

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
Thursday
June 1, 1989

Senate called to Order by the President.

Prayer the Honorable Linda Curtis Brawn of Knox.
SENATOR BRAUN: Shall we pray. Lord, bless this day which we are about to begin. Bless the work which we will do in this place, that it might be productive for us and for others. Guide us that we may use our time wisely. Direct us that our energies might be spent most effectively. Finally, Lord, let the words of our mouths and the meditation of our hearts be acceptable in Thy sight, O Lord. You are our strength and our redeemer. Amen.

Reading of the Journal of Yesterday.

Off Record Remarks

PAPERS FROM THE HOUSE
Non-concurrent Matter

Bill "An Act Regarding Political Party Enrollment"

H.P. 709 L.D. 970
(C "A" H-246)

In Senate, May 25, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-246), in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-246) AS AMENDED BY HOUSE AMENDMENT "A" (H-347), thereto in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

COMMUNICATIONS

The Following Communication: S.P. 620
114TH MAINE LEGISLATURE
May 30, 1989

Senator Stephen M. Bost
Representative Herbert E. Clark
Chairpersons
Joint Standing Committee on Utilities
114th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated William Lund of Falmouth for appointment as a Commissioner for the Public Utilities Commission.

Pursuant to Title 35-A, M.R.S.A. Section 105 (1988), this nomination will require review by the Joint Standing Committee on Utilities and confirmation by the Senate.

Sincerely,
S/Charles P. Pray
President of the Senate
S/John L. Martin
Speaker of the House

Which was READ and referred to the Committee on UTILITIES.

Sent down for concurrence.

COMMITTEE REPORTS

House
Ought Not to Pass

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

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act Regarding Solid Waste Disposal"

H.P. 1195 L.D. 1662

The Committee on FISHERIES AND WILDLIFE on Bill "An Act to Amend the Fish and Wildlife Laws"

H.P. 1143 L.D. 1586

The Committee on FISHERIES AND WILDLIFE on Bill "An Act Concerning Wardens of the Department of Inland Fisheries and Wildlife"

H.P. 1145 L.D. 1588

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 FISHERIES AND WILDLIFE on Bill "An Act Relating to Hunting and Fishing Licenses"

H.P. 1221 L.D. 1693

The Committee on LABOR on Bill "An Act to Require the Maine Labor Relations Board to Render a Decision on Prohibited Practice Complaints within 30 Days after Hearing"

H.P. 885 L.D. 1229

The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Establish a Portland Neighborhood Library System" (Emergency)

H.P. 1169 L.D. 1623

Ought to Pass As Amended

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act Making Allocations for the Expenditure of Funds Received by the State as a Result of Federal Court Orders in the Stripper Well Overcharge Case Involving the Shell Oil Company" (Emergency)

H.P. 152 L.D. 204

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-312).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-312).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-312) READ and ADOPTED, in concurrence.

Senate at Ease

Senate called to order by the President.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on BUSINESS LEGISLATION on Bill "An Act Concerning Pilferage of Shopping Carts and Bakery and Milk Product Containers"

H.P. 106 L.D. 143

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-292).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-292) AS AMENDED BY HOUSE AMENDMENT "A" (H-344) thereto.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-292) READ.

House Amendment "A" (H-344) to Committee Amendment "A" (H-292) READ and ADOPTED, in concurrence.

Senate at Ease

Senate called to order by the President.

Committee Amendment "A" (H-292) as Amended by House Amendment "A" (H-344) thereto, ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

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

Senator CAHILL of Sagadahoc was granted unanimous consent to address the Senate off the Record.

On motion by Senator BOST of Penobscot, RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

COMMITTEE REPORTS

House

Ought to Pass As Amended

The Committee on AGRICULTURE on Bill "An Act to Amend the Agricultural Marketing and Bargaining Law" H.P. 1170 L.D. 1624

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-362).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-362).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-362) READ and ADOPTED, in concurrence.

Under suspension of the Rules, READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended, in concurrence.

Under suspension of the Rules, ordered sent forthwith to the Engrossing Department.

The Committee on BUSINESS LEGISLATION on Bill "An Act to Reform the Maine Board of Professional Surveyors Law"

H.P. 513 L.D. 693

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-311).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-311) AS AMENDED BY HOUSE AMENDMENT "A" (H-320) thereto.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-311) READ.

House Amendment "A" (H-320) to Committee Amendment "A" (H-311) READ and ADOPTED, in concurrence.

Committee Amendment "A" (H-311) as Amended by House Amendment "A" (H-320) thereto, ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Clarify Provisions of the Subdivision Law"

H.P. 1159 L.D. 1613

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-314).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-314).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-314) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on HOUSING AND ECONOMIC DEVELOPMENT on Bill "An Act for the Preservation of Affordable Rental Housing in Maine"

H.P. 948 L.D. 1316

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-295).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-295) AS AMENDED BY HOUSE AMENDMENT "A" (H-321) thereto.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-295) READ.

House Amendment "A" (H-321) to Committee Amendment "A" (H-295) READ and ADOPTED, in concurrence.

Committee Amendment "A" (H-295) as Amended by House Amendment "A" (H-321) thereto, ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on JUDICIARY on Bill "An Act Concerning Bed and Breakfast Establishments"

H.P. 803 L.D. 1115

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-313).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-313).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-313) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Bill "An Act Concerning the Operation of Motor Vehicles on Private Lands"

H.P. 274 L.D. 386

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-318).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-318).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-318) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on AGING, RETIREMENT AND VETERANS on Bill "An Act Concerning Teacher Retirement Laws"

H.P. 1093 L.D. 1526

Reported that the same Ought Not to Pass.

Signed:

Senators:

TITCOMB of Cumberland
CLARK of Cumberland
CAHILL of Sagadahoc

Representatives:

MCSWEENEY of Old Orchard Beach
RICHARD of Madison
DUTREMBLE of Biddeford
BREWER of Boothbay Harbor
DELLERT of Gardiner
STEVENSON of Unity
AULT of Wayne
MERRILL of Dover-Foxcroft
HICKEY of Augusta

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

Signed:

Representative:

JALBERT of Lisbon

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

Which Reports were READ.

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

Divided Report

The Majority of the Committee on HUMAN RESOURCES on Bill "An Act to Require Administrators of Boarding Care Facilities to Obtain Continuing Education"

H.P. 914 L.D. 1280

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-309).

Signed:

Senators:

GAUVREAU of Androscoggin
TITCOMB of Cumberland
RANDALL of Washington

Representatives:

MANNING of Portland
ROLDE of York
BOUTILIER of Lewiston
PEDERSON of Bangor
DELLERT of Gardiner
PENDLETON of Scarborough
CATHCART of Orono
HEPBURN of Skowhegan

The Minority of the same Committee on the same subject reported that the same Ought Not to Pass.

Signed:

Representatives:

CLARK of Brunswick

BURKE of Vassalboro

Comes from the House the Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-309).

Which Reports were READ.

Senator TWITCHELL of Oxford, moved the INDEFINITE POSTPONEMENT of the Bill and Accompanying Papers.

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

Senator GAUVREAU: Thank you Mr. President. Mr. President, men and women of the Senate. I will explain the rational underpinning the Majority Ought to Pass as Amended Report of the Committee on Human Resources. This Bill relates to continuing education for persons who are charged with the administration of our boarding care facilities in the state. The Joint Standing Committee on Human Resources felt strongly that in order to enhance the quality of care accorded to residents of our boarding care facilities that we ought to require some degree of professional education on an ongoing basis.

The Committee was faced with a quandary in the sense that administrators of boarding care facilities are not licensed by our state. Therefore, the question arose as to how the state could enforce a requirement that administrators, in fact, engage in continuing education. The majority of the Committee decided that the appropriate mechanism to insure the C.E.D. requirement was being met was to allow the Department of Human Services to take measures against the license of the boarding home in the event that the administrator, who was hired by the boarding home, did not comply with the C.E.D. requirement.

I should note that the industry is rapidly changing and many members in the health field believe that in the not too distant future licensure may be in the offering for these administrators and it would seem clearly more logical to tie the C.E.D. requirement to the license of the administrator as opposed to the license of the boarding home. The majority of the Committee on Human Resources did feel that it was important that we provide some rational sanction to assure that education go on in the boarding care industry.

I would point out that this measure does contain a fiscal note and that the cost attendant to securing continuing education would be recognized in the reimbursement formula administered by the Department of Human Services. So, there would be no out of pocket cost upon boarding home administrators. Their cost related to satisfying continuing education would be reimbursed under the formula under the medicaid program. For those reasons, I would ask that this Body vote in opposition to the pending motion, so that we can go on to Accept the Majority Ought to Pass as Amended Report of the Committee. Thank you.

Senator GAUVREAU of Androscoggin requested a Division.

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. Boarding care facilities and nursing facilities have been a constant problem for several different committees in this Legislature. Boarding homes currently are appearing before the Appropriations Committee on a somewhat regular basis saying that they are in desperate need of money and that they are almost going to close.

I think it was yesterday, from the Rumford/Mexico area and they have been there the last two or three years in a very emotional pitch to us for money because their reimbursement is not sufficient. The

good Senator from Androscoggin, Senator Gauvreau, said that there is a fiscal note on this and they will be reimbursed for their education. One of the problems I have with the Bill is that the boarding home industry is so delicate, as far as their finances are concerned, that many of them are going out in their back yard and growing gardens in order to supplement the food resources that they have to save some money. So, even though you pay for the education of these people, they have to hire people while they go take the course. It all adds up and we are awfully lucky that some of these people have stuck by the boarding homes as long as they have. I think that at a time, like this year, where, and I think Senator Perkins would agree with me, that we are in a worse financially then I have ever seen that this is probably not the year to impose another requirement on the boarding home industry that could stretch them out a little further. The rubber bands will snap here in a little while.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Matthews.

Senator MATTHEWS: Thank you Mr. President. Mr. President, men and women of the Senate. I would like to ask a question through the Chair if I may.

With all due respect to the Senator from Androscoggin, Senator Gauvreau, and the Committee has obviously worked very hard on this Bill and conceptually I agree with its intent, but my only concern is running consistent with the remarks of the Senator from Penobscot, Senator Pearson. Many of these people are doing us a really big favor by providing this service and boarding care is desperately needed. We know of the nursing care shortage and the long waits and the problem with funding and all of those issues. Some of the people providing boarding care service, and I can think of one that lives just down the road from me that I talk with quite a bit, has been providing this service for a long time. The owners and administrators are two folks that have been providing good, quality care for a long time. Does this Bill make any distinction about those providing service for thirty years? Are they going to have to go to school?

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

Senator GAUVREAU: Thank you Mr. President. Mr. President, men and women of the Senate. In response to the query posited by the good Senator from Kennebec, Senator Matthews, the Committee Amendment from the Majority Report would provide that the Department of Human Services, were this measure to attain Enactment, would, in fact, opt to rule-making and provide the tenor and perimeter of C.E.D. requirements for those who administer boarding homes in our state. I would also note, parenthetically, that the Committee did remove from the C.E.D. requirement all operators of adult foster homes. So, this measure pertains solely to administrators of boarding homes facilities in our state. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Erwin.

Senator ERWIN: Thank you Mr. President. Mr. President, men and women of the Senate. I think we should proceed very cautiously in an area like this and make sure that we have the details on what we are doing. Unfortunately, I have been extremely busy on my two Committees and I wasn't aware of this until the caucus on just what this Bill would have done, if Passed and Enacted into statute.

We have a very fine home in the Rumford area that is hanging in balance. If it wasn't for the people, such as the Snowmobile group, raising funds and they do it to the tune of some fifteen to eighteen

thousand dollars a year, the home would have gone under. It wouldn't take much more. They would go under and the state is going to have another burden taking care of the people in the thirty-five to forty-five age bracket that is there. There is tender loving care there now.

THE PRESIDENT: The Pending question before the Senate is the motion by Senator TWITCHELL of Oxford, to INDEFINITELY POSTPONE the Bill and Accompanying Papers.

A Division has been requested.

Will all those Senators in favor of the motion by Senator TWITCHELL of Oxford, to INDEFINITELY POSTPONE the Bill and Accompanying Papers, please rise in their places and remain standing until counted.

Will all those Senators opposed, please rise in their places and remain standing until counted.

16 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator TWITCHELL of Oxford to INDEFINITELY POSTPONE the Bill and Accompanying Papers PREVAILED in NON-CONCURRENCE.

Sent down for 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 ESTY for the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Regulate Child Support Enforcement by the Department of Human Services"
S.P. 503 L.D. 1377

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 TWITCHELL for the Committee on TRANSPORTATION on Bill "An Act to Authorize Special Maine National Guard Motor Vehicle Registration Plates"
S.P. 504 L.D. 1392

Ought to Pass

Senator HOBBS for the Committee on JUDICIARY on Bill "An Act to Amend the Time within which a Juvenile Detention Hearing Must Be Held"
S.P. 421 L.D. 1132

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 TITCOMB for the Committee on AGING, RETIREMENT AND VETERANS on Bill "An Act to Equalize State Retiree Health Benefits"
S.P. 493 L.D. 1367

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-186).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-186) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator HOBBS for the Committee on JUDICIARY on Bill "An Act to Provide Public Access to Records and

Proceedings of Local and County Government Associations"

S.P. 314 L.D. 819

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-187).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-187) 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 Insurance Required of Wreckers"

H.P. 971 L.D. 1349

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

House As Amended

Bill "An Act to Ensure the Confidentiality of Emergency Medical Services Quality Assurance and Peer Review Activities"

H.P. 341 L.D. 460

(C "A" H-297)

Bill "An Act to Expand the High-risk Insurance Program"

H.P. 354 L.D. 473

(C "A" H-306)

Bill "An Act to Conform Maine Water Quality Law with Federal Requirements"

H.P. 376 L.D. 507

(C "A" H-294)

Bill "An Act to Increase the Residence Exemption for Elderly and Disabled Persons"

H.P. 484 L.D. 664

(C "A" H-303)

Bill "An Act to Clarify the Affirmative Defense of Breach of Warranty of Habitability"

H.P. 596 L.D. 814

(C "A" H-304)

Bill "An Act to Amend the Child and Family Services and Child Protection Act"

H.P. 623 L.D. 846

(C "A" H-310)

Resolve, to Establish the Commission to Study the Preservation of Volunteer Ambulance Crews and Volunteer Fire Departments

H.P. 624 L.D. 847

(C "A" H-299)

Bill "An Act to Clarify the Exempt Status of a Bona Fide Lienholder under the Forfeiture of Assets Act"

H.P. 802 L.D. 1114

(C "A" H-296)

Bill "An Act to Increase the Penalties for Tampering With a Juror or a Victim"

H.P. 807 L.D. 1119

(C "A" H-302)

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

H.P. 828 L.D. 1160

(C "A" H-301)

Bill "An Act Regarding Sludge Spreading" (Emergency)

H.P. 830 L.D. 1162

(C "A" H-293)

Bill "An Act to Amend the Law Relating to Property Insurance"

H.P. 858 L.D. 1190

(C "A" H-308)

Bill "An Act to Require Licensure of Clinics"

H.P. 891 L.D. 1235

(H "A" H-315 to C "A"

H-289)

Bill "An Act to Amend the Penalty for Violation of Natural Resource Protection Laws"

H.P. 929 L.D. 1295

(C "A" H-307)

Bill "An Act to Allow Intervenor Funding in Public Utilities Proceedings"

H.P. 944 L.D. 1312

(C "A" H-305)

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

Bill "An Act to Strengthen Penalties for Furnishing Liquor to Minors"

H.P. 95 L.D. 130

(C "A" H-287; H "A"

H-316)

Which was READ A SECOND TIME.

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending PASSAGE TO BE ENGROSSED AS AMENDED, in concurrence.

Bill "An Act to Strengthen the Law Pertaining to Taking or Defacing Political Campaign Signs"

H.P. 791 L.D. 1103

(C "A" H-262)

Which was READ A SECOND TIME.

Senator PEARSON of Penobscot, moved the INDEFINITE POSTPONEMENT of the Bill and Accompanying Papers in NON-CONCURRENCE.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Matthews.

Senator MATTHEWS: Thank you Mr. President. Mr. President, men and women of the Senate. This particular measure will finally make it an offense to deface political signs and allow for a penalty of up to two hundred and fifty dollars in doing so. I think it is an issue that makes sense. I would urge you to vote against the pending motion.

Senator MATTHEWS of Kennebec requested a Division. 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 offense, and it is an offense, is already covered under the criminal mischief laws of the state.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Dillenback.

Senator DILLENBACK: Thank you Mr. President. Mr. President, men and women of the Senate. You all have had your signs out, you have had them on lawns, you have had them other places. We have had instances where people have found pick-up trucks loaded with your signs. You can't actually do anything about it. There may be a mischief law, but we reported it and there was nothing they could do about it. I think it is a step, it isn't a great step, but an opportunity to protect the signs that you put out, which may cost you four or five dollars a piece. I think it is a good Bill. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion of Senator PEARSON of Penobscot, to INDEFINITELY POSTPONE the Bill and Accompanying Papers.

A Division has been requested.

Will all those Senators in favor of the motion of Senator PEARSON of Penobscot, to INDEFINITELY POSTPONE the Bill and Accompanying Papers, please

rise in their places and remain standing until counted.

Will all those opposed, please rise in their places and remain standing until counted.

6 Senators having voted in the affirmative and 19 Senators having voted in the negative, the motion of Senator PEARSON of Penobscot, to INDEFINITELY POSTPONE the Bill and Accompanying Papers, FAILED.

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

Bill "An Act to Revise the Asbestos Certification Law"

H.P. 1179 L.D. 1634
(C "A" H-300)

Which was READ A SECOND TIME.

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending PASSAGE TO BE ENGROSSED AS AMENDED, in concurrence.

Senate As Amended

Bill "An Act Clarifying Intoxication Under the Workers' Compensation Law"

S.P. 118 L.D. 184
(C "A" S-182)

Bill "An Act to Implement Civil Penalties for Passing Worthless Instruments"

S.P. 251 L.D. 641
(C "A" S-172)

Bill "An Act to Amend the Wrongful Death Laws to Encompass Associated Claims"

S.P. 297 L.D. 795
(C "A" S-176)

Bill "An Act to Require Labeling of Produce Treated with Post-harvest Treatments"

S.P. 340 L.D. 901
(C "A" S-173)

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

S.P. 389 L.D. 1034
(C "A" S-175)

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

S.P. 402 L.D. 1046
(C "A" S-183)

Bill "An Act to Increase Educational Opportunities for Economically and Educationally Disadvantaged Residents"

S.P. 450 L.D. 1212
(C "A" S-174)

Bill "An Act Relating to Licensing of State Social Workers"

S.P. 465 L.D. 1250
(C "A" S-178)

Bill "An Act to Establish the Medicaid Advisory Committee on Mental Health"

S.P. 467 L.D. 1252
(C "A" S-184)

Resolve, to Study the Feasibility of Establishing a Piscataqua River Basin Compact between Maine and New Hampshire (Emergency)

S.P. 496 L.D. 1370
(C "A" S-185)

Resolve, Concerning Grant of Easement (Emergency)

S.P. 516 L.D. 1412
(C "A" S-181)

Bill "An Act to Amend the Charter of the Rangeley Water District"

S.P. 528 L.D. 1445
(C "A" S-179)

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

Sent down for concurrence.

Bill "An Act Making Changes to the Composition of the Governor's Advisory Council on Alcoholism"

S.P. 506 L.D. 1394
(C "A" S-180)

Which was READ A SECOND TIME.

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending PASSAGE TO BE ENGROSSED AS AMENDED.

ENACTORS

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

An Act Regarding Dangerous Dogs
H.P. 630 L.D. 853
(C "A" H-255)

An Act to Consolidate the Township of Misery-Sapling Gore into Adjoining Townships
H.P. 772 L.D. 1084

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

H.P. 825 L.D. 1157
(H "A" H-273)

An Act to Increase the Penalties for Selling Wild Birds or Animals and Make Them Uniform

H.P. 918 L.D. 1284
(C "A" H-252)

An Act Concerning Observance of Veterans' Commemoration Days

H.P. 991 L.D. 1380
(C "A" H-249)

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 Prohibit Injurious Hazing of Public School Students

S.P. 420 L.D. 1131
(S "A" S-148)

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 going to need to be put on the Special Appropriations Table by my colleague on the Appropriations Committee, but I did want to speak on it for just a minute because it is a little bit of a minor irritant to me. It is an "Act to Prohibit Injurious Hazing of Public School Students" and as I understand it, it obviously was not a Bill on my Committee, but there is a law now that makes hazing now in the college level illegal. This would extend that to the high schools and it would require that the high school students be notified that the law makes it illegal for hazing in high schools.

Why would that have a cost? Well, almost all schools have a handbook that they pass out to the students and that could be incorporated in the handbook. I guess there are probably a few schools that don't have them. If we were to notify the students that hazing is illegal, a school could say that it costs money to notify them. With the mandate law that we passed last session, they could claim that it cost "X" number of dollars and then fold that into the formula for reimbursement in the future. Consequently, there is a potential future cost on this particular Bill, although you would have to

stretch the elastic pretty far in order to believe that it is true. The fact is that schools could say that it was true and charge the state for it.

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

An Act to Prohibit Smoking in Hospitals
H.P. 728 L.D. 1005
(S "A" S-157 to C "A" H-232)

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

Senator GAUVREAU: Thank you Mr. President. Mr. President, Men and women of the Senate. I have spoken once on this measure and do not intend to repeat my remarks outlining my opposition to L.D. 1005, "An Act to Prohibit Smoking in Hospitals", therefore I will request a Division on this measure. Thank you.

Senator GAUVREAU of Androscoggin requested a Division.

THE PRESIDENT: The pending question before the Senate is ENACTMENT.

A Division has been requested.

Will all those Senators in favor of ENACTMENT, please rise in their places and remain standing until counted.

Will all those opposed please rise in their places and remain standing until counted.

16 Senators having voted in the affirmative and 11 Senators having voted in the negative, this Bill was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

An Act to Provide Property Tax Relief by Allowing Counties to Retain a Greater Portion of Real Estate Transfer Tax Receipts

H.P. 371 L.D. 502
(C "A" H-248)

Comes from the House Bill and Accompanying Papers COMMITTED to the Committee on TAXATION.

Which was COMMITTED to the Committee on TAXATION, in concurrence.

Emergency
An Act to Make Allocations for the Operating Expenditures of the Intergovernmental Telecommunications Fund, Department of Administration, for the Fiscal Years Ending June 30, 1990, and June 30, 1991

H.P. 531 L.D. 716
(C "A" H-223)

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 Providing Conformity with the United States Internal Revenue Code Under the Maine Income Tax Law for 1988

H.P. 782 L.D. 1094

This being an Emergency Measure and having received the affirmative vote of 27 Members of the

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

Off Record Remarks

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

ENACTORS

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

Emergency

An Act to Amend the Agricultural Marketing and Bargaining Law

H.P. 1170 L.D. 1624
(C "A" H-362)

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

Unfinished Business

The following matters in the consideration of which the Senate was engaged at the time of Adjournment, have preference in the Orders of the Day and continue with such preference until disposed of as provided by Senate Rule 29.

The Chair laid before the Senate the following:

ENACTORS

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

An Act to Include Sheriffs' Deputies in the Maine Tort Claims Act

S.P. 186 L.D. 343

An Act to Require Mandatory Checking of Motorists' Maintenance of Financial Responsibility

H.P. 284 L.D. 396

An Act Concerning Special Marine Resources Permits

H.P. 520 L.D. 705
(C "A" H-258)

An Act to Remove the Limitations on Raffles Conducted by Nonprofit Entities

H.P. 544 L.D. 741
(C "A" H-233)

An Act to Clarify the Provisions of the Act to Protect Elderly, Infirm Persons from Improvident Transfers of Title to Property

H.P. 548 L.D. 745

An Act to Impose Civil Penalties for Intentional Violations of the Maine Unfair Trade Practices Act

S.P. 299 L.D. 797
(C "A" S-129)

An Act to Facilitate the Disclosure of Information in Medical Support Recoupment and Child Support Cases

S.P. 330 L.D. 867
(H "A" H-257 to C "A" S-103)

An Act to Clarify the Payment of Medical Expenses under the Workers' Compensation Act

H.P. 678 L.D. 929
(C "A" H-239)

An Act to Amend the Charters of the Sewer District of the Town of Kennebunk and the York Sewer District

S.P. 361 L.D. 978
(C "A" S-132)

An Act to Amend the Notice Requirement of Car Repair Facilities

S.P. 400 L.D. 1044
(C "A" S-130)

An Act to Better Incorporate Vocational Education into High School Graduation Requirements

H.P. 784 L.D. 1096

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

H.P. 832 L.D. 1164
(C "A" H-244)

An Act to Permit Municipalities to Set Lower Debt Limitations

H.P. 874 L.D. 1217
(C "A" H-253)

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 Amend the Schedule of Fees for Permits, Licenses and Certificates Issued by the State Fire Marshal

S.P. 116 L.D. 182
(C "A" S-133)

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

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

H.P. 189 L.D. 254
(H "A" H-237; H "B" H-275)

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

An Act Regulating the Sale of Grave Markers by Funeral Establishments

H.P. 434 L.D. 599
(C "A" H-241)

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

An Act to Amend the School Finance Act to Include Transportation as a Supportive Service to Special Education for State Agency Clients

S.P. 294 L.D. 767
(C "A" S-135)

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

An Act to Create the Youth-at-Risk Alternative Education Program

H.P. 585 L.D. 789
(C "A" H-250)

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

Resolves

Resolve, Authorizing Lorraine Gray to Sue the State for Compensation for Losses Allegedly Suffered

as a Result of Claims of Child Abuse Instituted by the State

H.P. 54 L.D. 75
(C "A" H-243)

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

Resolve, Granting Compensation to Oscar and Wandalyn Rae Thompson for Damage to Their Car Caused by a Foster Child in Their Care

H.P. 266 L.D. 378
(C "A" H-245)

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

Resolve, to Create the Commission to Study Public Financing of State Elections

H.P. 653 L.D. 887

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

Emergency

An Act to Create the Commission to Study the Possibility of Including the Cost of Environmental Impacts in the Least-cost Planning Process of Electrical Utilities and the Public Utilities Commission

S.P. 158 L.D. 306
(H "A" H-260 to C "A" S-116)

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

Emergency

An Act to Make Allocations for the Administrative Expenses of the Bureau of Alcoholic Beverages, Department of Finance, for the Fiscal Years Ending June 30, 1990 and June 30, 1991

H.P. 522 L.D. 707
(C "A" H-256)

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 Include Certain Proprietary Schools in Eligibility Requirements of the Maine Educational Loan Authority's Supplemental Loan Program

H.P. 618 L.D. 841
(C "A" H-222)

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 Concerning the Location of Lobster Trap Vents

H.P. 1039 L.D. 1450

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.

The Chair laid before the Senate the Tabled and Specially Assigned matter (5/31/89):

Bill "An Act to Improve Regulatory Oversight of Health Maintenance Organizations"

H.P. 205 L.D. 285

(C "A" H-259)

Tabled - May 26, 1989, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED AS AMENDED, in concurrence

(In Senate, May 26, 1989, READ A SECOND TIME.)

(In House, May 24, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"(H-259).)

On motion by Senator CLARK of Cumberland, Tabled Unassigned, pending PASSAGE TO BE ENGROSSED AS AMENDED, in concurrence.

The Chair laid before the Senate the Tabled and Specially Assigned matter (5/31/89):

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

H.P. 751 L.D. 1055

(C "A" H-190)

Tabled - May 30, 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, the Senate RECEDED. Senate Amendment "B" (S-167) to Committee Amendment "A" (H-190) READ and ADOPTED.)

On motion by Senator CLARK of Cumberland, Senate Amendment "C" (S-177) to Committee Amendment "A" (H-190) READ.

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

Senator GAUVREAU: Thank you Mr. President. Mr. President, men and women of the Senate. I speak to you once again on a matter pertaining to the area of smoking in public areas. The legislation before you would, if Adopted, prohibit, within certain restrictions, smoking in enclosed areas in shopping malls in our state. A few days ago, I offered an Amendment which was accepted by this Body which would have Amended this Bill to comply with the provisions of our no smoking in restaurants law. So, if this Body were to Accept the measure as now drafted, without the amendment being offered by the good Senator from Cumberland, Senator Clark, the follow situation would obtain: Smoking would be prohibited in shopping malls in our state, with the exception that in shopping malls which have open areas referred

to as food courts, where patrons can sit and consume food products purchased at the mall, then the provisions of our restaurant smoking law would apply. That, in fact, would require that in the open areas, the food court, there would be a certain designated area in which people could smoke, as long as that area was reasonably calculated to address the needs of the non-smoking public.

I have had the opportunity to confer with the good Senator from Cumberland, Senator Clark, in reference to proposed Senate Amendment "C" and respect that courtesy. It is my understanding, although I don't intend to speak for the good Senator, that the intent of Senate Amendment "C", being offered now, would further Amend this law to allow shopping malls to designate general areas for those who wish to smoke. I have had an opportunity to confer with my colleagues on the Joint Standing Committee on Human Resources in regards to the proposed amendment. I can report to this Body that the majority, I believe twelve members of the Committee, are supporting the original Bill. Those same twelve members are in opposition to the amendment being offered today. Their feeling being that it is very important that we provide a smoke free environment in our shopping malls. They were only willing to allow for smoking to go on in these open areas, the food court, of our shopping malls. The feeling being, however, that malls being enclosed, people can make the choice as to whether they wish to go to the mall or consume tobacco products elsewhere. It was felt, by the Committee, that to respect the rights of the non-smoking public, and I would point out to this Body that roughly seventy-five percent of adults in Maine do not smoke and I would venture to say that a much higher population of children do not smoke, but in order to respect the rights of the non-smoking majority, the Committee recommends that no further exceptions allowing smoking to go on in enclosed areas of shopping malls.

For those reasons, I respectfully urge this Body to vote in opposition to Senate Amendment "C", so that we can go on to Pass for Engrossment this legislation. Thank you.

Off Record Remarks

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Clark.

Senator CLARK: Thank you Mr. President. Mr. President, men and women of the Senate. The Senator from Androscoggin, Senator Gauvreau, has aptly and concisely synthesized the contents of Senate Amendment "C", which is currently pending before us. It is an incorporation of Senate Amendment "B" plus one, which does provide for designated smoking areas in enclosed shopping malls across our state.

It is my understanding that enclosed shopping malls are privately owned and that in enclosed shopping malls located in our major cities, namely South Portland, Lewiston-Auburn, and Bangor, that numbers of Maine citizens flock to these shopping malls, particularly in times of cold or inclement weather. While I am not a strong advocate for smoking and it does seem a little incongruous that I would be standing here proposing this amendment, I do submit that we would be seriously inconveniencing the numbers of Maine people who coincidentally smoke. Some of them may be younger citizens. I submit that most of them are older citizens and that for many of them, particularly in the cold months of the year,

this is where they do their recreational walking where many senior citizens and older citizens tours are focused, and that many spouses wait, conversing with their peers, while their other spouse is shopping. A number of those people happen to smoke. Are we in fact going to say that you have to go outdoors in these large enclosed shopping malls? I am concerned about that comfort level. I fully recognize the effect of side stream smoke and or other smoke emitted from a wide assortment of smoking products, but I am also concerned about the state mandating to these private establishments, where general public does congregate for other than specific reasons and sometimes those visits to the enclosed shopping malls take numbers of hours.

I just think that we should be concerned about that segment of our population in enclosed shopping malls. We aren't talking about health care facilities, we are talking about enclosed shopping malls and to allow the owners, the proprietors, of those malls to be able to designate an area in that complex where people can congregate and, at the same time, enjoy the consumption of whatever variety of tobacco product they wish. It is in that light and with great respect to the arduous work that evolved in this L.D. 1055, as Amended, that I present this Amendment for your consideration. Thank you.

Senate at Ease
Senate called to order by the President.

Senator MATTHEWS of Kennebec requested a Division. THE PRESIDENT: The pending question before the Senate is the motion of Senator CLARK of Cumberland to ADOPT Senate Amendment "C" (S-177) to Committee Amendment "A" (H-190).

A Division has been requested.

Will all those Senators in favor of the motion of Senator CLARK of Cumberland, to ADOPT Senate Amendment "A" (S-177) to Committee Amendment "A" (H-190), please rise in their places and remain standing until counted.

Will all those opposed please rise in their places and remain standing until counted.

15 Senators having voted in the affirmative and 10 Senators having voted in the negative, the motion by Senator CLARK of Cumberland, to ADOPT Senate Amendment "C" (S-177) to Committee Amendment "A" (H-190), PREVAILED.

Committee Amendment "A" (H-190) as Amended by Senate Amendments "B" (S-167) and Senate Amendment "C" (S-177) thereto, ADOPTED in NON-CONCURRENCE.

Which was 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 Concerning Withdrawal of Candidates"
H.P. 559 L.D. 757
(H "A" H-282 to C "A"
H-234)

Tabled - May 31, 1989, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED AS AMENDED, in concurrence

(In Senate, May 31, 1989 READ A SECOND TIME.)

(In House, May 26, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-234) AS AMENDED BY HOUSE AMENDMENT "A" (H-282), thereto.)

Senator CLARK of Cumberland moved that the RULES BE SUSPENDED.

Senator CAHILL of Sagadahoc requested a Division.

THE PRESIDENT: The pending question before the Senate is the motion of Senator CLARK of Cumberland to SUSPEND THE RULES.

A Division has been requested.

Will all those Senators in favor of the motion of Senator CLARK of Cumberland, to SUSPEND THE RULES, please rise in their places and remain standing until counted.

Will all those opposed please rise in their places and remain standing until counted.

12 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion of Senator CLARK of Cumberland, to SUSPEND THE RULES, FAILED.

THE PRESIDENT: The pending question before the Senate is PASSAGE TO BE ENGROSSED AS AMENDED, in concurrence.

The Chair will order a Division.

Will all those Senators in favor of PASSAGE TO BE ENGROSSED AS AMENDED, please rise in their places and remain standing until counted.

Will all those opposed please rise in their places and remain standing until counted.

13 Senators having voted in the affirmative and 14 Senators having voted in the negative, the Bill FAILED of PASSAGE TO BE ENGROSSED AS AMENDED in NON-CONCURRENCE.

Sent down for concurrence.

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

RESOLUTION, Proposing an Amendment to the
Constitution of Maine to Provide for 4-Year Terms for
Senators and Representatives

H.P. 808 L.D. 1120
(H "A" H-279)

Tabled - May 31, 1989, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED AS AMENDED, in concurrence

(In Senate, May 31, 1989, READ A SECOND TIME.)

(In House, May 26, 1989, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-279).)

On motion by Senator CLARK of Cumberland, the Senate SUSPENDED THE RULES.

On further motion by same Senator, the Senate RECONSIDERED whereby it ADOPTED House Amendment "A" (H-279).

On further motion by same Senator, Senate Amendment "A" (S-191) to House Amendment "A" (H-279) READ and ADOPTED.

House Amendment "A" (H-279) as Amended by Senate Amendment "A" (S-191) thereto, ADOPTED in NON-CONCURRENCE.

Which was PASSED TO BE ENGROSSED AS AMENDED in NON-CONCURRENCE.

Sent down for concurrence.

On motion by Senator BALDACCI of Penobscot, ADJOURNED until Friday, June 2, 1989, at 12:00 in the afternoon.