

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**One Hundred And Fourteenth Legislature**  
OF THE  
**State Of Maine**

**VOLUME IV**

**FIRST SPECIAL SESSION**  
August 21, 1989 to August 22, 1989  
Index

**FIRST CONFIRMATION SESSION**  
October 30, 1989  
Index

**SECOND CONFIRMATION SESSION**  
December 12, 1989  
Index

**SECOND REGULAR SESSION**  
January 3, 1990 to March 19, 1990

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

In Senate Chamber  
Friday  
February 23, 1990

Senate called to Order by the President.

Prayer by Chaplin David Sparks of the Air Force Reserve in Bangor.

CHAPLIN DAVID SPARKS: Lord, God of creation, You are ever and forever a God of mystery, revealing Yourself to us in everyday experiences. Bless us now that we might always be faithful members of Your holy people, united by our love for You, and join together in prayer for a divided world.

Reconcile us O Lord, to Yourself, and to one another. We place ourselves before Your word, which reveals to us our responsibility to call upon You, in humility, and weakness, but also full of trust and certain faith.

We pray today, Father, for all those here and all those we represent. That we may praise and thank You for all Your gifts. That we may trust Your power to protect us in the midst of temptation. That we may obediently follow Your leadership in spite of our failures. That we might take courageous steps of faith. That we might be filled with Your love so that we might love one another, as You have loved us.

Now, Father, refresh us and renew us in the life giving spring of Your love, and may our special and individual gift be combined for the renewal of the whole of Your creation, and may Your blessing be on this session, this day, and these people. Amen.

Reading of the Journal of Tuesday, February 20, 1990.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.P. 928  
114TH MAINE LEGISLATURE  
February 21, 1990

Senator Joseph C. Brannigan  
Rep. James Mitchell  
Chairpersons  
Joint Standing Committee on Marine Resources  
114th Legislature  
Augusta, Maine 04333

Dear Chairs:  
Please be advised that Governor John R. McKernan, Jr. has nominated the Honorable Kenneth M. Curtis of Castine, Arthur M. Johnson of Damariscotta, Arthur J. Odlin of South Portland, James T. List of Wells, Dennis L. Taylor of Newagen, James H. Storer of Brunswick, Lawrence P. Greenlaw, Jr. of Stonington and Edward S. Gilfillan of West Boothbay for appointments as members of the Marine Research Board.

Pursuant to Public Law 1989, Chapter 529, these nominations will require review by the Joint Standing Committee on Marine Resources 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 MARINE RESOURCES.  
Sent down for concurrence.

The Following Communication: S.P. 929  
114TH MAINE LEGISLATURE  
February 20, 1990

Senator Joseph C. Brannigan  
Rep. James Mitchell  
Chairpersons  
Joint Standing Committee on Marine Resources  
114th Legislature  
Augusta, Maine 04333

Dear Chairs:  
Please be advised that Governor John R. McKernan, Jr. has nominated Jeffrey Howard Kaelin of Winterport for reappointment, Arthur J. Odlin of South Portland and Burton H. Blanch of Eastport for appointments as members of the Marine Resources Advisory Council.

Pursuant to Title 12, MRSA Section 6024, these nominations will require review by the Joint Standing Committee on Marine Resources 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 MARINE RESOURCES.  
Sent down for concurrence.

The Following Communication:  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON ENERGY AND NATURAL RESOURCES  
February 21, 1990

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 Energy and Natural Resources has had under consideration the nomination of Paul A. Fichtner, M.D. of Greenville, for appointment to the Land Use Regulation Commission.

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 3  
Representatives 10  
NAYS: 0  
ABSENT: 0

Thirteen 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 Paul A. Fichtner, M.D. of Greenville, for appointment to the Land Use Regulation Commission be confirmed.

Sincerely,  
S/Senator Judy C. Kany S/Rep. Michael H. Michaud  
Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on Energy and Natural Resources has recommended the nomination of Paul A. Fichtner, M.D. of Greenville be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Energy and Natural Resources 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 ANDREWS, BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, COLLINS, DILLENBACK, DUTREMBLE, EMERSON, ERWIN, ESTES, ESTY, GAUVREAU, GILL, GOULD, HOBBS, HOLLOWAY, KANY, LUDWIG, MATTHEWS, RANDALL, THERIAULT, TITCOMB, TWITCHELL, WEBSTER, WEYMOUTH, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators PEARSON, PERKINS, WHITMORE  
 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 Paul A. Fichtner, M.D., was CONFIRMED.

The Secretary has so informed the Speaker of the House.

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 ANDREWS, BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, COLLINS, DILLENBACK, DUTREMBLE, EMERSON, ERWIN, ESTES, ESTY, GAUVREAU, GILL, GOULD, HOBBS, HOLLOWAY, KANY, LUDWIG, MATTHEWS, RANDALL, THERIAULT, TITCOMB, TWITCHELL, WEBSTER, WEYMOUTH, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators PEARSON, PERKINS, WHITMORE  
 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 Thomas R. Stevens, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:  
 ONE HUNDRED AND FOURTEENTH LEGISLATURE  
 COMMITTEE ON ENERGY AND NATURAL RESOURCES  
 February 21, 1990

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 Energy and Natural Resources has had under consideration the nomination of Thomas R. Stevens of Limestone, for appointment to the Facility Siting Board.

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 3  
 Representatives 9

NAYS: 0

ABSENT: 1 Rep. Dexter of Kingfield

Twelve 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 Thomas R. Stevens of Limestone, for appointment to the Facility Siting Board be confirmed.

Sincerely,

S/Senator Judy C. Kany S/Rep. Michael H. Michaud  
 Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on Energy and Natural Resources has recommended the nomination of Thomas R. Stevens of Limestone be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Energy and Natural Resources be overridden?"

The Following Communication:  
 ONE HUNDRED AND FOURTEENTH LEGISLATURE  
 COMMITTEE ON HOUSING AND ECONOMIC DEVELOPMENT  
 February 20, 1990

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 Housing and Economic Development has had under consideration the nomination of Richard Schade of Augusta, for appointment to the Finance Authority of Maine.

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 7

NAYS: 0

ABSENT: 4 Sen. Andrews of Cumberland, Rep. Nadeau of Lewiston, Rep. Mills of Bethel, Rep. Kilkelly of Wiscasset

Nine 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 Richard Schade of Augusta, for appointment to the Finance Authority of Maine be confirmed.

Sincerely,

S/Senator Dennis L. Dutremble S/Rep. Gregory G. Nadeau  
 Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on Housing and Economic Development has recommended the nomination of Richard Schade of Augusta be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Housing and Economic Development 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 ANDREWS, BALDACCI, BERUBE, BOST, BRANNIGAN, BROWN, BUSTIN, CAHILL, CARPENTER, CLARK, COLLINS, DILLENBACK, DUTREMBLE, EMERSON, ERWIN, ESTES, ESTY, GAUVREAU, GILL, GOULD, HOBBSINS, HOLLOWAY, KANY, LUDWIG, MATTHEWS, RANDALL, THERIAULT, TITCOMB, TWITCHELL, WEBSTER, WEYMOUTH, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators PEARSON, PERKINS, WHITMORE  
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 Richard Schade, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
COMMITTEE ON JUDICIARY  
February 20, 1990

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 Judiciary has had under consideration the nomination of Roland Beaudoin of Falmouth, for appointment as Associate Judge of the Administrative Court.

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 8  
NAYS: 0  
ABSENT: 3 Senator Gauvreau of Androscoggin, Rep. Stevens of Bangor, Rep. Richards of Hampden

Ten 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 Roland Beaudoin of Falmouth, for appointment as Associate Judge of the Administrative Court be confirmed.

Sincerely,

S/Senator Barry J. Hobbins S/Rep. Patrick E. Paradis  
Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on Judiciary has recommended the nomination of Roland Beaudoin of Falmouth be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Judiciary 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 ANDREWS, BALDACCI, BERUBE, BOST, BRANNIGAN, BROWN, BUSTIN, CAHILL, CARPENTER, CLARK, COLLINS, DILLENBACK, DUTREMBLE, EMERSON, ERWIN, ESTES, ESTY, GAUVREAU, GILL, GOULD, HOBBSINS, HOLLOWAY, KANY, LUDWIG, MATTHEWS, RANDALL, THERIAULT, TITCOMB, TWITCHELL, WEBSTER, WEYMOUTH, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators PEARSON, PERKINS, WHITMORE  
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 Roland Beaudoin, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:  
STATE OF MAINE  
MANDATED BENEFITS ADVISORY COMMISSION  
STATE HOUSE STATION 34  
AUGUSTA, MAINE 04333  
February 15, 1990

The Honorable Charles P. Pray  
President of the Senate  
State House Station 3  
Augusta, ME 04333

Dear President Pray:

Pursuant to 24-A M.R.S.A. section 2751, I am pleased to provide you with a Report on Mandated Health Insurance Benefits for Screening Mammography and for Screening PAP Tests.

Copies of the report are also being provided to members of the House of Representatives and to the Governor as required by law.

Respectfully submitted,  
S/David R. Clough, Chair  
Mandated Benefits  
Advisory Commission

Which was READ and with Accompanying Papers ORDERED PLACED ON FILE.

SENATE PAPERS

Bill "An Act Relating to Health Maintenance Organizations"

S.P. 926 L.D. 2337

Presented by Senator GILL of Cumberland  
Cosponsored by Senator BUSTIN of Kennebec,  
Representative TRACY of Rome and Representative DONALD of Buxton

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24. Which was referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED.  
Sent down for concurrence.

Bill "An Act Relating to Restructuring Maine Public Schools"

S.P. 930 L.D. 2359

Presented by Senator GILL of Cumberland  
Cosponsored by Representative MARSANO of Belfast,  
Representative SMALL of Bath and Representative  
CROWLEY of Stockton Springs  
Which was referred to the Committee on EDUCATION  
and ORDERED PRINTED.  
Sent down for concurrence.

Bill "An Act to Amend the Laws Governing the Maine Environmental Protection Fund" (Emergency)

S.P. 931 L.D. 2360

Presented by Senator PERKINS of Hancock  
Cosponsored by Senator LUDWIG of Aroostook  
Submitted by the Department of Environmental  
Protection pursuant to Joint Rule 24.  
Which was referred to the Committee on ENERGY AND  
NATURAL RESOURCES and ORDERED PRINTED.  
Sent down for concurrence.

Bill "An Act to Correct Errors and Inconsistencies in the Laws of Maine" (Emergency)

S.P. 927 L.D. 2345

Presented by Senator HOBBS of York  
Cosponsored by Representative PARADIS of Augusta  
Submitted by the Committee on Judiciary pursuant  
to Joint Rule 20.  
Which was referred to the Committee on JUDICIARY  
and ORDERED PRINTED.  
Sent down for concurrence.

Under suspension of the Rules, all matters thus acted upon were ordered went down forthwith 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 BUSINESS LEGISLATION on Bill "An Act to Require That Pharmacists Dispense Generic Drugs When Allowed by the Physician"

H.P. 1498 L.D. 2075

The Committee on FISHERIES AND WILDLIFE on Bill "An Act to Ensure Equal Access for Commercial Outfitters to Maine's Natural River Resources"

H.P. 1429 L.D. 1998

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 BUSINESS LEGISLATION on Bill "An Act to Allow the Issuance of a Temporary License in Case of the Death of a Real Estate Broker"

H.P. 1529 L.D. 2114

The Committee on BUSINESS LEGISLATION on Bill "An Act to Require Home Radon Testing Prior to Sale"

H.P. 1531 L.D. 2116

The Committee on HUMAN RESOURCES on Bill "An Act to Remove Barriers to the Location of Family Day Care Homes in Areas Zoned for Residential Use"

H.P. 1597 L.D. 2209

Ought to Pass

The Committee on LEGAL AFFAIRS on Bill "An Act Relating to Prearranged Funerals or Burial Plans"

H.P. 1365 L.D. 1882

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

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Clarify the Law Governing the Aroostook County Finance Committee" (Emergency)

H.P. 1625 L.D. 2247

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

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

The Committee on TAXATION on Bill "An Act to Repeal the Prohibition on Phantom House Lot Valuation"

H.P. 1385 L.D. 1915

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

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

The Committee on AGING, RETIREMENT AND VETERANS on Bill "An Act to Amend the Laws Relating to the Purchase of Military Service Credits by Members of the Maine State Retirement System"

H.P. 1346 L.D. 1863

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-796).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-796).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-796) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on BUSINESS LEGISLATION on Bill "An Act to Amend the Educational Qualifications for Licensure as a Social Worker"

H.P. 1412 L.D. 1964

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-794).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-794).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-794) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Prevent Overutilization of Forest Resources"

H.P. 1391 L.D. 1921

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-798).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-798).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-798) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Exempt Residential Developments from Noise Control Provisions"

H.P. 1503 L.D. 2083

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-799).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-799).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-799) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on FISHERIES AND WILDLIFE on Bill "An Act Concerning Operation of All-terrain Vehicles"

H.P. 1519 L.D. 2104

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-792).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-792).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-792) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Bill "An Act to Enhance Enforcement of the Driving Under the Influence of Alcohol and Drug Laws"

H.P. 814 L.D. 1126

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-775).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-775) AS AMENDED BY HOUSE AMENDMENT "A" (H-801) thereto.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-775) READ.

House Amendment "A" (H-801) to Committee Amendment "A" (H-775) READ and ADOPTED, in concurrence.

Committee Amendment "A" (H-775) as Amended by House Amendment "A" (H-801) thereto, ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Bill "An Act Concerning Warranty Rights of Mobile Home Owners"

H.P. 1492 L.D. 2065

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-797).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-797).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-797) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on FISHERIES AND WILDLIFE on Bill "An Act to Provide More Equitable Hunting and Trapping Opportunity for Maine Sportsmen"

H.P. 1576 L.D. 2183

Reported that the same Ought to Pass.

Signed:

Senators:

ERWIN of Oxford  
ESTY of Cumberland  
GOULD of Waldo

Representatives:

FARREN of Cherryfield  
CARROLL of Southwest Harbor  
WALKER of Norway  
TRACY of Rome  
CLARK of Millinocket  
GREENLAW of Standish  
DUFFY of Bangor  
JACQUES of Waterville  
ROTONDI of Athens

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

Signed:

Representative:

SMITH of Island Falls

Comes from the House RULED NOT PROPERLY BEFORE THE BODY, being in violation of Joint Rule 37.

Which Reports were READ.

The Bill RULED NOT PROPERLY BEFORE THE BODY being in violation of Joint Rule 37, in concurrence.

Senate

Ought Not to Pass

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

Senator ERWIN for the Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act Requiring That Department of Environmental Protection and Maine Land Use Regulation Commission Orders Be in Writing"

S.P. 890 L.D. 2266

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 MATTHEWS for the Committee on LABOR on Bill "An Act to Facilitate Workers' Compensation Payments to Injured Workers" S.P. 898 L.D. 2288

Ought to Pass As Amended

Senator TITCOMB for the Committee on AGING, RETIREMENT AND VETERANS on Bill "An Act to Require the State to Pay a Portion of Retired State Employees' Medicare Costs" S.P. 759 L.D. 1984

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-516).

Which Report was READ and ACCEPTED.  
The Bill READ ONCE.

Committee Amendment "A" (S-516) READ and ADOPTED.  
The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator CAHILL for the Committee on AGING, RETIREMENT AND VETERANS on Bill "An Act to Exempt Certain Persons from the Payment of Interest on Excess Retirement Benefits" S.P. 869 L.D. 2229

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-520).

Which Report was READ and ACCEPTED.  
The Bill READ ONCE.

Committee Amendment "A" (S-520) READ and ADOPTED.  
The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator WHITMORE for the Committee on BUSINESS LEGISLATION on Bill "An Act to Require Prior Notice of the Sale of Gas Stations" S.P. 846 L.D. 2176

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-518).

Which Report was READ and ACCEPTED.  
The Bill READ ONCE.

Committee Amendment "A" (S-518) READ and ADOPTED.  
The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator BUSTIN for the Joint Select Committee on CORRECTIONS on Bill "An Act to Require Counties to Accept Prisoners with Sentences up to One Year in Length and to Provide Assistance to Counties in Developing Community Corrections Programs" S.P. 277 L.D. 723

Reported that the same Ought to Pass as Amended by Committee Amendment "B" (S-519).

Which Report was READ.

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

Senator BERUBE: Mr. President, Ladies and Gentlemen, of the Senate. Do I ask that this be deferred till the reading is completed or may I ask that it be Tabled for Later in Today's Session?

THE PRESIDENT: The Chair notes that the Senator from Androscoggin, Senator Berube, made a Parliamentary inquiry, thus did not debate a Tabling motion, thus would advise her that she could do either, of which ever she would so desire.

On motion by Senator BERUBE of Androscoggin, Tabled 1 Legislative Day, pending ACCEPTANCE of the Committee Report.

Senator BRANNIGAN for the Committee on MARINE RESOURCES on Bill "An Act to Clarify Definitions and Provisions of Marine Resources Laws" S.P. 821 L.D. 2097

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-517).

Which Report was READ and ACCEPTED.  
The Bill READ ONCE.

Committee Amendment "A" (S-517) 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 As Amended

Bill "An Act to Revise the Medical Examiner Act" H.P. 905 L.D. 1262 (C "B" H-788)

Bill "An Act to Create the Maine Family Development Foundation" (Emergency) H.P. 1226 L.D. 1698 (C "B" H-787)

Bill "An Act Concerning Burials in the Maine Veterans' Memorial Cemetery" H.P. 1314 L.D. 1816 (H "A" H-789)

Bill "An Act Regarding Continuing Education for Administrators of Boarding Homes" H.P. 1374 L.D. 1905 (C "A" H-784)

Bill "An Act to Allow Medical Testing without Physician Referral" H.P. 1395 L.D. 1925 (C "A" H-785)

Bill "An Act to Clarify the Term of Certificates of Authorization under the Workers' Compensation Act" H.P. 1420 L.D. 1972 (C "A" H-777)

Bill "An Act to Limit the Effect of Collateral Estoppel on Unemployment Insurance Decisions" H.P. 1471 L.D. 2056 (C "A" H-778)

Bill "An Act to Require Telecommunications Services in Public Places for Hearing Impaired Persons" H.P. 1490 L.D. 2063 (C "A" H-783)

Bill "An Act to Clarify Mobile Home Tenants' Rights" H.P. 1499 L.D. 2076 (C "A" H-776)

Bill "An Act Regarding Growth Management Efforts in Opportunity Zones" H.P. 1505 L.D. 2085 (C "A" H-790)

Bill "An Act Prohibiting Membership in a Trade or Similar Association from Being a Condition for Licensing or Certifying a Producer's Food as Natural or Organic" H.P. 1522 L.D. 2107 (C "A" H-780)

Bill "An Act to Encourage Farming in Maine" (Emergency) H.P. 1593 L.D. 2206 (C "A" H-779)

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

Bill "An Act to Increase Death Benefits under the Workers' Compensation Act" H.P. 1363 L.D. 1880



(C "A" H-786)

Which was READ A SECOND TIME.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Collins.

Senator COLLINS: Mr. President, Ladies and Gentlemen of the Senate. I realize that this Bill is before us in a position where it has a unanimous Committee Report, and I don't intend to disrupt this passage. However, there are some things that we should be aware of with respect to this Bill.

The Bill addresses the cost of funeral services under the Workers Compensation Act. In those cases where an injured worker dies as a result of an accident in the work place, and it did need attention. The present law provided for the payment of only \$1,000 towards funeral expense, and it also provided for an incidental \$1,000 that did not have to be identified precisely.

There were two Bills before the Committee that addressed this: One of them raised the \$1,000 funeral cost to \$3,000, and seemed to me to be a very reasonable proposal in that the \$1,000 figure was based on costs in the 1960's, and the attempt was to bring it up to the present day costs. Keep in mind that this was an expense item as opposed to a benefit item, and those of us who were here in 1987, and did restructure the benefit levels, have been very cautious and concerned whenever these are tampered with, and so it is with some concern that I note that it has, in fact, been tampered with. The Bill that is before us, raises the \$1,000 level to \$4,000, and it also increases the additional amount by \$2,000 more for incidentals, so that we have in affect provided a total increase of \$5,000 in this account. I hasten to tell you that the average cost of funerals in this country is about \$2,600, we have in affect raised that to a level that is greater than necessary, and we have provided a benefit that increases the costs. If you assume that we have perhaps thirty people that die in the work place during the year, you multiply it by the increase of \$5,000, you have added \$150,000 to the cost of the Workers Compensation System. If the amount to bring that figure up to an appropriate level to cover the actual costs of the funeral services were in place, that figure would be about \$60,000. So we have just made an additional benefit available as a result of the system. I do not intend to stop this because I think that in part it accomplished a good thing, but I still continue to receive calls, as many of you do, with respect to the increasing costs of workers compensation premium. I am very concerned every time that we do something that sends a message out to the people of Maine, that we have, in fact, increased the costs of doing business.

MR. PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Esty.

Senator ESTY: Mr. President, Ladies and Gentlemen of the Senate. The good Senator from Aroostook, Senator Collins, is essentially correct in the process which took place within the Labor Committee. This was an unanimous report, we had two Bills that we considered both addressing the same issue.

I would like to clarify one of the points that Senator Collins referred to in that the increase is not necessarily an increase of \$5,000. The two numbers that we were talking about dealing with funeral expenses, and incidental compensation. In the first case the funeral expenses were costs up to \$4,000 which the Committee decided to do, so the cost is not necessarily an increase \$5,000, but the expenses up to that amount. We did a survey of our own in the State of Maine, calling various funeral

directors, trying to get costs so we could come up with a figure that would provide an adequate funeral in the State of Maine. We found that it varied to a wide degree, but in no case was the cost over \$4,000. In many cases, it was under that, and we felt safe in saying that the costs should not exceed \$4,000, but that does not necessarily place them at \$4,000. I do want to note that there was a difference in that respect. Thank you.

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

Senate As Amended

Bill "An Act Amending the Licensure Requirements for Plumbers"

S.P. 615 L.D. 1710  
(C "A" S-513)

Bill "An Act Relating to the Town of York School District" (Emergency)

S.P. 703 L.D. 1841  
(C "A" S-514)

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

Sent down for concurrence.

ENACTORS

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

An Act to Amend the Zoning Laws to Extend the Time for Filing a Variance in the Registry of Deeds

H.P. 1322 L.D. 1824

An Act to Amend the Berwick Sewer District Charter

H.P. 1334 L.D. 1851

An Act to Ensure That Residents of Long-term Care Facilities Are Provided with Information about the Services of the Long-term Care Ombudsman Program

H.P. 1399 L.D. 1935

(C "A" H-753)

An Act to Amend the Employee Suggestion Awards System

S.P. 744 L.D. 1948

An Act to Codify the Creation of the Bureau of Safety and Change Its Name to the Bureau of Highway Safety

H.P. 1424 L.D. 1976

An Act to Enable the Department of Marine Resources to Issue Identification Tags for Lobster Gear

S.P. 762 L.D. 1987

(H "A" H-760 to C "A" S-486)

An Act to Clarify the Rule-making Authority of the Maine Historic Preservation Commission

S.P. 798 L.D. 2046

(C "A" S-491)

An Act to Prevent Retaliatory Evictions of Mobile Park Tenants

S.P. 814 L.D. 2078

An Act Relating to Seat Belts and Child Safety Seats for Children under 4 Years of Age

S.P. 852 L.D. 2186

An Act to Provide for Wider Production of Certain Deer for Food

S.P. 881 L.D. 2251

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 Reform the Juvenile Criminal Justice System

S.P. 541 L.D. 1512  
(H "A" H-772 to C "A"  
S-479)

On motion by Senator HOBBS of York, Tabled 1  
Legislative Day, pending ENACTMENT.

An Act to Establish Coastal Watershed Districts  
H.P. 1438 L.D. 2008  
(C "A" H-751)

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

Resolve

Resolve, To Extend the Rights of All Mentally  
Retarded Persons

H.P. 1469 L.D. 2054  
(C "A" H-755)

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

Emergency

An Act to Amend the Guaranty Association Law to  
Provide a More Equitable Special Assessment

H.P. 1403 L.D. 1939

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 Amend Laws Regulating the Sardine  
Industry by Enhancing Export Opportunities

H.P. 1447 L.D. 2016

This being an Emergency Measure and having  
received the affirmative vote of 29 Members of the  
Senate, with no Senators having voted in negative,  
and 29 being more than two-thirds of the entire  
elected Membership of the Senate, was PASSED TO BE  
ENACTED and having been signed by the President, was  
presented by the Secretary to the Governor for his  
approval.

Emergency

An Act to Provide for Expedited Merger,  
Consolidation or Acquisition of Credit Unions

H.P. 1461 L.D. 2038

This being an Emergency Measure and having  
received the affirmative vote of 29 Members of the  
Senate, with no Senators having voted in negative,  
and 29 being more than two-thirds of the entire  
elected Membership of the Senate, was PASSED TO BE  
ENACTED and having been signed by the President, was  
presented by the Secretary to the Governor for his  
approval.

Senate at Ease

Senate called to order by the President.

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

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator ESTES for the Committee on EDUCATION on  
Bill "An Act to Amend and Reauthorize the Percent for  
Art Act"

S.P. 834 L.D. 2142

Reported that the same Ought to Pass as Amended  
by Committee Amendment "A" (S-521).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-521) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND  
READING.

Senator MATTHEWS for the Committee on LEGAL  
AFFAIRS on Bill "An Act to Remove Notarization from  
the Voter Registration Application Process"

S.P. 750 L.D. 1958

Reported that the same Ought to Pass as Amended  
by Committee Amendment "A" (S-522).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-522) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND  
READING.

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

PAPERS FROM THE HOUSE

House Papers

Resolve, Providing for a Study of the  
Establishment of a Testing Program for the Purity of  
Agricultural Food Products

H.P. 1689 L.D. 2339

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Appropriate Funds for  
Nonresidential Services and Sheltered Group Homes for  
Girls"

H.P. 1697 L.D. 2346

Bill "An Act to Amend the Maine Rainy Day Fund"  
(Emergency)

H.P. 1698 L.D. 2347

Bill "An Act to Amend the Laws Governing  
Submission of Bills with Supplemental Appropriations"

H.P. 1707 L.D. 2356

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Amend the Laws Applicable to  
Medicare Supplement Insurance Policies"

H.P. 1708 L.D. 2357

Comes from the House referred to the Committee on  
BANKING AND INSURANCE and ORDERED PRINTED.

Which was referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED, in concurrence.

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

PAPERS FROM THE HOUSE  
House Papers

Bill "An Act to Enhance the Ability of the State to Respond to Oil Spills"

H.P. 1691 L.D. 2341

Bill "An Act to Correct Errors in the Solid Waste Laws"

H.P. 1705 L.D. 2354

Bill "An Act to Amend the Laws Administered by the Maine Land Use Regulation Commission"

H.P. 1709 L.D. 2358

Come from the House referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED.

Which were referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED, in concurrence.

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

PAPERS FROM THE HOUSE  
House Papers

Bill "An Act to Improve the Job Opportunities Zone Act"

H.P. 1690 L.D. 2340

Come from the House referred to the Committee on HOUSING AND ECONOMIC DEVELOPMENT and ORDERED PRINTED.

Which was referred to the Committee on HOUSING AND ECONOMIC DEVELOPMENT and ORDERED PRINTED, in concurrence.

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

PAPERS FROM THE HOUSE  
House Papers

Bill "An Act Concerning the Funding of Boarding Home Depreciation Accounts Under the Cost-reimbursement Program" (Emergency)

H.P. 1699 L.D. 2348

Come from the House referred to the Committee on HUMAN RESOURCES and ORDERED PRINTED.

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

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

PAPERS FROM THE HOUSE  
House Papers

Bill "An Act Concerning Child Support Guidelines" (Emergency)

H.P. 1704 L.D. 2353

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

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

Bill "An Act to Authorize the Atlantic Sea Run Salmon Commission to Take the Edwards Dam by Right of Eminent Domain" (Emergency)

H.P. 1700 L.D. 2349

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

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

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

PAPERS FROM THE HOUSE  
House Papers

Bill "An Act to Ensure and Maintain Water Quality"

H.P. 1703 L.D. 2352

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

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

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

PAPERS FROM THE HOUSE  
House Papers

Resolve, to Approve the Kennebec County Commissioners' Nominations to the Kennebec County Budget Committee (Emergency)

H.P. 1702 L.D. 2351

Committee on STATE AND LOCAL GOVERNMENT suggested and ORDERED PRINTED.

Come from the House, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee.

Which was referred to the Committee on STATE AND LOCAL GOVERNMENT in NON-CONCURRENCE.

Sent down for concurrence.

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

PAPERS FROM THE HOUSE  
House Papers

Bill "An Act Providing for the Protection and Preservation of Rail Transportation in the State"

H.P. 1701 L.D. 2350

Come from the House referred to the Committee on TAXATION and ORDERED PRINTED.

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

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

PAPERS FROM THE HOUSE  
House Papers

Resolve, that the Timetable for the Revision of the State's Motor Vehicle Laws be Extended (Emergency)

H.P. 1688 L.D. 2338

Committee on TRANSPORTATION suggested and ORDERED PRINTED.

Come from the House, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee.

Which was, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee, and ORDERED PRINTED, in concurrence.

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

PAPERS FROM THE HOUSE  
Pursuant to Resolves  
BLUE RIBBON TASK FORCE

TO PROMOTE EQUITY OF OPPORTUNITY  
FOR WOMEN IN THE PUBLIC SCHOOL SYSTEM

The BLUE RIBBON TASK FORCE TO PROMOTE EQUITY OF OPPORTUNITY FOR WOMEN IN THE PUBLIC SCHOOL SYSTEM, pursuant to Resolves 1989, Chapter 55, ask leave to submit its findings and to report that the

accompanying Bill "An Act to Promote Equity of Opportunity for Women in Administrative Positions in the Public School System"

H.P. 1692 L.D. 2342

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

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

Which Report was READ and ACCEPTED, in concurrence.

The Bill referred to the Committee on EDUCATION and ORDERED PRINTED, pursuant to Joint Rule 18, in concurrence.

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

PAPERS FROM THE HOUSE

Pursuant to Resolves

COMMISSION ON MAINE'S FUTURE

The COMMISSION ON MAINE'S FUTURE, pursuant to Resolves 1987, Chapter 60 and Resolves 1989, Chapter 3, ask leave to submit its findings and to report that the accompanying Resolve, to Create the Commission to Evaluate the Need for Changes in the Responsibilities of State, County and Local Government for the 21st Century

H.P. 1693 L.D. 2343

Be referred to the Joint Standing Committee on STATE AND LOCAL GOVERNMENT for Public Hearing and printed pursuant to Joint Rule 18.

Comes from the House with the Report READ and ACCEPTED and the Resolve referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED, pursuant to Joint Rule 18.

Which Report was READ and ACCEPTED, in concurrence.

The Resolve referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED, pursuant to Joint Rule 18, in concurrence.

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

PAPERS FROM THE HOUSE

Pursuant to Resolves

BLUE RIBBON TASK FORCE

TO PROMOTE EQUITY OF OPPORTUNITY

FOR WOMEN IN THE PUBLIC SCHOOL SYSTEM

The BLUE RIBBON TASK FORCE TO PROMOTE EQUITY OF OPPORTUNITY FOR WOMEN IN THE PUBLIC SCHOOL SYSTEM, pursuant to Resolves 1989, Chapter 55, ask leave to submit its findings and to report that the accompanying Bill "An Act to Establish Financial Incentives for the Promotion of Gender Equity in Public School Administration"

H.P. 1696 L.D. 2344

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

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

Which Report was READ and ACCEPTED, in concurrence.

The Bill referred to the Committee on EDUCATION and ORDERED PRINTED, pursuant to Joint Rule 18, in concurrence.

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

PAPERS FROM THE HOUSE

Pursuant to Resolves

COMMISSION ON MAINE'S FUTURE

The COMMISSION ON MAINE'S FUTURE, pursuant to Resolves 1987, Chapter 60 and Resolves 1989, Chapter 3, ask leave to submit its findings and to report that the accompanying Bill "An Act to Provide for a Decennial Commission on Maine's Future"

H.P. 1706 L.D. 2355

Be referred to the Joint Standing Committee on STATE AND LOCAL GOVERNMENT for Public Hearing and printed pursuant to Joint Rule 18.

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

Which Report was READ and ACCEPTED, in concurrence.

The Bill referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED, pursuant to Joint Rule 18, in concurrence.

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

PAPERS FROM THE HOUSE

Pursuant to Private and Special Laws

Committee on UTILITIES

The Committee on UTILITIES, pursuant to P&SL 1989, Chapter 24, ask leave to submit its findings and to report that the accompanying Bill "An Act to Establish a System to Provide Continuous Telecommunications Relay Services for Deaf, Hearing Impaired or Speech Impaired Persons Who Must Rely on Teletypewriter Equipment for Telecommunications" (Emergency)

H.P. 1710 L.D. 2361

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

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

Which Report was READ and ACCEPTED, in concurrence.

The Bill referred to the Committee on UTILITIES and ORDERED PRINTED, pursuant to Joint Rule 18, in concurrence.

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

COMMUNICATIONS

The Following Communication:

S.P. 932

114TH MAINE LEGISLATURE

February 23, 1990

Senator Judy C. Kany  
Rep. Michael H. Michaud  
Chairpersons

Joint Standing Committee on Energy and Natural Resources

114th Legislature

Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Robert V. Withrow of Dixfield, Toby B. Hammond of Naples, Wallace H. Jeffrey of Hampden and Charles E. Hewett of South Casco for appointments as members of the Citizens' Forestry Advisory Council.

Pursuant to Title 12, MRSA Section 5101-B, these nominations will require review by the Joint Standing

Committee on Energy and Natural Resources 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 ENERGY AND NATURAL RESOURCES.  
Sent down for concurrence.

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

COMMITTEE REPORTS  
Senate

Divided Report

The Majority of the Committee on AGRICULTURE on Bill "An Act to Ensure the Independence of the Animal Welfare Board"

S.P. 691 L.D. 1830

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-523).

Signed:

Senators:

TWITCHELL of Oxford  
KANY of Kennebec

Representatives:

PARENT of Benton  
BELL of Caribou  
MAHANY of Easton  
HUSSEY of Milo  
ALIBERTI of Lewiston  
TARDY of Palmyra  
PINES of Limestone

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

Signed:

Senator:

EMERSON of Penobscot

Representatives:

WHITCOMB of Waldo  
NUTTING of Leeds

Which Reports were READ.

Senator TWITCHELL of Oxford, moved to ACCEPT the Majority OUGHT TO PASS AS AMENDED Report.

At the request of Senator EMERSON of Penobscot, a Division was had. 16 Senators having voted in the affirmative and 12 Senators having voted in the negative, the motion by Senator TWITCHELL of Oxford, to ACCEPT the Majority OUGHT TO PASS AS AMENDED Report, PREVAILED.

The Bill READ ONCE.

Committee Amendment "A" (S-525) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

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

COMMITTEE REPORTS  
Senate

Ought to Pass As Amended

Senator ESTY for the Committee on LABOR on Bill "An Act Related to Overcompensation"

S.P. 743 L.D. 1947

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-524).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-524) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

ORDERS OF THE DAY

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

Bill "An Act to Authorize the Atlantic Sea Run Salmon Commission to Take the Edwards Dam by Right of Eminent Domain" (Emergency)

H.P. 1700 L.D. 2349

Tabled - February 23, 1990, by Senator CLARK of Cumberland.

Pending - REFERENCE.

(In House, February 23, 1990, referred to the Committee on JUDICIARY and ORDERED PRINTED.)

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

Off Record Remarks

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

ORDERS

Joint Order

On motion by Senator ESTES of York the following Joint Order: S.P. 933

ORDERED, the House concurring, that Bill "An Act Regarding the Maine Vocational-Technical Institute System," H.P. 660, L.D. 902, and all its accompanying papers, be recalled from the Governor's desk to the Senate.

Which was READ and PASSED.

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

Off Record Remarks

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

On motion by Senator BOST of Penobscot, ADJOURNED until Monday, February 26, 1990, at 12:00 in the afternoon.