

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Fourteenth Legislature

OF THE

State Of Maine

VOLUME V

SECOND REGULAR SESSION

March 20, 1990 to April 14, 1990

Index

HOUSE & SENATE LEGISLATIVE SENTIMENTS

December 7, 1988 to April 14, 1990

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

In Senate Chamber
Thursday
March 22, 1990

Senate called to Order by the President.

Prayer by Pastor Peter Inchcombe of the First Baptist Church in Hallowell.

PASTOR PETER INCHCOMBE: Thank you Mr. President. I was reminded a few moments ago by the previous Senate President of what happens to long-winded pastors, so I'll try to be as short as I can. Let's pray.

Heavenly Father, we gather here this morning to recognize You as our sovereign and to thank You for Your goodness and to thank You for Your mercy upon us, not only as individuals but as a nation. We thank You especially on this date, this being set aside to celebrate agriculture. We're reminded of all the prosperity and blessings that we enjoy. It also helps us to remember those who are less fortunate, that do not have and may not have all that we enjoy. We ask for Your blessing upon them.

We especially pray today, as the Senate gathers, for Your blessing upon this House and each member. We pray that we might never forget all that we receive and all that we have is from the good hand of God. We think of that beautiful hymn, "What a friend we have in Jesus, all our sins and griefs to bear." What a privilege to bring everything to God in prayer.

So today as we look up, we rejoice that You have been good to us and You have blessed us and for that we are indebted and for that we thank You. We ask these things in Jesus' name. Amen.

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

Off Record Remarks

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act Concerning Educational Enhancement"

H.P. 762 L.D. 1066
(C "B" H-896)

In Senate, March 14, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-896), in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-896) AS AMENDED BY HOUSE AMENDMENT "A" (H-959) thereto, in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

Non-concurrent Matter

Bill "An Act to Enhance Enforcement of the Driving Under the Influence of Alcohol and Drug Laws"

H.P. 814 L.D. 1126
(S "A" S-589 to C "A" H-775)

In Senate, February 26, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-775) AS AMENDED BY HOUSE AMENDMENT "A" (H-801) thereto, in concurrence.

In House, March 15, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-775) AS

AMENDED BY HOUSE AMENDMENT "B" (H-930) thereto, in NON-CONCURRENCE.

In Senate, March 16, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-775) AS AMENDED BY SENATE AMENDMENT "A" (S-589) thereto, in NON-CONCURRENCE.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-775) AS AMENDED BY HOUSE AMENDMENT "C" (H-958) 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 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).

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.

In Senate, March 9, 1990, INSISTED to PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-524).

In House, March 13, 1990, that Body RECEDED and CONCURRED to PASSAGE 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.

The Senate RECEDED and CONCURRED.

Non-concurrent Matter

Bill "An Act to Authorize the Annexation of Land Adjacent to the Town of East Millinocket" (Emergency)

S.P. 746 L.D. 1950
(H "A" H-900 to C "A" S-547)

In Senate, March 14, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-547) AS AMENDED BY HOUSE AMENDMENT "A" (H-900) thereto, in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-547) AS AMENDED BY HOUSE AMENDMENTS "A" (H-900) AND "B" (H-955) thereto, in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

Non-concurrent Matter

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)

In Senate, March 12, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-877), in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-877) AS AMENDED BY HOUSE AMENDMENT "A" (H-957) thereto, in NON-CONCURRENCE.

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

COMMUNICATIONS

The Following Communication: S.P. 976
114TH MAINE LEGISLATURE
March 20, 1990

Senator Donald E. Esty, Jr.
Rep. Edward A. McHenry
Chairpersons
Joint Standing Committee on Labor
114th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Pamela Chute of Brewer for appointment as an Alternate Neutral Member of the Maine Labor Relations Board.

Pursuant to Title 26, MRSA Section 968, this nomination will require review by the Joint Standing Committee on Labor 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 LABOR.

Sent down for concurrence.

The Following Communication: S.P. 977
114TH MAINE LEGISLATURE
March 20, 1990

Senator Stephen C. Estes
Rep. Nathaniel J. Crowley, Sr.
Chairpersons
Joint Standing Committee on Education
114th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Michael W. Aube of Bangor for appointment as a Member of the State Board of Education.

Pursuant to Title 20, MRSA Section 51, this nomination will require review by the Joint Standing Committee on Education 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 EDUCATION.

Sent down for concurrence.

The Following Communication: S.P. 978
114TH MAINE LEGISLATURE
March 20, 1990

Senator Stephen C. Estes
Rep. Nathaniel J. Crowley, Sr.
Chairpersons
Joint Standing Committee on Education
114th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated David T. Flanagan of Freeport for reappointment, Nancy Masterton of Cape Elizabeth, Owen Wells of Falmouth for appointments and Cheryl A. Tobias of Augusta for the Student Trustee position on the University of Maine Board of Trustees.

Pursuant to Title 26, MRSA Section 1022, these nominations will require review by the Joint Standing Committee on Education 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 EDUCATION.

Sent down for concurrence.

ORDERS

Joint Orders

On motion by Senator CLARK of Cumberland the following Joint Order: S.P. 979

ORDERED, the House concurring, that the Joint Rules be amended by amending Joint Rule 38 to read:

38. Legislative Confirmation of Gubernatorial Appointments. Upon receipt by the President of the Senate and Speaker of the House of notification from the Governor of the name of a nominee and of the office to which that person is nominated, the President of the Senate and Speaker of the House shall, without delay, forward that notice to the Chairs of the Joint Standing Committee which is charged by law with reviewing nominations to that office and to the 2 partisan staff assistants for nominations.

The joint standing committee shall hold a public hearing on the nomination in Augusta at a time convenient to the public, within ~~20~~ 30 days from the date of the Governor's notice of the nomination to the President of the Senate and Speaker of the House. The chairs of the committee shall cause to be published in the state paper at least 7 days before the hearing a notice of that hearing, which shall contain the time and place of the hearing, the name of the nominee, the office to which that person has been nominated and a general description of the duties of that office. At the hearing, the committee shall take written or oral testimony which shall be limited to relevant comments and questions regarding the qualifications of the nominee. All testimony taken at the hearing shall be transcribed by mechanical means, and shall be preserved, together with any other relevant data provided the committee at the public hearing, by the committee for at least 6 months after the date of the public hearing. The 2 partisan assistants for nominations shall provide the committee with a written report of their investigations before the committee votes to recommend or deny confirmation.

Within ~~20~~ 30 days from the date of the Governor's notice of the nomination to the President of the Senate and Speaker of the House, the committee shall recommend confirmation or denial by majority vote of the committee members present and voting. The vote of the committee shall be taken only upon an affirmative motion to recommend confirmation of the nominee, and a tie vote of the committee shall be considered a recommendation of denial. The committee vote shall be by the yeas and nays. The chairs of the committee shall send written notices of the committee's recommendation to the President of the Senate. Within 45 days from the date of the Governor's notification of the nomination to the President of the Senate and the Speaker of the House, the Senate shall review the recommendation of the committee on the nomination, and, after review, shall vote by the yeas and nays on that recommendation.

After vote by the Senate, the committee's recommendation shall become final action of confirmation or denial unless the Senate by a vote of 2/3 of those members present and voting overrides the committee's recommendation. If the committee

recommends to deny confirmation, and the Senate votes, by a vote of 2/3 or greater of those members present and voting, to override the committee's recommendation, the nomination shall be deemed confirmed. Following Senate confirmation or denial, notice of the action taken shall be given to the Speaker of the House.

Once the Governor withdraws a nomination at any time prior to the Senate vote, by sending a written notice of withdrawal to the President of the Senate, the Legislature shall take no further action on that nomination.

Which was READ.

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

Senator CLARK: Thank you. Mr. President, Men and Women of the Senate, this Joint Order amends our Joint Rules and to clarify any questions that may be anticipated, our current Joint Rules are in conflict with a statute that we passed last year - Chapter 25, Public Law 89. This remedies that inconsistency. You note, that we simply changed 20 to 30 days. There are no other changes.

Which was PASSED.

Sent down for concurrence.

On motion by Senator TWITCHELL of Oxford the following Joint Order: S.P. 980

ORDERED, the House concurring, that Bill, "An Act to Regulate the Handling of Manure," H.P. 1575, L.D. 2182, and all its accompanying papers be recalled from the Engrossing Department to the Senate.

Which was READ and PASSED.

Sent down for concurrence.

On motion by Senator TWITCHELL of Oxford the following Joint Order: S.P. 981

ORDERED, the House concurring, that Bill, "An Act to Deorganize Plantation E in Aroostook County," H.P. 1667, L.D. 2308, and all its accompanying papers be recalled from the Engrossing Department to the Senate.

Which was READ and PASSED.

Sent down for concurrence.

COMMITTEE REPORTS

House

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 JUDICIARY on Bill "An Act to Amend the Statute of Limitations with Respect to Medical Malpractice Prelitigation Screening Panels"

H.P. 1516 L.D. 2101

Ought to Pass As Amended

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

H.P. 1749 L.D. 2412

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-941).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-941).

Which Report was READ.

On motion by Senator TITCOMB of Cumberland, Tabled until Later in Today's Session, pending ACCEPTANCE of the Committee Report.

The Committee on AUDIT AND PROGRAM REVIEW on Bill "An Act to Promote the Well-being and Rehabilitation of Children in Need of Care, Treatment or Shelter"

H.P. 1761 L.D. 2426

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-938).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-938).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-938) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on ENERGY AND NATURAL RESOURCES on Resolve, Authorizing the State to Release Its Interest in Certain Real Property in Richmond, Maine

H.P. 1686 L.D. 2334

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-942).

Comes from the House, with the Report READ and ACCEPTED and the Resolve PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-942).

Which Report was READ and ACCEPTED, in concurrence.

The Resolve READ ONCE.

Committee Amendment "A" (H-942) READ and ADOPTED, in concurrence.

The Resolve as Amended, TOMORROW ASSIGNED FOR SECOND READING.

THE PRESIDENT: The Chair is pleased to recognize, in the rear of the Senate Chamber, representatives of the Agriculture Day. The Chair is pleased to recognize Maine Egg Festival Queen, Adrian Busey from Plymouth, accompanied by the Senator from Penobscot, Senator Emerson. The Chair is pleased to welcome and recognize the Maine Potato Blossom Queen, Kelli Elizabeth Walton from Presque Isle, accompanied by the Senator from Aroostook, Senator Collins. The Chair is pleased to recognize Maine State Grange Queen, Stacey Buckley from Leeds, accompanied by the Senator from Androscoggin, Senator Berube. The Chair is pleased to welcome and recognize Maine Sea Goddess Queen, Alison Murray from Rockland, accompanied by the Senator from Knox, Senator Brawn. We're very pleased to welcome and recognize the Maine Blueberry Queen, Kimberly Basham from Waldoboro, accompanied by the Senator from Lincoln, Senator Holloway. The Chair is also pleased to recognize and welcome to the Senate the Maine Farm Bureau Junior Spokesperson, Tracey Curtis from Jefferson, accompanied by the Chairman of the Agriculture Committee, the Senator from Oxford, Senator Twitchell.

The Chair would like to welcome the Farm Bureau Junior spokesperson, Tracey Curtis, to make remarks to the Senate in reference to today's recognition of the significance and importance of agriculture.

TRACEY CURTIS: I am Tracey Curtis, one of a body of young agricultural people. I would like to thank you for giving us the opportunity of being able to come and observe how the Legislature operates and the ability of being able to share with you our experiences of living on a farm. Be sure to stop and browse through our agriculture exhibits. Thank you.

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act Concerning Private Wells Contaminated by Hazardous Substances" (Emergency)

H.P. 1736 L.D. 2397

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-943).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-943).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-943) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on FISHERIES AND WILDLIFE on Bill "An Act to Amend the Laws Relating to Whitewater Rafting"

H.P. 1648 L.D. 2281

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-935).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-935).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-935) READ.

On motion by Senator WEBSTER of Franklin, Senate Amendment "A" (S-601) to Committee Amendment "A" (H-935) READ.

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending the motion of Senator WEBSTER of Franklin to ADOPT Senate Amendment "A" (S-601) to Committee Amendment "A" (H-935).

The Committee on HOUSING AND ECONOMIC DEVELOPMENT on Bill "An Act to Continue the Effort to Preserve and Promote Affordable Housing and Economic Opportunities for Maine People"

H.P. 1564 L.D. 2170

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-931).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-931) AS AMENDED BY HOUSE AMENDMENT "A" (H-953) thereto.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-931) READ.

House Amendment "A" (H-953) to Committee Amendment "A" (H-931) READ and ADOPTED, in concurrence.

Committee Amendment "A" (H-931) as Amended by House Amendment "A" (H-953) thereto, ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on HUMAN RESOURCES on Bill "An Act to Expand Estate Recovery from Certain Medicaid Recipients"

H.P. 1524 L.D. 2109

Reported that the same Ought Not to Pass.

Signed:

Senators:

GAUVREAU of Androscoggin

TITCOMB of Cumberland

Representatives:

MANNING of Portland

CATHCART of Orono

BOUTILIER of Lewiston

CLARK of Brunswick

ROLDE of York

PEDERSON of Bangor

BURKE of Vassalboro

The Minority of the same Committee on the same subject reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-947).

Signed:

Senator:

RANDALL of Washington

Representatives:

PENDLETON of Scarborough

DELLERT of Gardiner

HEPBURN of Skowhegan

Comes from the House, the Majority OUGHT NOT TO PASS Report READ and ACCEPTED.

Which Reports were READ.

On motion by Senator GAUVREAU of Androscoggin, the Majority OUGHT NOT TO PASS Report ACCEPTED, in concurrence.

Senate

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 Bill "An Act to Establish an Office of Substance Abuse Policy within the Executive Department"

S.P. 935 L.D. 2366

SECOND READERS

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

House As Amended

Resolve, to Create a Pilot Project for a Substance Abuse Halfway House for Pregnant Women and Mothers with Young Children

H.P. 1647 L.D. 2280

(C "A" H-937)

Bill "An Act to Regulate the Process by which Water Utilities Take Land" (Emergency)

H.P. 1663 L.D. 2303

(C "A" H-934)

Bill "An Act to Amend the State's Hazardous Waste Laws to Be Consistent with the Federal Hazardous and Solid Waste Laws"

H.P. 1671 L.D. 2313

(C "A" H-932)

Bill "An Act Concerning Security Deposits on Propane Gas Deliveries" (Emergency)

H.P. 1684 L.D. 2330

(C "A" H-933)

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

Senate As Amended

Bill "An Act Relating to Services to Infants and Young Children, Ages 0 through 5, Who Are Handicapped or at Risk for Developmental Delay"

S.P. 805 L.D. 2068

(S "A" S-595 to C "A" S-592)

Bill "An Act to Amend the Natural Resources Protection Act" (Emergency)

S.P. 894 L.D. 2276
(C "A" S-594)

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

ENACTORS

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

An Act to Protect Consumer Privacy by Regulating Automated Telephone Solicitations

H.P. 1421 L.D. 1973
(H "B" H-926 to C "A" H-835; H "A" H-855)

An Act to Allow the Maine State Employees Health Insurance Program to Self-insure Health or Dental Insurance

S.P. 806 L.D. 2069
(C "A" S-578)

An Act to Authorize the Department of Human Services to Impose Civil Penalties on Vendors Who Violate the Requirements of the Women, Infants and Children Special Supplemental Food Program

H.P. 1521 L.D. 2106
(H "A" H-913 to C "A" H-830)

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)

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
(S "A" S-580 to C "A" H-868)

An Act Regarding Foreign Trade Zones

H.P. 1662 L.D. 2302

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

Emergency

An Act to Amend the Minimum Standards for Planting Laws

S.P. 923 L.D. 2332
(C "A" S-575)

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 Today Assigned matter:

Bill "An Act Concerning the Use of Funds Raised by Organizations Operating Games of Chance or Beano" (Emergency)

S.P. 937 L.D. 2372

Tabled - March 20, 1990, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED

(In Senate, March 20, 1990, READ A SECOND TIME.)

On motion by Senator CLARK of Cumberland, under unanimous consent, Senate Amendment "A" (S-596) READ and ADOPTED.

On further motion by same Senator, under unanimous consent, Senate Amendment "B" (S-597) READ and ADOPTED.

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

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

Bill "An Act to Amend the Financial Responsibility Law Pertaining to Motor Vehicles"

S.P. 849 L.D. 2178
(C "A" S-588)

Tabled - March 20, 1990, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED AS AMENDED

(In Senate, March 19, 1990, READ A SECOND TIME.)

On motion by Senator THERIAULT of Aroostook, the Senate SUSPENDED THE RULES.

On further motion by same Senator, the Senate RECONSIDERED whereby it ADOPTED Committee Amendment "A" (S-588).

On further motion by same Senator, Senate Amendment "A" (S-598) to Committee Amendment "A" (S-588) READ and ADOPTED.

Committee Amendment "A" as Amended by Senate Amendment "A" (S-588) thereto, ADOPTED.

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

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

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator ESTY for the Committee on LABOR on Bill "An Act to Make Revisions in the Drug Testing Laws"

S.P. 801 L.D. 2049

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-600).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-600) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

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

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator HOLLOWAY for the Committee on JUDICIARY on Bill "An Act to Amend Vital Statistics Provisions Pertaining to Adoptions"

S.P. 818 L.D. 2094

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-602).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-602) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

ORDERS OF THE DAY

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

Bill "An Act to Enhance Enforcement of the Driving Under the Influence of Alcohol and Drug Laws"

H.P. 814 L.D. 1126

(S "A" S-589 to C "A" H-775)

LEGISLATIVE RECORD - SENATE, MARCH 22, 1990

Tabled - March 22, 1990, by Senator CLARK of Cumberland.

Pending - FURTHER CONSIDERATION

(In Senate, February 26, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-775) AS AMENDED BY HOUSE AMENDMENT "A" (H-801) thereto, in concurrence.)

(In House, March 15, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-775) AS AMENDED BY HOUSE AMENDMENT "B" (H-930) thereto, in NON-CONCURRENCE.)

(In Senate, March 16, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-775) AS AMENDED BY SENATE AMENDMENT "A" (S-589) thereto, in NON-CONCURRENCE.)

(In House, March 20, 1990 PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-775) AS AMENDED BY HOUSE AMENDMENT "C" (H-958) thereto, in NON-CONCURRENCE.)

The Senate RECEDED and CONCURRED.

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

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)

Tabled - March 22, 1990, by Senator DUTREMBLE of York.

Pending - FURTHER CONSIDERATION

(In Senate, March 12, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-877), in concurrence.)

(In House, March 20, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-877) AS AMENDED BY HOUSE AMENDMENT "A" (H-957) thereto, in NON-CONCURRENCE.)

The Senate RECEDED and CONCURRED.

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

HOUSE REPORT - from Committee on AGRICULTURE on Bill "An Act to Provide for a Study of the Harness Racing Industry" (Emergency)

H.P. 1749 L.D. 2412

Report - Ought to Pass as Amended by Committee Amendment "A" (H-941)

Tabled - March 22, 1990, by Senator TITCOMB of Cumberland.

Pending - ACCEPTANCE of the Committee Report

(In Senate, March 22, 1990, Report READ.)

(In House, March 20, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-941)).

Which Report was ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-941) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Off Record Remarks

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

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

Senator PEARSON: Mr. President, I'd like to ask the Chair a question. Under the new ethics law do we have to report the gifts from Agriculture Day?

THE PRESIDENT: The Chair would answer in the negative. The values of the gifts have to be greater than \$300.

Off Record Remarks

On motion by Senator TWITCHELL of Oxford, ADJOURNED until Friday, March 23, 1990, at 12:00 in the afternoon.