

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
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SECOND CONFIRMATION SESSION
December 12, 1989
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SECOND REGULAR SESSION
January 3, 1990 to March 19, 1990

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

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.

Which was, under Suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee, and ORDERED PRINTED. Sent down for concurrence.

Off Record Remarks

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 Amend the Sunday Sales Law"

I.B. 3 L.D. 2371

The Committee on EDUCATION on Bill "An Act to Establish Financial Incentives for the Promotion of Gender Equity in Public School Administration"

H.P. 1696 L.D. 2344

The Committee on TAXATION on Bill "An Act to Apply Property Tax Relief more Equitably to Municipalities with Respect to Educational Funding"

H.P. 1631 L.D. 2258

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

H.P. 1701 L.D. 2350

Ought to Pass

The Committee on TRANSPORTATION on Resolve, to Designate the Quoddy Loop as a Scenic Way (Emergency)

H.P. 1738 L.D. 2402

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

The Resolve READ ONCE.

The Resolve TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Replace the Large Lot Exceptions under the Site Location of Development Law with a Low-density Exemption"

H.P. 1543 L.D. 2128

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-889).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-889).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-889) 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 Further Clarify the Relationship Between Woodcutters and Landowners" (Emergency)

H.P. 1679 L.D. 2320

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-882).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-882).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-882) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Bill "An Act Concerning the Definition of Security Guard"

H.P. 1342 L.D. 1859

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-886).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-886).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-886) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Bill "An Act Regarding Homeowners' Rights When Mobile Home Parks are Sold"

H.P. 1563 L.D. 2169

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-875).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-875) AS AMENDED BY HOUSE AMENDMENT "B" (H-899) thereto.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-875) READ.

House Amendment "B" (H-899) to Committee Amendment "A" (H-875) READ and ADOPTED, in concurrence.

Committee Amendment "A" (H-875) as Amended by House Amendment "B" (H-899) thereto, ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on MARINE RESOURCES on Bill "An Act Regarding Municipal Shellfish Regulations"

H.P. 1533 L.D. 2118

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-887).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-887).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-887) READ.

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending ADOPTION of Committee Amendment "A" (H-887).

Off Record Remarks

The Committee on MARINE RESOURCES on Bill "An Act to Conform Maine Antifouling Paint Law to Federal Standards" (Emergency)

H.P. 1635 L.D. 2268

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-888).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-888).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-888) 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 Provide Legislative Oversight of Transactions Dealing with State Held Lands and Property"

H.P. 1666 L.D. 2307

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-883).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-883).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-883) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

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

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

Off Record Remarks

On motion by Senator DUTREMBLE of York, RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

Off Record Remarks

Divided Report

The Majority of the Committee on BUSINESS LEGISLATION on Bill "An Act Concerning Contact Lenses"

H.P. 1415 L.D. 1967

Reported that the same Ought Not to Pass.

Signed:

Senators:

BALDACCI of Penobscot

WHITMORE of Androscoggin

Representatives:

LIBBY of Kennebunk

STEVENS of Sabattus

TELOW of Lewiston

REED of Falmouth

MARSTON of Oakland

The Minority of the same Committee on the same subject reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-871).

Signed:

Senator:

HOBBINS of York

Representatives:

CONSTANTINE of Bar Harbor

GURNEY of Portland

ALLEN of Washington

GRAHAM of Houlton

SHELTRA of Biddeford

Comes from the House the Minority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-871).

Which Reports were READ.

Senator BALDACCI of Penobscot moved to ACCEPT the Majority OUGHT NOT TO PASS Report in NON-CONCURRENCE..

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

Divided Report

The Majority of the Committee on LEGAL AFFAIRS on Bill "An Act to Establish Mediation for Mobile Home Park Operators and Tenants"

H.P. 1595 L.D. 2212

Reported that the same Ought Not to Pass.

Signed:

Senators:

BALDACCI of Penobscot
DILLENBACK of Cumberland

Representatives:

BEGLEY of Waldoboro
JALBERT of Lisbon
PLOURDE of Biddeford
MURPHY of Berwick
STEVENS of Sabattus
TUPPER of Orrington

The Minority of the same Committee on the same subject reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-879).

Signed:

Senator:

MATTHEWS of Kennebec

Representatives:

PRIEST of Brunswick
LAPOINTE of Auburn
PAUL of Sanford
LAWRENCE of Kittery

Comes from the House the Minority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-879).

Which Reports were READ.

Senator MATTHEWS of Kennebec moved to ACCEPT the Minority OUGHT TO PASS AS AMENDED Report, in concurrence.

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending the motion of Senator MATTHEWS of Kennebec to ACCEPT the Minority OUGHT TO PASS AS AMENDED Report, in concurrence.

Senate
Ought to Pass As Amended

Senator TWITCHELL for the Committee on AGRICULTURE on Bill "An Act to Amend the Minimum Standards for Planting Laws"

S.P. 923 L.D. 2332

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-575).
Which Report was READ and ACCEPTED.
The Bill READ ONCE.
Committee Amendment "A" (S-575) 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 Strengthen Penalties for Operating under the Influence When a Minor Is a Passenger"

H.P. 1405 L.D. 1953
(C "A" H-878)

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

H.P. 1439 L.D. 2009
(C "A" H-867)

Bill "An Act Concerning the Depuration Digging of Shellfish"

H.P. 1441 L.D. 2010
(C "A" H-873)

Bill "An Act to Provide Warranties for Manufactured Housing Purchased from Out-of-state Dealers"

H.P. 1500 L.D. 2077
(C "A" H-877)

Bill "An Act to Clarify the Laws Regarding Recovery of Medicaid Payments from Liable Third Parties"

H.P. 1540 L.D. 2125
(C "A" H-864)

Bill "An Act to Establish Licensing Requirements and a Cooperative Monitoring Program for Mahogany Quahogs"

H.P. 1541 L.D. 2126
(C "A" H-874)

Bill "An Act to Facilitate the Disclosure of the Mobile Home Statutory Warranty"

H.P. 1582 L.D. 2191
(C "A" H-876)

Bill "An Act to Clarify the Tax Lien Discharge Law"

H.P. 1599 L.D. 2223
(C "A" H-872)

Bill "An Act to Reclassify Surface Waters of the State"

H.P. 1622 L.D. 2244
(C "A" H-870)

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
(C "A" H-869)

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

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
(C "A" H-868)

Which was READ A SECOND TIME.
On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending PASSAGE TO BE ENGROSSED AS AMENDED.

Bill "An Act Providing for the 1990 Amendments to the Finance Authority of Maine Act"

H.P. 1619 L.D. 2241
(C "A" H-866)

Which was READ A SECOND TIME.
On motion by Senator COLLINS of Aroostook, Tabled 1 Legislative Day, pending PASSAGE TO BE ENGROSSED AS AMENDED.

Senate

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

S.P. 695 L.D. 1833

Bill "An Act to Amend the Laws for the Licensing of Counseling Professionals"

S.P. 838 L.D. 2151

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

Sent down for concurrence.

Senate As Amended

Bill "An Act to Allow the State Police to Recover Funds Expended for Presidential Security"

S.P. 760 L.D. 1985
(C "A" S-569)

Bill "An Act to Amend Certain Laws Dealing with Motor Vehicle Inspections"

S.P. 794 L.D. 2045
(C "A" S-573)

Resolve, Directing the Department of Human Services to Develop a Poison Warning System

S.P. 915 L.D. 2321
(C "A" S-572)

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

Sent down for concurrence.

Bill "An Act to Create an Appeals Procedure for the State Bidding Process" (Emergency)

S.P. 895 L.D. 2277
(C "A" S-571)

Which was READ A SECOND TIME.
On motion by Senator BUSTIN of Kennebec, Senate Amendment "A" (S-576) READ.

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending the motion of Senator BUSTIN of Kennebec to ADOPT Senate Amendment "A" (S-576).

ENACTORS

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

An Act to Ensure that Child Support Payments Benefit the Family

H.P. 1001 L.D. 1390
(C "A" H-847)

An Act to Require Mitigation for Land Use Violations within the Shoreland Zones

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

An Act to Improve Maine Occupational Safety and Health Provisions

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

LEGISLATIVE RECORD - SENATE, MARCH 12, 1990

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
(H "A" H-850 to C "A" H-838)

An Act to Amend the Laws Affecting the Operations of the Department of the Secretary of State

H.P. 1388 L.D. 1918
(C "A" H-833)

An Act Concerning Trafficking in Prison Contraband

H.P. 1453 L.D. 2027
(C "A" H-846)

An Act to Allow State Employees and Teachers to Buy Back Time Spent in Certain Programs

S.P. 787 L.D. 2033
(S "A" S-541 to C "A" S-496)

An Act to Strengthen Drug Abuse Services for Children of School Age

H.P. 1504 L.D. 2084
(C "A" H-840)

An Act to Authorize Discretion in the Use of Sirens on Ambulance Vehicles

H.P. 1507 L.D. 2087
(C "A" H-837)

An Act to Increase Eligibility for Imprisonment with Intensive Supervision

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

An Act to Change the Name of the Committee for the Interdepartmental Coordination of Services to Children and Families

S.P. 826 L.D. 2134

An Act to Amend Spinal Screening Laws

S.P. 833 L.D. 2141

An Act Concerning the Driving of Deer or Moose

S.P. 842 L.D. 2161
(H "A" H-857 to C "A" S-501)

An Act Allowing Water Utilities to Sue for Injunctive Relief Regarding Lake Water Quality

S.P. 858 L.D. 2194
(C "A" S-535)

An Act Concerning Investigation of Allegations by the Office of Advocacy

H.P. 1609 L.D. 2225

An Act to Provide Greater Compliance with General Assistance Laws

H.P. 1617 L.D. 2239
(C "A" H-841)

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

H.P. 1624 L.D. 2246
(S "A" S-545)

An Act to Discourage Public Competition with Private Enterprise

H.P. 1626 L.D. 2248
(H "A" H-856 to C "A" H-832)

An Act Related to the Provision of Care for Adults with Long-term Needs

S.P. 887 L.D. 2263
(C "A" S-533)

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

S.P. 951 L.D. 2401

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

An Act to Amend County Jail Transfers and the Community Corrections Laws

S.P. 277 L.D. 723
(S "A" S-537 to C "B" S-519)

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

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

H.P. 744 L.D. 1027
(C "B" H-829)

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

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)

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

Senator PEARSON: Thank you, Mr. President. I would request an answer to a question on item 7-5.

THE PRESIDENT: The Senator may state his inquiry.

Senator PEARSON: Thank you, Mr. President, Men and Women of the Senate, obviously the intent of the Bill is in the title. I've looked at the Bill and I've looked at the amendment. I just wanted to ask a question for legislative history of the chairmen of the committee or the sponsors of the Bill as to whether or not this also applies to American Indians.

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

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

An Act to Permit Changes in the Charter of the City of Ellsworth School District

S.P. 720 L.D. 1895
(C "A" S-531)

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

An Act to Establish Certain Positions within the Department of Mental Health and Mental Retardation as Unclassified State Positions Subject to the State Employees Labor Relations Act

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

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

An Act to Provide Access to Preventive Dental Care Services to Adults Eligible for Medicaid

H.P. 1398 L.D. 1934
(H "A" H-861 to C "A" H-831)

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

An Act to Amend and Improve the Education Laws of Maine

S.P. 830 L.D. 2138
(C "A" S-534)

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

Emergency

An Act Regarding Excepted Employees of the Judicial Department

H.P. 1325 L.D. 1827
(C "A" H-854)

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 Related to Smoking in Facilities for the Mentally Ill

S.P. 723 L.D. 1898
(C "A" S-532)

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 the Law Governing Family Medical Leave

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

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with No Senators having voted in negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Make Improvements in the Operation of the Judicial Department of the State

H.P. 1382 L.D. 1913
(C "A" H-848)

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.

Emergency

An Act to Expand and Extend the Maine Managed Care Insurance Plan Demonstration Project

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

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

Emergency

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

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

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

An Act to Implement Changes for the Deferred Collection of Homestead Property Taxes

H.P. 1620 L.D. 2242

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

An Act to Aid in the Enforcement of Crimes Relating to Forest Fire Control

H.P. 1654 L.D. 2290
(C "A" H-844)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with No Senators having voted in negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act Allowing the Yarmouth Water District to Acquire the Assets and Liabilities of the North Yarmouth Water District

H.P. 1665 L.D. 2305

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with No Senators having voted in negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, to Require a Comprehensive Study to Equalize Maine State Retired Teachers Health Insurance Premium Payments

H.P. 1417 L.D. 1969
(C "A" H-839)

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

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 BUSINESS LEGISLATION.
Sent down for concurrence.

Emergency Resolve
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

H.P. 1719 L.D. 2375

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 FINALLY PASSED 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:

COMMUNICATIONS

The Following Communication: S.P. 959
114TH MAINE LEGISLATURE
March 9, 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 Christopher S. Heinig of South Harpswell for appointment as a member of the Marine Research Board.

Pursuant to P.L. 1989, Chapter 529, this nomination 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.

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

COMMUNICATIONS

The Following Communication: S.P. 960
114TH MAINE LEGISLATURE
March 12, 1990

Senator John E. Baldacci
Rep. Carol M. Allen
Chairpersons
Joint Standing Committee on Business Legislation
114th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Joanna Dennis of Waterville for reappointment as a member of the Maine Real Estate Commission.

Pursuant to Title 32, MRSA Section 13062, this nomination will require review by the Joint Standing Committee on Business Legislation and confirmation by the Senate.

Sincerely,

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

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator THERIAULT for the Committee on BANKING AND INSURANCE on Bill "An Act to Allow the Maine State Employees Health Insurance Program to Self-insure Health or Dental Insurance"

S.P. 806 L.D. 2069

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-578).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-578) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator CARPENTER for the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Help Fund County Government"

S.P. 850 L.D. 2179

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-577).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-577) 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 Today Assigned matter:

SENATE REPORTS - from 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

Majority - Ought Not to Pass.

Minority - Ought to Pass.

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

Pending - ACCEPTANCE OF EITHER REPORT (In Senate, March 9, 1990, Reports READ.)

On motion by Senator CLARK of Cumberland, Tabled Unassigned, pending ACCEPTANCE OF EITHER REPORT.

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

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.

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

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.

Off Record Remarks

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

On motion by Senator BOST of Penobscot, ADJOURNED until Tuesday, March 13, 1990, at 8:00 in the morning.

ONE HUNDRED AND FOURTEENTH MAINE LEGISLATURE
SECOND REGULAR SESSION
31st Legislative Day
Tuesday, March 13, 1990

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

Prayer by Tim Griffin, Baha'i Community, Auburn.
The Journal of Monday, March 12, 1990, was read and approved.

Quorum call was held.

PAPERS FROM THE SENATE

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)

Came from the Senate, referred to the Committee on Aging, Retirement and Veterans and Ordered Printed.

Was referred to the Committee on Aging, Retirement and Veterans in concurrence.

Bill "An Act Regarding the Administration of the Maine Children's Trust Fund" (S.P. 957) (L.D. 2421)

Came from the Senate, referred to the Committee on Human Resources and Ordered Printed.

Was referred to the Committee on Human Resources in concurrence.

Resolve, to Extend the Deadline for the Report of the Commission on Maine's Future (EMERGENCY) (S.P. 956) (L.D. 2420)

Came from the Senate under suspension of the rules and without reference to a Committee, the Bill read twice and passed to be engrossed.

(The Committee on Reference of Bills had suggested reference to the Committee on State and Local Government.)

Under suspension of the rules and without reference to any Committee, the bill was read twice and passed to be engrossed in concurrence.

COMMUNICATIONS

The following Communication: (S.P. 959)

114TH MAINE LEGISLATURE

March 9, 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 Christopher S. Heinig of South Harpswell for appointment as a member of the Marine Research Board.

Pursuant to P.L. 1989, Chapter 529, this nomination 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

Came from the Senate, Read and Referred to the Committee on Marine Resources.

Was Read and Referred to the Committee on Marine Resources in concurrence.