

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
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FIRST CONFIRMATION SESSION
October 30, 1989
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SECOND CONFIRMATION SESSION
December 12, 1989
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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
 Monday
 March 5, 1990

Senate called to Order by the President.

Prayer by Father Paul Pantelis of the St. George Orthodox Church in Bangor.

FATHER PAUL PANTELIS: Hear the words of the psalmist, "Behold, the eye of the Lord is on those who fear Him, on those who hope in His steadfast love that He may deliver their soul from death and keep them alive in famine. Our soul waits for the Lord. He is our help and shield. Yes, our heart is glad in Him, because we trust in His holy name. Let Your steadfast love, O Lord, be upon us even as we hope in You." Let us bow our heads and pray to the Lord.

Lord have mercy. Father God, God of Abraham, Isaac and Jacob, Lord of us all, author and giver of life and all good things, with bowed heads and hearts we acknowledge Your sovereignty and come before You with thanksgiving for Your rich mercy and bountiful blessings bestowed upon us as individuals and corporately as families, towns, cities, as a state and nation. Thank You this day for the opportunities you've given us of life, of liberty, of pursuit of happiness.

Keep us ever mindful of the responsibility to maintain and preserve these awesome treasures and blessings. As we prepare to conduct the legislative affairs of our state government for yet another day, we remember that You've told us that if we need wisdom to but ask for it. And so Lord, during these times of divisive issues and problems, we turn to You and ask that You give us the wisdom to discern what is right in Your eyes, then to pray that you give us the strength and courage to be obedient to Your will and not to follow, perhaps, the most expedient or politically right way. Reach down and touch us all.

Bless our President, our Governor McKernan, each of the men and women who serve in these chambers and all those in public service throughout our nation. Protect and bless their families and businesses while they are here serving the interests of their fellow citizens. We pray, Lord, that You speak good things concerning Your church and people to the hearts of all those in public service. Help them govern in peace so that we may live our lives in peace and repentance and in service to You. Hear our prayers then, O Lord. Harken to the voice of our supplication, for with glory and praise, we honor Your most majestic name, Father, Son and Holy Spirit, now and always and into the ages of ages. Amen.

Reading of the Journal of Friday, March 2, 1990.

Off Record Remarks

PAPERS FROM THE HOUSE
 Non-concurrent Matter

Bill "An Act Related to the State Board of Substance Abuse Counselors" (Emergency)

S.P. 699 L.D. 1837
 (C "A" S-483; S "A" S-506)

In House, February 12, 1990, PASSED TO BE ENACTED.

In Senate, February 16, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-483) AND SENATE AMENDMENT "A" (S-506) in NON-CONCURRENCE.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-483) AS AMENDED BY HOUSE AMENDMENT "A" (H-860) thereto, AND SENATE AMENDMENT "A" (S-506) in NON-CONCURRENCE.

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

Non-concurrent Matter

SENATE REPORTS - from the Committee on BUSINESS LEGISLATION on Bill "An Act to Improve Credit Reporting"

S.P. 767 L.D. 1992
 (C "B" S-530)

Majority - Ought to Pass as Amended by Committee Amendment "A" (S-529).

Minority - Ought to Pass as Amended by Committee Amendment "B" (S-530).

In Senate, February 27, 1990, the Minority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-530).

Comes from the House the Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-529) in NON-CONCURRENCE.

On motion by Senator BALDACCI of Penobscot, the Senate ADHERED.

Sent down for concurrence.

Non-concurrent Matter

Bill "An Act Concerning the Travel Information Advisory Council"

H.P. 1512 L.D. 2092
 (C "A" H-761)

In House, February 23, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-761) AS AMENDED BY HOUSE AMENDMENT "B" (H-805) thereto.

In Senate, February 27, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-761) in NON-CONCURRENCE.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-761) AS AMENDED BY HOUSE AMENDMENT "C" (H-858) thereto, in NON-CONCURRENCE.

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

Non-concurrent Matter

Bill "An Act Concerning the Driving of Deer or Moose"

S.P. 842 L.D. 2161
 (C "A" S-501)

In Senate, February 16, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-501).

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-501) AS AMENDED BY HOUSE AMENDMENT "A" (H-857) thereto, in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

Joint Resolution

The Following Joint Resolution: H.P. 1695

JOINT RESOLUTION IN SUPPORT OF EARTH DAY,
APRIL 22, 1990

WHEREAS, the splendid Earth, our home, is small;
and

WHEREAS, our Mother Earth needs thoughtful care;
and

WHEREAS, the citizens of Maine are mindful of the
fragile nature of our Earth; and

WHEREAS, it is clear that Maine, whose motto is
"Dirigo," must lead in supporting the belief that our
Earth needs constant vigilance; and

WHEREAS, the citizens of Maine believe that our
Creator endowed humans with the ability to solve
problems of any magnitude; and

WHEREAS, the citizens of Maine appreciate the
serene beauty that surrounds them; now, therefore, be
it

RESOLVED: That we, the Members of the One Hundred
and Fourteenth Legislature, now assembled in the
Second Regular Session, do hereby pledge on behalf of
the citizens of the Great State of Maine, for whom we
speak, to support Earth Day, April 22, 1990, and to
honor the cause of preservation, conservation and
celebration of our beautiful, bountiful Earth.

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

COMMUNICATIONS

The Following Communication:

STATE OF MAINE
DEPARTMENT OF AUDIT
STATE HOUSE STATION 66
AUGUSTA, MAINE 04333

To the President of the Senate and the
Speaker of the House of Representatives
We have compiled the accompanying balance sheet of
the Unorganized Territory Tax District as of June 30,
1988, and the related statements of revenues,
expenditures and changes in fund balance and the
supplementary information for the fiscal year then
ended, in accordance with standards established by
the American Institute of Certified Public
Accountants.

As described in Note 1, the financial statements of
the Unorganized Territory Tax District are intended
to present the financial position and results of
operations and changes in fund balance of only that
portion of the funds of the State of Maine that is
attributable to the transactions of the Unorganized
Territory Tax District.

A compilation is limited to presenting in the form of
financial statements information that is the
representation of management. We have not audited or
reviewed the accompanying financial statements and
supplementary information and, accordingly, do not
express an opinion or any form of assurance on them.
We are not independent with respect to the
Unorganized Territory Tax District.

S/Rodney L. Scribner, CPA
State Auditor

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

The Following Communication:

DEPARTMENT OF LABOR
STATE HOUSE STATION 54
AUGUSTA, MAINE 04333

March 1, 1990

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

Dear President Pray:

I am pleased to submit the first annual report on
substance abuse testing in Maine, in accordance with
26 MRSA §690.

The report covers the calendar year 1989 where the
primary activity was implementation of the new law.
There is a brief update, as of February 28, 1990, at
the conclusion of this report.

This report was prepared by the Department of Labor,
with the assistance of Philip Haines, PhD., Director,
Public Health Laboratory, Department of Human
Services and Sylvia Lund, Office of Alcoholism and
Drug Abuse Prevention, Department of Human Services.
Both Dr. Haines and Ms. Lund are to be congratulated
in their cooperative efforts in preparing this report
as well as implementing the law.

If you have any questions or comments about this
report, please do not hesitate to contact me at
289-6400.

Sincerely,
S/William A. Peabody
Acting Director

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

Off Record Remarks

SENATE PAPERS

Bill "An Act to Amend the Reporting Procedures
for the Governmental Ethics Laws"

S.P. 951 L.D. 2401

Presented by Senator CLARK of Cumberland
Cosponsored by Representative GWADOSKY of
Fairfield, Representative WEBSTER of Cape
Elizabeth and Senator WEBSTER of Franklin
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 27.
Committee on STATE AND LOCAL GOVERNMENT suggested
and ORDERED PRINTED.

Under suspension of the Rules, READ TWICE and
PASSED TO BE ENGROSSED, without reference to a
Committee, and ORDERED PRINTED.

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

Pursuant to Resolves

COMMISSION ON MAINE'S FUTURE

Senator BALDACCI for 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 Institutionalize Strategic Planning in State
Government"

S.P. 950 L.D. 2400

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

Which Report was READ and ACCEPTED.

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

Sent down for concurrence.

COMMITTEE REPORTS

House
Ought Not to Pass

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

The Committee on STATE AND LOCAL GOVERNMENT on

Bill "An Act to Unencumber Funds for the Piscataquis County Jail"

H.P. 1435 L.D. 2005

The Committee on TAXATION on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Allow Current Use Valuation for Children's Camps

H.P. 1673 L.D. 2315

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:

The Committee on LABOR on Bill "An Act to Establish Uniform Overtime Standards for Public Employees"

H.P. 1368 L.D. 1885

Ought to Pass

The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Amend the Procedure for Approval of the Lincoln County Budget"

H.P. 1250 L.D. 1748

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.

Under suspension of the Rules, the Bill READ TWICE.

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

Senator BERUBE: Thank you, Mr. President. When the Bill came out of Committee, unanimous Ought to Pass, it came out as an amended Bill and through an error in the printing, the amendment was not included in the report and this is the amendment I now present which clarifies the voting dates at the Lincoln County meetings.

On motion by Senator BERUBE of Androscoggin, Senate Amendment "A" (S-584) READ and ADOPTED.

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

Sent down for concurrence.

Ought to Pass As Amended

The Committee on AGING, RETIREMENT AND VETERANS on Bill "An Act to Further Facilitate the Conversion of the Records of the Maine State Retirement System to an Automated System"

H.P. 1383 L.D. 1914

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-838).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-838) AS AMENDED BY HOUSE AMENDMENT "A" (H-850) thereto.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-838) READ.

House Amendment "A" (H-850) to Committee Amendment "A" (H-838) READ and ADOPTED, in concurrence.

Committee Amendment "A" (H-838) as Amended by House Amendment "A" (H-850) thereto, ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on AGING, RETIREMENT AND VETERANS on Resolve, to Require a Comprehensive Study to Equalize Maine State Retired Teachers Health Insurance Premium Payments (Emergency)

H.P. 1417 L.D. 1969

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-839).

Comes from the House, with the Report READ and ACCEPTED and the Resolve PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-839).

Which Report was READ and ACCEPTED, in concurrence.

The Resolve READ ONCE.

Committee Amendment "A" (H-839) READ and ADOPTED, in concurrence.

The Resolve as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on BUSINESS LEGISLATION on Bill "An Act to Protect Consumers Against Unsolicited Telefacsimile Transmissions"

H.P. 1423 L.D. 1975

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-845).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-845).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-845) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on EDUCATION on Bill "An Act to Strengthen Drug Abuse Treatment for Children of School Age"

H.P. 1504 L.D. 2084

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-840).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-840).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-840) 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 Correct the Subdivision Laws"

H.P. 1357 L.D. 1874

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-843).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-843).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-843) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

LEGISLATIVE RECORD - SENATE, MARCH 5, 1990

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Aid in the Enforcement of Crimes Relating to Forest Fire Control"

H.P. 1654 L.D. 2290

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-844).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-844).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-844) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on HUMAN RESOURCES on Bill "An Act to Require the Department of Human Services to Set Child Welfare Fee-for-service Rates Based on Yearly Negotiations with Private Nonprofit Community Residential Treatment Providers" (Emergency)

H.P. 744 L.D. 1027

Reported that the same Ought to Pass as Amended by Committee Amendment "B" (H-829).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-829).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "B" (H-829) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on HUMAN RESOURCES on Bill "An Act to Protect Public Health by Prohibiting Smoking on Public Transportation Buses" (Emergency)

H.P. 1462 L.D. 2039

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-817).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-817).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-817) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on HUMAN RESOURCES on Bill "An Act to Amend the Laws Governing the Military and Naval Children's Home"

H.P. 1610 L.D. 2226

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-842).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-842).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-842) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on HUMAN RESOURCES on Bill "An Act to Provide Greater Compliance with General Assistance Laws"

H.P. 1617 L.D. 2239

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-841).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-841).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-841) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on JUDICIARY on Bill "An Act to Ensure that Child Support Payments Benefit the Family"

H.P. 1001 L.D. 1390

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-847).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-847).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-847) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on JUDICIARY on Bill "An Act to Make Improvements in the Operation of the Judicial Department of the State"

H.P. 1382 L.D. 1913

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-848).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-848).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-848) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on JUDICIARY on Bill "An Act Concerning Trafficking in Prison Contraband"

H.P. 1453 L.D. 2027

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-846).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-846).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-846) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Bill "An Act to Amend the Operating-under-the-influence Laws"

H.P. 1535 L.D. 2120

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-834).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-834).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-834) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Amend the Laws Affecting the Operations of the Bureau of Corporations, Elections and Commissions"

H.P. 1388 L.D. 1918

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-833).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-833).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-833) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on TRANSPORTATION on Bill "An Act to Enforce Reasonable Use of Sirens on Emergency Vehicles"

H.P. 1507 L.D. 2087

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-837).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-837).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-837) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Establish the Department of Child and Family Services" (Emergency)

H.P. 1199 L.D. 1666

Reported that the same Ought to Pass as Amended by Committee Amendment "C" (H-820).

Signed:

Senator:

ESTY of Cumberland

Representatives:

JOSEPH of Waterville

DAGGETT of Augusta

CAHILL of Mattawamkeag

HEESCHEN of Wilton

ROTONDI of Athens

LARRIVEE of Gorham

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

Signed:

Senators:

BERUBE of Androscoggin

CARPENTER of York

Representatives:

WENTWORTH of Wells

CURRAN of Westbrook

BEGLEY of Waldoboro

MCCORMICK of Rockport

Comes from the House the Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "C" (H-820).

Which Reports were READ.

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

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 CARPENTER for the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Require That Relevant Experience Be a Consideration in Selecting Members of the State Employee Health Commission"

S.P. 905 L.D. 2299

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 BERUBE for the Committee on STATE AND LOCAL GOVERNMENT on Resolve, to Create the Commission on Effective Information Systems in State Government

S.P. 919 L.D. 2325

Ought to Pass As Amended

Senator WHITMORE for the Committee on BUSINESS LEGISLATION on Bill "An Act to Require That Certain 3rd-party Prescription Drug Programs Be Subject to the Provisions of the Appropriate Preferred Provider Arrangement Act"

S.P. 816 L.D. 2080

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-543).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-543) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on AGING, RETIREMENT AND VETERANS on Bill "An Act to Provide Equitable Representation on the Board of Trustees of the Maine State Retirement System"

S.P. 751 L.D. 1959

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-542).

Signed:

Senators:

TITCOMB of Cumberland

CLARK of Cumberland

Representatives:

BREWER of Boothbay Harbor

RICHARD of Madison

MCSWEENEY of Old Orchard Beach

AULT of Wayne

HICKEY of Augusta

DUTREMBLE of Biddeford

JALBERT of Lisbon

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

Signed:

Senator:

CAHILL of Sagadahoc

Representatives:

STEVENSON of Unity

DELLERT of Gardiner

MERRILL of Dover-Foxcroft

Which Reports were READ.

Senator CLARK of Cumberland moved to ACCEPT the Majority OUGHT TO PASS AS AMENDED Report.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Cahill.

Senator CAHILL: Thank you. Mr. President, Men and Women of the Senate, I would hope today that you would vote to oppose the pending motion and I'll give you very briefly my reasons why. First of all, this legislation would add new people to the Board of Directors of the Maine State Retirement System. It would add, as a matter of fact, three new people. The original Bill would add an appointee of the American Federation of Labor/Congress of Industrial Organizations and the amendment would add a member of the Maine School Management Board, plus it would make the Treasurer of the State of Maine a voting member. Currently, the Treasurer serves as an exofficio member and that is where I have my problems.

So, it would add two members and make the State Treasurer an exofficio. I'd like to say from the very beginning that the present Treasurer of the State of Maine, I consider a personal friend and I hope that when we're voting, we vote for the position of State Treasurer, rather than the person. I don't think anyone intends to get into a personality contest and that certainly is not my intent. The reason that I am opposed to making the State Treasurer a voting member is mainly because the current Board voted unanimously to oppose having any changes in the Board and I would like to read their statement, "Without intending to reflect adversely on one individual, position or group, the Board of Trustees believes that it's current size, mix and constituency is proper to administer the System for the best interest of all participants and beneficiaries. Therefore, with regard to L.D. 1959 as amended, which would increase the voting membership of the Board by three members, the Board decides to express its sincere opposition to the Bill as so written and requests the Governor to veto the Bill if it is enacted by the Legislature in its current form."

Thank you.

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

Senator CLARK: Thank you. Mr. President, Men and Women of the Senate, obviously, I'm standing before you this afternoon requesting that you support the pending motion of accepting the majority report. The good Senator from Sagadahoc, Senator Cahill is absolutely on target when she says the original Bill, which, by the way, I sponsored, would add a member to the Board to represent a coalition of those who are currently not represented on the Board of Trustees of the Maine Retirement System and which also represents an issue which has been before us and around us over the past number of years and violates on its face the composition of the Board of Trustees of the Retirement System which has representatives from all those who contribute to the Retirement System. More precisely, the proposal to add an additional member to the Board of Trustees in the original bill represents in large measure those who are represented by AFSCME and the participating local districts.

During the public hearing and the working sessions on this measure, the Committee on Aging, Retirement and Veterans received a proposal from Maine School Management Association as well as a plea from the State Treasurer that they be given representation on the Board and since members of our Joint Standing Committee are particularly familiar with this issue, we thought it was appropriate to incorporate those two additional members in the original bill. That is, in fact, the composition of the Committee amendment (S-542), if you're so inclined to review it. As I mentioned, the purpose of the original Bill was to afford representation on the Board of Trustees of the Maine State Retirement System to those who pay into the Retirement System. Interestingly enough, the concept behind the Bill, as amended, continues to be simple and fair, equitable representation for those who participate and for those who pay.

I recognize that at its last meeting, the Maine State Retirement System's Board of Trustees, at its meeting at Sugarloaf, unanimously voted to oppose the Bill as amended and currently before us and I guess there is a problem with that from my perspective. I accord that fine Board. It's right to take a position on this piece of legislation as amended by the Committee, but I take issue with the fact that that Board should dictate to the Legislature the composition of the Board for that far exceeds its legislative authorization. It is charged with the task of maintaining the integrity of the system and determining its investment policy, as well as overseeing the administration of the System by the Executive Director and the Deputy Directors and the employees of the System.

While I appreciate that they have every opportunity and every right as citizens of this State and, perhaps, even as a Board, to take a position, which they do, on other issues with reference to the fiscal integrity of the System, I think they have, in this instance, exceeded their charge. For it is the Legislature who determines the composition the Board and it is this Legislature, not the Board of Trustees, who will determine, I hope, the composition of the Board in the future.

There was, frankly, some question to the appropriateness of, as alluded to by the good Senator from Sagadahoc, Senator Cahill, of the State Treasurer, a Constitutional Officer, having a vote on the Board of Trustees of the Maine State Retirement System and suffice it to say, that there is nothing in state statute which precludes that action and thus, the majority report is represented as before us today. I do recognize and have found out this morning that there may be language that may ameliorate any question about the appropriateness but, suffice it to say, that the State Treasurer has a voting capacity on all the other Boards and Commissions in which he serves and since he has participated in large measure as an exofficio member in the dealings, particularly, the investment side of the responsibilities of the Board of Trustees, the majority report reflects that, in fact, he should be accorded a full voting right on that Board, along with a representative of the Maine School Management Association, which also is comprised of members who, to date, do not have adequate representation and do make contributions to the System. We place our two opposing positions before you and hope that this Body will act wisely. Thank you, Mr. President.

At the request of Senator CAHILL of Sagadahoc, a Division was had. 18 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator CLARK of Cumberland

to ACCEPT the Majority OUGHT TO PASS AS AMENDED Report, PREVAILED.
 The Bill READ ONCE.
 Committee Amendment "A" (S-542) READ and ADOPTED.
 The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

SECOND READERS

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

House

Bill "An Act Concerning Investigation of Allegations by the Office of Advocacy"

H.P. 1609 L.D. 2225

Bill "An Act Allowing the Yarmouth Water District to Acquire the Assets and Liabilities of the North Yarmouth Water District" (Emergency)

H.P. 1665 L.D. 2305

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

House As Amended

Bill "An Act to Provide for Increased Penalties for Land Use Violations within Certain Resource Protection Zones"

H.P. 1329 L.D. 1846
 (C "A" H-803)

Bill "An Act to Amend the Maine Human Rights Act to Prohibit Educational Discrimination on the Basis of National Origin"

H.P. 1360 L.D. 1877
 (C "A" H-825)

Bill "An Act to Improve Maine Occupational Safety and Health Provisions"

H.P. 1367 L.D. 1884
 (C "A" H-826)

Bill "An Act to Amend the Law Governing Family Medical Leave"

H.P. 1377 L.D. 1908
 (C "A" H-821)

Bill "An Act to Return Certain Positions within the Department of Mental Health and Mental Retardation to Classified Service under the Civil Service Law and to Establish Uniform Pay Schedules"

H.P. 1380 L.D. 1911
 (H "A" H-849 to C "A" H-819)

Bill "An Act to Expand and Extend the Maine Managed Care Insurance Plan Demonstration Project" (Emergency)

H.P. 1509 L.D. 2089
 (C "A" H-823)

Bill "An Act to Amend the Laws Concerning the Department of Human Services to Increase the Maximum Allowable Fine to \$50,000"

H.P. 1521 L.D. 2106
 (C "A" H-830)

Bill "An Act to Amend the Maine Agricultural Marketing and Bargaining Act of 1973"

H.P. 1574 L.D. 2181
 (C "A" H-828)

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

Senate As Amended

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

(S "A" S-537 to C "B" S-519)

Bill "An Act to Increase Eligibility for Imprisonment with Intensive Supervision"

S.P. 822 L.D. 2098
 (C "A" S-539)

Bill "An Act to Require Disclosure of Parents' Social Security Numbers at the Time of a Child's Birth and to Amend the Provisions of the Law Concerning Disclosure of Information"

S.P. 889 L.D. 2265
 (C "A" S-540)

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

Sent down for concurrence.

Bill "An Act to Promote and Assist Barrier-free Construction in Places of Public Accommodation and Places of Employment"

S.P. 733 L.D. 1932
 (C "A" S-536)

Which was READ A SECOND TIME.

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

ENACTORS

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

An Act to Amend the Definition of Dealer Under the Used Car Information Laws

S.P. 717 L.D. 1892
 (H "A" H-824 to C "A" S-505)

An Act Concerning the Sale of Land Owned by Consumer-owned Water Utilities

S.P. 757 L.D. 1982
 (C "A" S-507)

An Act Relating to Prearranged Funerals or Burial Plans

H.P. 1365 L.D. 1882

An Act to Repeal the Prohibition on Phantom House Lot Valuation

H.P. 1385 L.D. 1915

An Act to Prevent Overutilization of Forest Resources

H.P. 1391 L.D. 1921
 (C "A" H-798)

An Act to Amend the Educational Qualifications for Licensure as a Social Worker

H.P. 1412 L.D. 1964
 (C "A" H-794)

An Act to Limit the Effect of Collateral Estoppel on Unemployment Insurance Decisions

H.P. 1471 L.D. 2056
 (C "A" H-778)

An Act Concerning Warranty Rights of Mobile Home Owners

H.P. 1492 L.D. 2065
 (C "A" H-797)

An Act to Exempt Residential Developments and Construction Noise from Noise Control Provisions

H.P. 1503 L.D. 2083
 (C "A" H-799)

An Act Concerning Operation of All-terrain Vehicles

H.P. 1519 L.D. 2104
 (C "A" H-792)

An Act to Amend the Law Concerning the Hunting of Coyote

H.P. 1630 L.D. 2257

Which were PASSED TO BE ENACTED and having been signed by the President, were presented by the Secretary to the Governor for his approval.

Senate at Ease
Senate called to order by the President.

An Act to Clarify Costs Associated with the Purchase of Land by School Administrative Units
S.P. 181 L.D. 338
(C "B" S-509)

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

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

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator BERUBE for the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Authorize the Annexation of Land Adjacent to the Town of East Millinocket" (Emergency)

S.P. 746 L.D. 1950

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-547).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-547) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

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

(C "A" H-796)

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

Senator BERUBE for the Committee on STATE AND LOCAL GOVERNMENT on Resolve, Authorizing the Director of the Bureau of Public Improvements to Sell the Maine Criminal Justice Academy Campus in Waterville, Maine

S.P. 872 L.D. 2234

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-548).

Which Report was READ and ACCEPTED.

The Resolve READ ONCE.

Committee Amendment "A" (S-548) READ and ADOPTED.

The Resolve as Amended, TOMORROW ASSIGNED FOR SECOND READING.

An Act Regarding the Availability of Insurance Loss Information

H.P. 1318 L.D. 1820

(C "A" H-800)

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

Emergency

An Act Relating to the Town of York School District

S.P. 703 L.D. 1841

(C "A" S-514)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with No Senators having voted in negative, and 32 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.

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

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator BERUBE for the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Implement the Recommendations of the Special Commission to Study the Organization of the State's Cultural Agencies"

S.P. 885 L.D. 2254

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-546).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-546) READ and ADOPTED.

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

An Act to Clarify the Law Governing the Aroostook County Finance Committee

H.P. 1625 L.D. 2247

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with No Senators having voted in negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

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

H.P. 1702 L.D. 2351

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with No Senators having voted in negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was FINALLY PASSED 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.

Senator WEBSTER of Franklin was granted unanimous consent to address the Senate off the Record.

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

Off Record Remarks

Senator PERKINS of Hancock was granted unanimous consent to address the Senate off the Record.

On motion by Senator PERKINS of Hancock, RECESSED until 4:30 this afternoon.

After Recess
Senate called to order by the President.

Under suspension of the Rules, all matters thus acted upon ordered sent down forthwith for concurrence.

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

PAPERS FROM THE HOUSE

Non-concurrent Matter

Resolve, Authorizing the Kennebec County Commissioners to Issue Bonds in the Amount of \$650,000 for the Renovation of the Hill House County Building in Augusta (Emergency)

H.P. 1719 L.D. 2375

Committee on STATE AND LOCAL GOVERNMENT suggested and ORDERED PRINTED.

In House, March 1, 1990, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee.

In Senate, March 2, 1990, referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED in NON-CONCURRENCE.

Comes from the House, that Body INSISTED. The Senate RECEDED and CONCURRED.

Senate at Ease
Senate called to order by the President.

House Papers

Bill "An Act to Dedicate Funds to Ensure Access to Health Care" (Emergency)

H.P. 1743 L.D. 2407

Committee on TAXATION suggested and ORDERED PRINTED.

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

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

Bill "An Act Concerning the Collection of Inspection Fees for Overboard Discharge"

H.P. 1740 L.D. 2404

Bill "An Act Regarding Squa Pan Stream" (Emergency)

H.P. 1742 L.D. 2406

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.

Bill "An Act to Preserve the Rights of Certain Litigants in Whistleblower Suits" (Emergency)

H.P. 1739 L.D. 2403

Bill "An Act to Promote the Awareness and Responsibility of Owners of Firearms"

H.P. 1745 L.D. 2409

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

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

Bill "An Act Regarding Importation of Liquor"
H.P. 1741 L.D. 2405

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

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

Resolve, to Designate the Quoddy Loop as a Scenic Way (Emergency)

H.P. 1738 L.D. 2402

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

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

Study Report

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 Codify the Maine Vision"

H.P. 1744 L.D. 2408

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.

COMMITTEE REPORTS

House

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 HUMAN RESOURCES on Bill "An Act Concerning Availability of Income Between Spouses in the Determination of Medicaid Eligibility for Nursing Home Level Care"

H.P. 1501 L.D. 2081

The Committee on STATE AND LOCAL GOVERNMENT on 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

The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Provide for a Decennial Commission on Maine's Future"

H.P. 1706 L.D. 2355

Ought to Pass

The Committee on TAXATION on Bill "An Act to Implement Changes for the Deferred Collection of Homestead Property Taxes"

H.P. 1620 L.D. 2242

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act Regarding Excepted Employees of the Judicial Department" (Emergency)

H.P. 1325 L.D. 1827

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-854).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-854).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-854) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on BUSINESS LEGISLATION on Bill "An Act to Protect Consumer Privacy by Regulating Automated Telephone Solicitations"

H.P. 1421 L.D. 1973

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-835).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-835) AND HOUSE AMENDMENT "A" (H-855).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-835) READ and ADOPTED, in concurrence.

House Amendment "A" (H-855) 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 Establish the Wells Reserve Management Authority"

H.P. 1457 L.D. 2031

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-853).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-853).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-853) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on HUMAN RESOURCES on Bill "An Act to Provide Access to Preventive Dental Care Services to Adults Eligible for Medicaid"

H.P. 1398 L.D. 1934

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-831).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS

AMENDED BY COMMITTEE AMENDMENT "A" (H-831) AS AMENDED BY HOUSE AMENDMENT "A" (H-861) thereto.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-831) READ.

House Amendment "A" (H-861) to Committee Amendment "A" (H-831) READ and ADOPTED, in concurrence.

Committee Amendment "A" (H-831) as Amended by House Amendment "A" (H-861) thereto, ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Discourage Public Competition with Private Enterprise"

H.P. 1626 L.D. 2248

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-832).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-832) AS AMENDED BY HOUSE AMENDMENT "A" (H-856) thereto.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-832) READ.

House Amendment "A" (H-856) to Committee Amendment "A" (H-832) READ and ADOPTED, in concurrence.

Committee Amendment "A" (H-832) as Amended by House Amendment "A" (H-856) thereto, ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

SECOND READERS

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

Senate As Amended

Bill "An Act to Implement the Recommendations of the Special Commission to Study the Organization of the State's Cultural Agencies"

S.P. 885 L.D. 2254

(C "A" S-546)

Which was READ A SECOND TIME.

On motion by Senator BERUBE of Androscoggin, Senate Amendment "A" (S-549) READ.

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

Senator BERUBE: Thank you. Mr. President, the amendment strikes out the fiscal note because we have removed the Executive Secretary position. Therefore, there is no longer need for a fiscal note.

On motion by Senator BERUBE of Androscoggin, Senate Amendment "A" (S-549) ADOPTED.

Which was PASSED TO BE ENGROSSED, as Amended.

Sent down for concurrence.

ENACTORS

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

An Act to Remove Notarization from the Voter Registration Application Process

S.P. 750 L.D. 1958

(C "A" S-522)

An Act to Increase Awareness of Fetal Alcohol Syndrome and the Effects of Alcohol and Drugs on Fetuses

H.P. 1470 L.D. 2055
(C "A" H-814)
An Act to Establish the Advisory Board on Rights of Children in Need of Services

H.P. 1537 L.D. 2122
(C "A" H-812)
An Act to Amend the Laws Relating to the Maine Committee on Aging

H.P. 1546 L.D. 2131
(C "A" H-808)
An Act Regarding Mobile Home Safety Standards

H.P. 1562 L.D. 2168
(C "A" H-815)
An Act Concerning Retirees' Return to Employment

S.P. 869 L.D. 2229
(C "A" S-520)
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 Requiring the State to Pay a Portion of the Health Insurance Premium for Dependents of Retired State Employees

H.P. 1411 L.D. 1963
(C "A" H-804)
On motion by Senator PEARSON of Penobscot, placed on the SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

An Act to Require the State to Pay a Portion of Retired State Employees' Medicare Costs

S.P. 759 L.D. 1984
(C "A" S-516)
On motion by Senator PEARSON of Penobscot, placed on the SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

An Act to Amend the Percent for Art Act

S.P. 834 L.D. 2142
(C "A" S-521; S "A" S-528)
On motion by Senator PEARSON of Penobscot, placed on the SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

An Act to Create the Maine Coast Environmental Trust Fund

H.P. 1589 L.D. 2201
(C "A" H-811)
On motion by Senator PEARSON of Penobscot, placed on the SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

Emergency
An Act to Initiate a Review of Fuel Cost Adjustment for Electric Rates

H.P. 1474 L.D. 2059
(C "A" H-809)
This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

ORDERS OF THE DAY

The Chair laid before the Senate the Tabled and Later Today Assigned matter:
Bill "An Act Related to the State Board of Substance Abuse Counselors" (Emergency)

S.P. 699 L.D. 1837
(C "A" S-483; S "A" S-506)
Tabled - March 5, 1990, by Senator CLARK of Cumberland.
Pending - FURTHER CONSIDERATION
(In House, February 12, 1990, PASSED TO BE ENACTED.)
(In Senate, February 16, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-483) AND SENATE AMENDMENT "A" (S-506) in NON-CONCURRENCE.)
(In House, March 2, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-483) AS AMENDED BY HOUSE AMENDMENT "A" (H-860) thereto, AND SENATE AMENDMENT "A" (S-506) in NON-CONCURRENCE.)
On motion by Senator CLARK of Cumberland, Tabled Unassigned pending FURTHER CONSIDERATION.

The Chair laid before the Senate the Tabled and Later Today Assigned matter:
Bill "An Act Concerning the Travel Information Advisory Council"

H.P. 1512 L.D. 2092
(C "A" H-761)
Tabled - March 5, 1990, by Senator CLARK of Cumberland.
Pending - FURTHER CONSIDERATION
(In House, February 23, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-761) AS AMENDED BY HOUSE AMENDMENT "B" (H-805) thereto.)
(In Senate, February 27, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-761) in NON-CONCURRENCE.)
(In House, March 2, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-761) AS AMENDED BY HOUSE AMENDMENT "C" (H-858) thereto, in NON-CONCURRENCE.)
On motion by Senator TWITCHELL of Oxford, the Senate ADHERED.
Sent down for concurrence.

The Chair laid before the Senate the Tabled and Later Today Assigned matter:
HOUSE REPORTS - from the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Establish the Department of Child and Family Services" (Emergency)

H.P. 1199 L.D. 1666
Majority - Ought to Pass as Amended by Committee Amendment "C" (H-820).
Minority - Ought Not to Pass.
Tabled - March 5, 1990, by Senator CLARK of Cumberland.
Pending - ACCEPTANCE OF EITHER REPORT
(In Senate, March 5, 1990, Reports READ.)
(In House, March 2, 1990, the Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "C" (H-820).)
On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending ACCEPTANCE OF EITHER REPORT.

The Chair laid before the Senate the Tabled and Today Assigned matter:
STUDY REPORT - from the COMMISSION ON MAINE'S

LEGISLATIVE RECORD - SENATE, MARCH 5, 1990

FUTURE, on Resolve, to Implement the Final Report of the Commission on Maine's Future
Report - refer to the Committee on STATE AND LOCAL GOVERNMENT for Public Hearing pursuant to Joint Rule 18.

S.P. 944 L.D. 2392

Tabled - March 2, 1990, by Senator CLARK of Cumberland.

Pending - ACCEPTANCE

(In Senate, March 2, 1990, Report READ.)

Which Report was ACCEPTED and the Bill referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED, pursuant to Joint Rule 18.

Sent down for concurrence.

On motion by Senator PERKINS of Hancock, ADJOURNED until Tuesday, March 6, 1990 at 8:30 in the morning.

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

Bill "An Act to Ensure the Effective Use of Grants in the Office of the State Archivist"

H.P. 1624 L.D. 2246

Tabled - March 2, 1990, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED

(In Senate, March 2, 1990, READ A SECOND TIME.)

(In House, February 27, 1990, PASSED TO BE ENGROSSED.)

On motion by Senator BERUBE of Androscoggin, Senate Amendment "A" (S-545) READ and ADOPTED.

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

Sent down for concurrence.

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

An Act to Amend the Laws Relating to the Maine Insurance Guaranty Association and the Maine Life and Health Insurance Guaranty Association

S.P. 844 L.D. 2163

Tabled - March 2, 1990, by Senator BUSTIN of Kennebec.

Pending - ENACTMENT

(In Senate, February 16, 1990, PASSED TO BE ENGROSSED.)

(In House, March 1, 1990, PASSED TO BE ENACTED.)

On motion by Senator CLARK of Cumberland, Tabled Unassigned pending ENACTMENT.

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

Bill "An Act to Provide for Base-year Revisions for Intermediate Care Facilities for the Mentally Retarded"

H.P. 250 L.D. 362

(C "A" H-813)

Tabled - March 2, 1990, by Senator GAUVREAU of Androscoggin.

Pending - PASSAGE TO BE ENGROSSED AS AMENDED, in concurrence

(In Senate, March 1, 1990, READ A SECOND TIME.)

(In House, February 26, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-813).)

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

Off Record Remarks