

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

In Senate Chamber
 Friday
 May 26, 1989

Senate called to Order by the President.

Prayer by Reverend Victor Stanley of the First Baptist Church in Gardiner.

REVEREND STANLEY: Please join me in this moment of prayer. Gracious God, we have come together from all over our great state to serve Maine's people. Our diversity often generates conflict, we pray that You will use this conflict to bring about changes that will benefit the people we serve. Our diversity also produces conflicting ideas of who You are, may this conflict add power to our prayers. Our common faith unites us, we believe that You are a God of compassion, possessing the deepest concern for all people. We believe that You are a God of power and that You use Your might only to the benefit of all people. We believe that You are a God of love, a love that seeks justice and equality for all people.

So, now we humbly ask You to fill us with Your compassion, so we will be concerned about the benefit and well-being of all people everywhere, even those we find difficult to love. Fill us with Your power, so we, too, will be able to bring about changes that will make Maine a better place in which to live. Fill us with Your love, so our human beauty will surpass even the natural beauty of a spring day in Maine. We pray these things in Your presence. Amen.

Reading of the Journal of Yesterday.

PAPERS FROM THE HOUSE
 Non-Concurrent Matter

Bill "An Act Concerning Teacher Employment"
 H.P. 486 L.D. 666
 (C "A" H-163)

In Senate, May 22, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-163), in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-163) AS AMENDED BY HOUSE AMENDMENT "B" (H-298), thereto in NON-CONCURRENCE.

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

House Papers

Bill "An Act to Create the Quantabacook Water District" (Emergency)

H.P. 1227 L.D. 1706

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.

SENATE PAPERS

Bill "An Act Relating to the Certificate of Need Act"

S.P. 613 L.D. 1708

Presented by Senator GILL of Cumberland
 Cosponsored by Senator DUTREMBLE of York and Representative PINES of Limestone

Which was referred to the Committee on HUMAN RESOURCES and ORDERED PRINTED.

Sent down for concurrence.

Off Record Remarks

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

ORDERS

Joint Order

On motion by Senator DUTREMBLE of York, the following Joint Order:

S.P. 614

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, May 30, 1989, at 9 o'clock in the morning.

Which was READ and PASSED.

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

Senate at Ease

Senate called to order by the President.

Senator TITCOMB of Cumberland was granted unanimous consent to address the Senate on the Record.

Senator TITCOMB: Thank you Mr. President.

Mr. President, men and women of the Senate. In reference to the Joint Order, SLS 200; "Recognizing and honoring Frederic C. Wall, Jr., of South Portland, for his heroism and personal sacrifice during combat and as a prisoner of war in the European theater of World War II for which he received this year the POW Medal, the Bronze Star and the Purple Heart;" that has just been read and passed. I would like to tell you about the person who is being recognized today. Major Wall, a resident of South Portland, enlisted in the U.S. Army in 1942, shortly after marrying his wife, Constance. After graduating from Officers Candidate School at Fort Benning, Georgia, as a lieutenant, he was shipped overseas and saw duty in Sicily. During the invasion of southern France, he was on the lead troop glider, which crash-landed into the Mediterranean Sea short of the beachhead.

Wall was wounded in action when his infantry unit was taking a small village in Belgium. Later, he and his battalion were captured by the enemy during the famous Battle of the Bulge, Germany's last grasp offensive in January of 1945. He was held in a variety of POW camps, and on one occasion when he and others were being transferred to another stockade, they were strafed by allied aircraft. In the closing days of the war, his POW camp was liberated by General George Patton's tanks and men. Upon returning home, he became an officer in the U.S. Army Reserve, retiring with the rank of Major.

During his tour of war duty, Major Wall had earned thirteen medals, decorations, and commendations, including the Bronze Star, Purple Heart, and POW Medal. But it would take forty-five years before the Army got around to conferring these honors on him.

It was my pleasure to help facilitate that action, just recently, with the direction from my long-time school friend from high school days, his daughter, Pamela Nolan. Securing the medals came about because of the enthusiastic and dedicated efforts of Congressman Joseph Brennan.

It seems especially rewarding on this holiday weekend when we traditionally memorialize those who have served us at the loss of their lives, to have Major Wall here to remind us today of the deeds of

these very real men and women whom we honor. We honor, too, Major Wall for his deeds, stealing a bit from history, it is altogether fitting and proper that we should do this.

Senator GILL of Cumberland was granted unanimous consent to address the Senate on the Record.

Senator GILL: Thank you Mr. President. Mr. President, men and women of the Senate. I, too, rise today in appreciation of Mr. Wall, who is a resident of my community. The city of South Portland is very proud to have him as a resident there. We are honored that he is finally getting the medals that he so richly deserves. I think it is a fitting tribute to the weekend, we are about to go into, that we recognize all of those who have died in the service of their country. We have someone who we are fortunate to have who has served his country very well and who is finally being recognized as doing so. I appreciate the fact that Mr. Wall was able to be with us this morning. I urge this passage. Thank you.

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 Require that the Department of Environmental Protection Be Responsible for the Location, Construction and Operation of Regional Solid Waste Disposal Facilities" (Emergency)

H.P. 1021 L.D. 1422

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act Concerning Emergency Disposal of Animal Carcasses at Commercial Landfills"

H.P. 1098 L.D. 1531

The Committee on LABOR on Bill "An Act Regarding Voluntary Return to Service by Teachers"

H.P. 636 L.D. 870

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 Provide Increases in Funding to the Hearing Aid Lender Program for the Elderly"

H.P. 203 L.D. 283

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Appropriate Matching Funds for the Library at Eagle Island"

H.P. 974 L.D. 1352

The Committee on LEGAL AFFAIRS on Bill, "An Act to Remove Restrictions from Beano Revenues of Nonprofit Organizations"

H.P. 1077 L.D. 1499

Ought to Pass

The Committee on JUDICIARY on Bill "An Act to Provide Visitation and Custody Rights to Grandparents in Cases other than Divorce"

H.P. 1036 L.D. 1447

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 ENERGY AND NATURAL RESOURCES on Resolve, to Study and Consolidate the Laws and Rules Regulating Campgrounds

H.P. 1043 L.D. 1454

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-278).

Comes from the House, with the Report READ and ACCEPTED and the Resolve PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-278).

Which Report was READ and ACCEPTED, in concurrence.

The Resolve READ ONCE.

Committee Amendment "A" (H-278) READ and ADOPTED, in concurrence.

The Resolve as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on JUDICIARY on Bill "An Act to Amend Disorderly Conduct Offenses"

H.P. 391 L.D. 522

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-268).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-268).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-268) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on JUDICIARY on Bill "An Act to Clarify Procedural Aspects of the Forcible Entry and Detainer Law"

H.P. 446 L.D. 611

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-265).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-265).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-265) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on JUDICIARY on Bill "An Act to Promote Equity in the Court Adjudication of Alimony Awards"

H.P. 476 L.D. 656

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-276).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-276).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-276) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on JUDICIARY on Bill "An Act to Increase the Penalty for Theft from a Locked Motor Vehicle"

H.P. 508 L.D. 688

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-267).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-267).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-267) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LABOR on Bill "An Act to Curtail Fraud in the Workers' Compensation System"

H.P. 74 L.D. 105

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-270).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-270).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-270) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Resolve, to Require the Manufactured Housing Board to Develop a Manufactured Housing Installation Standard (Emergency)

H.P. 48 L.D. 62

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-263).

Comes from the House, with the Report READ and ACCEPTED and the Resolve PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-263).

Which Report was READ and ACCEPTED, in concurrence.

The Resolve READ ONCE.

Committee Amendment "A" (H-263) READ and ADOPTED, in concurrence.

The Resolve as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Bill "An Act to Provide Assistance to Owners of Manufactured Housing"

H.P. 908 L.D. 1271

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-264).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-264).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-264) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on TRANSPORTATION on Bill "An Act to Improve Compliance with Truck Weight Limits"

H.P. 36 L.D. 36

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-277).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-277).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-277) READ.

On motion by Senator PEARSON, of Penobscot, Tabled until Later in Today's Session, pending ADOPTION OF COMMITTEE AMENDMENT "A" (H-277), in concurrence.

The Committee on UTILITIES on Bill "An Act to Make Hydropower Project Operators Financially Responsible for Fish Kills"

H.P. 829 L.D. 1161

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-272).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-272).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-272) 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 Increase the Availability of Legislative Participation

H.P. 902 L.D. 1259

Reported that the same Ought Not to Pass.

Signed:

Senators:

BERUBE of Androscoggin
ESTY of Cumberland
CARPENTER of York

Representatives:

LARRIVEE of Gorham
ROTONDI of Athens
JOSEPH of Waterville
WENTWORTH of Wells
BEGLEY of Waldoboro
HEESCHEN of Wilton
DAGGETT of Augusta

The Minority of the same Committee on the same subject reported that the same Ought to Pass.

Signed:

Representatives:

HANLEY of Paris
MCCORMICK of Rockport

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

Which Reports were READ.

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

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 TWITCHELL for the Committee on TRANSPORTATION on Bill "An Act Concerning the Imposing and Collection of Fines for Motor Vehicle Infractions Pertaining to Rental Vehicles"
S.P. 538 L.D. 1473

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 TITCOMB for the Committee on AGING, RETIREMENT AND VETERANS on Bill "An Act to Expand the Maine State Retirement System for Reemployed Individuals"
S.P. 527 L.D. 1444

Senator HOBBS for the Committee on JUDICIARY on Bill "An Act to Change the Uniform Traffic Ticket and Suspension Procedures"
S.P. 484 L.D. 1326

Senator BERUBE for the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Amend the State Identification Law for Developmentally Disabled Students"
S.P. 522 L.D. 1429

Senator TWITCHELL for the Committee on TRANSPORTATION on Resolve, to Study Sidewalk Repair and Maintenance
S.P. 566 L.D. 1594

Ought to Pass

Senator HOBBS for the Committee on JUDICIARY on Bill "An Act to Clarify Reporting Requirements for Induced and Spontaneous Abortions"
S.P. 500 L.D. 1374

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 THERIAULT for the Committee on BANKING AND INSURANCE on Bill "An Act to Amend the Continuing Care Retirement Law"
S.P. 120 L.D. 186

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-163).
Which Report was READ and ACCEPTED.
The Bill READ ONCE.
Committee Amendment "A" (S-163) READ and ADOPTED.
The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator HOBBS for the Committee on JUDICIARY on Bill "An Act to Clarify the Applicability of the Maine Tort Claims Act to the Consumer Advisory Board"
S.P. 171 L.D. 328

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-162).
Which Report was READ and ACCEPTED.
The Bill READ ONCE.
Committee Amendment "A" (S-162) READ.

Off Record Remarks

Committee Amendment "A" (S-162) ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator MATTHEWS for the Committee on LEGAL AFFAIRS on Bill "An Act to Permit Law Enforcement Officers to Solicit Funds for a Law Enforcement Officers' Memorial" (Emergency)
S.P. 154 L.D. 274

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-161).
Which Report was READ and ACCEPTED.
The Bill READ ONCE.
Committee Amendment "A" (S-161) READ and ADOPTED.
The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator BERUBE for the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Protect the State's Ownership of Public Records"
S.P. 479 L.D. 1277

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-160).
Which Report was READ and ACCEPTED.
The Bill READ ONCE.
Committee Amendment "A" (S-160) 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 Consolidate the Township of Misery-Sapling Gore into Adjoining Townships"
H.P. 772 L.D. 1084
Which was READ A SECOND TIME and PASSED TO BE ENGROSSED, in concurrence.

House As Amended

Bill "An Act to Authorize the Bureau of Veterans' Services to Provide Assistance to Vietnam Veterans"
H.P. 33 L.D. 33
(H "A" H-274 to C "A" H-235)
Bill "An Act to Amend the Animal Welfare Laws"
H.P. 397 L.D. 528
(C "A" H-251)
Bill "An Act Regarding Dangerous Dogs"
H.P. 630 L.D. 853
(C "A" H-255)
Bill "An Act to Increase the Penalties for Selling Game and Make Them Uniform"
H.P. 918 L.D. 1284
(C "A" H-252)
Bill "An Act to Provide for Public Bell Ringing on Veterans Day"
H.P. 991 L.D. 1380
(C "A" H-249)
Which were READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended, in concurrence.

Bill "An Act to Improve Regulatory Oversight of Health Maintenance Organizations"
H.P. 205 L.D. 285
(C "A" H-259)

Which was READ A SECOND TIME.
On motion by Senator CLARK of Cumberland, Tabled 2 Legislative Days, pending PASSAGE TO BE ENGROSSED AS AMENDED, in concurrence.

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

Which was READ A SECOND TIME.

Senator CLARK, of Cumberland, was granted unanimous consent to address the Senate off the Record.

On motion by Senator GAUVREAU of Androscoggin, the Senate RECONSIDERED whereby House Amendment "A" (H-273) was INDEFINITELY POSTPONED.

On further motion by same Senator, House Amendment "A" (H-273) ADOPTED, in concurrence.

Which was PASSED TO BE ENGROSSED, as Amended, in concurrence.

Bill "An Act to Strengthen the Penalties against Those Who Intentionally Mislabeled Foods as Natural or Organic"

H.P. 644 L.D. 878

(S "A" S-159 to C "A" H-254)

Which was READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended in NON-CONCURRENCE.

Sent down for concurrence.

Senate As Amended

Bill "An Act to Provide Dealership Protection to Farm Equipment and Machinery"

S.P. 358 L.D. 959

(C "A" S-137)

Which was READ A SECOND TIME.

On motion by Senator BALDACCI of Penobscot, Senate Amendment "A" (S-168) READ and ADOPTED.

Which was PASSED TO BE ENGROSSED, as Amended.

Sent down for concurrence.

THE PRESIDENT: The Chair interrupts proceedings to note in the rear of the Chamber the presence of Major Wall, who earlier Senator Titcomb had offered a Legislative Sentiment for. The Chair has received word that the House has taken affirmative action on the same order. The Chair would request that the Sergeant-At-Arms escort the Senator from Cumberland, Senator Titcomb and the Senator from Cumberland, Senator Gill, and Major Wall to the well of the Senate. The Chair would also ask that Colonel Libby, staff of the Maine Army National Guard and Colonel Durgan, Assistant Adjutant General for the Maine Air National Guard, to assist Major Wall for the presentation of this Sentiment, as we prepare for Memorial Day weekend. The Chair would also request that Mrs. Wall and their daughter, Pamela, and his grandson, to come down to the well of the Senate.

The Chair would like to extend his own personal congratulations to Major Wall, as I look around the Chamber, noting that there are less and less of us veterans who have the opportunity to serve, would like to extend a heartfelt congratulation on behalf of all the Members of the Maine Senate, as well as the citizens of this state, as Senator Gill and Senator Titcomb present you with your Legislative Sentiment. (Amid, applause, the Members rising.)

The Chair is in receipt of a letter from Congressman Joseph Brennan. The Chair would read:

United State House of Representatives
Washington, D.C.

"Dear Major Wall,
I regret that I will be unable to join you today as you are honored for your service in the United States Army. You and your family must be very proud of your outstanding accomplishments. Your commitment to the United States of America is most commendable, it gives us all great pride to know that there are men, such as yourself, who so bravely risked their lives to assure that freedom and democracy will live in America. I am glad that my office was able to assist you in the medals that you so richly deserve. Please accept my best wishes and sincere congratulations.

Sincerely,
S/ Joseph E. Brennan.
U.S. Congress"

The Chair is also sure that the entire Congressional Delegation is very proud of this occasion and would like to also extend on behalf of them their congratulations.

The Sergeant-At-Arms escorted Major Frederick C. Wall, Jr., to the rear of the Chamber. (Amid applause, the Members rising.)

ENACTORS

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

An Act to Establish a Supreme Judicial Court Sentence Review Mechanism Relative to Sentences Involving Terms of Imprisonment of One Year or More
S.P. 61 L.D. 44

An Act to Mandate Notification of Emergency Medical Services Personnel at Risk for Transmission of Communicable Diseases

H.P. 270 L.D. 382
(C "A" H-213)

An Act Concerning Trailer Dealer Licensing

H.P. 754 L.D. 1058
(C "A" H-218)

An Act to Reduce Administrative Burdens on County Jails

H.P. 783 L.D. 1095

An Act to Make Certain Motor Vehicle Laws Applicable to All-terrain Vehicles

H.P. 793 L.D. 1105
(C "A" H-219)

An Act to Authorize the Detention in County Jails of Adults for Offenses Committed as Juveniles

H.P. 817 L.D. 1145

An Act to Promote Energy Conservation and Load Management by Electric Utilities

H.P. 936 L.D. 1304
(C "A" H-212)

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 Increase Safety on Maine Roads and Protect the General Welfare

S.P. 311 L.D. 816
(C "A" S-124)

On motion by Senator TWITCHELL of Oxford, placed on the SPECIAL HIGHWAY TABLE, pending ENACTMENT.

An Act to Expand the Retired Senior Volunteer Programs, Foster Grandparent Programs and Senior Companion Program

H.P. 607 L.D. 831

On motion by Senator PEARSON of Penobscot, placed

on the SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

An Act to Provide Disabled Veterans with Free Drivers' Licenses and to Clarify the Law Providing Free Registration Plates to Disabled Veterans

H.P. 842 L.D. 1174
(C "A" H-197; H "A" H-226)

On motion by Senator TWITCHELL of Oxford, placed on the SPECIAL HIGHWAY TABLE, pending ENACTMENT.

ORDERS OF THE DAY

On motion by Senator PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

An Act to Require Periodic Reports on the Percentage of the Gasoline Tax That Is Due to Boating Use

H.P. 669 L.D. 917
(C "A" H-195)

Tabled - May 25, 1989, by Senator PEARSON of Penobscot.

Pending - ENACTMENT
(In House, May 23, 1989, PASSED TO BE ENACTED.)
(In Senate, May 19, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-195), in concurrence.)

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 was inadvertently put on the Special Appropriations Table, nobody knows exactly how it got there, but it does not require a fiscal note. It is an allocation of existing revenue. Thank you.

Senate at Ease
Senate called to order by the President.

Which 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 Improve the Regulation of Harness Racing

H.P. 212 L.D. 292
(C "A" H-221)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in negative, and 28 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 Establish a Process for the Deorganization of Municipalities and Plantations

H.P. 223 L.D. 303
(H "A" H-238 to C "A" H-167)

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with No Senators having voted in negative, and 30 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 Allow Municipalities to Withhold Business Licenses under Some Circumstances

H.P. 254 L.D. 366
(C "A" H-203; S "A" S-138)

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with No Senators having voted in negative, and 30 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 Discourage the Theft of Blueberries

H.P. 477 L.D. 657
(C "A" H-220)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with No Senators having voted in negative, and 31 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 Provide for the 1989 Allocations of the State Ceiling on Private Activity Bonds

S.P. 336 L.D. 897
(C "A" S-83; S "A" S-136)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with No Senators having voted in negative, and 33 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 Maintain Legal Services for Low-income Citizens

S.P. 449 L.D. 1211

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

ORDERS OF THE DAY

The Chair laid before the Senate the Tabled and Later Today Assigned matter:

Bill "An Act to Improve Compliance with Truck Weight Limits"

H.P. 36 L.D. 36

Tabled - May 26, 1989, by Senator PEARSON, of Penobscot.

Pending - ADOPTION OF COMMITTEE AMENDMENT "A" (H-277), in concurrence.

(In Senate, May 26, 1989, Committee Amendment "A" (H-277) READ.)

(In House, May 25, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-277).)

On motion by Senator PEARSON of Penobscot, Senate Amendment "A" (S-169) to Committee Amendment "A" (H-277) READ and ADOPTED.

Committee Amendment "A" (H-277) as Amended by Senate Amendment "A" (S-169) thereto, ADOPTED in NON-CONCURRENCE.

Under suspension of the Rules, the Bill READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended in NON-CONCURRENCE.

Sent down for concurrence.

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

Bill "An Act to Clarify Motor Vehicle Dealership Insurance Coverage Laws"

H.P. 702 L.D. 963

Tabled - May 24, 1989, by Senator CLARK of Cumberland.

Pending - ADOPTION OF COMMITTEE AMENDMENT "A" (H-240)

(In Senate, May 24, 1989, Committee Amendment "A" (H-240) READ.)

(In House, May 23, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-240).)

Committee Amendment "A" (H-240) ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

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

Bill "An Act to Restrict Smoking in Enclosed Shopping Malls"

H.P. 751 L.D. 1055

Tabled - May 25, 1989, by Senator CLARK of Cumberland.

Pending - FURTHER CONSIDERATION (In House, May 17, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-190).)

(In Senate, May 19, 1989, READ A SECOND TIME.)

(In Senate, May 22, 1989, Bill and Accompanying Papers RECOMMITTED to the Committee on HUMAN RESOURCES in NON-CONCURRENCE.)

(In House, May 24, 1989, that Body INSISTED.)

On motion by Senator GAUVREAU of Androscoggin, the Senate RECEDED.

On further motion by same Senator, the Senate RECEDED from ADOPTION OF COMMITTEE AMENDMENT "A" (H-190).

On further motion by same Senator, Senate Amendment "B" (S-167) to Committee Amendment "A" (H-190) READ and ADOPTED.

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending the ADOPTION OF COMMITTEE AMENDMENT "A" (H-190) AS AMENDED BY SENATE AMENDMENT "B" (S-167) thereto in NON-CONCURRENCE.

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

Bill "An Act Relating to Collision Damage Waivers for Rented Motor Vehicles"

H.P. 149 L.D. 201

Tabled - May 25, 1989, by Senator CLARK of Cumberland.

Pending - ADOPTION OF COMMITTEE AMENDMENT "A" (H-242), in concurrence.

(In Senate, May 25, 1989, Committee Amendment "A" (H-242) READ.)

(In House, May 24, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-242).)

On motion by Senator CLARK of Cumberland, Tabled Unassigned, pending ADOPTION OF COMMITTEE AMENDMENT "A" (H-242), in concurrence.

Off Record Remarks

The Chair laid before the Senate the Tabled and Later Today Assigned matter:

Bill "An Act to Restrict Smoking in Enclosed Shopping Malls"

H.P. 751 L.D. 1055

Tabled - May 25, 1989, by Senator CLARK of Cumberland.

Pending - ADOPTION OF COMMITTEE AMENDMENT "A" (H-190) AS AMENDED BY SENATE AMENDMENT "B" (S-167) thereto in NON-CONCURRENCE.

(In House, May 17, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-190).)

(In Senate, May 19, 1989, READ A SECOND TIME.)

(In Senate, May 22, 1989, Bill and Accompanying Papers RECOMMITTED to the Committee on HUMAN RESOURCES in NON-CONCURRENCE.)

(In House, May 24, 1989, that Body INSISTED.)

(In Senate, May 26, 1989, RECEDED. RECEDED FROM ADOPTION OF COMMITTEE AMENDMENT "A" (H-190). Senate Amendment "B" (S-167) to Committee Amendment "A" (H-190) READ and ADOPTED.)

On motion by Senator GAUVREAU of Androscoggin, Tabled 1 Legislative Day, pending ADOPTION OF COMMITTEE AMENDMENT "A" (H-190) AS AMENDED BY SENATE AMENDMENT "B" (S-167) thereto in NON-CONCURRENCE.

Senator BERUBE of Androscoggin was granted unanimous consent to address the Senate off the Record.

The ADJOURNMENT ORDER having been returned from the House READ and PASSED, in concurrence, on motion by Senator ERWIN of Oxford, ADJOURNED, in observance of Memorial Day, until Tuesday, May 30, 1989, at 9:00 in the morning.