

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
Tuesday
June 6, 1989

Senate called to Order by the President.

Prayer by Reverend Calvin Dame of the All Souls Unitarian Church in Augusta.

REVEREND DAME: Let us pray. O great and gracious Spirit, source of life and love, and Whom we all live and move and have our being. Invoke Thy blessings upon this assembly. Invoke the blessings of missions, that the deliberations of this assembly be infused with a sense of purpose. Invoke the blessings of respect, that a sense of the dignity and worth of every human personality be manifest here. Invoke the blessings of wisdom, that the decisions of this Body be just and sound. Invoke the blessings of humility, that each of us, in all of our efforts, be reminded of our own limitations and thus strive to listen better, to learn more, and to grow in understanding. Invoke the blessings of courage, that each should not only know what is right, but remain steadfast in its pursuit. May this assembly and its Members never cease from striving to build a world of just, to forge a prosperity more widely shared, to attain a society more equal and more free, to carry out its delegated responsibilities faithfully, with dignity and honor. Amen.

Reading of the Journal of Yesterday.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-concurrent Matter
Bill "An Act Concerning Withdrawal of Candidates"
H.P. 559 L.D. 757
(H "A" H-282 to C
"A" H-234)

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.

In Senate, June 1, 1989, FAILED OF PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE "A" (H-234) AS AMENDED BY HOUSE AMENDMENT "A" (H-282) thereto, in NON-CONCURRENCE.

Comes from the House, that Body INSISTED.

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

Non-concurrent Matter

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

H.P. 751 L.D. 1055
(S "B" S-167 & S "C"
S-177 to C "A" H-190)

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

In Senate, May 22, 1989, Bill and Accompanying Papers INDEFINITELY POSTPONED in NON-CONCURRENCE.

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

In Senate, June 1, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-190) AS

AMENDED BY SENATE AMENDMENTS "B" (S-167) AND "C" (S-177) thereto, in NON-CONCURRENCE.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-190) AS AMENDED BY SENATE AMENDMENT "C" (S-177) thereto in NON-CONCURRENCE.

On motion by Senator CLARK of Cumberland, the Senate RECEDED and CONCURRED.

Non-concurrent 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
(S "A" S-191 to H "A"
H-279)

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

In Senate, June 1, 1989, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-279) AS AMENDED BY SENATE AMENDMENT "A" (S-191) thereto, in NON-CONCURRENCE.

Comes from the House, that Body INSISTED.

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

Non-concurrent Matter

HOUSE REPORTS - from 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

Majority Report - Ought to Pass as Amended by Committee Amendment "A" (H-309)

Minority Report - Ought Not to Pass

In House, May 31, 1989, 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).

In Senate, June 1, 1989, Reports READ. Bill and Accompanying Papers INDEFINITELY POSTPONED in NON-CONCURRENCE.

Comes from the House, that Body ADHERED.

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

COMMUNICATIONS

The Following Communication:
COMMITTEE ON AGRICULTURE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
June 2, 1989

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 114th Maine Legislature, the Joint Standing Committee on Agriculture has had under consideration the nomination of David Maass of Winslow, for appointment to the Commission on Biotechnology and Genetic Engineering.

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

YEAS: Senators 2

Representatives 9
 NAYS: 0
 ABSENT: 2 Sen. Emerson of Penobscot,
 Rep. Atiberti of Lewiston

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of David Maass of Winslow, for appointment to the Commission on Biotechnology and Genetic Engineering be confirmed.
 Sincerely,

S/R. Donald Twitchell S/R. Robert J. Tardy
 Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on AGRICULTURE has recommended the nomination of David Maass of Winslow, for appointment to the Commission on Biotechnology and Genetic Engineering, be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on AGRICULTURE be overridden?"

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

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

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

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

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

ABSENT: Senators ANDREWS, ERWIN, PERKINS
 No Senators having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being absent, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of David Maass, for appointment to the Commission on Biotechnology and Genetic Engineering, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

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 APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Construct 2 Small Dams on Rocky Lake in Whiting, Maine"

H.P. 383 L.D. 514

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Require the State to Assume Financial Responsibility for All Public Assistance Programs"

H.P. 448 L.D. 613

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Provide Grants to School Administrative Units"

H.P. 518 L.D. 703

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Provide Funds for Start-up of School-based Health Centers and Creation of the Position of Educational Specialist II"

H.P. 672 L.D. 921

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Provide Support for Community-based Residential Hospice Services"

H.P. 893 L.D. 1237

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Create a Vocational-Technical Institute in York County"

H.P. 959 L.D. 1337

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Provide Additional Resources for School Nutrition Education"

H.P. 977 L.D. 1355

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Support a Chemicals in the Environment Information Center at the University of Maine at Orono"

H.P. 1037 L.D. 1448

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Appropriate Funds for Independent Congregate Meals"

H.P. 1074 L.D. 1496

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Improve Staff Support for the Land for Maine's Future Board"

H.P. 1102 L.D. 1535

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Respond to the Shortage of Family Nurse Practitioners and Physician Assistants by Making Funds Available for a Loan Forgiveness Program"

H.P. 1121 L.D. 1553

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Demonstrate Primary Prevention through Youth and Elderly Community Services"

H.P. 1207 L.D. 1679

The Committee on EDUCATION on Resolve, to Establish the Commission to Study Alternative Education

H.P. 1051 L.D. 1462

The Committee on TAXATION on Bill "An Act to Facilitate State Income Tax Withholding from Ordered Civil Service Annuities"

H.P. 838 L.D. 1170

The Committee on TAXATION on Bill "An Act to Prevent Double Taxation on Motor Vehicles"

H.P. 1017 L.D. 1418

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 EDUCATION on Bill "An Act to Assist Local Educational Authorities in Replacing Unsafe School Buses"

H.P. 346 L.D. 465

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Ensure that Radioactive Air Emission Standards Are Adequate to Protect the Public Health and Safety"

H.P. 1050 L.D. 1461

The Committee on JUDICIARY on Bill "An Act Relating to Surrogate Parenting"

H.P. 1181 L.D. 1636

The Committee on TAXATION on Bill "An Act to Provide a More Accurate Basis for Excise Tax"

H.P. 779 L.D. 1091

The Committee on TAXATION on Bill "An Act Creating a Homestead Tax Exemption for Maine Residents"

H.P. 982 L.D. 1360

The Committee on TAXATION on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide that Maximum Valuations be Established for Residential, Current Use and Undeveloped Real Estate Based on a Replacement Cost Less Depreciation Method of Assessment

H.P. 986 L.D. 1364

The Committee on TAXATION on Bill "An Act Concerning the State Valuation Procedure"

H.P. 1080 L.D. 1502

Ought to Pass

The Committee on JUDICIARY on Bill "An Act to Amend the Law Relating to Court Security"

H.P. 1106 L.D. 1539

Reported that the same Ought to Pass. Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill LATER TODAY ASSIGNED FOR SECOND READING.

The Committee on JUDICIARY on Bill "An Act to Amend the Antitrust Laws to Permit Suits by Indirect Purchasers"

H.P. 1186 L.D. 1653

Reported that the same Ought to Pass. Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill LATER TODAY ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

The Committee on AGRICULTURE on Bill "An Act to Create a Northeast Interstate Dairy Compact"

H.P. 614 L.D. 837

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-374).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-374).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-374) READ and ADOPTED, in concurrence.

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

The Committee on BANKING AND INSURANCE on Bill "An Act to Require a Hearing to Cancel Policies Issued under an Assigned Risk Plan"

H.P. 428 L.D. 593

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-376).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-376).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-376) READ and ADOPTED, in concurrence.

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

The Committee on BANKING AND INSURANCE on Bill "An Act to Prohibit Motor Vehicle Insurers from Adjusting Personal Insurance Rates of Public Works Employees Involved in Collisions"

H.P. 503 L.D. 683

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-378).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-378).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-378) READ and ADOPTED, in concurrence.

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

The Committee on BANKING AND INSURANCE on Bill "An Act Relating to Motor Vehicle Insurance Surcharges Due to License Suspension"

H.P. 765 L.D. 1069

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-377).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-377).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-377) READ and ADOPTED, in concurrence.

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

The Committee on BUSINESS LEGISLATION on Bill "An Act Amending the Maine Board of Oil and Solid Fuel Dealers Law"

H.P. 973 L.D. 1351

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-370).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-370).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-370) READ and ADOPTED, in concurrence.

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

The Joint Select Committee on CORRECTIONS on Bill "An Act to Authorize County Commissioners to Provide Additional Facilities for Prisoners" (Emergency)

H.P. 978 L.D. 1356

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-373).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-373).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-373) READ and ADOPTED, in concurrence.

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

The Committee on EDUCATION on Bill "An Act to Allow a Student an Option in Biological Dissection" H.P. 253 L.D. 365

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-334).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-334) AS AMENDED BY HOUSE AMENDMENT "A" (H-383) thereto.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-334) READ.

House Amendment "A" (H-383) to Committee Amendment "A" (H-334) READ and ADOPTED, in concurrence.

Committee Amendment "A" (H-334) as Amended by House Amendment "A" (H-383) thereto, ADOPTED, in concurrence.

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

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Amend the Law Relating to Submerged Land"

H.P. 668 L.D. 910

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-379).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-379).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-379) READ and ADOPTED, in concurrence.

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

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Create a Hazardous Highway Spills Fund"

H.P. 809 L.D. 1121

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-371).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-371).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-371) READ and ADOPTED, in concurrence.

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

The Committee on JUDICIARY on Bill "An Act to Eliminate the Statute of Limitations in Child Molestation or Incest Cases"

H.P. 202 L.D. 282

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-375).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-375).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-375) READ and ADOPTED, in concurrence.

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

Senate

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:

Senator ANDREWS for the Committee on TAXATION on Bill "An Act to Provide a Sales Tax Exemption to Child Abuse and Neglect Councils"

S.P. 206 L.D. 884

Senator ANDREWS for the Committee on TAXATION on Bill "An Act to Allow Disabled People to Receive Rent Rebates"

S.P. 256 L.D. 646

Senator ANDREWS for the Committee on TAXATION on Bill "An Act to Exempt Ski Resorts from Sales Tax on Fuel or Electricity Used in Snowmaking Operations"

S.P. 259 L.D. 649

Senator ANDREWS for the Committee on TAXATION on Bill "An Act to Include Sod Within the Definition of Agricultural Production for Sales Tax Purposes"

S.P. 321 L.D. 858

Senator ANDREWS for the Committee on TAXATION on Bill "An Act to Clarify Tax Exempt Status of Certain Hospital Affiliates and Nonprofit Ambulance Corporations with Respect to State Sales Tax"

S.P. 384 L.D. 1020

Senator ANDREWS for the Committee on TAXATION on Bill "An Act to Exempt from the Maine Sales Tax Purchases of Goods and Services by Scouting Organizations" (Emergency)

S.P. 413 L.D. 1079

Senator ANDREWS for the Committee on TAXATION on Bill "An Act Relating to Taxation of Printing Services"

S.P. 424 L.D. 1135

Senator ANDREWS for the Committee on TAXATION on Bill "An Act to Freeze Property Taxes of People Over the Age of 65"

S.P. 429 L.D. 1140

Senator ANDREWS for the Committee on TAXATION on Bill "An Act Concerning the Sales and Use Tax Exemption Provided To Nonprofit Ambulance Services and Fire Departments"

S.P. 473 L.D. 1270

Senator BALDACCI for the Committee on TAXATION on Bill "An Act to Return a Portion of Locally Generated Sales Taxes"

S.P. 489 L.D. 1331

Ought to Pass As Amended

Senator PEARSON for the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Establish a Comprehensive Service Delivery System for Persons with Head Injuries"

S.P. 350 L.D. 927

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-211).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-211) READ and ADOPTED.

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

Senator ESTES for the Committee on EDUCATION on Bill "An Act to Amend the Law Concerning the

Collection of Fees for General Educational High School Equivalency Certificates" (Emergency)

S.P. 487 L.D. 1329

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-210).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-210) READ and ADOPTED.

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

Divided Report

The Majority of the Committee on TRANSPORTATION on Bill "An Act to Mandate the Use of Seat Belts"

S.P. 491 L.D. 1333

Reported that the same Ought Not to Pass.

Signed:

Senator:

TWITCHELL of Oxford

Representatives:

HALE of Sanford

BAILEY of Farmington

HICHBORN of LaGrange

STROUT of Corinth

MOHOLLAND of Princeton

MARTIN of Van Buren

HUSSEY of Milo

The Minority of the same Committee on the same subject reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-212).

Signed:

Senators:

THERIAULT of Aroostook

GOULD of Waldo

Representatives:

MACOMBER of South Portland

MCPHERSON of Eliot

MILLS of Bethel

Which Reports were READ.

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending ACCEPTANCE OF EITHER REPORT.

SECOND READERS

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

House

Resolve, to Protect and Preserve Certain Property in Saco Owned by the Finance Authority of Maine (Emergency)

H.P. 1210 L.D. 1682

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

House As Amended

Bill "An Act Providing for a Report on the Availability of Insurance and Level of Competition within the Insurance Industry in Maine and a Report on Insurance Rating Organizations in Maine"

H.P. 37 L.D. 37

(C "A" H-359)

Bill "An Act to Establish Appropriate Class Size in the Early Elementary Grades"

H.P. 39 L.D. 39

(C "A" H-358)

Bill "An Act Pertaining to Breast Cancer Treatment"

H.P. 219 L.D. 299

(C "A" H-341)

Bill "An Act to Clarify Use of Corporate-owned Life Insurance Policies" (Emergency)

H.P. 411 L.D. 554

(C "A" H-356)

Bill "An Act to Establish Mediation for Mobile Home Park Operators and Tenants"

H.P. 465 L.D. 630

(C "A" H-357)

Bill "An Act to Strengthen and Improve Enforcement of Environmental Laws"

H.P. 629 L.D. 852

(C "A" H-361)

Bill "An Act to Amend the Underground Oil and Hazardous Substance Storage Tank Installer Laws"

H.P. 667 L.D. 909

(C "A" H-360)

Bill "An Act to Make Allocations from the Transportation Safety Fund for the Fiscal Years Ending June 30, 1990, and June 30, 1991" (Emergency)

H.P. 700 L.D. 952

(C "A" H-345)

Resolve, to Create the Commission to Study the Feasibility of a Southern Maine Regional Jetport

H.P. 750 L.D. 1054

(C "A" H-354)

Bill "An Act to Clarify the Definition of Cocaine"

H.P. 795 L.D. 1107

(C "A" H-355)

Bill "An Act to Correct Errors and Inconsistencies Regarding Reporting Requirements in the General Assistance Laws"

H.P. 997 L.D. 1386

(C "A" H-351)

Bill "An Act to Make General Assistance More Available to Homeless People and Clarify the Definition of Need"

H.P. 1061 L.D. 1483

(C "A" H-352)

Bill "An Act to Continue Habilitation and Vocational Rehabilitation Services to Eligible Clients"

H.P. 1082 L.D. 1504

(C "A" H-350)

Bill "An Act to Protect the Megunticook Watershed for the People of Lincolnville by Creating the Lincolnville Water District"

H.P. 1205 L.D. 1675

(C "A" H-348)

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

Bill "An Act to Establish State Guidelines for Child Support Awards"

H.P. 706 L.D. 967

(C "A" H-349)

Which was READ A SECOND TIME.

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending PASSAGE TO BE ENGROSSED AS AMENDED, in concurrence.

Bill "An Act to Prevent, Punish and Remedy Violations of Constitutional Rights"

H.P. 896 L.D. 1253

(H "A" H-363; C "A" H-325)

Which was READ A SECOND TIME.

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending PASSAGE TO BE ENGROSSED AS AMENDED, in concurrence.

Senate

Bill "An Act to Clarify the Law Governing Prelitigation Screening Panels" (Emergency)

S.P. 398 L.D. 1042

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

Sent down for concurrence.

Senate As Amended

Bill "An Act to Increase the State Share of Education Funding and to Increase the Minimum State Allocation"

S.P. 169 L.D. 326

(C "A" S-209)

Bill "An Act Regarding the Exclusion of Family Members under a Motor Vehicle Liability Insurance Policy"

S.P. 267 L.D. 695

(C "A" S-206)

Bill "An Act to Amend the Law Governing the State Capitol Commission" (Emergency)

S.P. 461 L.D. 1246

(C "A" S-198)

Bill "An Act to Combine and Coordinate Services to Maine's Elderly with Services to Other Adults in a Single Bureau of the Department of Human Services"

S.P. 520 L.D. 1427

(C "A" S-203)

Bill "An Act to Save Medicaid Funds by Expanding the Ability of the Department of Human Services to Recover Funds from Other Payors"

S.P. 552 L.D. 1555

(C "A" S-204)

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

Sent down for concurrence.

Bill "An Act to Allow the Maine Potato Board and the Maine Blueberry Commission to Retain Interest on the Cash Balance of Tax Funds"

S.P. 326 L.D. 863

(C "A" S-202)

Which was READ A SECOND TIME.

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

Senator PEARSON: Thank you Mr. President. I would like to request that an explanation be given on this Bill as to its fiscal impact.

THE PRESIDENT: In response to the Senator from Penobscot, Senator Pearson's, inquiry, as to a fiscal impact of L.D. 863, the Chair has in his possession a fiscal note as of March 28, 1989, stating that Enactment of this legislation may result in an increase in the number of filings throughout the State of Maine's court system. The Judicial Department has indicated that it can absorb the cost of this proposed legislation within its resources. This Bill should be Amended with a fiscal note indicating costs can be absorbed.

The Chair would also note that Committee Amendment "A" (S-204) has a fiscal note on the Bill stating that it would be a loss of revenues to the extent of investment generating more than twenty thousand dollars in interest earnings based upon the fiscal year 1989-1990 balances and earnings. The loss would have been about eight thousand dollars from dairy tax earnings, four thousand for potato tax earnings, and nothing from the sardine industry, because their investment earnings did not reach twenty thousand dollars. Due to unknown future cash balances available for investment and unknown future rates, the precise fiscal impact of the Bill cannot be determined.

Which was PASSED TO BE ENGROSSED, as Amended. Sent down for concurrence.

ENACTORS

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

Emergency

An Act to Amend the Acupuncturist Licensing Law

S.P. 327 L.D. 864

(C "A" S-150)

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.

ORDERS OF THE DAY

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

Bill "An Act for the Preservation of Affordable Rental Housing in Maine"

H.P. 948 L.D. 1316

(H "A" H-321 to C "A" H-295)

Tabled - June 2, 1989, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED AS AMENDED, in concurrence

(In Senate, June 2, 1989, READ A SECOND TIME.)

(In House, May 31, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-295) AS AMENDED BY HOUSE AMENDMENT "A" (H-321), thereto.)

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

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

An Act Relating to State Personnel Administration

S.P. 100 L.D. 119

(H "A" H-271 to C "A" S-104)

Tabled - June 5, 1989, by Senator CLARK of Cumberland.

Pending - ENACTMENT

(In Senate, May 30, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-104) AS AMENDED BY HOUSE AMENDMENT "A" (H-271), thereto, in concurrence.)

(In House, June 1, 1989, PASSED TO BE ENACTED.)

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

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

An Act Regulating the Sale of Grave Markers by Funeral Establishments

H.P. 434 L.D. 599

(C "A" H-241)

Tabled - June 5, 1989, by Senator CLARK of Cumberland.

Pending - ENACTMENT

(In Senate, May 25, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE "A" (H-241).)

(In House, May 30, 1989, PASSED TO BE ENACTED.)

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

HELD BILL

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

Senator PEARSON: Thank you Mr. President. Mr. President, is the Senate in possession of L.D. 204?

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

On motion by Senator PEARSON of Penobscot, the Senate RECONSIDERED whereby it PASSED TO BE ENGROSSED AS AMENDED, in concurrence:

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
(C "A" H-312)

(In Senate, June 5, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-312), in concurrence.)

(In House, May 31, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-312).)

Senate at Ease

Senate called to order by the President.

On further motion by same Senator, the Senate SUSPENDED THE RULES.

On further motion by same Senator, the Senate RECONSIDERED whereby it ADOPTED Committee Amendment "A" (H-312), in concurrence.

On further motion by same Senator, Tabled until Later in Today's Session, pending ADOPTION of Committee Amendment "A" (H-312), in concurrence.

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

SENATE REPORTS - from the Committee on TRANSPORTATION on Bill "An Act to Mandate the Use of Seat Belts"

S.P. 491 L.D. 1333

Majority - Ought Not to Pass

Minority - Ought to Pass as Amended by Committee Amendment "A" (S-212)

Tabled - June 6, 1989, by Senator CLARK of Cumberland.

Pending - ACCEPTANCE OF EITHER REPORT

(In Senate, June 6, 1989, Reports READ.)

Senator TWITCHELL of Oxford, moved to ACCEPT the Majority OUGHT NOT TO PASS Report.

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

Senator BRANNIGAN: Thank you Mr. President. Mr. President, men and women of the Senate. I hope that you will oppose the motion to Accept the Majority Ought Not to Pass Report and go on to Accept the Minority Ought to Pass as Amended Report. This is a continuation of the issue of seat belts. The difference between the two Reports is a two year extension of decisions that this Legislature has made in the past. There are people in the Legislature who feel that everyone should wear seat belts and we should, like we do with many other things dealing with automobile safety and use, require it. There are some of us, and I am one of those, who feel that we should do that and it should be part of driving.

In the debates that we have had over the last few years, this Legislature has decided, however, that is not the way it wishes to go and that we should do

seat belts through training. So, the Legislature, several years ago, began with the little people, the people who will never vote, as I told the Transportation Committee, in our life time. We began with those that were four years of age and under and we went through all the difficulties of helping folks get safety seats, have them buckled in, and all very young children buckled in. That was the first step. A step of raising a group of citizens who would be keeping themselves and others safe on the roads.

We moved later to add other young people to the list of those who would travel in our cars buckled in. Those twelve years of age and under, which is the law today. This Bill would raise that age from twelve for three years, thirteen, fourteen, and fifteen. Those under sixteen would be required to wear seat belts.

This fits very well with decisions by the same Committee that dealt with this Bill, dealing with licensing. We have raised that age limit one year and this will require those who are moving toward that important right of passage and that important stage in their life where they will have their own drivers license. That we will close that gap between the present law and the time when they will take over the responsibility of driving. It seems very sensible to me that we would pass a law which extends for those who have already experienced the learning of buckling in, through that time when they are torn between rebelling, taking unnecessary chances in their lives, that the area of driving, where my safety and your safety is involved, and especially where their safety is involved, that we continue to make sure that they wear their seat belts up to the time when they gain their license. I would encourage you to join with us who sponsored this legislation with other members of this Committee to oppose the Majority Ought Not to Pass motion. Thank you.

Senator MATTHEWS of Kennebec requested a Division.

THE PRESIDENT: The pending question before the Senate is the motion of Senator TWITCHELL of Oxford, to ACCEPT the Majority OUGHT NOT TO PASS Report.

A Division has been requested.

Will all those Senators in favor of the motion of Senator TWITCHELL of Oxford, to ACCEPT the Majority OUGHT NOT TO PASS Report, please rise in their places and remain standing until counted.

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

14 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion of Senator TWITCHELL of Oxford, to ACCEPT the Majority OUGHT NOT TO PASS Report, FAILED.

On motion by Senator BRANNIGAN of Cumberland, the Minority OUGHT TO PASS AS AMENDED Report was ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-212) READ and ADOPTED.

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

Sent down for concurrence.

Off Record Remarks

The Chair laid before the Senate the Tabled and Later Today 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 - June 6, 1989, by Senator CLARK of Cumberland.

Pending - FURTHER CONSIDERATION

(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.)

(In Senate, June 1, 1989, FAILED OF PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE "A" (H-234) AS AMENDED BY HOUSE AMENDMENT "A" (H-282) thereto, in NON-CONCURRENCE.)

(In House, June 5, 1989, that Body INSISTED.)

On motion by Senator CLARK of Cumberland, the Senate RECEDED and CONCURRED.

The Chair laid before the Senate the Tabled and Later Today 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
(S "A" S-191 to H "A" H-279)

Tabled - June 6, 1989, by Senator CLARK of Cumberland.

Pending - FURTHER CONSIDERATION

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

(In Senate, June 1, 1989, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-279) AS AMENDED BY SENATE AMENDMENT "A" (S-191) thereto, in NON-CONCURRENCE.)

(In House, June 5, 1989, that Body INSISTED.)

On motion by Senator CLARK of Cumberland, INSIST AND ASK FOR A COMMITTEE OF CONFERENCE.

Sent down for concurrence.

Senate at Ease

Senate called to order by the President.

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

HOUSE REPORTS - from 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

Majority Report - Ought to Pass as Amended by Committee Amendment "A" (H-309)

Minority Report - Ought Not to Pass

Tabled - June 6, 1989, by Senator CLARK of Cumberland.

Pending - FURTHER CONSIDERATION

(In House, May 31, 1989, 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).)

(In Senate, June 1, 1989, Reports READ. Bill and Accompanying Papers INDEFINITELY POSTPONED in NON-CONCURRENCE.)

(In House, June 5, 1989, that Body ADHERED.)

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

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

Bill "An Act to Establish State Guidelines for Child Support Awards"

H.P. 706 L.D. 967
(C "A" H-349)

Tabled - June 6, 1989, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED AS AMENDED, in concurrence.

(In Senate, June 6, 1989, READ A SECOND TIME.)

(In House, June 2, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-349).)

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

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

Bill "An Act to Prevent, Punish and Remedy Violations of Constitutional Rights"

H.P. 896 L.D. 1253
(H "A" H-363; C "A" H-325)

Tabled - June 6, 1989, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED AS AMENDED, in concurrence.

(In Senate, June 6, 1989, READ A SECOND TIME.)

(In House, June 2, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-325) AND HOUSE AMENDMENT "A" (H-363).)

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

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

An Act Regulating the Sale of Grave Markers by Funeral Establishments

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

Tabled - June 6, 1989, by Senator CLARK of Cumberland.

Pending - ENACTMENT

(In Senate, May 25, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE "A" (H-241).)

(In House, May 30, 1989, PASSED TO BE ENACTED.)

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

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

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
(C "A" H-312)

Tabled - June 6, 1989, by Senator PEARSON of Penobscot.

Pending - ADOPTION OF COMMITTEE AMENDMENT "A" (H-312), in concurrence.

(In Senate, June 6, 1989, RECONSIDERED PASSAGE TO BE ENGROSSED AS AMENDED. RECONSIDERED ADOPTION of Committee Amendment "A" (H-312).)

(In Senate, June 5, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-312), in concurrence.)

(In House, May 31, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-312).)

On motion by Senator PEARSON of Penobscot, Senate Amendment "A" (S-217) to Committee Amendment "A" (H-312) READ and ADOPTED in NON-CONCURRENCE.

Committee Amendment "A" (H-312) as Amended by Senate Amendment "A" (S-217) thereto, ADOPTED.

Which was PASSED TO BE ENGROSSED, as Amended in NON-CONCURRENCE.

Sent down for concurrence.

H.P. 253 L.D. 365
(H "A" H-383 to C "A"
H-334)

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order: H.P. 1234
ORDERED, the Senate concurring, that the Bill,
"An Act to Increase the Compensation for Part-time
Deputy Sheriffs," House Paper 788, Legislative
Document 1100, be recalled from the Governor's desk
to the House.

Comes from the House READ and PASSED.
Which was READ and PASSED, in concurrence.

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

SECOND READERS

House

Bill "An Act to Amend the Law Relating to Court
Security"

H.P. 1106 L.D. 1539

Bill "An Act to Amend the Antitrust Laws to
Permit Suits by Indirect Purchasers"

H.P. 1186 L.D. 1653

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

House As Amended

Bill "An Act to Eliminate the Statute of
Limitations in Child Molestation or Incest Cases"

H.P. 202 L.D. 282

(C "A" H-375)

Bill "An Act to Require a Hearing to Cancel
Policies Issued under an Assigned Risk Plan"

H.P. 428 L.D. 593

(C "A" H-376)

Bill "An Act to Prohibit Motor Vehicle Insurers
from Adjusting Personal Insurance Rates of Public
Works Employees Involved in Collisions"

H.P. 503 L.D. 683

(C "A" H-378)

Bill "An Act to Create a Northeast Interstate
Dairy Compact"

H.P. 614 L.D. 837

(C "A" H-374)

Bill "An Act to Amend the Law Relating to
Submerged Land"

H.P. 668 L.D. 910

(C "A" H-379)

Bill "An Act Relating to Motor Vehicle Insurance
Surcharges Due to License Suspension"

H.P. 765 L.D. 1069

(C "A" H-377)

Bill "An Act to Create a Hazardous Highway Spills
Fund"

H.P. 809 L.D. 1121

(C "A" H-371)

Bill "An Act Amending the Maine Board of Oil and
Solid Fuel Dealers Law"

H.P. 973 L.D. 1351

(C "A" H-370)

Bill "An Act to Authorize County Commissioners to
Provide Additional Facilities for Prisoners"
(Emergency)

H.P. 978 L.D. 1356

(C "A" H-373)

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

Bill "An Act to Allow a Student an Option in
Biological Dissection"

Which was READ A SECOND TIME.

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. I apologize
for interrupting the flow of legislation, however, I
would like to have somebody explain what this Bill
does with all the various Amendments attached to it.

THE PRESIDENT: The Senator from Penobscot,
Senator Pearson, has posed a question through the
Chair to any Senator who may care to respond.

The Chair recognizes the Senator from York,
Senator Estes.

Senator ESTES: Thank you Mr. President. Mr.
President, men and women of the Senate. In regards
to the question that was asked, the Committee
Amendment was unanimously adopted by the Committee
to clarify questions and inconsistencies in the original
Bill. The House Amendment was a recognition of a
possible fiscal note. This Bill does not require,
but may result in, additional expenditures by local
school units. Because the State is required to pay
one hundred percent of those costs during the first
two years, the State may incur additional school
subsidy expenses beginning in FY 92. This will also
allow the Department of absorb the additional costs
of rule-making and report within the existing
budgeted resources.

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. I know that
I have a reputation of only being concerned about
fiscal matters, but what I am really concerned about
in this Bill is that I came out of church on Sunday
and a local biology teacher said to me, "what do I
tell my classes if this passes?" That is what I
would like to know. Do they have to dissect or are
they given the option of not having to dissect? She
was concerned about that. When she was in high
school, she was told you must dissect this frog and
she said she wouldn't. The teacher said if you
don't, you will flunk. She said that she dissected
it and look at her now, she was a biology teacher. I
just want to know if you have to dissect or not.

Off Record Remarks

THE PRESIDENT: The Chair recognizes the Senator
from York, Senator Estes.

Senator ESTES: Thank you Mr. President. Mr.
President, men and women of the Senate. This Bill
went through a number of work sessions with the
Committee and was carefully crafted to allow a number
of options here. First of all, in the Bill, the
student is given the right to refuse to participate
in the harmful or destructive use of animals, as
defined in the Bill. If the student chooses to
refrain from participation, then the educators in the
school system will work with the student to develop
an alternative education project which is feasible
within the resources of the school. This includes;
staffing and classroom space, library service,
equipment and supplies. Also, the school would be
required to establish a procedure for a timely
notification of the teacher, by a student who chooses
to exercise his option, so that it would allow
adequate time to prepare. The alternative education

project would have to require a comparable investment of time and effort by the student.

We heard a great deal of testimony and this was one Bill that we received a tremendous volume of information on from the public supporting the Bill. It applies only to elementary and secondary schools. In the Bill, there is also an establishment of a biological dissection option through the Department, which will be able to accept donations of alternative educational projects that could be used in place of the actual dissection.

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

Senate As Amended

Bill "An Act to Establish a Comprehensive Service Delivery System for Persons with Head Injuries"

S.P. 350 L.D. 927
(C "A" S-211)

Bill "An Act to Amend the Law Concerning the Collection of Fees for General Educational High School Equivalency Certificates" (Emergency)

S.P. 487 L.D. 1329
(C "A" S-210)

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

Sent down for concurrence.

Off Record Remarks

On motion by Senator BUSTIN of Kennebec, ADJOURNED until Wednesday, June 7, 1989, at 12:00 in the afternoon.

ONE HUNDRED AND FOURTEENTH MAINE LEGISLATURE

FIRST REGULAR SESSION

78th Legislative Day

Wednesday, June 7, 1989

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

Prayer by Reverend James Blanchette, Capehart Community Church, Bangor.

The Journal of Tuesday, June 6, 1989, was read and approved.

Quorum call was held.

PAPERS FROM THE SENATE

The following Communication:

Maine State Senate

Augusta, Maine 04333

June 6, 1989

The Honorable John L. Martin

Speaker of the House

114th Legislature

Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Agriculture, the Governor's nomination of David Maass of Winslow for appointment to the Commission on Biotechnology and Genetic Engineering.

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

Was read and ordered placed on file.

Unanimous Ought Not To Pass

Report of the Committee on Taxation reporting "Ought Not to Pass" on Bill "An Act to Provide a Sales Tax Exemption to Child Abuse and Neglect Councils" (S.P. 206) (L.D. 484)

Report of the Committee on Taxation reporting "Ought Not to Pass" on Bill "An Act to Allow Disabled People to Receive Rent Rebates" (S.P. 256) (L.D. 646)

Report of the Committee on Taxation reporting "Ought Not to Pass" on Bill "An Act to Exempt Ski Resorts from Sales Tax on Fuel or Electricity Used in Snowmaking Operations" (S.P. 259) (L.D. 649)

Report of the Committee on Taxation reporting "Ought Not to Pass" on Bill "An Act to Include Sod Within the Definition of Agricultural Production for Sales Tax Purposes" (S.P. 321) (L.D. 858)

Report of the Committee on Taxation reporting "Ought Not to Pass" on Bill "An Act to Clarify Tax Exempt Status of Certain Hospital Affiliates and Nonprofit Ambulance Corporations with Respect to State Sales Tax" (S.P. 384) (L.D. 1020)

Report of the Committee on Taxation reporting "Ought Not to Pass" on Bill "An Act to Exempt from the Maine Sales Tax Purchases of Goods and Services by Scouting Organizations" (EMERGENCY) (S.P. 413) (L.D. 1079)

Report of the Committee on Taxation reporting "Ought Not to Pass" on Bill "An Act Relating to Taxation of Printing Services" (S.P. 424) (L.D. 1135)

Report of the Committee on Taxation reporting "Ought Not to Pass" on Bill "An Act to Freeze Property Taxes of People Over the Age of 65" (S.P. 429) (L.D. 1140)

Report of the Committee on Taxation reporting "Ought Not to Pass" on Bill "An Act Concerning the Sales and Use Tax Exemption Provided To Nonprofit Ambulance Services and Fire Departments" (S.P. 473) (L.D. 1270)