appeals Board be confirmed.

Sincerely,

S/Georgette B. Berube
Senate Chair

S/Ruth Joseph
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on STATE AND LOCAL GOVERNMENT has recommended the nomination of Waldemar G. Buschmann of Sidney, for appointment to the Civil Service Appeals Board, be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on STATE AND LOCAL GOVERNMENT be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 114th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senator THE PRESIDENT - CHARLES P. PRAY

NAYS: Senators ANDREWS, BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, COLLINS, DILLENBACK, DUTREMBLE, ESTES, ESTY, GAUVREAU, GOULD, HOBBS, HOLLOWAY, KANY, LUDWIG, PEARSON, PERKINS, RANDALL, THERIAULT, TITCOMB, TWITCHELL, WEBSTER, WEYMOUTH, WHITMORE

ABSENT: Senators EMERSON, ERWIN, GILL, MATTHEWS

1 Senator having voted in the affirmative and 30 Senators having voted in the negative, with 4 Senators being absent, and 1 being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Waldemar G. Buschmann, for appointment to the Civil Service Appeals Board, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

Off Record Remarks

SENATE PAPERS

Bill "An Act to Expand Medicaid Eligibility to Children, Ages 5 to 8 Years, with Family Incomes Below 100% of Official Poverty Line"

S.P. 387 L.D. 1032

Presented by Senator GILL of Cumberland
Cosponsored by Senator GAUVREAU of Androscoggin,
Representative PENDLETON of Scarborough and
Representative CLARK of Brunswick

Bill "An Act Providing for Amendments to the Adaptive Equipment Loan Program" (Emergency)

S.P. 390 L.D. 1035

Presented by Senator CLARK of Cumberland
Cosponsored by Senator ANDREWS of Cumberland,
Senator PERKINS of Hancock and Representative
FOSTER of Ellsworth

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Which were referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Amend the Overboard Discharge Law"

S.P. 388 L.D. 1033

Presented by Senator HOLLOWAY of Lincoln
Cosponsored by Senator DUTREMBLE of York and
Representative BEGLEY of Waldoboro
Which was referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Establish a Limit on Noneconomic Damages in Medical Liability Actions"

S.P. 393 L.D. 1038

Presented by Senator TWITCHELL of Oxford
Cosponsored by Representative MacBRIDE of Presque Isle, Representative ROLDE of York and Senator HOLLOWAY of Lincoln

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

Sent down for concurrence.

Bill "An Act to Fund and Implement Reclassifications and Collective Agreements with Maine Maritime Academy Employees Represented by the Maine State Employees Association"

S.P. 394 L.D. 1039

Presented by Senator PEARSON of Penobscot
 Cosponsored by Representative CARTER of Winslow, Senator PERKINS of Hancock and Representative FOSTER of Ellsworth
 Committee on LABOR suggested and ORDERED PRINTED.
 On motion by Senator CLARK of Cumberland, referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.
 Sent down for concurrence.

Resolve, Authorizing the Director of Parks and Recreation to Convey the Interest of the State in Certain Parcels of Real Property in the Town of Lincolnville and the County of Penobscot

S.P. 386 L.D. 1031

Presented by Senator BROWN of Knox
 Cosponsored by Senator PEARSON of Penobscot, Representative WHITCOMB of Waldo and Representative HICHBORN of LaGrange
 Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
 Resolve, to Establish a Blue Ribbon Task Force to Promote Equity of Opportunity for Women in the Public School System (Emergency)

S.P. 389 L.D. 1034

Presented by Senator CLARK of Cumberland
 Cosponsored by Speaker MARTIN of Eagle Lake, Representative HIGGINS of Scarborough and Representative SMALL of Bath
 (See Action Later Today)

Bill "An Act to Protect the Integrity of the Civil Service System and to Set Standards for the Contracting of Service by the State"

S.P. 391 L.D. 1036

Presented by Senator BUSTIN of Kennebec
 Cosponsored by Representative JOSEPH of Waterville, Senator WEBSTER of Franklin and Representative NORTON of Winthrop
 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

Presented by Senator BROWN of Knox
 Cosponsored by President PRAY of Penobscot, Representative McCORMICK of Rockport and Senator DUTREMBLE of York
 Which were referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED.
 Sent down for concurrence.

COMMITTEE REPORTS

House

Ought Not to Pass

The following Ought Not to Pass Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Protect Maine's Job Opportunity Zones"

H.P. 569 L.D. 773

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Modify the Law Pertaining to the Removal of Underground Residential Fuel Tanks"

H.P. 578 L.D. 782

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Authorize Each County to Establish a

Waste Facility Landfill in that County for Towns that Wish to Participate"

H.P. 580 L.D. 784

The Committee on ENERGY AND NATURAL RESOURCES on Resolve, to Require the Classification of Certain Great Ponds in the State

H.P. 599 L.D. 823

Leave to Withdraw

The following Leave to Withdraw Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

The Committee on BUSINESS LEGISLATION on Bill "An Act Concerning the Retail Sale of Nonoriginal Paintings" (Emergency)

H.P. 145 L.D. 197

The Committee on LEGAL AFFAIRS on Bill "An Act Concerning Agency Liquor Store Pricing"

H.P. 264 L.D. 376

The Committee on TAXATION on Bill "An Act to Reinstate the Tax Exemption Related to Lottery Winnings"

H.P. 178 L.D. 243

The Committee on TAXATION on Bill "An Act to Change the Taxation of Annuities"

H.P. 215 L.D. 295

Ought to Pass As Amended

The Committee on TRANSPORTATION on Bill "An Act to Promote Effective Identification of Minors"

H.P. 258 L.D. 370

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-24).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-24).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-24) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on UTILITIES on Bill "An Act to Provide for Rate Adjustments of Consumer-Owned Water Utilities to Reflect Anticipated Construction Costs"

H.P. 199 L.D. 279

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-23).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-23).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-23) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senate

Ought Not to Pass

The following Ought Not to Pass Report shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Senator KANY for the Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Manage Commercial and Industrial Growth on Significant Ground Water Aquifers"

S.P. 162 L.D. 319

Leave to Withdraw

The following Leave to Withdraw Report shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Senator GOULD for the Committee on TRANSPORTATION on Bill "An Act Regarding Motor Vehicle Registration" S.P. 222 L.D. 538

Ought to Pass As Amended

Senator WHITMORE for the Committee on BUSINESS LEGISLATION on Bill "An Act to Clarify the Functions of Subregistrars"

S.P. 98 L.D. 117

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-28).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-28) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

SECOND READERS

The Committee on Bills in the Second Reading reported the following:

House

Bill "An Act to Provide for a Carry-over of Funds Appropriated for the Study of Alternative Dispute Resolution in the Superior Court to June 30, 1990" (Emergency)

H.P. 320 L.D. 436

Bill "An Act Relating to Highway Maintenance Compact Areas"

H.P. 410 L.D. 553

Which were READ A SECOND TIME and PASSED TO BE ENGROSSED, in concurrence.

Senate As Amended

Bill "An Act to Amend the Medical Health Security Act to Include Podiatrists"

S.P. 190 L.D. 417

(C "A" S-26)

Which was READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.

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

(C "A" S-27)

Which was READ A SECOND TIME.

On motion by Senator BUSTIN of Kennebec, the Senate RECONSIDERED whereby it ADOPTED Committee Amendment "A" (S-27).

On further motion by same Senator, Senate Amendment "A" (S-32) to Committee Amendment "A" (S-27) READ and ADOPTED.

Committee Amendment "A" (S-27) as Amended by Senate Amendment "A" (S-32) thereto, ADOPTED.

Which was PASSED TO BE ENGROSSED, as Amended.

Sent down for concurrence.

ENACTORS

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

An Act to Amend the Real Estate Lien Discharge Law

H.P. 76 L.D. 107

(C "A" H-13)

An Act to Grant Rulemaking Authority to the Maine Arts Commission

S.P. 108 L.D. 163

An Act Regarding Open Space and Recreational Lands under the Growth Management Act

H.P. 182 L.D. 247

(C "A" H-18)

An Act to Ban the Use of Chlorofluorocarbons in All Plastic Foam Boards

H.P. 349 L.D. 468

(C "A" H-19)

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

An Act to Decrease the Registration Fee on Dams

H.P. 185 L.D. 250

(C "A" H-15)

On motion by Senator PEARSON of Penobscot, placed on the SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

An Act to Amend the Laws Relating to Licensed Maine Guides

H.P. 20 L.D. 15

On motion by Senator CLARK of Cumberland, placed on the SPECIAL FISHERIES AND WILDLIFE TABLE, pending ENACTMENT.

On motion by Senator CLARK of Cumberland, the Senate RECONSIDERED whereby it referred to the Committee on STATE AND LOCAL GOVERNMENT:

Resolve, to Establish a Blue Ribbon Task Force to Promote Equity of Opportunity for Women in the Public School System (Emergency)

S.P. 389 L.D. 1034

On further motion by same Senator, referred to the Committee on EDUCATION and ORDERED PRINTED.

Sent down for concurrence.

Emergency

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

S.P. 146 L.D. 266

(C "A" S-18)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Amend the General Relocation Assistance Provisions to Achieve Compliance with Certain Federal Laws

S.P. 229 L.D. 559

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was

presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, Allocating the Proceeds of the \$3,000,000 Bond Issue for Land Acquisition, Construction, Repair and Renovation of Public Safety Facilities

S.P. 216 L.D. 532
(C "A" S-20)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was FINALLY PASSED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Oxford County for the Year 1989

H.P. 679 L.D. 930

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was FINALLY PASSED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Hancock County for the Year 1989

H.P. 680 L.D. 931

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was FINALLY PASSED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Senator GAUVREAU of Androscoggin was granted unanimous consent to address the Senate on the Record.

Senator GAUVREAU: Thank you Mr. President. Mr. President, men and women of the Senate. This weekend I was away on business and I learned the very tragic and shocking news of the death of Trooper Giles Landry of Lewiston. I still am depressed and truly stunned by this development. Trooper Landry was known to many of us in central Maine. I worked with him in a professional capacity, since we both were involved to some degree in law enforcement. Trooper Landry from the State Police perspective and I from that of a private attorney. Giles was thirty-six years of age when he died last Friday. He was a very, very good, caring, gentle, and honest person. He had a way about him which many of us admired. He had an ability to bring people together to see the good in people. He devoted his entire life to enriching his community. I often times think that many of us get so ensconced in our own little area of the world, that we tend to look only at issues of concern to us, and sometimes perhaps we don't really pause and reflect the good that is in many of us and

the good work that people in the law enforcement community do. I think it is only on tragic circumstances, such as that which occurred last Friday, which causes us to pause and reflect and appreciate the contributions of the men and women in the law enforcement community who serve our State so well. We certainly can do nothing now to remove the pain from the Landry family and from all of us who knew Trooper Landry. It is truly a sobering moment when we have to reflect upon times like this. I think I can speak for all the men and women of the Maine Senate and the Maine Legislature in expressing our condolences and sorrow to the family. Trooper Landry left a wife and a family. Hopefully working together we can create an environment where future tragedies such as this do not occur. Thank you.

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

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator BALDACCI for the Committee on BUSINESS LEGISLATION on Bill "An Act to Establish a Maine Self-service Storage Act"

S.P. 174 L.D. 331

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-31).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-31) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator BALDACCI for the Committee on BUSINESS LEGISLATION on Bill "An Act to Require Pricing Disclosures on Vans and Pickup Trucks"

S.P. 208 L.D. 486

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-30).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-30) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

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

COMMITTEE REPORTS

Senate

Leave to Withdraw

The following Leave to Withdraw Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Senator BALDACCI for the Committee on BUSINESS LEGISLATION on Bill "An Act to Extend the Transition Period for Implementation of the New Real Estate System"

S.P. 147 L.D. 267

Senator BALDACCI for the Committee on BUSINESS LEGISLATION on Bill "An Act Concerning Crash Parts Used to Repair Damaged Motor Vehicles"

S.P. 217 L.D. 533

Off Record Remarks

On motion by Senator BALDACCI of Penobscot, ADJOURNED until Wednesday, April 5, 1989, at 12:00 in the afternoon.