

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

**One Hundred And Fourteenth Legislature**

OF THE

**State Of Maine**

**VOLUME II**

**FIRST REGULAR SESSION**

May 10, 1989 to June 14, 1989

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

On further motion of the same Representative, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "B" (H-135) was adopted.

The same Representative offered House Amendment "B" (H-180) to Committee Amendment "B" (H-135) and moved its adoption.

House Amendment "B" (H-180) to Committee Amendment "B" (H-135) was read by the Clerk and adopted.

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

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

(Off Record Remarks)

On motion of Representative Ketover of Portland, Adjourned until Monday, May 15, 1989, at nine o'clock in the morning.

In Senate Chamber  
Friday  
May 12, 1989

Senate called to Order by the President.

Prayer by Father Samuel A. Najjar of St. Joseph's Maronite Church in Waterville.

FATHER NAJJAR: Heavenly Father, we call upon You this day to be present among us. Enlighten our hearts and our minds as we continue to work for the good of our state and in the best interest of our constituents. As we call upon Your blessings on this assembly, we ask for a special blessing as we approach Mother's Day. Bless all our mothers, both here present, living and deceased. As we conclude this working day, we ask that You guide us safely on our journey home.

We thank You for Your everlasting presence in our lives and so it is to You, Father, that we give You glory, now, always, and forever. Amen.

Reading of the Journal of Yesterday.

Off Record Remarks

PAPERS FROM THE HOUSE

House Papers  
Bill "An Act to Establish a Recognition Awards Program to Promote Child Care Services"

H.P. 1178 L.D. 1633

Resolve, to Create a Demonstration Project to Provide Self-employment Opportunities for Participants of the Additional Support for People in Retraining and Education Program

H.P. 1182 L.D. 1637

Bill "An Act to Provide Funding for and to Amend Laws Governing the Maine Human Services Council" (Emergency)

H.P. 1185 L.D. 1640

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 to Increase the Office of Advocacy"

H.P. 1177 L.D. 1632

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

On motion by Senator CLARK of Cumberland, referred to the Committee on HUMAN RESOURCES and ORDERED PRINTED in NON-CONCURRENCE.

Sent down for concurrence.

Bill "An Act to Revise the Asbestos Certification Law"

H.P. 1179 L.D. 1634

Committee on BUSINESS LEGISLATION 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 Relating to Surrogate Parenting"  
H.P. 1181 L.D. 1636

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 Reduce the Number of Full-time Legislative Staff Employees"

H.P. 1180 L.D. 1635

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

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

Bill "An Act to Amend the Laws Relating to Ethics in Government"

H.P. 1184 L.D. 1639

Committee on JUDICIARY suggested and ORDERED PRINTED.

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

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

Bill "An Act to Provide Funds for Preparation and Training of Class I and Class II Drivers" (Emergency)

H.P. 1183 L.D. 1638

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

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

Pursuant to Public Law  
SUBCOMMITTEE ON REHABILITATION

The SUBCOMMITTEE ON REHABILITATION, pursuant to Public Law 1987, Chapter 779, ask leave to submit its findings and to report that the accompanying Bill "An Act to Strengthen an Injured Employee's Right to Rehabilitation and to Improve the Workers' Compensation Rehabilitation System"

H.P. 1176 L.D. 1630

Be referred to the Joint Standing Committee on LABOR for Public Hearing and printed pursuant to Joint Rule 18.

Comes from the House with the Report READ and ACCEPTED and the Bill referred to the Committee on LABOR and ORDERED PRINTED, pursuant to Joint Rule 18.

Which Report was READ.

On motion by Senator CLARK of Cumberland, Tabled 2 Legislative Days, pending ACCEPTANCE OF THE REPORT.

Off Record Remarks

COMMUNICATIONS

The Following Communication:

STATE OF MAINE  
OFFICE OF THE PRESIDENT  
AUGUSTA, MAINE 04333

May 8, 1989  
Honorable Joy J. O'Brien  
Secretary of the Senate  
State House Station 3  
Augusta, ME 04333

Dear Madam Secretary:

Pursuant to my authority under Chapter 443 of the Public Laws of 1987, I have appointed Senator Bonnie Titcomb to the Commission to Advise the Department of Human Services on AIDS. Senator Titcomb will replace Senator Barbara Gill, who has resigned. 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.

SENATE PAPERS

Bill "An Act To Protect Maine Businesses against Workers' Compensation Insurer Rate Gouging"

S.P. 590 L.D. 1652

Presented by Senator BUSTIN of Kennebec  
Cosponsored by Senator ANDREWS of Cumberland,  
Representative RAND of Portland and  
Representative LUTHER of Mexico  
Which was referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED.  
Sent down for concurrence.

Bill "An Act to Clarify Negotiability of Recruitment and Retention Adjustments" (Emergency)

S.P. 589 L.D. 1651

Presented by Senator BUSTIN of Kennebec  
Cosponsored by Representative LARRIVEE of Gorham,  
Representative LUTHER of Mexico and Senator  
TITCOMB of Cumberland  
Committee on LABOR suggested and ORDERED PRINTED.  
On motion by Senator CLARK of Cumberland,  
referred to the Committee on STATE AND LOCAL  
GOVERNMENT and ORDERED PRINTED.  
Sent down for concurrence.

Off Record Remarks

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 LEGAL AFFAIRS on Bill "An Act Concerning Motor Vehicle Licenses for Certain Drug and Alcohol Offenders"

H.P. 543 L.D. 740

The Committee on MARINE RESOURCES on Bill "An Act to Prevent the Destruction of Lobster Gear"

H.P. 863 L.D. 1202

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 APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Appropriate Current Fiscal Year Funds for Telecommunication Services Provided to Deaf and Hearing Impaired Persons" (Emergency)

H.P. 283 L.D. 395

The Committee on HUMAN RESOURCES on Bill "An Act to More Effectively Recover Money Fraudulently Obtained from Public Assistance"

H.P. 98 L.D. 133

The Committee on JUDICIARY on Bill "An Act to Assure that Probation Does Not Lessen Consecutive Terms of Imprisonment"

H.P. 867 L.D. 1206

The Committee on LEGAL AFFAIRS on Bill "An Act to Clarify the Absentee Ballot Application Procedure"

H.P. 127 L.D. 171

The Committee on LEGAL AFFAIRS on Bill "An Act to Change the Definition of Blood-alcohol Level"

H.P. 188 L.D. 253

The Committee on LEGAL AFFAIRS on Resolve, Authorizing Christine R. Tufts, formerly Christine Willey, to Maintain an Action Against the State, York County and Town of Kennebunk

H.P. 648 L.D. 882

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

H.P. 834 L.D. 1166

The Committee on TAXATION on Bill "An Act to Amend the Assessing Procedure"

H.P. 845 L.D. 1177

The Committee on TAXATION on Bill "An Act to Establish a Local Option Municipal Income Tax Surcharge on Residents and a Municipal Earnings Tax on Nonresidents"

H.P. 1010 L.D. 1408

Ought to Pass

The Committee on AGRICULTURE on Bill "An Act to Eliminate the Barrel as the Unit Measure of Buyers and Sellers of Potatoes"

H.P. 323 L.D. 439

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 TOMORROW ASSIGNED FOR SECOND READING.

The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Clarify the Common Boundary of the Town of Cape Elizabeth and the Town of Scarborough"

H.P. 572 L.D. 776

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 TOMORROW ASSIGNED FOR SECOND READING.

The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Amend the Boundary Line Between the Towns of Albion and Benton"

H.P. 699 L.D. 951

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 TOMORROW ASSIGNED FOR SECOND READING.

The Committee on TRANSPORTATION on Bill "An Act to Create a Full-time Motor Vehicle Office in the Town of Sanford"

H.P. 898 L.D. 1255

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 TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Make Allocations for the Administrative Expenses of the Bureau of Lottery, Department of Finance, for the Fiscal Years Ending June 30, 1990, and June 30, 1991" (Emergency)

H.P. 419 L.D. 584

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-158).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-158).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-158) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Provide Computer Technology to the Division of Eye Care"

H.P. 628 L.D. 851

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-159).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-159).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-159) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on BUSINESS LEGISLATION on Resolve, Establishing the Commission to Study the Regulation of Welders

H.P. 78 L.D. 109

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-166).

Comes from the House, with the Report READ and ACCEPTED and the Resolve PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-166).

Which Report was READ and ACCEPTED, in concurrence.

The Resolve READ ONCE.

Committee Amendment "A" (H-166) READ and ADOPTED, in concurrence.

The Resolve as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on BUSINESS LEGISLATION on Bill "An Act Relating to the Disclosure of Information Concerning Used Motor Vehicles at the Time of Sale or Transfer"

H.P. 903 L.D. 1260

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-165).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-165).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-165) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on EDUCATION on Bill "An Act Concerning Teacher Employment"

H.P. 486 L.D. 666

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-163).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-163).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-163) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on HUMAN RESOURCES on Bill "An Act to Ensure Representation on the Committee to Advise the Department of Human Services on AIDS"

H.P. 721 L.D. 990

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-160).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-160).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-160) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on JUDICIARY on Bill "An Act to Establish Utility Rights in Certain Easements"

H.P. 24 L.D. 19

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-157).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-157).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-157) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Bill "An Act to Clarify the Laws Relating to Marriage"

H.P. 676 L.D. 925

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-162).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-162).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-162) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Establish a Process for the Deorganization of Municipalities and Plantations" (Emergency)

H.P. 223 L.D. 303

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-167).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-167).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-167) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Establish the Boundary Line between the Town of Falmouth and the City of Westbrook"

H.P. 594 L.D. 812

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-168).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-168).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-168) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on STATE AND LOCAL GOVERNMENT on RESOLUTION, Proposing An Amendment to the Constitution of Maine to Allow for the Popular Initiation of Amendments to the Maine Constitution

H.P. 590 L.D. 808

Reported that the same Ought Not to Pass.

Signed:

Senators:

BERUBE of Androscoggin  
ESTY of Cumberland  
CARPENTER of York

Representatives:

WENTWORTH of Wells  
HEESCHEN of Wilton  
LARRIVÉE of Gorham  
MCCORMICK of Rockport  
JOSEPH of Waterville  
DAGGETT of Augusta  
ROTONDI of Athens

The Minority of the same Committee on the same subject reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-169).

Signed:

Representatives:

BEGLEY of Waldoboro  
HANLEY of Paris

Comes from the House the Majority OUGHT NOT TO PASS Report READ and ACCEPTED.

Which Reports were READ.

On motion by Senator BERUBE the Majority OUGHT NOT TO PASS Report was ACCEPTED, in concurrence.

Senate  
Ought to Pass

Senator WHITMORE for the Committee on BUSINESS LEGISLATION on Bill "An Act to Amend the Home Construction Contracts Law"

S.P. 113 L.D. 168

Reported that the same Ought to Pass.

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

Senator KANY for the Committee on AGRICULTURE on Bill "An Act to Amend the Animal Welfare Laws"

S.P. 333 L.D. 894

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-110).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-110) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator PEARSON for the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act To Provide Respite Care for Care Givers of Diagnosed Victims of Alzheimer's Disease"

S.P. 248 L.D. 578

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-108).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-108) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator BRANNIGAN for the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Provide Increased Funding for the Family Planning Association's Basic Clinical and Educational Services"

S.P. 255 L.D. 645

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-106).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-106) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator PEARSON for the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Fund and Implement Changes in Health Insurance Benefits in Collective Bargaining Agreements with Maine Maritime Academy Employees Represented by the Maine State Employees Association" (Emergency)

S.P. 371 L.D. 995

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-107).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-107) 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 Concerning Service of Civil Process by Full-time Law Enforcement Officers"

H.P. 353 L.D. 472

Bill "An Act to Conform the Scope of Prior Convictions When Used to Enhance the Penalty for Negotiating a Worthless Instrument"

H.P. 785 L.D. 1097

Bill "An Act to Increase the Penalties for Forgery"

H.P. 821 L.D. 1149

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

House As Amended

Bill "An Act Concerning an Employee's Right to Review the Employee's Personnel File"

H.P. 330 L.D. 449

(C "A" H-156)

Bill "An Act to Provide Funds for the Seed Potato Breeding Program"

H.P. 488 L.D. 668

(C "A" H-153)

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

Senate As Amended

Bill "An Act to Allow Insurers to Underwrite Mass Marketed Property and Casualty Insurance Plans"

S.P. 47 L.D. 14

(C "A" S-105)

Which was READ A SECOND TIME and 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 Implement the Aroostook Band of Micmacs Settlement Act

S.P. 152 L.D. 272

(H "A" H-154 to C "A" S-53)

An Act to Provide for Division of Omitted Marital Property

H.P. 312 L.D. 426

(H "A" H-152 to H "A" H-119)

An Act Concerning Game Wardens' Authority to Stop and Search Vehicles

H.P. 433 L.D. 598

(C "A" H-137)

An Act to Amend Certain Provisions of the Maine Bail Code

S.P. 426 L.D. 1137

An Act to Clarify Terminology Used in Laws Related to Historic Sites under the Jurisdiction of the Bureau of Parks and Recreation

S.P. 476 L.D. 1274

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 Provide Complimentary Muzzle-loading Hunting Licenses to Resident Disabled War Veterans

S.P. 231 L.D. 561

(C "A" S-81)

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

An Act Concerning Transportation Expenses for Former AMHI Patients

S.P. 246 L.D. 576  
(S "A" S-75 to C "A" S-62)

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

An Act to Authorize the Department of Corrections to Establish a Solid Waste Recycling Program

H.P. 603 L.D. 827  
(S "A" S-86)

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

Resolve

Resolve, Authorizing the Transfer of State Interest in a Parcel of Real Estate to Arthur A. Tukey and Louise H. Tukey

H.P. 589 L.D. 803  
(C "A" H-97; H "A" H-155)

Which was FINALLY PASSED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Make Changes to the Human Resource Development Council in Order to Conform with the United States Economic Dislocation and Worker Adjustment Assistance Act of 1988

S.P. 101 L.D. 120  
(C "A" S-84)

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Whitmore.

Senator WHITMORE: Thank you Mr. President. Mr. President, men and women of the Senate. I realize that things are moving along quite well and I don't propose to delay them for any great length of time, but I still have great concern that we are taking powers away from the Governor that were granted.

This being an Emergency Measure and having received the affirmative vote of 15 Members of the Senate, with 12 Senators having voted in negative, and 15 being less than two-thirds of the entire elected Membership of the Senate, the Bill FAILED OF ENACTMENT in NON-CONCURRENCE.

Sent down for concurrence.

Senate at Ease

Senate called to order by the President.

Emergency

An Act to Make Allocations from the Maine Nuclear Emergency Planning Fund for the Fiscal Years Ending June 30, 1990, and June 30, 1991

H.P. 365 L.D. 496  
(C "A" H-126; S "A" S-88)

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

Emergency

An Act to Provide for the 1989 Allocations of the State Ceiling on Private Activity Bonds

S.P. 336 L.D. 897  
(C "A" S-83)

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with No Senators having voted in negative, and 26 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 Fund 2 Legislative Studies and to Extend the State Compensation Commission's Interim Reporting Date

S.P. 529 L.D. 1463

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Pearson.

Senator PEARSON: Thank you Mr. President. Mr. President, men and women of the Senate. This is a Bill which has money on it that is intentionally being let go through without being put on the Table. It is a couple of studies that the Legislature, as a whole, said needed to be done. One of which is the Taxation Study on Income Tax, which is taking place right now. This was something that was discussed about a month ago. Thank you.

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with No Senators having voted in negative, and 26 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.

ORDERS OF THE DAY

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

SENATE REPORT - from the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Establish a Temporary Water Management Resources Board"

S.P. 265 L.D. 655

REPORT - Ought to Pass As Amended by Committee Amendment "A" (S-96)

Tabled - May 11, 1989, by Senator CLARK of Cumberland.

Pending - ACCEPTANCE OF REPORT

(In Senate, May 10, 1989, Report READ.)

Which Report was ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-96) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

HELD BILL

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Gauvreau.

Senator GAUVREAU: Thank you Mr. President. Is the Senate in possession of L.D. 1648?

THE PRESIDENT: The Chair would answer in the affirmative, the Bill having been held at the Senators request.

On motion by Senator GAUVREAU of Androscoggin, the Senate RECONSIDERED whereby it referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS:



Bill "An Act to Improve Services for Maine's Mentally Ill" (Emergency)

S.P. 586 L.D. 1648

(In Senate, May 11, 1989, referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.)

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

Sent down for concurrence.

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Off Record Remarks

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On motion by Senator DUTREMBLE of York, ADJOURNED until Monday, May 15, 1989, at 9:00 in the morning.

ONE HUNDRED AND FOURTEENTH MAINE LEGISLATURE  
FIRST REGULAR SESSION  
62nd Legislative Day  
Monday, May 15, 1989

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

Prayer by Reverend Cathy Howe, Livermore United Methodist Church.

National Anthem by Winthrop High School Band.

The Journal of Friday, May 12, 1989, was read and approved.

Quorum call was held.

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PAPERS FROM THE SENATE

Bill "An Act To Protect Maine Businesses against Workers' Compensation Insurer Rate Gouging" (S.P. 590) (L.D. 1652)

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

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

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Bill "An Act to Improve Services for Maine's Mentally Ill" (EMERGENCY) (S.P. 586) (L.D. 1648)

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

(The Committee on Reference of Bills had suggested reference to the Committee on Appropriations and Financial Affairs.)

Was referred to the Committee on Human Resources in concurrence.

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Bill "An Act to Clarify Negotiability of Recruitment and Retention Adjustments" (EMERGENCY) (S.P. 589) (L.D. 1651)

Came from the Senate, referred to the Committee on State and Local Government and Ordered Printed.

(The Committee on Reference of Bills had suggested reference to the Committee on Labor.)

Was referred to the Committee on State and Local Government in concurrence.

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Non-Concurrent Matter

Bill "An Act to Increase the Office of Advocacy" (H.P. 1177) (L.D. 1632) which was referred to the Committee on Appropriations and Financial Affairs in the House on May 11, 1989.

Came from the Senate referred to the Committee on Human Resources in non-concurrence.

On motion of Representative Carter of Winslow, the House voted to Insist.

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Non-Concurrent Matter

An Act to Make Changes to the Human Resource Development Council in Order to Conform with the United States Economic Dislocation and Worker Adjustment Assistance Act of 1988 (Emergency) (S.P. 101) (L.D. 120) (C. "A" S-84) which was passed to be enacted in the House on May 11, 1989.

Came from the Senate failing of passage to be enacted in non-concurrence.

On motion of Representative Gwadosky of Fairfield, tabled pending further consideration and later today assigned.

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COMMUNICATIONS

The following Communication:  
DEPARTMENT OF LABOR