

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
Thursday
April 13, 1989

Senate called to Order by the President.

Prayer by Reverend Arthur St. Pierre of the Immaculate Heart of Mary Catholic Church in Fairfield.

REVEREND ST. PIERRE: Almighty God, we have gathered here this day to deliberate on the needs and the welfare of our state and its people and also to honor all former Governors, Senators and Legislators. We realize that by ourselves we are quite powerless and that we need Your divine wisdom and assistance. And so, heavenly Father, we invoke Your divine blessings upon our nation, our state, and all who are gathered here and especially on you, our Senators.

Lord, teach them to walk humbly yet courageously. Teach them to use the talents that You have given them so that when they must give the final accounting of their stewardship, they may receive those words of commendation: "well done good and faithful servants." And may the Lord bless you and keep you. May the lord let his face shine upon you and be gracious to you. May the Lord look upon you kindly and give you peace. Amen.

Reading of the Journal of Yesterday.

Off Record Remarks

Senate at Ease

Senate called to order by the President.

Out of order and under suspension of the Rules, on motion by Senator DUTREMBLE of York, the following Joint Order:

S.P. 438

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, April 18, 1989, at 9 o'clock in the morning.

Which was READ.

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending PASSAGE.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Clarify Certain Provisions in the Maine State Retirement System Laws"

S.P. 270 L.D. 698

In Senate, April 6, 1989, PASSED TO BE ENGROSSED.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-63) in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

House Papers

Bill "An Act to Revise the Law Concerning Agricultural Land and Adjacent Development"

H.P. 819 L.D. 1147

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.

Bill "An Act to Appropriate Funds for the Maine Community Cultural Services Initiative"

H.P. 824 L.D. 1156

Bill "An Act to Provide Funding for the Women, Infant and Children's Program"

H.P. 831 L.D. 1163

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

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

Bill "An Act Regarding Physician Insurance Rates"

H.P. 833 L.D. 1165

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 Granting Student Rights and Requiring School Boards to Adopt Written Policies Regarding Student Rights and Responsibilities"

H.P. 827 L.D. 1159

Bill "An Act to Provide Adjustments in the Educational Funding Formula"

H.P. 836 L.D. 1168

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 Regarding Sludge Spreading" (Emergency)

H.P. 830 L.D. 1162

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 to Prohibit the Sale of Unlawful Drugs in or near Schools"

H.P. 816 L.D. 1144

Bill "An Act to Criminalize Sexual Abuse of Patients by Psychiatrists and Psychologists"

H.P. 818 L.D. 1146

Bill "An Act to Provide for the Forfeiture of Firearms Used to Commit Crimes"

H.P. 820 L.D. 1148

Bill "An Act to Increase the Penalties for Forgery"

H.P. 821 L.D. 1149

Bill "An Act to Strengthen the State Forensic Service"

H.P. 822 L.D. 1150

Bill "An Act to Reduce the Quantities of Cocaine and Heroin Necessary to Allow a Presumption of Unlawful Furnishing"

H.P. 825 L.D. 1157

Bill "An Act to Strengthen Criminal Drug Laws in the State by Allowing Forfeiture of Firearms and Other Dangerous Weapons"

H.P. 826 L.D. 1158

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.

THE PRESIDENT: At this time, the Chair is pleased to interrupt proceedings to recognize former Members of this Body who are here today attending the Welcome Back Day festivities. The Chair would ask these individuals to rise and accept the greetings of the Senate.

The Senator from District 15, Frank Norris, who served during the 102nd through the 104th Legislatures.

The Senator from District 35, Walter W. Hichens, who served during the 105th through the 112th Legislatures.

The Senator from District 21, Albert Hoffses, who served during the 101st through the 105th Legislatures.

The Chair is also pleased to recognize a former President of the Senate and also a former Governor of the State of Maine, Governor Burton Cross. The Chair would request the Sergeant-At-Arms to escort Governor Cross to the podium where he can share a few words of wisdom with the members of this Body. (Applause, the Members rising.)

The Sergeant-At-Arms escorted Governor Cross back to his seat. (Applause, the Members rising.)

Senator KANY of Kennebec was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

THE PRESIDENT: The Chair at this time is pleased to recognize the former Senator from District 18, George Chick, who served during the 105th and 106th Legislatures. Please rise and accept the greetings of the Senate.

The Chair also notes in the Chamber, the former Senator from District 21, Albert Elliot, who served during the 87th through the 91st Legislatures, and who also served as Majority Leader during the 91st Legislature. Please rise and accept the greetings of the Senate.

The Chair also notes a former Assistant Secretary of the Senate, Mary Porter. The Chair would ask Mary to please rise and accept the greetings of the Senate.

Bill "An Act to Provide for Consent of Minors to Health Services"

H.P. 828 L.D. 1160

Committee on HUMAN RESOURCES suggested and ORDERED PRINTED.

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

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending REFERENCE.

Bill "An Act to Allow the Sale of Alcoholic Beverages in Bowling Centers"

H.P. 832 L.D. 1164

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 Restrict the Use of Lobster Trap Dipping Solutions"

H.P. 823 L.D. 1155

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

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

Bill "An Act to Repeal the Municipal Service Charge Limitation for Subsidized Housing Exempt from Taxation"

H.P. 834 L.D. 1166

Bill "An Act to Exclude Public Pension Payments to Persons 65 Years of Age and Older from Taxable Income"

H.P. 835 L.D. 1167

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 Make Hydropower Project Operators Financially Responsible for Fish Kills"

H.P. 829 L.D. 1161

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.

THE PRESIDENT: The Chair at this time is pleased to recognize the former Senator from District 28, Catherine Carswell, who served during the 105th Legislature. Please rise and accept the greetings of the Senate.

The Chair also notes in the Chamber, the former Senator from District 8, Donald O'Leary, who served during the 101st, 102nd, and 107th, which was the Presiding Officer's first term, the 108th, 109th, we were seat mates, and the 110th Legislatures. Please rise and accept the greetings of the Senate.

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 AGRICULTURE on Bill "An Act to Authorize Assistance to Nurseries to Prevent Deer Damage"

H.P. 338 L.D. 457

The Committee on AGRICULTURE on Bill "An Act Relating to Abandoned Dogs"

H.P. 451 L.D. 616

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Clarify the Traffic Movement Standards under the Site Location of Development Law"

H.P. 230 L.D. 314

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Amend the Law Requiring Recordation of Subdivision and Zoning Variances"

H.P. 427 L.D. 592

The Committee on ENERGY AND NATURAL RESOURCES on Resolve, to Create the Commission to Study the Feasibility of a Materials Recovery Facility

H.P. 652 L.D. 886

The Committee on TRANSPORTATION on Bill "An Act to Regulate the Use of Speed Traps and Prevent the Use of Radar Detectors"

H.P. 150 L.D. 202

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 JUDICIARY on Bill "An Act to Further Protect Child Victims of Abuse"

H.P. 261 L.D. 373

The Committee on JUDICIARY on Bill "An Act to Ensure Parental Notice of Harassment Orders Served on Minors"

H.P. 336 L.D. 455

Ought to Pass

The Committee on EDUCATION on Bill "An Act to Amend an Act Incorporating the Trustees of Bridgton Academy"

H.P. 327 L.D. 446

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill LATER TODAY ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

The Committee on BUSINESS LEGISLATION on Bill "An Act Relating to Credit Services Organizations"

H.P. 87 L.D. 122

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-58).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-58).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-58) READ and ADOPTED, in concurrence.

The Bill as Amended, LATER TODAY ASSIGNED FOR SECOND READING.

The Committee on BUSINESS LEGISLATION on Bill "An Act to Make Records of Quasi-judicial Proceedings Confidential"

H.P. 561 L.D. 759

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-57).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-57).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-57) READ and ADOPTED, in concurrence.

The Bill as Amended, LATER TODAY ASSIGNED FOR SECOND READING.

THE PRESIDENT: The Chair at this time is pleased to recognize the former Senator from District 11, R. Leon Williams, who served during the 92nd and 93rd Legislatures. Please rise and accept the greetings of the Senate.

Senate

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 PEARSON for the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act Making Allocations Related to the Alcoholism Prevention, Education, Treatment and Research Fund for the Expenditures of State Government for the Fiscal Years Ending June 30, 1990, and June 30, 1991" (Emergency)

S.P. 279 L.D. 725

Ought to Pass As Amended

Senator TITCOMB for the Committee on AGING, RETIREMENT AND VETERANS on Bill "An Act Relating to Benefits for Members of the Maine State Retirement System Who Transfer from Positions Under Special Plans to Positions Not Under Special Plans"

S.P. 204 L.D. 482

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-42).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-42) READ and ADOPTED.

The Bill as Amended, LATER TODAY ASSIGNED FOR SECOND READING.

SECOND READERS

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

House

Bill "An Act to Adjust the Metes and Bounds Between the Towns of Osborn, Mariaville and Waltham in Hancock County"

H.P. 227 L.D. 311

Bill "An Act to Amend the Laws on Interest on Delinquent County Taxes"

H.P. 252 L.D. 364

Resolve, to Study the Structure and Operations of the Legislature (Emergency)

H.P. 770 L.D. 1081

Bill "An Act to Incorporate Certain Bond Statutes into the Recodification of County and Municipal Laws" (Emergency)

H.P. 777 L.D. 1089

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

At this time, the HONORABLE JOHN R. MCKERNAN, JR., GOVERNOR of the State of Maine, entered the Senate Chamber and was escorted by the Sergeant-At-Arms to the Rostrum. (Amid applause, the Members rising.)

GOVERNOR MCKERNAN: Thank you Mr. President. I always enjoy having an opportunity to appear in the upper Body because I never had that chance back in my Legislative days. It is especially a pleasure to be here to welcome all of you to Augusta this morning and to see so many familiar faces.

Those of you who are returning, probably more than any other group not currently serving in the Legislature, can appreciate the fact that we are smack dab in the middle of another Legislative Session and that spring, at least in this building, is not the only force causing the days to grow longer and the atmosphere to heat up.

So, it is doubly nice to see all of you. Welcome Back day is somewhat of a breather for those of us who more or less call the State House home during the six months that we are in Session.

Having so many former Legislators here today is a good reminder to all of us of what this citizen Legislature is all about. That our form of government allows ordinary citizens to serve their state and their neighbors and to make, what I think we all realize are, important contributions and then return to other activities and other interests.

Having survived your own political battles, those of you who are back here with us today, I think helps remind us that, in the end, actions speak louder than words. Once we are able to get outside of Augusta and the State House mentality and get some perspective, I think all of us would agree that partisan rhetoric proves to be short-lived. What really lasts, and what ultimately really matters, from our time that is spent in these Chambers and the House Chambers, are the positive contributions that we are able to make to this State and to generations of citizens of this State to come.

Finally, and perhaps most importantly, to those of you who have returned to be with us today, your presence here today is a vivid reminder that Maine has truly had the extreme good fortune to be served, session after session, by conscientious, hard working, and talented individuals, Maine people who came here from all across this State to help make Maine a better place, and who have succeeded in that effort.

About a week or so ago, President Bush told a group of high school students that "democracy is not a spectator sport." Well lately, I have been thinking that "democracy in action" can make an afternoon of mud wrestling look like a day in the park by comparison. But even on the most contentious of days we have here in the State House, the process works and it works because people are willing to leave the sidelines and enter the arena, they are willing to get involved, they are willing to work hard to fight for what they believe in.

So, I hope that during this all-too-brief-time-out during the middle of the action of this Legislative Session, that we all will thank not only our retired team members, who are here with us today, but to also thank each other, all of you who are serving in the 114th State Legislature. Because of your willingness to get involved in the process of making government work, the process does, in fact, work and I think that Maine people are the winners because of your efforts. To all of you who have returned, I just want to say welcome and we look forward to seeing you throughout the day. Thank you very much.

The Sergeant-At-Arms escorted the HONORABLE JOHN R. MCKERNAN, JR., GOVERNOR of the State of Maine from the Senate Chamber. (Amid prolonged applause, the Members rising.)

House As Amended

Bill "An Act to Encourage Recycling of Lead-acid Batteries"

H.P. 108 L.D. 145
(C "A" H-56)

Bill "An Act to Expand the Types of Medication Included in the Elderly Low-cost Drug Program"

H.P. 229 L.D. 313
(H "A" H-61)

Bill "An Act to Amend and Unify the Residential Energy Efficiency Building Standards"

H.P. 396 L.D. 527
(C "A" H-45; H "A" H-60)

Bill "An Act to Provide that Certain Interest and Income Earned May Be Credited to the Maine State Retirement System for Administration"

H.P. 496 L.D. 676
(C "A" H-55)

Bill "An Act to Make Technical Corrections in the Laws Concerning Gasoline Stations"

H.P. 567 L.D. 771
(C "A" H-54)

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

THE PRESIDENT: The Chair at this time is pleased to recognize the former Senator from District 25, Henry Black, who served during the 112th and 113th Legislatures. The Chair would ask Senator Black to please rise and accept the greetings of the Senate.

Senate

Bill "An Act Establishing the Rights of Tenants when the Landlord Fails to Pay Utility Bills"

S.P. 323 L.D. 860

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

Sent down for concurrence.

THE PRESIDENT: The Chair at this time is pleased to interrupt the proceedings in recognition of Welcome Back day to recognize the following former Members of this Body and would ask these individuals to please rise and accept the greetings of the Senate.

The Senator from District 15, Roland Sutton, who served during the 109th and 110th Legislatures.

The Senator from District 16, Emile Jacques, who served during the 98th through the 107th Legislatures.

The Senator from District 19, Bennett Katz, who served during the 101st through the 109th Legislatures and served a term as Majority Leader.

The Senator from District 11, Dana Devoe, who served during the 109th and the 110th Legislatures.

The Chair is also pleased to recognize the Senator from District 11, Kenneth MacLeod, who served in the House during the 101st Legislature, in the Senate during the 103rd through the 106th Legislatures and is a former Presiding Officer of this Chamber.

Senate As Amended

Bill "An Act to Amend the Motor Vehicle Laws"

S.P. 210 L.D. 488
(C "A" S-39)

Bill "An Act to Amend the Lake Watershed Association Enabling Laws"

S.P. 252 L.D. 642
(C "A" S-41)

Bill "An Act to Require Municipalities to Permit the Circulation of Petitions on Local Issues"

S.P. 269 L.D. 697
(C "A" S-40)

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

Sent down for concurrence.

Off Record Remarks

THE PRESIDENT: The Chair at this time is pleased to recognize the former Senator from District 26, Richard Morrell, who served during the 106th Legislature. Please rise and accept the greetings of the Senate.

ENACTORS

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

An Act to Clarify the Functions of Subregistrars
S.P. 98 L.D. 117
(C "A" S-28)

An Act to Clarify the Maine Used Car Information Laws
H.P. 220 L.D. 300
(C "A" H-40)

An Act to Establish a Maine Self-service Storage Act
S.P. 174 L.D. 331
(C "A" S-31)

An Act to Require Drivers to Turn Off Auxiliary Lights
H.P. 277 L.D. 389
(C "A" H-38)

An Act to Require Pricing Disclosures on Vans and Pickup Trucks
S.P. 208 L.D. 486
(C "A" S-30)

An Act to Require the Use of Flashing Amber Lights on Vehicles During Sanding and Snow Removal Operations
H.P. 445 L.D. 610

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

Emergency

An Act Concerning Public Assistance Eligibility
H.P. 157 L.D. 222
(C "A" H-39)

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

THE PRESIDENT: The Chair at this time is pleased to recognize the former Senator from District 29, Carlton Mendell, who served during the 102nd Legislature. Please rise and accept the greetings of the Senate.

On motion by Senator ERWIN of Oxford, RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

Off Record Remarks

THE PRESIDENT: The Chair at this time is pleased to interrupt proceedings to recognize former Members of this Body who are here attending Welcome Back Day. The Chair would ask these individuals to please rise and accept the greetings of the Senate.

The Senator from District 22, Roger Dube, who served during the 93rd Legislature. At that time, 1947, he was the youngest State Senator in the Nation.

The Senator from District 25, Vinal Good, who served during the 90th, 100th, and the 103rd Legislatures, and is also the former Speaker of the House of Representatives.

The Senator from District 33, Judge John Roberts, who served during the 102nd, 103rd, and the 107th Legislatures.

The Senator from District 23, Justice Robert Clifford, who served during the 106th and 107th Legislatures.

The Senator from District 24, Courtney Stover, who served in the House during the 108th through the 11th Legislatures and in the Senate during the 112th Legislature.

The Senator from District 20, Margaret Sproul, who served during the 101st through the 103rd Legislatures.

The Senator from District 14, Melvin Shute, who served in the House during the 105th through the 108th Legislatures and in the Senate during the 109th through the 112th Legislatures.

The Chair is pleased to recognize two former members and very close personal friends of the Presiding Officer. First, the Senator from District 28, Ronald Usher, who served during the 107th through the 113th Legislatures.

Also, the Senator from District 1, which he numbered himself, Paul Violette, who served during the 108th through the 112th Legislatures and served in this Chamber as the Senate Majority Leader.

The Chair would also note that Senator Violette is one of several individuals who happens to be the offspring of a former Member of this Body. His father, who was here the other day, also served in the Leadership position, as did his son in this Chamber, and as we all know has served on the State Supreme Court. The Chair noted at that time he said he would not be here today, but he wanted to give his remarks to the colleagues in the Chamber he once served in.

The Senator from District 32, Richard Hewes, a former Speaker of the House, who served in the Senate during the 108th Legislature.

The Senator from District 28, Linwood Graffam, who served during the 106th and 107th Legislatures.

Off Record Remarks

Emergency

An Act to Extend Reporting Deadlines of the Therapeutic Pharmaceutical Monitoring Panel
H.P. 296 L.D. 408
(C "A" H-41)

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with No Senators having voted in negative, and 29 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.

THE PRESIDENT: The Chair is pleased to recognize a former employee of the Senate, Henry Lydon and his wife Helen. Henry served as the Assistant Postmaster from the 110th through the 113th Legislatures. The Chair would ask Henry and his wife to please rise and accept the greetings of the Senate.

The Chair is also pleased to recognize the former Senator from District 16, Carroll Minkowsky, who served during the 104th through the 111th Legislatures. Please rise and accept the greetings of the Senate.

The Chair is also pleased to recognize the former Senator from District 27, Roger Snow, who served during the 103rd Legislature. Please rise and accept the greetings of the Senate.

The Chair notes the presence of the former

Sergeant-At-Arms of this Chamber, Molly Pitcher. The Chair would ask Sergeant Pitcher to please rise and accept the greetings of the Senate.

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

SENATE PAPERS

Bill "An Act to Improve Family Communication with Adolescents"

S.P. 441 L.D. 1194

Presented by Senator CAHILL of Sagadahoc
Cosponsored by Senator BRANNIGAN of Cumberland,
Representative MARSANO of Belfast and
Representative STEVENS of Bangor
Bill "An Act to Provide A Cost of Living Increase
for the Home-based Family Service System"

S.P. 443 L.D. 1196

Presented by Senator BALDACCI of Penobscot
Cosponsored by Senator CAHILL of Sagadahoc,
Representative CARROLL of Gray and Representative
FOSTER of Ellsworth
Which were referred to the Committee on
APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED
PRINTED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to interrupt the proceedings to recognize in the rear of the Chamber another former colleague of this Body who now serves in the House of Representatives, Clyde Hichborn. Please rise and accept the greetings of the Senate.

Bill "An Act Relating to Historic and Archaeological Preservation"

S.P. 440 L.D. 1193

Presented by Senator ESTES of York
Cosponsored by Representative SMALL of Bath,
Representative FOSTER of Ellsworth and
Representative PARADIS of Frenchville
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 Amend the Pollution Abatement Grants Program"

S.P. 446 L.D. 1191

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

Sent down for concurrence.

Resolve, Directing the Department of Mental Health and Mental Retardation to Study Mental Health Needs

S.P. 444 L.D. 1197

Presented by Senator BUSTIN of Kennebec
Cosponsored by President PRAY of Penobscot,
Senator GAUVREAU of Androscoggin and
Representative MANNING of Portland
Which was referred to the Committee on HUMAN
RESOURCES and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Clarify the Definition of State Employee under the State Employee Labor Relations Act"

S.P. 442 L.D. 1195

Presented by Senator MATTHEWS of Kennebec
Cosponsored by Representative McHENRY of
Madawaska, Representative NORTON of Winthrop and
Representative RUHLIN of Brewer
Which was referred to the Committee on LABOR and
ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Amend the Laws Related to Games of Chance"

S.P. 439 L.D. 1192

Presented by Senator HOBBS of York
Cosponsored by Representative HALE of Sanford and
Representative COTE of Auburn
Which was referred to the Committee on LEGAL
AFFAIRS and ORDERED PRINTED.

Sent down for concurrence.

Resolve, to Create a Commission to Study Public Acquisition of Recreation Rights on Water Company Lands

S.P. 445 L.D. 1198

Presented by Senator BUSTIN of Kennebec
Cosponsored by Representative MICHAUD of East
Millinocket, Representative HOGlund of Portland
and Representative PARENT of Benton
Which was referred to the Committee on UTILITIES
and ORDERED PRINTED.

Sent down for concurrence.

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

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator GILL for the Committee on EDUCATION on
Bill "An Act to Clarify Costs Associated with the
Purchase of Land by School Administrative Units"

S.P. 181 L.D. 338

Reported that the same Ought to Pass as Amended
by Committee Amendment "A" (S-43).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-43) READ and ADOPTED.

The Bill as Amended, LATER TODAY ASSIGNED FOR
SECOND READING.

Senate at Ease

Senate called to order by the President.

ORDERS OF THE DAY

On motion by Senator CLARK of Cumberland, the
Senate removed from the Tabled and Later Today
Assigned matter:

Bill "An Act to Provide for Consent of Minors to
Health Services"

H.P. 828 L.D. 1160

Tabled - April 13, 1989, by Senator CLARK of
Cumberland.

Pending - REFERENCE

(Committee on HUMAN RESOURCES suggested and
ORDERED PRINTED.)

(In House, April 12, 1989, referred to the
Committee on JUDICIARY and ORDERED PRINTED.)

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

THE PRESIDENT: The Chair notes in the rear of the Chamber a former employee of the Senate, during the 106th through the 109th Legislatures, Marie Brotherton. The Chair would ask Marie to please rise and accept the greetings of the Senate.

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

THE PRESIDENT: The Chair would like to take this opportunity to extend to all the former Members of the Legislature, the Senate and the House, who are here today a hearty welcome and return to visiting the Halls of the State House. I am sure you will note that while many things are the same that a number of things have also changed in that time period. We hope that you will spend the day here talking with the individuals who now represent your districts, talk about the issues that we faced today and enjoy yourself in the festivities.

The Chair would like to extend an apology to anyone that he may have missed, we have been trying to catch former Members as they come through the door, but if we have missed any of you it was not done intentionally and we want to wish you the best during the day.

On motion by Senator DUTREMBLE of York, RECESSED until 5:00 this evening.

After Recess

Senate called to order by the President.

ORDERS OF THE DAY

On motion by Senator CLARK of Cumberland, the Senate removed from the Tabled and Later Today Assigned matter:

JOINT ORDER - Ordered, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, April 18, 1989, at 9 o'clock in the morning.

S.P. 438

Tabled - April 13, 1989, by Senator CLARK of Cumberland.

Pending - PASSAGE

(In Senate, April 13, 1989, READ.)

Which was PASSED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

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

SECOND READERS

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

House

Bill "An Act to Amend an Act Incorporating the Trustees of Bridgton Academy"

H.P. 327 L.D. 446

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

House As Amended

Bill "An Act Relating to Credit Services Organizations"

H.P. 87 L.D. 122

(C "A" H-58)

Bill "An Act to Make Records of Quasi-judicial Proceedings Confidential"

H.P. 561 L.D. 759

(C "A" H-57)

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

Senate As Amended

Bill "An Act Relating to Benefits for Members of the Maine State Retirement System Who Transfer from Positions Under Special Plans to Positions Not Under Special Plans"

S.P. 204 L.D. 482

(C "A" S-42)

Bill "An Act to Clarify Costs Associated with the Purchase of Land by School Administrative Units"

S.P. 181 L.D. 338

(C "A" S-43)

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

Sent down for concurrence.

Off Record Remarks

The ADJOURNMENT ORDER having been returned from the House READ and PASSED, in concurrence, on motion by Senator GOULD of Waldo, ADJOURNED, in memory of former and late Senator Hervey Emery of Bucksport, until Tuesday, April 18, 1989, at 9:00 in the morning.