

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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
March 9, 1990

Senate called to Order by the President.

Prayer by Tim Griffin of the Baha'i Community in Auburn.

TIM GRIFFIN: O Thou compassionate Lord, Thou Who art generous and able. We are servants of Thine, children who need Thy providence. Cast Thy glance of favor upon us. Give light to our eyes, hearing to our ears and understanding love to our hearts. Render our souls joyous and happy to Thy glad tidings. O Lord, pour down to us the pathway of Thy kingdom and resuscitate all this with the blessing of the Holy Spirit. Bestow upon us light everlasting and confer upon us never ending order. Unify mankind and illuminate the world with humanity. May we all follow Thy pathway, long for Thy good pleasure and seek the mysteries of Thy kingdom. O God unite us and connect our hearts with Thy indestructible bonds. You art the Giver, Thou art the Kind One, and Thou art the Almighty.

Reading of the Journal of Yesterday.

PAPERS FROM THE HOUSE
Non-concurrent Matter

Bill "An Act to Reform the Juvenile Criminal Justice System"

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

In House, February 20, 1990, PASSED TO BE ENACTED.
In Senate, February 27, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-479) in NON-CONCURRENCE.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-479) AS AMENDED BY HOUSE AMENDMENT "B" (H-893) thereto, in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

Non-concurrent Matter

Bill "An Act Related to Overcompensation"

S.P. 743 L.D. 1947
(C "A" S-524)

In Senate, February 26, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-524).

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-524) AS AMENDED BY HOUSE AMENDMENT "B" (H-890) 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 to Clarify Definitions and Provisions of Marine Resources Laws"

S.P. 821 L.D. 2097
(C "A" S-517)

In Senate, February 26, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-517).

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-517) AND HOUSE AMENDMENT "A" (H-894) in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

Non-concurrent Matter

Bill "An Act to Require Prior Notice of the Sale of Gas Stations"

S.P. 846 L.D. 2176
(C "A" S-518)

In Senate, February 26, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-518).

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-518) AS AMENDED BY HOUSE AMENDMENT "A" (H-892) thereto, in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

Senate at Ease

Senate called to order by the President.

House Papers

Bill "An Act to Provide for a Study of the Harness Racing Industry" (Emergency)

H.P. 1749 L.D. 2412

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.

Bill "An Act to Establish Fees for Nonferrous Metal Mining" (Emergency)

H.P. 1753 L.D. 2416

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

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

Bill "An Act to Improve Protective Services for Incapacitated and Dependent Adults"

H.P. 1754 L.D. 2417

Comes 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 Restructure Exportation of Natural Resources"

H.P. 1748 L.D. 2411

Comes 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.

Pursuant to the Statutes

Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS, pursuant to Public Law 1989, Chapter 501, Part P, section 46 ask leave to submit its findings and to report that the accompanying Bill "An Act to Implement Certain Recommendations of a Subcommittee of the Joint Standing Committee on Appropriations and Financial Affairs"

H.P. 1755 L.D. 2418

Be referred to the Joint Standing Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS 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 APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED, pursuant to Joint Rule 18.

Which Report was READ and ACCEPTED, in concurrence.

The Bill referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED, pursuant to Joint Rule 18, in concurrence.

Pursuant to the Statutes

Committee on AUDIT AND PROGRAM REVIEW

The Committee on AUDIT AND PROGRAM REVIEW, pursuant to the Maine Revised Statutes, Title 3 Chapter 33, ask leave to submit its findings and to report that the accompanying Bill "An Act to Authorize a General Fund Bond Issue for the Purpose of Promoting the Well-being and Rehabilitation of Children in Need of Care, Treatment, or Shelter"

H.P. 1747 L.D. 2410

Be referred to the Joint Standing Committee on AUDIT AND PROGRAM REVIEW 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 APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED, pursuant to Joint Rule 18.

Which Report was READ and REJECTED.

The Bill referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED, pursuant to Joint Rule 18, in concurrence.

Pursuant to the Statutes

Committee on AUDIT AND PROGRAM REVIEW

The Committee on AUDIT AND PROGRAM REVIEW, pursuant to the Maine Revised Statutes, Title 3 Chapter 33, ask leave to submit its findings and to report that the accompanying Bill "An Act Regarding Security and Training Functions within the Bureau of Capitol Security" (Emergency)

H.P. 1751 L.D. 2413

Be referred to the Joint Standing Committee on AUDIT AND PROGRAM REVIEW 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 AUDIT AND PROGRAM REVIEW and ORDERED PRINTED, pursuant to Joint Rule 18.

Which Report was READ and ACCEPTED, in concurrence.

The Bill referred to the Committee on AUDIT AND PROGRAM REVIEW and ORDERED PRINTED, pursuant to Joint Rule 18, in concurrence.

Pursuant to the Statutes

Committee on AUDIT AND PROGRAM REVIEW

The Committee on AUDIT AND PROGRAM REVIEW, pursuant to the Maine Revised Statutes, Title 3 Chapter 33, ask leave to submit its findings and to report that the accompanying Resolve, to Establish a Model Coordinated Response System for Child Abuse Referrals in Penobscot and Piscataquis Counties (Emergency)

H.P. 1752 L.D. 2415

Be referred to the Joint Standing Committee on AUDIT AND PROGRAM REVIEW 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 AUDIT AND PROGRAM REVIEW and ORDERED PRINTED, pursuant to Joint Rule 18.

Which Report was READ and ACCEPTED, in concurrence.

The Resolve referred to the Committee on AUDIT AND PROGRAM REVIEW and ORDERED PRINTED, pursuant to Joint Rule 18, in concurrence.

Joint Resolution

The Following Joint Resolution: H.P. 1750

JOINT RESOLUTION RECOGNIZING

APRIL 28, 1990 AS WORKERS MEMORIAL DAY

WHEREAS, every year more than 10,000 American workers are killed on the job; and

WHEREAS, each year tens of thousands more are permanently disabled; and

WHEREAS, an additional 100,000 workers die each year from cancer, lung disease and other diseases related to toxic chemical exposure at work; and

WHEREAS, many concerned Americans are determined to prevent these tragedies by observing Workers Memorial Day on April 28th, a day chosen by the unions of the AFL-CIO as a day to remember these victims of workplace injuries and disease, by renewing their efforts to seek stronger safety and health protections, better standards and enforcement, and fair and just compensation and by rededicating themselves to improving safety and health in every American workplace; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Fourteenth Legislature of the State of Maine, now assembled in the Second Regular Session, recognize April 28, 1990, in recognition of workers killed, injured and disabled on the job; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the Maine Chapter of the AFL-CIO in honor of the occasion.

Comes from the House READ and ADOPTED.

Which was READ and ADOPTED, in concurrence.

COMMUNICATIONS

The Following Communication: S.P. 955

114TH MAINE LEGISLATURE

March 8, 1990

Senator Zachary E. Matthews

Rep. Charles R. Priest

Chairpersons

Joint Standing Committee on Legal Affairs

114th Legislature

Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated the following:

Pursuant to Title 28, MRSA Section 52, Charles H. Milan, III of Brewer for reappointment to the Maine State Liquor Commission.

Pursuant to Title 8, MRSA Section 352, Margaret C. Kenney of East Winthrop for reappointment to the Maine State Lottery Commission.

These nominations will require review by the Joint Standing Committee on Legal Affairs 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 LEGAL AFFAIRS.

Sent down for concurrence.

The Following Communication:
STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333
March 8, 1990

Honorable Joy J. O'Brien
Secretary of the Senate
114th Legislature
Augusta, Maine 04333
Dear Madam Secretary:

House Paper 660, Legislative Document 902, AN ACT Regarding the Maine Technical College System, having been returned by the Governor together with his objections to the same pursuant to the provisions of the Constitution of the State of Maine, after reconsideration the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

95 voted in favor and 49 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Respectfully,
S/Edwin H. Pert
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.

Off Record Remarks

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 ENERGY AND NATURAL RESOURCES on Bill "An Act to Establish Fees for Nonferrous Mining" (Emergency)

H.P. 1713 L.D. 2364

The Committee on HUMAN RESOURCES on Bill "An Act Regarding Preliminary Protection Orders in Child Protective Cases"

H.P. 1530 L.D. 2115

The Committee on HUMAN RESOURCES on Bill "An Act to Expand Family Reunification Requirements in Child Protective Cases"

H.P. 1587 L.D. 2199

The Committee on JUDICIARY on Bill "An Act to Provide Authorization to Consent to Health Care"

H.P. 1658 L.D. 2294

The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Codify the Maine Vision"

H.P. 1744 L.D. 2408

Ought to Pass As Amended

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Reclassify Surface Waters of the State"

H.P. 1622 L.D. 2244

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-870).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-870).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-870) 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 Create Low-interest Loans for Businesses to Purchase Furnaces or Boilers That Burn Waste Motor Oil"

H.P. 1638 L.D. 2271

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-869).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-869).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-869) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on HOUSING AND ECONOMIC DEVELOPMENT on Bill "An Act to Amend the Maine Human Rights Act with Regard to Housing Discrimination on the Basis of Handicap"

H.P. 1542 L.D. 2127

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-868).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-868).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-868) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on HOUSING AND ECONOMIC DEVELOPMENT on Bill "An Act Providing for the 1990 Amendments to the Finance Authority of Maine Act"

H.P. 1619 L.D. 2241

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-866).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-866).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-866) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on HUMAN RESOURCES on Bill "An Act to Clarify the Laws Regarding Recovery of Medicaid Payments from Liable Third Parties"

H.P. 1540 L.D. 2125

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-864).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-864).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-864) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on JUDICIARY on Bill "An Act to Promote Judicial Economy by Allowing Corporate Self-representation in Traffic Cases"

H.P. 1439 L.D. 2009

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-867).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-867).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-867) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Bill "An Act to Strengthen Penalties for Operating under the Influence When a Minor Is a Passenger"

H.P. 1405 L.D. 1953

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-878).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-878).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-878) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Bill "An Act to Provide Warranties for Manufactured Housing Purchased from Out-of-state Dealers"

H.P. 1500 L.D. 2077

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-877).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-877).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-877) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Bill "An Act to Facilitate the Disclosure of the Mobile Home Statutory Warranty"

H.P. 1582 L.D. 2191

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-876).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-876).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-876) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on MARINE RESOURCES on Bill "An Act Concerning the Depuration Digging of Shellfish"

H.P. 1441 L.D. 2010

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-873).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-873).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-873) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on MARINE RESOURCES on Bill "An Act to Establish Licensing Requirements and a Cooperative Monitoring Program for Mahogany Quahogs"

H.P. 1541 L.D. 2126

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-874).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-874).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-874) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on TAXATION on Bill "An Act to Clarify the Tax Lien Discharge Law"

H.P. 1599 L.D. 2223

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-872).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-872).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-872) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senate
Ought Not to Pass

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

Senator BOST for the Committee on EDUCATION on Bill "An Act to Establish Uniform Hiring Practices for Educational Administrator Positions Requiring Certification"

S.P. 925 L.D. 2336

Senator KANY for the Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Amend the Laws Governing the Maine Environmental Protection Fund" (Emergency)

S.P. 931 L.D. 2360

Ought to Pass

Senator TITCOMB for the Committee on HUMAN RESOURCES on Bill "An Act Relating to the Child and Family Services and Child Protection Act"

S.P. 695 L.D. 1833

Reported that the same Ought to Pass. Which Report was READ and ACCEPTED. The Bill READ ONCE. The Bill TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

Senator PEARSON for the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Allow the State Police to Recover Funds Expended for Presidential Security"

S.P. 760 L.D. 1985

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-569). Which Report was READ and ACCEPTED. The Bill READ ONCE. Committee Amendment "A" (S-569) READ and ADOPTED. The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator GAUVREAU for the Committee on HUMAN RESOURCES on Resolve, Directing the Department of Human Services to Develop a Poison Warning System

S.P. 915 L.D. 2321

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-572). Which Report was READ and ACCEPTED. The Resolve READ ONCE. Committee Amendment "A" (S-572) READ and ADOPTED. The Resolve as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator CARPENTER for the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Create an Appeals Procedure for the State Bidding Process" (Emergency)

S.P. 895 L.D. 2277

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-571). Which Report was READ and ACCEPTED. The Bill READ ONCE. Committee Amendment "A" (S-571) READ and ADOPTED. The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on BANKING AND INSURANCE on Bill "An Act to Exempt Medical Malpractice Captive Insurance Companies from the Requirement to Obtain Certificates of Authority to Transact Insurance in the State of Maine"

S.P. 705 L.D. 1843

Reported that the same Ought Not to Pass.

Signed:

Senators:

THERIAULT of Aroostook COLLINS of Aroostook

Representatives:

KETOVER of Portland JOSEPH of Waterville RYDELL of Brunswick CURRAN of Westbrook DONALD of Buxton ERWIN of Rumford ALLEN of Washington GARLAND of Bangor TRACY of Rome RAND of Portland

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

Signed:

Senator:

BUSTIN of Kennebec

Which Reports were READ.

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending ACCEPTANCE OF EITHER REPORT.

SECOND READERS

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

House As Amended

Bill "An Act to Establish the Department of Child and Family Services" (Emergency)

H.P. 1199 L.D. 1666 (C "C" H-820)

Which was READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended, in concurrence. (See Action Later Today)

Senate As Amended

Bill "An Act to Increase the Penalty for Desecration of a Cemetery"

S.P. 719 L.D. 1894 (C "A" S-560)

Bill "An Act to Ensure the Proper Delivery of Insurance Benefits"

S.P. 859 L.D. 2195 (C "A" S-562)

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

Bill "An Act Concerning Public Utilities"

S.P. 761 L.D. 1986 (C "A" S-561)

Which was READ A SECOND TIME.

On motion by Senator BOST of Penobscot, the Senate RECONSIDERED whereby it ADOPTED Committee Amendment "A" (S-561).

On further motion by same Senator, Senate Amendment "A" (S-574) to Committee Amendment "A" (S-561) READ and ADOPTED.

Committee Amendment "A" (S-561) as Amended by Senate Amendment "A" (S-574) thereto, ADOPTED. Which was PASSED TO BE ENGROSSED, as Amended. Sent down for concurrence.

Senate at Ease

Senate called to order by the President.

On motion by Senator CLARK of Cumberland, the Senate RECONSIDERED its action whereby it PASSED TO BE ENGROSSED AS AMENDED:

Bill "An Act to Establish the Department of Child and Family Services" (Emergency)

H.P. 1199 L.D. 1666 (C "C" H-820)

(In Senate, March 9, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "C" (H-820).)

On further motion by same Senator, Tabled Unassigned, pending PASSAGE TO BE ENGROSSED AS AMENDED.

ORDERS OF THE DAY Unfinished Business

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

The Chair laid before the Senate:

SENATE REPORTS - from the Committee on TAXATION on Bill "An Act to Repeal the Homestead Exemption" (Emergency)

S.P. 829 L.D. 2137

Majority - Ought to Pass.

Minority - Ought Not to Pass.

(Taken from the Table March 8, 1990, by the President. Pending motion of Senator BALDACCI of Penobscot to ACCEPT the Minority OUGHT NOT TO PASS Report.)

(In Senate, March 6, 1990, Reports READ.)

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day pending the motion of Senator BALDACCI of Penobscot to ACCEPT the Minority OUGHT NOT TO PASS Report.

The Chair laid before the Senate the Tabled and Later (3/8/90) Assigned matter:

Bill "An Act to Revise the Medical Examiner Act"

H.P. 905 L.D. 1262

(C "B" H-788)

Tabled - March 8, 1990, by Senator CLARK of Cumberland.

Pending - FURTHER CONSIDERATION

(In Senate, February 23, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-788), in concurrence.)

(In House, March 6, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-788) AS AMENDED BY HOUSE AMENDMENT "A" (H-885) thereto, in NON-CONCURRENCE.)

The Senate RECEDED and CONCURRED.

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

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator TWITCHELL for the Committee on TRANSPORTATION on Bill "An Act to Amend Certain Laws Dealing with Motor Vehicle Inspections"

S.P. 794 L.D. 2045

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-573).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-573) 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

Senator WHITMORE for the Committee on BUSINESS LEGISLATION on Bill "An Act to Amend the Laws for the Licensing of Counseling Professionals"

S.P. 838 L.D. 2151

Reported that the same Ought to Pass.

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

The Bill 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 Related to Overcompensation"

S.P. 743 L.D. 1947

(C "A" S-524)

Tabled - March 9, 1990, by Senator CLARK of Cumberland.

Pending - FURTHER CONSIDERATION.

(In Senate, February 26, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-524).)

(In House, March 8, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-524) AS AMENDED BY HOUSE AMENDMENT "B" (H-890) thereto, in NON-CONCURRENCE.)

On motion by Senator CLARK of Cumberland, the Senate INSISTED.

Sent down for concurrence.

Senate at Ease

Senate called to order by the President.

On motion by Senator CLARK of Cumberland, the Senate removed from the Unassigned Table, the following 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 BUSTIN of Kennebec, the Senate RECEDED from PASSAGE TO BE ENGROSSED AS AMENDED.

On further motion by same Senator, the Senate RECEDED from the ADOPTION OF COMMITTEE AMENDMENT "A" (S-483).

House Amendment "A" (H-860) to Committee Amendment "A" (S-483) READ.

On further motion by same Senator, HOUSE AMENDMENT "A" (H-860) TO COMMITTEE AMENDMENT "A" (S-483) INDEFINITELY POSTPONED in NON-CONCURRENCE.

On further motion by same Senator, Senate Amendment "A" (S-525) to Committee Amendment "A" (S-483) READ and ADOPTED.

Committee Amendment "A" (S-483) as Amended by Senate Amendment "A" (S-525) thereto, ADOPTED in NON-CONCURRENCE.

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

Sent down for concurrence.

Senate at Ease

Senate called to order by the President.

Off Record Remarks

Senator KANY of Kennebec was granted unanimous consent to address the Senate on the Record.

Senator KANY: Thank you. Mr. President, Members of the Senate, I just wanted to share with you the fact that a public hearing will continue, beginning in about 15 minutes. The topic is: Toxic Discharges into Surface Water Bodies; including Rivers. It's really an ongoing continuation of a discussion of the issue of pollutants in our rivers and although it is a beautiful, sunny Friday afternoon, probably no one is really interested in attending our hearing, but, just in case, we welcome you.

On motion by Senator KANY of Kennebec, ADJOURNED until Monday, March 12, 1990 at 12:00 in the afternoon.

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

In Senate Chamber
Monday
March 12, 1990

Senate called to Order by the President.

Prayer by Pastor Allan Kipp of the Dresden Community Church.

PASTOR ALLAN KIPP: Let us pray. Father God, we invite You into this place, this day, at the beginning of business. Father, we stand in a time like there's never been another time in history like this when we need wisdom. We pray for special guidance in decision-making and that, Father God, peace would be over this place, that business would be done, that it would be done wisely and Father God, that You would be glorified in all that is said and done. In Jesus' name, Amen.

Reading of the Journal of Friday, March 9, 1990.

Off Record Remarks

PAPERS FROM THE HOUSE
House Papers

Bill "An Act to Clarify County Responsibility for Support of Prisoners"

H.P. 1756 L.D. 2419

Comes from the House referred to the Joint Select Committee on CORRECTIONS and ORDERED PRINTED.

Which was referred to the Joint Select Committee on CORRECTIONS and ORDERED PRINTED, in concurrence.

SENATE PAPERS

Bill "An Act to Allow Certain School Secretaries to Elect Not to Be Members of the Maine State Retirement System"

S.P. 958 L.D. 2422

Presented by Senator TITCOMB of Cumberland
Cosponsored by Representative SIMPSON of Casco
and Senator TWITCHELL of Oxford

Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 27.

Which was referred to the Committee on AGING,
RETIREMENT AND VETERANS and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act Regarding the Administration of the
Maine Children's Trust Fund"

S.P. 957 L.D. 2421

Presented by Senator BERUBE of Androscoggin
Cosponsored by Senator CLARK of Cumberland,
Senator PERKINS of Hancock and Representative
FOSTER of Ellsworth

Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 27.

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

Sent down for concurrence.

Resolve, to Extend the Deadline for the Report of
the Commission on Maine's Future (Emergency)

S.P. 956 L.D. 2420

Presented by President PRAY of Penobscot