

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred And Fifteenth Legislature
OF THE
State Of Maine

VOLUME I

FIRST REGULAR SESSION

House of Representatives
December 5, 1990 to May 16, 1991

ONE HUNDRED AND FIFTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION
27th Legislative Day
Wednesday, March 13, 1991

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

Prayer by Reverend Philip Shearman, First Parish Congregational Church, Gorham.

Pledge of Allegiance.

The Journal of Friday, March 1, 1991, was read and approved.

SENATE PAPER

Unanimous Leave to Withdraw

Report of the Committee on Human Resources reporting "Leave to Withdraw" on Bill "An Act Regarding the Availability of Counseling Services in York County" (S.P. 155) (L.D. 367)

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

COMMUNICATIONS

The following Communication: (H.P. 666)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA, MAINE 04333

March 4, 1991

John L. Martin
Speaker of the House
115th Legislature

Charles P. Pray
President of the Senate
115th Legislature

Dear Mr. Speaker and Mr. President:

On March 4, 1991, eleven Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on March 4, 1991 as follows:

Aging, Retirement and Veterans

Bill "An Act to Equalize Health Benefits for State Retirees Eligible for Medicare" (H.P. 659) (L.D. 938) (Presented by Representative LIPMAN of Augusta) (Cosponsored by Representative DONNELLY of Presque Isle and Representative STEVENSON of Unity)

Banking and Insurance

Bill "An Act to Require Insurance Companies to Inform Insureds of the Extent of Insured Value" (H.P. 657) (L.D. 936) (Presented by Representative SKOGLUND

of St. George) (Cosponsored by Representative TOWNSEND of Eastport, Representative MITCHELL of Vassalboro and Representative KUTASI of Bridgton)

Education

Bill "An Act Requiring School Districts to Make Instruction in Braille Reading and Writing Available to Blind Students" (H.P. 656) (L.D. 935) (Presented by Representative OLIVER of Portland) (Cosponsored by Representative HANDY of Lewiston, Representative PARADIS of Frenchville and Senator CLEVELAND of Androscoggin)

Bill "An Act to Increase the Availability of Sign Language Training" (H.P. 661) (L.D. 940) (Presented by Representative FARNSWORTH of Hallowell) (Cosponsored by Senator CLARK of Cumberland, Senator BUSTIN of Kennebec and Representative HICHENS of Eliot)

Energy and Natural Resources

Bill "An Act to Encourage Recycling of Waste Oil" (H.P. 658) (L.D. 937) (Presented by Representative KETOVER of Portland) (Cosponsored by Representative MICHAUD of East Millinocket, Representative HOGGLUND of Portland, Senator KANY of Kennebec, and Representative TUPPER of Orrington)

Judiciary

Bill "An Act to Provide Funding for Sexual Abuse Victims and Offenders" (H.P. 660) (L.D. 939) (Presented by Representative FARNSWORTH of Hallowell) (Cosponsored by Representative CATHCART of Orono, Senator McCORMICK of Kennebec and Representative PARADIS of Augusta)

Bill "An Act to Amend the State's Statute of Frauds" (H.P. 662) (L.D. 941) (Presented by Representative PARADIS of Augusta) (Cosponsored by Representative HASTINGS of Fryeburg and Representative FARNSWORTH of Hallowell)

Labor

Bill "An Act to Regulate the Use of Video Display Terminals" (H.P. 655) (L.D. 934) (Presented by Representative RUHLIN of Brewer) (Cosponsored by Representative RAND of Portland, Senator TITCOMB of Cumberland and Speaker MARTIN of Eagle Lake)

Legal Affairs

Bill "An Act to Permit Off-track Betting" (H.P. 665) (L.D. 944) (Presented by Representative TARDY of Palmyra) (Cosponsored by Representative MACOMBER of South Portland, Representative KETOVER of Portland and Senator TITCOMB of Cumberland)

State and Local Government

Bill "An Act to Concerning the Somerset County Budget" (H.P. 664) (L.D. 943) (Presented by Representative HEPBURN of Skowhegan) (Cosponsored by Senator WEBSTER of Franklin)

Taxation

Bill "An Act to Exempt Prosthetic Devices that Receive a State or Federal Subsidy from the State Sales Tax" (H.P. 663) (L.D. 942) (Presented by Representative DUPLESSIS of Old Town) (Cosponsored by Representative SPEAR of Nobleboro, Representative NADEAU of Saco and Senator COLLINS of Aroostook)

Sincerely,

s/Edwin H. Pert
Clerk of the House

s/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file and sent up for concurrence.

The following Communication:

DEPARTMENT OF LABOR
P.O. Box 309
Augusta, Maine 04332-0309

March 1, 1991

The Honorable John L. Martin
Speaker of the House
Maine House of Representatives
State House Station #2
Augusta, Maine 04333

Dear Speaker Martin:

I am pleased to submit the Department of Labor's annual report on the Dislocated Worker Benefits (DWB) Program for 1990, in accordance with 26 MRSA section 1196, subsection 2.

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

Sincerely,

s/Charles A. Morrison
Commissioner

Was read and with accompanying report ordered placed on file.

The following Communication:

DEPARTMENT OF ADMINISTRATION
BUREAU OF STATE EMPLOYEE HEALTH
State House Station 122
Augusta, Maine 04333

February 27, 1991

Honorable John L. Martin
Speaker of the House
Maine State Legislature
State House Station #2
Augusta, ME 04333-0002

Dear Speaker Martin:

Enclosed please find a copy of the fifth Annual Report of the State of Maine's Self-Insured Workers' Compensation Program for year 1989-90 prepared by the Bureau's Workers' Compensation Division.

If you have any questions regarding this information, please do not hesitate to contact this office.

Sincerely yours,

s/Frank A. Johnson
Director
Bureau of State Employee Health

Was read and with accompanying report ordered placed on file.

The following Communication:

MAINE STATE HOUSING AUTHORITY
295 Water Street
P.O. Box 2669
Augusta, Maine 04338-2669

February 28, 1991

Governor John R. McKernan
President Charles Pray
Speaker John Martin
State House Station 1
Augusta, ME 04333

Dear Governor McKernan, President Pray, Speaker Martin:

I am pleased to provide you with the report required by Title 30-A, Section 4753, subsection 2 of the Maine Revised Statutes.

This report, which was developed with the assistance of the State Planning Office, Department of Economic and Community Development, and Maine Municipal Association, assesses the availability and quality of information on the supply, prices, condition and age of the State's housing. Priorities highlighted in the report include the need for a statewide data catalog, local income data and rental vacancy and cost information. The report also recommends a course of action to develop sources that fill the identified housing data gaps.

We look forward to meeting Maine's housing data needs and would welcome any comments that you might have.

Sincerely,

s/Dwight A. Sewell
Director

Was read and with accompanying report ordered placed on file.

The following Communication:

STATE OF MAINE
EXECUTIVE DEPARTMENT
STATE PLANNING OFFICE
State House Station #38
AUGUSTA, MAINE 04333

February 28, 1991

The Honorable John L. Martin
Speaker of the House
State House Station 2
Augusta, Maine 04333

Dear Speaker Martin:

Pursuant to Title 5 MRSA, Part 15-B, I am submitting to the Legislature the enclosed Findings and Recommendations and accompanying technical reports by the Water Resources Management Board.

Additional copies of these reports are available from the State Planning Office.

Sincerely,

s/Richard H. Silkman, Chair
Water Resources
Management Board

Was read and with accompanying reports ordered placed on file.

The following Communication: (H.P. 670)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA, MAINE 04333

March 5, 1991

John L. Martin
Speaker of the House
115th Legislature

Charles P. Pray
President of the Senate
115th Legislature

Dear Mr. Speaker and Mr. President:

On March 5, 1991, three Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on March 5, 1991 as follows:

Banking and Insurance

Bill "An Act to Promote Uniform Statutes of Limitations" (H.P. 669) (L.D. 949) (Presented by Representative STEVENS of Bangor) (Cosponsored by Representative JACQUES of Waterville, Representative COTE of Auburn and Representative PARADIS of Augusta)

Human Resources

Bill "An Act to Support an Affordable Emergency Medical Services System" (EMERGENCY) (H.P. 667) (L.D. 947) (Presented by Representative CARROLL of Gray) (Cosponsored by Senator GILL of Cumberland, Representative MacBRIDE of Presque Isle and Representative LOOK of Jonesboro)

State and Local Government

Resolve, Authorizing the Bureau of Public Improvements to Conduct a Study of All State Work Places (H.P. 668) (L.D. 948) (Presented by Representative LIPMAN of Augusta) (Cosponsored by Representative PENDEXTER of Scarborough, Representative NORTON of Winthrop and Representative MARSH of West Gardiner)

Sincerely,

s/Edwin H. Pert
Clerk of the House

s/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file and sent up for concurrence.

The following Communication: (H.P. 695)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA, MAINE 04333

March 6, 1991

John L. Martin
Speaker of the House
115th Legislature

Charles P. Pray
President of the Senate
115th Legislature

Dear Mr. Speaker and Mr. President:

On March 6, 1991, 24 Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on March 6, 1991 as follows:

Aging, Retirement and Veterans

Bill "An Act to Amend the Provisions of the Maine State Retirement System Laws Relating to Benefits of Inactive Members Who Retire after Normal Retirement Age" (H.P. 687) (L.D. 986) (Presented by Representative JALBERT of Lisbon)

Banking and Insurance

Bill "An Act Concerning the Provision of Loss Information by an Insurer" (H.P. 675) (L.D. 974) (Presented by Representative TARDY of Palmyra)

Bill "An Act to Provide Equitable Insurance Reimbursement for Acupuncture Services Provided by Licensed Acupuncturists" (H.P. 683) (L.D. 982) (Presented by Representative JOSEPH of Waterville) (Cosponsored by Speaker MARTIN of Eagle Lake, Senator CLARK of Cumberland and Senator BRAWN of Knox)

Business Legislation

Bill "An Act to Clarify Certain Provisions of the Lien Laws" (H.P. 681) (L.D. 980) (Presented by Representative COTE of Auburn) (Cosponsored by Representative HANDY of Lewiston)

Bill "An Act to Regulate Building Contractors" (H.P. 694) (L.D. 993) (Presented by Representative LUTHER of Mexico) (Cosponsored by Representative BELL of Caribou and Representative CATHCART of Orono)

Education

Bill "An Act to Define the Professional Responsibilities of Teachers" (H.P. 671) (L.D. 970) (Presented by Representative HANDY of Lewiston) (Cosponsored by Representative LEMKE of Westbrook and Representative PFEIFFER of Brunswick)

Bill "An Act Concerning the Lease or Lease-purchase of School Bus Garage and Maintenance Facilities and School Administrative Office Space" (H.P. 690) (L.D. 989) (Presented by Representative GWADOSKY of Fairfield) (Cosponsored by Representative CROWLEY of Stockton Springs, Speaker MARTIN of Eagle Lake and Representative AULT of Wayne)

Energy and Natural Resources

Bill "An Act to Promote the Availability of Nutritionally Fortified Infant Fruit Juices" (H.P. 672) (L.D. 971) (Presented by Representative GREENLAW of Standish)

Bill "An Act to Reimburse Towns for Landfill Closings" (EMERGENCY) (H.P. 678) (L.D. 977) (Presented by Representative STEVENSON of Unity) (Cosponsored by Senator MATTHEWS of Kennebec)

Bill "An Act to Amend the Mandatory Zoning and Subdivision Control Laws" (H.P. 693) (L.D. 992) (Presented by Representative ANDERSON of Woodland) (Cosponsored by Representative GOULD of Greenville) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 24.)

Resolve, to Establish the State Comprehensive Energy Plan Commission (H.P. 691) (L.D. 990) (Presented by Representative MORRISON of Bangor) (Cosponsored by Senator VOSE of Washington and Representative CLARK of Millinocket)

Human Resources

Bill "An Act to Provide Assistance to Mentally Ill Homeless Persons" (H.P. 676) (L.D. 975) (Presented by Representative CARROLL of Gray) (Cosponsored by Representative MANNING of Portland and Senator BRANNIGAN of Cumberland)

Bill "An Act to Increase the Fees for Marriage Licenses and Certificates of Birth, Marriage or

Death" (H.P. 677) (L.D. 976) (Presented by Representative MACOMBER of South Portland) (Cosponsored by Representative BELL of Caribou and Representative STROUT of Corinth)

Judiciary

Bill "An Act to Amend the Adoption Laws to Permit an Unmarried Person or Persons to Adopt Children" (H.P. 684) (L.D. 983) (Presented by Representative ANTHONY of South Portland) (Cosponsored by Senator CONLEY of Cumberland, Representative CATHCART of Orono and Representative HASTINGS of Fryeburg)

Labor

Bill "An Act to Clarify the Burden of Proof in Workers' Compensation Cases Involving Issues Concerning the Search for Work" (H.P. 679) (L.D. 978) (Presented by Representative REED of Falmouth) (Cosponsored by Senator EMERSON of Penobscot and Representative BENNETT of Norway)

Bill "An Act to Amend the Workers' Compensation Law" (H.P. 685) (L.D. 984) (Presented by Representative McKEEN of Windham) (Cosponsored by Representative RAND of Portland)

Legal Affairs

Bill "An Act to Enhance the Laws Governing Financial Responsibility" (H.P. 686) (L.D. 985) (Presented by Representative REED of Falmouth) (Cosponsored by Senator BRANNIGAN of Cumberland)

Resolve, Authorizing Peter K. Sweck of Columbia Falls to Bring a Civil Action against the State (H.P. 682) (L.D. 981) (Presented by Representative LOOK of Jonesboro) (Cosponsored by Senator VOSE of Washington)

State and Local Government

Bill "An Act to Assist Water Utilities in the Provision of Safe Drinking Water" (H.P. 692) (L.D. 991) (Presented by Representative NORTON of Winthrop) (Cosponsored by Senator McCORMICK of Kennebec, Representative TARDY of Palmyra and Representative AULT of Wayne)

Taxation

Bill "An Act to Aid Municipalities in Collecting Past Due Property Taxes" (H.P. 673) (L.D. 972) (Presented by Representative NUTTING of Leeds) (Cosponsored by Senator BERUBE of Androscoggin)

Bill "An Act to Improve Collections of Income Tax Due Upon the Sale of Real Property" (H.P. 689) (L.D. 988) (Presented by Representative DORE of Auburn) (Cosponsored by Representative MAYO of Thomaston and Representative HOGGLUND of Portland)

Transportation

Bill "An Act to Allow the Department of Transportation to Facilitate Traffic and Highway Improvements" (H.P. 688) (L.D. 987) (Presented by Representative BAILEY of Farmington)

Resolve, to Compensate Gary and Rebecca Hall for Damages Received as a Result of the Department of Transportation Construction (H.P. 674) (L.D. 973) (Presented by Representative SPEAR of Nobleboro) (Cosponsored by Senator BALDACCI of Penobscot and Representative MAYO of Thomaston)

Utilities

Bill "An Act Concerning the Town of Rumford Water District" (H.P. 680) (L.D. 979) (Presented by Representative ERWIN of Rumford) (Cosponsored by Senator MILLS of Oxford)

Sincerely,
s/Edwin H. Pert
Clerk of the House

s/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file and sent up for concurrence.

The following Communication: (H.P. 718)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA, MAINE 04333

March 7, 1991

John L. Martin
Speaker of the House
115th Legislature

Charles P. Pray
President of the Senate
115th Legislature

Dear Mr. Speaker and Mr. President:

On March 7, 1991, twenty-two Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on March 7, 1991 as follows:

Aging, Retirement and Veterans

Bill "An Act Relating to Distribution of Retirement Benefits in Divorce" (H.P. 711) (L.D. 1016) (Presented by Representative FARNSWORTH of Hallowell) (Cosponsored by Representative CATHCART of Orono, Senator HOLLOWAY of Lincoln and Representative KETTERER of Madison)

Agriculture

Bill "An Act to Amend the Qualification of Blueberry Producers Associations in the Maine Agriculture Marketing and Bargaining Act of 1973" (H.P. 708) (L.D. 1013) (Presented by Representative TARDY of Palmyra) (Cosponsored by Senator VOSE of Washington, Senator CONLEY of Cumberland and Representative FARREN of Cherryfield)

Appropriations and Financial Affairs

Bill "An Act Relating to Funds Appropriated for Capital Projects" (H.P. 700) (L.D. 1004) (Presented by Representative BAILEY of Farmington) (Cosponsored by Representative LOOK of Jonesboro) (Submitted by the Department of Administration pursuant to Joint Rule 24.)

Banking and Insurance

Bill "An Act to Provide for Increased Coverage of Mental Illness by Group Health Insurance" (H.P. 710) (L.D. 1015) (Presented by Representative LAWRENCE of Kittery) (Cosponsored by Representative WENTWORTH of Arundel and Representative GEAN of Alfred)

Bill "An Act Concerning Collision Damage Waiver on Automobile Rental Agreements" (H.P. 717) (L.D. 1022) (Presented by Representative KETOVER of Portland) (Cosponsored by Representative RYDELL of Brunswick, Representative CARLETON of Wells and Senator KANY of Kennebec)

Business Legislation

Bill "An Act to Address Budgetary Concerns of the Maine Athletic Commission and to Deregulate Certain Aspects of the Sport of Wrestling" (EMERGENCY) (H.P. 703) (L.D. 1007) (Presented by Representative BAILEY of Township 27) (Cosponsored by Representative TAMMARO of Baileyville, Senator WEBSTER of Franklin and Representative GURNEY of Portland) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24.)

Bill "An Act to Require that Staff Management Companies Register with the State" (H.P. 704) (L.D. 1008) (Presented by Representative GWADOSKY of Fairfield) (Cosponsored by Senator GILL of Cumberland, Representative CONSTANTINE of Bar Harbor and Representative MITCHELL of Vassalboro)

Energy and Natural Resources

Bill "An Act to Authorize the Board of Environmental Protection to Adopt Rules Relating to the Proximity of Solid Waste Facilities to Property Boundaries on Islands" (H.P. 697) (L.D. 1001) (Presented by Representative HOGLUND of Portland)

Bill "An Act to Clarify the Water Quality Standards for Existing Hydroelectric Facilities" (H.P. 698) (L.D. 1002) (Presented by Representative HOGLUND of Portland) (Cosponsored by President PRAY of Penobscot, Representative ANDERSON of Woodland and Representative MARSH of West Gardiner)

Bill "An Act to Amend the Shoreland Zoning Laws" (H.P. 709) (L.D. 1014) (Presented by Representative LORD of Waterboro) (Cosponsored by Senator LUDWIG of Aroostook and Representative GOULD of Greenville)

Fisheries and Wildlife

Bill "An Act to Promote Safety While Hunting" (H.P. 705) (L.D. 1010) (Presented by Representative FOSS of Yarmouth) (Cosponsored by Senator BROWN of Knox, Senator TWITCHELL of Oxford and Representative

MARSH of West Gardiner)

Labor

Bill "An Act Clarifying Intoxication under the Workers' Compensation Law" (H.P. 713) (L.D. 1018) (Presented by Representative CLARK of Millinocket) (Cosponsored by Representative ADAMS of Portland, Representative MCHENRY of Madawaska and Senator CONLEY of Cumberland)

Bill "An Act to Require Overtime Pay for Working on Sunday in Certain Retail Establishments" (H.P. 707) (L.D. 1012) (Presented by Representative RUHLIN of Brewer) (Cosponsored by Representative PINEAU of Jay, Representative MCHENRY of Madawaska and Senator ESTY of Cumberland)

Legal Affairs

Bill "An Act to Prohibit Corporations from Contributing to Political Campaigns" (H.P. 701) (L.D. 1005) (Presented by Representative RICHARDSON of Portland) (Cosponsored by Representative MITCHELL of Vassalboro and Representative PENDLETON of Scarborough)

Bill "An Act Concerning Voting by Absentee Ballot" (H.P. 716) (L.D. 1021) (Presented by Representative LIPMAN of Augusta) (Cosponsored by Representative BAILEY of Township 27)

State and Local Government

Bill "An Act to Preserve Public Ownership of Historic Fort Gorges in Casco Bay" (H.P. 696) (L.D. 1000) (Presented by Representative ADAMS of Portland) (Cosponsored by Representative RAND of Portland, Senator CONLEY of Cumberland and Senator BRANNIGAN of Cumberland)

Bill "An Act to Amend the Schedule of Fees for Plan Review and Issuing of Permits and Approval through the Office of the State Fire Marshal" (H.P. 706) (L.D. 1011) (Presented by Representative FOSS of Yarmouth) (Cosponsored by Representative SAVAGE of Union, Representative BELL of Caribou and Senator TWITCHELL of Oxford) (Submitted by the Department of Public Safety pursuant to Joint Rule 24.)

Bill "An Act Regarding the Bidding Process for Municipal Projects" (H.P. 715) (L.D. 1020) (Presented by Representative FOSS of Yarmouth)

Taxation

Bill "An Act to Permit Municipalities to Have the Option of a Local Sales Tax" (H.P. 712) (L.D. 1017) (Presented by Representative LAWRENCE of Kittery) (Cosponsored by Senator ESTES of York)

Bill "An Act to Provide Reimbursements to Municipalities Under the Tree Growth Tax Law that more Accurately Reflect the Actual Impact of the Tax on Municipalities" (H.P. 714) (L.D. 1019) (Presented by Representative MAYO of Thomaston) (Cosponsored by Representative HICHBORN of Howland, Senator PEARSON of Penobscot and Representative MURPHY of Berwick)

Transportation

Bill "An Act to Establish Special Designating Registration Plates for Vietnam Veterans of the Tet Offensive" (H.P. 699) (L.D. 1003) (Presented by Representative KETTERER of Madison)

Utilities

Bill "An Act to Amend the Laws Regarding Enhanced 9-1-1" (EMERGENCY) (H.P. 702) (L.D. 1006) (Presented by Representative KETOVER of Portland) (Cosponsored by Representative PENDEXTER of Scarborough, Senator VOSE of Washington and Senator LUDWIG of Aroostook) (Submitted by the Department of Public Safety pursuant to Joint Rule 24.)

Sincerely,

s/Edwin H. Pert
Clerk of the House

s/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file and sent up for concurrence.

The following Communication:

STATE OF MAINE
MAINE WASTE MANAGEMENT AGENCY
STATE HOUSE STATION 154
AUGUSTA, MAINE 04333

March 6, 1991

The Honorable John L. Martin
Speaker of the House
State House Station 2
Augusta, Maine 04333

Dear Speaker Martin:

Pursuant to Public Law 1990, Ch. 869, sec. A-22, we have submitted to the Joint Standing Committee on Energy and Natural Resources a report on the expenditure of all funds from the Maine Solid Waste Management Fund for FY 1990 and the first six months of FY 1991.

We are pleased to submit a copy of this report to you.

Sincerely,

s/Sherry F. Huber
Executive Director

Was read and with accompanying report referred to the Committee on Energy and Natural Resources.

The following Communication:

STATE OF MAINE

MAINE WASTE MANAGEMENT AGENCY
STATE HOUSE STATION 154
AUGUSTA, MAINE 04333

March 8, 1991

The Honorable John L. Martin
Speaker of the House
State House Station #2
Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Public Law 1989, chapter 585, Part A, section 10, we are pleased to submit a report on the change in the relative number of plastic versus paper bags used by retail outlets in response to the enactment of Title 38, section 1605. The study provides estimates of plastic and paper bag use before and after the effective date of section 1605 and also includes an overview of the use, disposal, recycling and cost characteristics of plastic and paper bags.

I would like to suggest this report be read within the context offered by the authors of a 1988 German government report comparing the effects on the environment from paper and plastic bags: "Any relief of the strain on the environment worth mentioning is only achieved when a carrier bag is used which can be used repeatedly."

I agree with this viewpoint and hope that the use of reusable shopping bags by Maine consumers can be encouraged and increased. While we debate the relative merits of paper and plastic bags, let's not lose sight of the waste management option with the greatest environmental impact, waste reduction.

Sincerely,

s/Sherry F. Huber
Executive Director

Was read and with accompanying report ordered placed on file.

The following Communication: (H.P. 770)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA, MAINE 04333

March 8, 1991

John L. Martin
Speaker of the House
115th Legislature

Charles P. Pray
President of the Senate
115th Legislature

Dear Mr. Speaker and Mr. President:

On March 8, 1991, 31 Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on March 8, 1991 as follows:

Appropriations and Financial Affairs

Bill "An Act to Make Allocations for the Administrative Expenses of the Department of Finance, Bureau of Alcoholic Beverages for the Fiscal Years Ending June 30, 1992 and June 30, 1993" (EMERGENCY) (H.P. 738) (L.D. 1042) (Presented by Representative REED of Falmouth) (Cosponsored by Senator FOSTER of Hancock and Representative PARADIS of Frenchville)

Banking and Insurance

Bill "An Act to Simplify the Payment of Minor Workers' Compensation Claims" (H.P. 732) (L.D. 1036) (Presented by Representative RUHLIN of Brewer) (Cosponsored by Representative RAND of Portland, Senator CONLEY of Cumberland and Representative HASTINGS of Fryeburg)

Business Legislation

Bill "An Act to Clarify the Provisions for Temporary and Conditional Psychologists' Licenses" (H.P. 724) (L.D. 1028) (Presented by Representative KUTASI of Bridgton) (Cosponsored by VIGUE of Winslow and Senator RICH of Cumberland) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24.)

Education

Bill "An Act Relating to Financial Responsibility for Students Not Residing with Parents or Legal Guardians" (H.P. 726) (L.D. 1030) (Presented by Representative RICHARDSON of Portland)

Energy and Natural Resources

Bill "An Act to Alter the Mandate of the Maine Low-level Radioactive Waste Authority to Include Reduction of Low-level Radioactive Waste" (H.P. 722) (L.D. 1026) (Presented by Representative HOLT of Bath) (Cosponsored by Senator TITCOMB of Cumberland)

Bill "An Act to Improve the Bottle Recycling Laws" (H.P. 729) (L.D. 1033) (Presented by Representative GWADOSKY of Fairfield) (Cosponsored by Representative GURNEY of Portland)

Bill "An Act to Amend and Add to Certain Provisions of Geographic-based Information Services" (H.P. 743) (L.D. 1047) (Presented by Representative FOSS of Yarmouth) (Cosponsored by Representative BAILEY of Farmington and Representative MICHAUD of East Millinocket) (Submitted by the Department of Conservation pursuant to Joint Rule 24.)

Bill "An Act to Require the Department of Environmental Protection to Perform a Cost and Benefit Analysis of Permit Applications" (H.P. 747) (L.D. 1051) (Presented by Representative LORD of Waterboro) (Cosponsored by Representative ANDERSON of Woodland and Representative GOULD of Greenville)

Fisheries and Wildlife

Bill "An Act to Ensure More Equitable Hunting Opportunities" (H.P. 725) (L.D. 1029) (Presented by Representative FARREN of Cherryfield) (Cosponsored by Representative CARROLL of Southwest Harbor) (Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 24.)

Bill "An Act to Allow the Department of Inland Fisheries and Wildlife to Determine the Number of Moose Licenses Issued Annually" (H.P. 730) (L.D. 1034) (Presented by Representative HEPBURN of Skowhegan) (Cosponsored by Senator SUMMERS of Cumberland and Senator WEBSTER of Franklin)

Human Resources

Resolve, Creating a Demonstration Project for Crisis Intervention for Adolescents and Children (EMERGENCY) (H.P. 739) (L.D. 1043) (Presented by Representative DORE of Auburn) (Cosponsored by Senator GAUVREAU of Androscoggin)

Judiciary

Bill "An Act to Amend the Maine Human Rights Act to Make Effective Provisions against Employment Discrimination" (H.P. 720) (L.D. 1024) (Presented by Representative McKEEN of Windham)

Labor

Bill "An Act to Amend the Definition of Employment in the Unemployment Compensation Laws" (H.P. 736) (L.D. 1040) (Presented by Representative REED of Falmouth)

Bill "An Act to Permit the Establishment of the Workers' Compensation Apportionment Arbitration Board" (H.P. 748) (L.D. 1052) (Presented by Representative PINEAU of Jay) (Cosponsored by Senator CONLEY of Cumberland and Senator COLLINS of Aroostook)

Legal Affairs

Bill "An Act Relating to Certain Types of Indemnity Provisions in Construction Contracts" (H.P. 721) (L.D. 1025) (Presented by Representative CASHMAN of Old Town) (Cosponsored by Representative GURNEY of Portland)

Bill "An Act to Inform the Public About Drug-free School Zones" (H.P. 723) (L.D. 1027) (Presented by Representative STEVENS of Bangor) (Cosponsored by Representative ANTHONY of South Portland and Representative RICHARDS of Hampden)

Bill "An Act Concerning the Placement of Campaign Signs Along Roads" (H.P. 734) (L.D. 1038) (Presented by Representative SHELTRA of Biddeford) (Cosponsored by Senator VOSE of Washington, Representative PAUL of Sanford and Representative GURNEY of Portland)

Bill "An Act Authorizing Presidential Primary Elections in the State" (H.P. 744) (L.D. 1048) (Presented by Representative RICHARDSON of Portland) (Cosponsored by Representative KONTOS of Windham and Representative GEAN of Alfred)

Bill "An Act to Clarify Certain Election Laws"

(H.P. 749) (L.D. 1053) (Presented by Representative MAYO of Thomaston) (Cosponsored by Representative RICHARDSON of Portland and Senator MILLS of Oxford) (Submitted by the Department of the Secretary of State pursuant to Joint Rule 24.)

Marine Resources

Bill "An Act to Establish a Lobster Management Plan" (H.P. 745) (L.D. 1049) (Presented by Representative FOSS of Yarmouth)

State and Local Government

Bill "An Act to Improve the Level of Services Provided by the Bureau of Public Improvements on Capital Improvement Projects" (H.P. 728) (L.D. 1032) (Presented by Representative BAILEY of Farmington) (Cosponsored by Senator EMERSON of Penobscot) (Submitted by the Department of Administration pursuant to Joint Rule 24.)

Bill "An Act to Amend the State Government Ethics Laws" (H.P. 733) (L.D. 1037) (Presented by Representative MAYO of Thomaston) (Cosponsored by Representative TUPPER of Orrington and Representative GOULD of Greenville)

Bill "An Act to Resolve Municipal Secret Ballot Elections that Result in a Tie Vote" (H.P. 735) (L.D. 1039) (Presented by Representative LOOK of Jonesboro) (Cosponsored by Senator BERUBE of Androscoggin and Senator EMERSON of Penobscot)

Bill "An Act to Amend the Laws Governing the Office of Information Services and the Information Services Policy Board" (H.P. 737) (L.D. 1041) (Presented by Representative FOSS of Yarmouth) (Cosponsored by Representative BAILEY of Farmington) (Submitted by the Department of Administration pursuant to Joint Rule 24.)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Increase the Availability of Legislative Participation (H.P. 740) (L.D. 1044) (Presented by Representative HANLEY of Paris) (Cosponsored by Representative HEPBURN of Skowhegan, Representative GARLAND of Bangor, Representative SAVAGE of Union, Representative BENNETT OF Norway and Representative LIPMAN of Augusta)

Taxation

Bill "An Act to Assess Taxes on Motel and Hotel Occupancy and Restaurants and Bars" (H.P. 719) (L.D. 1023) (Presented by Representative RICHARDSON of Portland)

Bill "An Act to Preserve the Taxable Status of Land Receiving Benefit of Subsidies" (H.P. 731) (L.D. 1035) (Presented by Representative LIPMAN of Augusta) (Cosponsored by Representative HANDY of Lewiston and Representative JALBERT of Lisbon)

Bill "An Act to Authorize a Regional Tax" (H.P. 746) (L.D. 1050) (Presented by Representative CASHMAN of Old Town) (Cosponsored by Representative BUTLAND of Cumberland)

RESOLUTION, Proposing an Amendment to the

Constitution of Maine to Provide for a Uniform Property Tax (H.P. 741) (L.D. 1045) (Presented by Representative LIPMAN of Augusta)

Transportation

Bill "An Act to Exempt Military-trained Drivers from State Driver's License Examination Requirements" (H.P. 727) (L.D. 1031) (Presented by Representative NUTTING of Leeds)

Utilities

Bill "An Act to Amend the Proceedings for Approval of Interim Rates by the Public Utilities Commission" (H.P. 742) (L.D. 1046) (Presented by Representative CLARK of Millinocket) (Cosponsored by Senator CARPENTER of York)

Sincerely,

s/Edwin H. Pert
Clerk of the House

s/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file and sent up for concurrence.

The following Communication: (H.P. 771)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA, MAINE 04333

March 11, 1991

John L. Martin
Speaker of the House
115th Legislature

Charles P. Pray
President of the Senate
115th Legislature

Dear Mr. Speaker and Mr. President:

On March 11, 1991, 19 Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on March 11, 1991 as follows:

Appropriations and Financial Affairs

Bill "An Act to Make Allocations from the Maine Nuclear Emergency Planning Fund for the Fiscal Years Ending June 30, 1992 and June 30, 1993" (EMERGENCY) (H.P. 760) (L.D. 1094) (Presented by Representative MacBRIDE of Presque Isle) (Cosponsored by Senator FOSTER of Hancock, Representative CHONKO of Topsham and Senator PEARSON of Penobscot)

Bill "An Act to Make Allocations for the Administrative Expenses of the Department of Finance, Bureau of Lottery, for the Fiscal Years Ending June

30, 1992 and June 30, 1993" (EMERGENCY) (H.P. 761) (L.D. 1095) (Presented by Representative MacBRIDE of Presque Isle) (Cosponsored by Senator FOSTER of Hancock, Representative POULIOT of Lewiston and Senator PEARSON of Penobscot)

Bill "An Act to Improve the Standard of Living for Children from Low-income Families" (EMERGENCY) (H.P. 766) (L.D. 1100) (Presented by Representative CARROLL of Gray) (Cosponsored by Representative CHONKO of Topsham, Senator BRANNIGAN of Cumberland and Representative POULIOT of Lewiston)

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 to Finance the Acquisition of Farmland to Preserve the Land for its Natural, Open Space, Ecological and Aesthetic Value" (H.P. 767) (L.D. 1101) (Presented by Representative WHITCOMB of Waldo) (Cosponsored by Representative MARSH of West Gardiner)

Bill "An Act Making Allocations Relating to Federal Block Grants for the Expenditures of State Government for the Fiscal Years Ending June 30, 1992 and June 30, 1993" (EMERGENCY) (H.P. 769) (L.D. 1103) (Presented by Representative REED of Falmouth) (Cosponsored by Senator FOSTER of Hancock, Representative CARROLL of Gray and Senator PEARSON of Penobscot)

Banking and Insurance

Bill "An Act to Require Notice of Costs Associated with Transactions at Automated Teller Machines" (H.P. 751) (L.D. 1085) (Presented by Representative RAND of Portland) (Cosponsored by Representative ROTONDI of Athens)

Business Legislation

Bill "An Act to Provide Licensing Bureaus, Boards and Commissions with the Authority to Order Restitution to Injured Consumers" (H.P. 758) (L.D. 1092) (Presented by Representative DORE of Auburn) (Cosponsored by Representative LARRIVEE of Gorham, Representative RAND of Portland and Representative GRAHAM of Houlton)

Bill "An Act to Protect the Rights of Independent Sales Representatives after Termination of Their Contracts" (H.P. 764) (L.D. 1098) (Presented by Representative RYDELL of Brunswick) (Cosponsored by Representative KILKELLY of Wiscasset, Senator CLARK of Cumberland and Representative NADEAU of Saco)

Education

Bill "An Act to Amend the School Finance Laws" (H.P. 754) (L.D. 1088) (Presented by Representative SIMPSON of Casco) (Cosponsored by Senator ESTES of York, Representative HANDY of Lewiston and Representative CAHILL of Mattawamkeag)

Bill "An Act to Allow Pupil Evaluation Teams to Waive Graduation Requirements in Appropriate Cases" (H.P. 756) (L.D. 1090) (Presented by Representative KILKELLY of Wiscasset) (Cosponsored by Representative O'GARA of Westbrook, Representative PARADIS of Frenchville and Representative HANDY of Lewiston)

Fisheries and Wildlife

Bill "An Act to Authorize the Use of Gill Nets by the Penobscot Nation Department of Natural Resources Personnel for Scientific Purposes" (EMERGENCY) (H.P. 755) (L.D. 1089) (Presented by Representative CASHMAN of Old Town) (Cosponsored by Senator PEARSON of Penobscot)

s/Edwin H. Pert
Clerk of the House

s/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file and sent up for concurrence.

Human Resources

Bill "An Act to Improve Services to At-risk, Pregnant and Parenting Teens" (H.P. 762) (L.D. 1096) (Presented by Representative CLARK of Brunswick) (Cosponsored by Representative PINES of Limestone and Senator FOSTER of Hancock)

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333

March 1, 1991

Judiciary

Bill "An Act Regarding the Statute of Limitations in Cases of Child Abuse and Incest" (H.P. 752) (L.D. 1086) (Presented by Representative DUPLESSIS of Old Town) (Cosponsored by Senator HOLLOWAY of Lincoln and Representative PARADIS of Augusta)

Hon. Edwin H. Pert
Clerk of the House
State House Station #2
Augusta, Maine 04333

Dear Clerk Pert:

This is to notify you that pursuant to my authority under House Rule 1, I have made the following appointments to the Joint Standing Committees:

Appropriations

Chonko of Topsham, Chair
Hichborn of Howland, replacing Martin of Eagle Lake

Business Legislation

Vige of Winslow, replacing Skoglund of St. George
Libby of Kennebunk

Sincerely,

s/John L. Martin
Speaker of the House

Was read and ordered placed on file.

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333

March 1, 1991

Hon. Edwin H. Pert
Clerk of the House
State House Station #2
Augusta, Maine 04333

Dear Clerk Pert:

State and Local Government

Bill "An Act to Authorize Municipalities to Create Regional Public Safety Districts" (H.P. 768) (L.D. 1102) (Presented by Representative COLES of Harpswell) (Cosponsored by Representative KETOVER of Portland)

Taxation

Bill "An Act to Encourage Voter Registration by Enclosing Voter Registration Applications in Individual Income Tax Returns" (H.P. 757) (L.D. 1091) (Presented by Representative LAWRENCE of Kittery) (Cosponsored by Representative GEAN of Alfred and Representative PLOURDE of Biddeford)

Bill "An Act to Establish a Severance Tax on Timber" (H.P. 759) (L.D. 1093) (Presented by Representative MITCHELL of Freeport)

Transportation

Bill "An Act to Create a Semipermanent Semitrailer Registration" (EMERGENCY) (H.P. 765) (L.D. 1099) (Presented by Representative MACOMBER of South Portland) (Cosponsored by Representative STROUT of Corinth, Senator CAHILL of Sagadahoc and Senator TWITCHELL of Oxford)

Utilities

Bill "An Act to Assist Municipal Solid Waste Energy Recovery Facilities" (H.P. 763) (L.D. 1097) (Presented by Representative MICHAUD of East Millinocket) (Cosponsored by Representative POULIOT of Lewiston)

Sincerely,

This is to notify you that pursuant to my authority under House Rule 1, I have made the following appointments to the Joint Standing Committees:

Labor

Lipman of Augusta, replacing Carleton of Wells

Utilities

Luther of Mexico, replacing Gray of Sedgwick
Lipman of Augusta, replacing Poulin of Oakland

Sincerely,

s/John L. Martin
Speaker of the House

Was read and ordered placed on file.

**PETITIONS, BILLS AND RESOLVES
REQUIRING REFERENCE**

The following Bills and Resolves were received and, upon the recommendation of the Committee on Reference of Bills, were referred to the following Committees, Ordered Printed and Sent up for Concurrence:

Appropriations and Financial Affairs

Bill "An Act to Make Allocations from the Public Utilities Commission Regulatory Fund and the Public Utilities Commission Reimbursement Fund for the Fiscal Years Ending June 30, 1992 and June 30, 1993" (EMERGENCY) (H.P. 648) (L.D. 922) (Presented by Representative AIKMAN of Poland) (Cosponsored by Senator CARPENTER of York, Senator CLEVELAND of Androscoggin and Representative CLARK of Millinocket)

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$15,000,000 to Help Municipalities with the Purchase of Equipment and Construction Costs for Solid Waste Disposal and Recycling Facilities" (H.P. 787) (L.D. 1119) (Presented by Representative JACQUES of Waterville) (Cosponsored by Representative MICHAUD of East Millinocket, Senator PEARSON of Penobscot and Representative LORD of Waterboro)

Bill "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1992 and June 30, 1993" (EMERGENCY) (H.P. 654) (L.D. 928) (Presented by Representative FOSS of Yarmouth) (Cosponsored by Senator FOSTER of Hancock, Representative REED of Falmouth and Senator PEARSON of Penobscot)

Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Changing Certain Provisions of the Law Necessary to the Proper Operations of State

Government for the Fiscal Years Ending June 30, 1992 and June 30, 1993" (EMERGENCY) (H.P. 653) (L.D. 927) (Presented by Representative FOSS of Yarmouth) (Cosponsored by Senator FOSTER of Hancock, Representative MacBRIDE of Presque Isle and Senator PEARSON of Penobscot)

Ordered Printed.
Sent up for Concurrence.

Banking and Insurance

Bill "An Act to Authorize Recovery of Certain Collection Costs" (H.P. 643) (L.D. 917) (Presented by Representative CONSTANTINE of Bar Harbor) (Cosponsored by Senator HOLLOWAY of Lincoln, Senator MILLS of Oxford and Representative KILKELLY of Wiscasset)

Bill "An Act to Ensure that Health Care Insurance Policies Offer Discounts to Nonsmoking Consumers" (H.P. 651) (L.D. 925) (Presented by Representative NUTTING of Leeds) (Cosponsored by Representative RYDELL of Brunswick, Representative DUPLESSIS of Old Town and Representative MITCHELL of Vassalboro)

Bill "An Act to Require Casualty Insurers to Provide an Annual Valuation of Loss Reserves" (H.P. 786) (L.D. 1118) (Presented by Representative CARLETON of Wells) (Cosponsored by Senator SUMMERS of Cumberland and Representative ERWIN of Rumford) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24.)

Ordered Printed.
Sent up for Concurrence.

Business Legislation

Bill "An Act to Expand the Grounds for Discipline of Osteopathic Physicians and Surgeons" (H.P. 788) (L.D. 1120) (Presented by Representative PARADIS of Frenchville) (Cosponsored by Representative GWADOSKY of Fairfield)

Bill "An Act to Improve Credit Reporting" (H.P. 791) (L.D. 1123) (Presented by Representative STEVENS of Sabattus) (Cosponsored by Representative CONSTANTINE of Bar Harbor, Senator RICH of Cumberland and Senator THERIAULT of Aroostook) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24.)

Ordered Printed.
Sent up for Concurrence.

Education

Bill "An Act to Clarify the Funding of Child Care Services and Parenting Education" (H.P. 639) (L.D. 913) (Presented by Representative PFEIFFER of Brunswick) (Cosponsored by Representative CLARK of Brunswick, Senator CLARK of Cumberland and Representative RYDELL of Brunswick)

Ordered Printed.
Sent up for Concurrence.

Energy and Natural Resources

Bill "An Act Relating to the Computation of Flow for Wastewater Discharges" (H.P. 644) (L.D. 918) (Presented by Representative LORD of Waterboro) (Cosponsored by Senator LUDWIG of Aroostook, Senator THERIAULT of Aroostook and Representative GOULD of Greenville)

Bill "An Act to Amend the Laws Relating to Submerged Land" (H.P. 646) (L.D. 920) (Presented by Representative DiPIETRO of South Portland) (Cosponsored by Representative MICHAUD of East Millinocket)

Bill "An Act Establishing Procedures for Notice of Proposed Zoning Changes" (H.P. 783) (L.D. 1115) (Presented by Representative DORE of Auburn) (Cosponsored by Representative LARRIVEE of Gorham, Representative GRAY of Sedgwick and Representative KERR of Old Orchard Beach)

Ordered Printed.
Sent up for Concurrence.

Fisheries and Wildlife

Bill "An Act to Provide Persons 70 Years or Older with Free Doe Permits" (H.P. 780) (L.D. 1112) (Presented by Representative ROTONDI of Athens) (Cosponsored by Representative JALBERT of Lisbon and Representative STEVENS of Sabattus)

Ordered Printed.
Sent up for Concurrence.

Human Resources

Bill "An Act to Require State-funded Institutions and Food Programs to Provide Vegetarian Alternative Meals" (H.P. 638) (L.D. 912) (Presented by Representative OLIVER of Portland) (Cosponsored by Representative HOLT of Bath, Senator CONLEY of Cumberland and Representative KILKELLY of Wiscasset)

Bill "An Act to Provide Resources for the Division for the Blind and Visually Impaired" (H.P. 647) (L.D. 921) (Presented by Representative OLIVER of Portland) (Cosponsored by Senator BRANNIGAN of Cumberland, Representative PARADIS of Frenchville and Senator CLEVELAND of Androscoggin)

Bill "An Act to Provide a Clothing Allowance to Children Receiving Aid to Families with Dependent Children Benefits" (EMERGENCY) (H.P. 782) (L.D. 1114) (Presented by Representative CLARK of Brunswick) (Cosponsored by Representative OLIVER of Portland, Representative PARADIS of Frenchville and Representative MICHAUD of East Millinocket)

Ordered Printed.
Sent up for Concurrence.

Banking and Insurance

Bill "An Act to Encourage Medical Cost Containment Measures by Enabling the Establishment of Preferred Provider Arrangements" (H.P. 790) (L.D. 1122) (Presented by Representative MANNING of Portland) (Cosponsored by Representative GWADOSKY of Fairfield and Senator THERIAULT of Aroostook)

(The Committee on Reference of Bills had suggested the Committee on **Human Resources**.)

On motion of Representative Manning of Portland, was referred to the Committee on **Banking and Insurance**, ordered printed and sent up for concurrence.

Judiciary

Resolve, To Require the Department of Human Services to Inform Certain Persons of their Rights (H.P. 776) (L.D. 1108) (Presented by Representative MAHANY of Easton) (Cosponsored by Senator CONLEY of Cumberland and Representative GRAHAM of Houlton)

Ordered Printed.
Sent up for Concurrence.

Labor

Bill "An Act Concerning Unemployment Benefits During Lockouts" (H.P. 649) (L.D. 923) (Presented by Representative McHENRY of Madawaska) (Cosponsored by Representative PINEAU of Jay, Representative CLARK of Millinocket, Representative McKEEN of Windham and Senator CONLEY of Cumberland)

Ordered Printed.
Sent up for Concurrence.

Legal Affairs

Bill "An Act to Amend the Campaign Finance Reporting Laws" (H.P. 641) (L.D. 915) (Presented by Representative LAWRENCE of Kittery) (Cosponsored by Senator MILLS of Oxford and Representative STEVENS of Sabattus)

Bill "An Act Regarding the Location of State Agency Stores" (H.P. 642) (L.D. 916) (Presented by Representative DiPIETRO of South Portland) (Cosponsored by Representative PLOURDE of Biddeford)

Bill "An Act to Encourage Students to Register and Vote" (H.P. 773) (L.D. 1105) (Presented by Representative LARRIVEE of Gorham) (Cosponsored by Representative KONTOS of Windham) (Submitted by the Department of the Secretary of State pursuant to Joint Rule 24.)

Bill "An Act to Amend the Laws Concerning Operating Under the Influence" (H.P. 784) (L.D. 1116) (Presented by Representative BAILEY of Farmington) (Cosponsored by Representative BOUTILIER of Lewiston, Senator COLLINS of Aroostook and Senator MILLS of Oxford) (Submitted by the Department of Public Safety pursuant to Joint Rule 24.)

Bill "An Act to Impose a Limit on Campaign Contributions" (H.P. 785) (L.D. 1117) (Presented by Representative WHITCOMB of Waldo) (Cosponsored by Representative SMALL of Bath)

Ordered Printed.
Sent up for Concurrence.

Marine Resources

Bill "An Act Concerning Mooring Assignments" (H.P. 779) (L.D. 1111) (Presented by Representative MANNING of Portland) (Cosponsored by Representative JOSEPH of Waterville and Representative GRAY of Sedgwick)

Ordered Printed.
Sent up for Concurrence.

State and Local Government

Bill "An Act to Increase Participation at Town Meetings" (EMERGENCY) (H.P. 640) (L.D. 914) (Presented by Representative AULT of Wayne) (Cosponsored by Representative OTT of York, Representative LARRIVEE of Gorham and Senator BERUBE of Androscoggin)

Bill "An Act to Clarify the Appointment and Dismissal of the Warden of the Maine State Prison" (H.P. 775) (L.D. 1107) (Presented by Representative HEPBURN of Skowhegan) (Cosponsored by Representative PENDLETON of Scarborough and Representative MANNING of Portland) (Submitted by the Department of Corrections pursuant to Joint Rule 24.)

Bill "An Act to Allow Supplemental Dependent Life Insurance for State Employees" (H.P. 777) (L.D. 1109) (Presented by Representative MITCHELL of Vassalboro) (Cosponsored by Representative RAND of Portland and Representative LARRIVEE of Gorham)

Bill "An Act to Assist the Expansion of Municipal Sewer Systems" (H.P. 781) (L.D. 1113) (Presented by Representative REED of Falmouth) (Cosponsored by Senator EMERSON of Penobscot and Senator BERUBE of Androscoggin)

Ordered Printed.
Sent up for Concurrence.

Legal Affairs

Resolve, to Authorize the County of Franklin to Acquire a Certain Parcel of Land in Coburn Gore (H.P.

774) (L.D. 1106) (Presented by Representative TRACY of Rome) (Cosponsored by Representative BAILEY of Farmington, Senator MILLS of Oxford and Representative POWERS of Coplin Plantation)

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

On motion of Representative Joseph of Waterville, was referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence.

Transportation

Bill "An Act to Make Allocations from the Transportation Safety Fund for the Fiscal Years Ending June 30, 1992 and June 30, 1993" (EMERGENCY) (H.P. 650) (L.D. 924) (Presented by Representative STROUT of Corinth) (Cosponsored by Senator GOULD of Waldo, Representative MACOMBER of South Portland and Senator THERIAULT of Aroostook)

Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1992 and June 30, 1993" (EMERGENCY) (H.P. 652) (L.D. 926) (Presented by Representative STROUT of Corinth) (Cosponsored by Senator GOULD of Waldo, Representative MACOMBER of South Portland and Senator THERIAULT of Aroostook)

Bill "An Act Regarding Passing of School Buses" (EMERGENCY) (H.P. 778) (L.D. 1110) (Presented by Representative CARROLL of Gray) (Cosponsored by Senator CLARK of Cumberland, Senator RICH of Cumberland and Senator CLEVELAND of Androscoggin)

Bill "An Act Relating to Transportation Planning" (H.P. 789) (L.D. 1121) (Presented by Representative FARNSWORTH of Hallowell) (Cosponsored by Senator McCORMICK of Kennebec and Representative TREAT of Gardiner)

Ordered Printed.
Sent up for Concurrence.

Utilities

Bill "An Act to Amend the Charter of the Berwick Sewer District" (EMERGENCY) (H.P. 645) (L.D. 919) (Presented by Representative MURPHY of Berwick) (Cosponsored by Senator CARPENTER of York and Representative FARNUM of South Berwick)

Ordered Printed.
Sent up for Concurrence.

Reported Pursuant to Public Law

Representative CROWLEY for the Student Financial Aid Transition Advisory Committee, pursuant to Public

Law 1989, chapter 559, section 12 and chapter 698, section 74 ask leave to submit its findings and to report that the accompanying Bill "An Act to Improve Student Financial Assistance Services" (EMERGENCY) (H.P. 750) (L.D. 1070) be referred to the Joint Standing Committee on Education for public hearing and printed pursuant to Joint Rule 18.

Report was read and accepted, and the bill referred to the Committee on Education, ordered printed and sent up for concurrence.

Reported Pursuant to Statutes

Representative ERWIN for the Joint Standing 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 Address Staffing Inequities Resulting from the Implementation of the Maine Financial and Administrative Statewide Information System Pursuant to the Maine Sunset Act" (EMERGENCY) (H.P. 772) (L.D. 1104) be referred to the Joint Standing Committee on Audit and Program Review for public hearing and printed pursuant to Joint Rule 18.

Report was read and accepted, and the bill referred to the Committee on Audit and Program Review, ordered printed and sent up for concurrence.

ORDERS

On motion of Representative HICHBORN of Howland, the following Order:

ORDERED, that Representative Peggy A. Pendleton of Scarborough be excused February 14 and 21 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Helen M. Tupper of Orrington be excused February 25 and 26 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Conrad Heeschen of Wilton be excused February 26 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Dana C. Hanley of Paris be excused February 26 and 27 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Virginia Constantine of Bar Harbor be excused February 27 to March 1 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Jack L. Libby of Kennebunk be excused February 28 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Herbert E. Clark of Millinocket be excused March 13 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Susan E. Dore of Auburn be excused March 13, 14, 15

and 18 for personal reasons.

Was read and passed.

REPORTS OF COMMITTEES

Unanimous Ought Not to Pass

Representative PINEAU from the Committee on Banking and Insurance on Bill "An Act to Ensure Fair Insurance Practices" (H.P. 288) (L.D. 409) reporting "Ought Not to Pass"

Representative JACQUES from the Committee on Fisheries and Wildlife on Bill "An Act to Allow the Introduction of the White Amur into Maine Waters" (H.P. 309) (L.D. 439) reporting "Ought Not to Pass"

Representative TRACY from the Committee on Fisheries and Wildlife on Bill "An Act to Amend the Laws Governing Operation of a Watercraft" (H.P. 106) (L.D. 149) reporting "Ought Not to Pass"

Representative GREENLAW from the Committee on Fisheries and Wildlife on Bill "An Act to Ban Waterskiing on Certain Parts of the Saco River" (H.P. 157) (L.D. 242) reporting "Ought Not to Pass"

Representative MANNING from the Committee on Human Resources on Bill "An Act Concerning Payment of Services for Mentally Disadvantaged Minors" (H.P. 415) (L.D. 598) reporting "Ought Not to Pass"

Representative COTE from the Committee on Judiciary on Bill "An Act Concerning Equine Activities" (H.P. 30) (L.D. 33) reporting "Ought Not to Pass"

Representative CASHMAN from the Committee on Taxation on Bill "An Act to Exempt Heating Fuel Storage Structures from Property Tax" (H.P. 237) (L.D. 328) reporting "Ought Not to Pass"

Representative NADEAU from the Committee on Taxation on Bill "An Act Concerning the Time of Payment of Property Taxes" (H.P. 155) (L.D. 240) reporting "Ought Not to Pass"

Representative DUFFY from the Committee on Taxation on Bill "An Act to Increase Eligibility for the Elderly Low-cost Drug Program" (H.P. 214) (L.D. 305) reporting "Ought Not to Pass"

Representative NADEAU from the Committee on Taxation on Bill "An Act to Amend the Eligibility Standards for Veterans' Property Tax Exemptions" (H.P. 165) (L.D. 250) reporting "Ought Not to Pass"

Representative NADEAU from the Committee on Taxation on Bill "An Act to Ensure the Full Benefit of Veterans' Property Tax Exemptions" (H.P. 234) (L.D. 325) reporting "Ought Not to Pass"

Representative DUFFY from the Committee on Taxation on Bill "An Act Concerning the Requirement of Notification of Municipal Tax Liens to Mortgagees of Record" (H.P. 241) (L.D. 332) reporting "Ought Not to Pass"

Representative NADEAU from the Committee on Taxation on Bill "An Act Concerning Taxation of Video Tape and Equipment" (H.P. 143) (L.D. 213) reporting "Ought Not to Pass"

Representative TARDY from the Committee on Taxation on Bill "An Act to Increase the Sales Tax" (EMERGENCY) (H.P. 250) (L.D. 341) reporting "Ought Not to Pass"

Representative TARDY from the Committee on Taxation on Bill "An Act Concerning Notifications of Action on Requests for Tax Abatements" (H.P. 70) (L.D. 98) reporting "Ought Not to Pass"

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

Unanimous Leave to Withdraw

Representative JACQUES from the Committee on Energy and Natural Resources on Bill "An Act Regarding Clear-cutting of Wood" (H.P. 211) (L.D. 302) reporting "Leave to Withdraw"

Representative PARADIS from the Committee on Judiciary on Bill "An Act to Limit the Liability of Charitable Institutions" (H.P. 168) (L.D. 253) reporting "Leave to Withdraw"

Representative FARNSWORTH from the Committee on Judiciary on Bill "An Act to Dispense with Final Hearings in Uncontested Divorces or Modifications to Decrees" (H.P. 74) (L.D. 102) reporting "Leave to Withdraw"

Representative LAWRENCE from the Committee on Legal Affairs on Bill "An Act to Amend the Laws Governing Disposition of Lost Goods" (H.P. 24) (L.D. 27) reporting "Leave to Withdraw"

Representative SKOGLUND from the Committee on Marine Resources on Bill "An Act to Conform Seasonal Restrictions on Mussel Dragging to Those Governing Scallop Harvesting" (H.P. 225) (L.D. 316) reporting "Leave to Withdraw"

Representative DiPIETRO from the Committee on Taxation on Bill "An Act to Provide Comprehensive Property Tax Relief" (H.P. 402) (L.D. 576) reporting "Leave to Withdraw"

Representative SMALL from the Committee on Transportation on Bill "An Act to Change the Registration Year for Camp Trailers" (H.P. 187) (L.D. 280) reporting "Leave to Withdraw"

Representative BAILEY from the Committee on Transportation on Bill "An Act to Require the Use of Headlights During Inclement Weather While Windshield Wipers are in Use" (H.P. 114) (L.D. 159) reporting "Leave to Withdraw"

Representative HUSSEY from the Committee on Transportation on Bill "An Act to Exempt Exits 19 to 21 on Interstate 95 from Truck Weight

Restrictions" (EMERGENCY) (H.P. 162) (L.D. 247) reporting "Leave to Withdraw"

Representative STROUT from the Committee on Transportation on Bill "An Act to Require Out-of-state Recreational Vehicles to Purchase a Fuel Use Decal" (H.P. 338) (L.D. 468) reporting "Leave to Withdraw"

Representative DUFFY from the Committee on Taxation on Bill "An Act to Change Property Tax Valuation from Best Use to Current Use Standards" (H.P. 314) (L.D. 444) reporting "Leave to Withdraw"

Representative DUFFY from the Committee on Taxation on Bill "An Act to Amend the Sales and Use Tax for Installations of Data Communications Equipment" (H.P. 419) (L.D. 602) reporting "Leave to Withdraw"

Representative NADEAU from the Committee on Taxation on Bill "An Act Concerning Access to Tax Records" (H.P. 131) (L.D. 187) reporting "Leave to Withdraw"

Representative NADEAU from the Committee on Taxation on Bill "An Act to Make Low-cost Land Available for Affordable Housing" (H.P. 120) (L.D. 165) reporting "Leave to Withdraw"

Representative TARDY from the Committee on Taxation on Bill "An Act to Create a Local Option Sales Tax" (H.P. 245) (L.D. 336) reporting "Leave to Withdraw"

Representative TARDY from the Committee on Taxation on Bill "An Act to Require that Payment of Owed Taxes be First Applied to Penalty and Interest Due" (H.P. 329) (L.D. 459) reporting "Leave to Withdraw"

Representative TARDY from the Committee on Taxation on Bill "An Act to Provide a Sales Tax Exemption for Sales by Volunteer Fire Department Auxiliaries" (H.P. 343) (L.D. 473) reporting "Leave to Withdraw"

Representative TARDY from the Committee on Taxation on Bill "An Act to Benefit Volunteer Fire and Rescue Personnel" (H.P. 366) (L.D. 520) reporting "Leave to Withdraw"

Representative TARDY from the Committee on Taxation on Bill "An Act Regarding the Real Estate Transfer Tax" (H.P. 371) (L.D. 525) reporting "Leave to Withdraw"

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

Refer to the Committee on Education

Representative CHONKO from the Committee on Appropriations and Financial Affairs on Bill "An Act to Increase the State's Percentage of School Funding" (H.P. 82) (L.D. 110) reporting that it be referred to the Committee on Education.

Report was read and accepted and the bill referred to the Committee on Education and sent up for concurrence.

Refer to the Committee on Legal Affairs

Representative CHONKO from the Committee on Appropriations and Financial Affairs on Bill "An Act to Enhance the Capabilities of the Commission on Governmental Ethics and Election Practices" (H.P. 52) (L.D. 73) reporting that it be referred to the Committee on Legal Affairs.

Report was read and accepted and the bill referred to the Committee on Legal Affairs and sent up for concurrence.

Divided Report

Majority Report of the Committee on Education reporting "Ought Not to Pass" on Bill "An Act to Increase the Probationary Period for Teacher Employment" (H.P. 310) (L.D. 440)

Signed:

Senators: ESTES of York
McCORMICK of Kennebec
BRAWN of Knox

Representatives: OLIVER of Portland
NORTON of Winthrop
CROWLEY of Stockton Springs
O'GARA of Westbrook
HANDY of Lewiston
O'DEA of Orono
CAHILL of Mattawamkeag
AULT of Wayne
PFEIFFER of Brunswick

Minority Report of the same Committee reporting "Ought to Pass" on same Bill.

Signed:

Representative: BARTH of Bethel

Reports were read.

The SPEAKER: The Chair recognizes the Representative from Stockton Springs, Representative Crowley.

Representative CROWLEY: Mr. Speaker, Ladies and Gentlemen of the House: As you can see from the Committee Report, this bill was a 12 to 1 report in favor of "Ought Not to Pass." I move acceptance of the Majority "Ought Not to Pass" Report.

Subsequently, on motion of Representative Crowley of Stockton Springs, the Majority "Ought Not to Pass" Report was accepted and sent up for concurrence.

First Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the First Day:

(H.P. 306) (L.D. 436) Bill "An Act to Increase the Limit of Indebtedness of the Newport Water District from \$1,500,000 to \$3,500,000" (EMERGENCY) Committee on Utilities reporting "Ought to Pass"

(H.P. 44) (L.D. 63) Bill "An Act Concerning Capital Improvements and Impact Fees" Committee on Energy and Natural Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-22)

(H.P. 78) (L.D. 106) Bill "An Act Regarding Possession of Certain Weapons, Implements or Aids" Committee on Fisheries and Wildlife reporting "Ought to Pass" as amended by Committee Amendment "A" (H-23)

(H.P. 85) (L.D. 119) Bill "An Act to Amend the Long Pond Water District Charter" (EMERGENCY) Committee on Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (H-24)

(H.P. 105) (L.D. 148) Bill "An Act to Expand the Law Concerning Failure to Wear a Flotation Device" Committee on Fisheries and Wildlife reporting "Ought to Pass" as amended by Committee Amendment "A" (H-25)

(H.P. 33) (L.D. 43) Bill "An Act to Establish a Permanent Fishing License System for Older Citizens" (EMERGENCY) Committee on Fisheries and Wildlife reporting "Ought to Pass" as amended by Committee Amendment "A" (H-26)

(H.P. 151) (L.D. 236) Bill "An Act to Amend the Definition of a Street Rod" Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-27)

(H.P. 20) (L.D. 23) Bill "An Act to Repeal the Sunset on Immediate Wage Withholding for Child Support Awards" (EMERGENCY) Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-30)

(H.P. 147) (L.D. 219) Bill "An Act to Abolish the Homestead Tax Exemption" Committee on Taxation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-31)

(H.P. 328) (L.D. 458) Bill "An Act to Provide Funds to the Maine Rural Water Association for Services to Water and Wastewater Systems" (EMERGENCY) Committee on Utilities reporting "Ought to Pass"

(H.P. 427) (L.D. 610) Bill "An Act to Amend Maine's Commercial Lines Cancellation Laws" Committee on Banking and Insurance reporting "Ought to Pass"

There being no objections, the above items were ordered to appear on the Consent Calendar of Monday, March 18, 1991 under the listing of Second Day.

CONSENT CALENDAR

CONSENT CALENDAR

Second Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the Second Day:

(S.P. 105) (L.D. 202) Bill "An Act to Improve the Enforcement of the Maine Insurance Code"

(S.P. 106) (L.D. 203) Bill "An Act Relating to Medicare Supplement Insurance"

(H.P. 263) (L.D. 383) Bill "An Act Regarding Judgment Notices in Small Claims Proceedings"

(H.P. 14) (L.D. 17) Bill "An Act Concerning the Use of Headlights in Inclement Weather" (C. "A" H-19)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were Passed to be Engrossed in concurrence and the House Papers were Passed to be Engrossed or Passed to be Engrossed as Amended and sent up for concurrence.

PASSED TO BE ENGROSSED

AS AMENDED

Bill "An Act to Amend the Shellfish Licensing Laws" (EMERGENCY) (H.P. 118) (L.D. 163)

Was reported by the Committee on Bills in the Second Reading and read a second time.

Representative Coles of Harpswell offered House Amendment "A" (H-34) and moved its adoption.

House Amendment "A" (H-34) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended by House Amendment "A" (H-34) and sent up for concurrence.

PASSED TO BE ENACTED

Emergency Measure

An Act to Continue Milk Pool Payments to Dairy Farmers Affected by the Newport Plant Closure (H.P. 130) (L.D. 186)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 125 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

An Act to Authorize Certified Reserve Officers to Enforce Motor Vehicle Registration Laws (H.P. 65) (L.D. 93)

An Act to Regulate Further Ozone-depleting Products (H.P. 90) (L.D. 131) (C. "A" H-18)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

ENACTOR

(Reconsidered)

An Act to Shorten the Tax Abatement Application Period (H.P. 154) (L.D. 239)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Representative Cashman of Old Town, under suspension of the rules, the House reconsidered its action whereby L.D. 239 was passed to be engrossed.

The same Representative offered House Amendment "A" (H-32) and moved its adoption.

House Amendment "A" (H-32) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended by House Amendment "A" (H-32) in non-concurrence and sent up for concurrence.

(At Ease)

The House was called to order by the Speaker.

ORDERS OF THE DAY

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Friday, March 1, 1991 has preference in the Orders of the Day and continues with such preference until disposed of as provided by Rule 24.

Bill "An Act to Provide for Medical Cost Containment in Workers' Compensation" (H.P. 632) (L.D. 902)

(Committee on Labor suggested)

TABLED - February 28, 1991 (Till Later Today) by Representative MCHENRY of Madawaska.

PENDING - Reference.

Was referred to the Committee on Labor, ordered printed and sent up for concurrence.

By unanimous consent, all matters having been acted upon requiring Senate concurrence were ordered sent forthwith to the Senate.

(At Ease to Gong)

The House was called to order by the Speaker.

The following item appearing on Supplement No. 1 was taken up out of order by unanimous consent:

SENATE PAPER

The following Joint Order: (S.P. 414)

ORDERED, the House concurring, that Bill "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government for the Fiscal Year Ending June 30, 1991 and to Change Certain Provisions of the Law" (Emergency) H.P. 192 L.D. 274, and all its accompanying papers, be recalled from the legislative files to the Senate.

Came from the Senate, read and passed.

Was read.

The SPEAKER: The pending question before the House is passage of Joint Order (S.P. 414). This requires a two-thirds vote of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

82 having voted in the affirmative and 0 in the negative, the Joint Order was passed in concurrence.

(At Ease to Gong)

The House was called to order by the Speaker.

The following item appearing on Supplement No. 2 was taken up out of order by unanimous consent:

SENATE PAPER

Recalled from Legislative Files pursuant to Joint Order S.P. 414

Non-Concurrent Matter

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government for the Fiscal Year Ending June 30, 1991 and to Change Certain Provisions of the Law (EMERGENCY) (H.P. 192) (L.D. 274)

In House, failed of passage to be enacted as amended by House Amendment "H" (H-20) as amended by House Amendment "A" (H-21) thereto on February 28, 1991.

In Senate, failed of passage to be enacted as amended by House Amendment "H" (H-20) as amended by House Amendment "A" (H-21) thereto on February 28, 1991.

Recalled from the Legislative Files pursuant to Joint Order S.P. 414.

Came from the Senate passed to be engrossed in non-concurrence.

On motion of Representative Chonko of Topsham, the House voted to recede.

On motion of the same Representative, House Amendment "A" (H-21) as amended by House Amendment "H" (H-20) was indefinitely postponed.

On motion of the same Representative, House Amendment "H" (H-20) was indefinitely postponed.

The same Representative offered House Amendment "I" (H-33) and moved its adoption.

House Amendment "I" (H-33) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended by House Amendment "I" (H-33) in non-concurrence and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

The following items appearing on Supplement No. 3 were taken up out of order by unanimous consent:

COMMUNICATIONS

The following Communication: (S.P. 337)

115TH MAINE LEGISLATURE

February 28, 1991

Senator R. Donald Twitchell
Rep. Robert J. Tardy
Chairpersons
Joint Standing Committee on Agriculture
115th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Betty Sawyer of Jonesport for reappointment to the Animal Welfare Board.

Pursuant to Title 7, MRSA Section 3903, this nomination will require review by the Joint Standing Committee on Agriculture 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 Agriculture.

Was Read and Referred to the Committee on Agriculture in concurrence.

The following Communication: (S.P. 394)

115TH MAINE LEGISLATURE

March 7, 1991

Senator Georgette B. Berube
Representative Ruth Joseph
Chairpersons
Joint Standing Committee on State & Local Government
115th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that the Commissioner of Public Safety, with the advice and consent of the Governor, has nominated Captain Andrew E. Demers, Jr. of New Gloucester for reappointment as Chief of the Maine State Police.

Pursuant to Title 25, MRSA Section 1501, this nomination will require review by the Joint Standing Committee on State & Local Government 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 **State and Local Government**.

Was Read and Referred to the Committee on **State and Local Government** in concurrence.

The following Communication: (S.P. 344)

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

March 4, 1991

The Honorable Charles P. Pray
President of the Senate
115th Legislature
The Honorable John L. Martin
Speaker of the House
115th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today four bills and one resolve were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees and ordered printed on March 4, 1991, as follows:

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act to Provide Property Tax Relief by Providing Funds for County Jails" (EMERGENCY) (S.P. 341) (L.D. 931) (Presented by Senator PEARSON of Penobscot) (Cosponsored by Senator BUSTIN of Kennebec, Representative CARROLL of Gray, Senator COLLINS of Aroostook, Representative SIMONDS of Cape Elizabeth and Representative COLES of Harpswell)

EDUCATION

Bill "An Act to Clarify the Certification of Correspondence Schools" (S.P. 340) (L.D. 930) (Presented by Senator BRAUN of Knox) (Cosponsored by Senator ESTES of York and Representative HANDY of Lewiston) (Submitted by the Department of Education pursuant to Joint Rule 24.)

JUDICIARY

Bill "An Act to Revise Provisions for a New Birth Certificate after Adoption" (S.P. 339) (L.D. 929) (Presented by Senator SUMMERS of Cumberland) (Cosponsored by Representative AIKMAN of Poland and Representative KETOVER of Portland) (Submitted by the Department of Human Services pursuant to Joint Rule 24.)

Bill "An Act to Promote Equity in Court Filing Fees" (S.P. 343) (L.D. 933) (Presented by Senator GAUVREAU of Androscoggin) (Cosponsored by Senator CONLEY of Cumberland, Representative OTT of York and Representative LIPMAN of Augusta)

LABOR

Resolve, to Establish the Task Force on Local Public Employee Collective Bargaining (EMERGENCY) (S.P. 342) (L.D. 932) (Presented by Senator PEARSON of Penobscot) (Cosponsored by Representative CAHILL of Mattawamkeag, Representative NADEAU of Saco and Senator ESTY of Cumberland)

Sincerely,

s/Joy J. O'Brien
Secretary of the Senate

s/Edwin H. Pert
Clerk of the House

Came from the Senate, read and ordered placed on file.

Was read and ordered placed on file in concurrence.

The following Communication: (S.P. 347)

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

March 5, 1991

The Honorable Charles P. Pray
President of the Senate
115th Legislature

The Honorable John L. Martin
Speaker of the House
115th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today two bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees and ordered printed on March 5, 1991, as follows:

ENERGY AND NATURAL RESOURCES

Bill "An Act to Amend the Voter Ratification Provisions of the Low-level Radioactive Waste Laws" (EMERGENCY) (S.P. 346) (L.D. 946) (Presented by Senator PEARSON of Penobscot) (Cosponsored by Representative HICHBORN of Howland, Representative CAHILL of Mattawamkeag and Representative O'DEA of Orono)

TAXATION

Bill "An Act Regarding Leased Equipment" (S.P. 345) (L.D. 945) (Presented by Senator BOST of Penobscot) (Cosponsored by Representative CASHMAN of Old Town, Senator ESTY of Cumberland and Representative RUHLIN of Brewer)

Sincerely,

s/Joy J. O'Brien
Secretary of the Senate

s/Edwin H. Pert
Clerk of the House

Came from the Senate, read and ordered placed on file.

Was read and ordered placed on file in concurrence.

The following Communication: (S.P. 368)

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

March 6, 1991

The Honorable Charles P. Pray
President of the Senate
115th Legislature

The Honorable John L. Martin
Speaker of the House
115th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today fifteen bills and five resolves were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees and ordered printed on March 6, 1991, as follows:

AGING, RETIREMENT AND VETERANS

Bill "An Act to Permit Earlier Repayment of Contributions to the Maine State Retirement System" (S.P. 359) (L.D. 961) (Presented by Senator CLARK of Cumberland) (Cosponsored by Representative JALBERT of Lisbon, Representative AULT of Wayne and Representative HEINO of Boothbay)

Bill "An Act to Provide for the Payment of Late Fees by School Administrative Units and Participating Local Districts That Are Delinquent in Paying Contributions to the Maine State Retirement System" (S.P. 361) (L.D. 963) (Presented by Senator THERIAULT of Aroostook)

BUSINESS LEGISLATION

Bill "An Act to Exempt Certain Persons from the Counselors Licensure Laws" (S.P. 357) (L.D. 959) (Presented by Senator BALDACCI of Penobscot) (Cosponsored by Senator CLARK of Cumberland)

ENERGY AND NATURAL RESOURCES

Bill "An Act to Set a Moratorium on Issuing Permits for Septic Tanks" (S.P. 356) (L.D. 958) (Presented by Senator BERUBE of Androscoggin)

FISHERIES AND WILDLIFE

Bill "An Act to Require Hunters to Wear Fluorescent Orange in all Hunting Seasons" (S.P. 363) (L.D. 965) (Presented by Senator CONLEY of Cumberland)

HUMAN RESOURCES

Bill "An Act to Clarify the Misbranded Food Laws" (S.P. 354) (L.D. 956) (Presented by Senator BALDACCI of Penobscot)

JUDICIARY

Bill "An Act to Amend the Maine Court Facilities Authority" (S.P. 358) (L.D. 960) (Presented by Senator CONLEY of Cumberland)

Bill "An Act to Ensure Timely and Equitable Treatment of Discrimination Complaints Made to the Maine Human Rights Commission" (S.P. 362) (L.D. 964) (Presented by Senator CONLEY of Cumberland) (Cosponsored by Senator GAUVREAU of Androscoggin and Representative HANDY of Lewiston)

LABOR

Bill "An Act to Improve and Expand Job Training Opportunities for Maine Citizens" (EMERGENCY) (S.P. 366) (L.D. 968) (Presented by Senator ESTY of Cumberland) (Cosponsored by Representative CLARK of Brunswick, Representative RAND of Portland and Speaker MARTIN of Eagle Lake)

LEGAL AFFAIRS

Resolve, Authorizing Kathleen Maynard and Howard Briggs to Sue the State (S.P. 348) (L.D. 950)(Presented by Senator CONLEY of Cumberland)

Resolve, Authorizing Sarah Leighton, Peter Nilsen and Linda Nilsen to Bring a Civil Action against the Town of Casco (S.P. 349) (L.D. 951)(Presented by Senator CONLEY of Cumberland)

Resolve, Authorizing a Payment to Steven P. Smith and Ramona Smith of \$47,908.06 (S.P. 350) (L.D. 952)(Presented by Senator TWITCHELL of Oxford)

Bill "An Act to Amend the Liquor Laws Pertaining to the Retail Sale of Wine" (S.P. 353) (L.D. 955)(Presented by Senator CAHILL of Sagadahoc) (Cosponsored by Representative JALBERT of Lisbon)

Resolve, to Allow Scott Keirstead and Don Keirstead, Who Are a Partnership Farming Operation Located in Presque Isle, Known as Keirstead Farm, to Bring a Civil Action against the State (S.P. 360) (L.D. 962)(Presented by Senator PEARSON of Penobscot)

MARINE RESOURCES

Bill "An Act Proposing a License Cap to Manage the Lobster Fishing Effort Through the Limited Issuance of Licenses" (S.P. 365) (L.D. 967)(Presented by Senator BRAUN of Knox) (Cosponsored by Representative CARROLL of Southwest Harbor and Representative SKOGLUND of St. George)

STATE AND LOCAL GOVERNMENT

Bill "An Act Concerning Transfer of Development Rights" (S.P. 351) (L.D. 953)(Presented by Senator BRAUN of Knox)

TAXATION

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory (S.P. 367) (L.D. 969)(Presented by Senator COLLINS of Aroostook) (Submitted by the Department of Finance pursuant to Joint Rule 24.)

TRANSPORTATION

Bill "An Act Directing the Department of Transportation to Erect Signs on Interstate 95 Identifying the Fort Halifax Historic Site" (S.P. 352) (L.D. 954)(Presented by Senator PEARSON of Penobscot)

Bill "An Act to Provide Funding to Offset Rising Costs and Decreasing Federal Revenues for Public Transportation in the State" (S.P. 364) (L.D. 966)(Presented by Senator CLARK of Cumberland) (Cosponsored by Representative TREAT of Gardiner and Representative SIMONDS of Cape Elizabeth)

UTILITIES

Bill "An Act to Authorize the Town of Brownville to Acquire the Assets and Liabilities of the Brownville Water District" (EMERGENCY) (S.P. 355)

(L.D. 957)(Presented by President PRAY of Penobscot) (Cosponsored by Representative HUSSEY of Milo)

Sincerely,
s/Joy J. O'Brien
Secretary of the Senate
s/Edwin H. Pert
Clerk of the House

Came from the Senate, read and ordered placed on file.

Was read and ordered placed on file in concurrence.

The following Communication: (S.P. 393)

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

March 8, 1991

The Honorable Charles P. Pray
President of the Senate
115th Legislature

The Honorable John L. Martin
Speaker of the House
115th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today 14 bills, 1 resolve and 1 resolution were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees and ordered printed on March 8, 1991, as follows:

APPROPRIATIONS & FINANCIAL AFFAIRS

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$10,000,000 to Provide Initial Capitalization of a Public Mutual Insurance Company to Provide Workers' Compensation Insurance to Employers in this State" (S.P. 392) (L.D. 1069) (Presented by Senator CONLEY of Cumberland) (Cosponsored by Senator BUSTIN of Kennebec and Representative ERWIN of Rumford)

BANKING & INSURANCE

Resolution, Proposing an Amendment to the Constitution of Maine to Ensure the Financial Integrity of Any Public Mutual Insurance Company Established to Provide Workers' Compensation Insurance (S.P. 387) (L.D. 1064) (Presented by Senator CONLEY of Cumberland) (Cosponsored by Senator BUSTIN of Kennebec and Representative KETOVER of Portland)

BUSINESS LEGISLATION

Bill "An Act Relating to Real Estate Broker Disclosure" (S.P. 390) (L.D. 1067) (Presented by Senator BRANNIGAN of Cumberland) (Cosponsored by Representative GRAHAM of Houlton)

EDUCATION

Bill "An Act to Revise the Laws Concerning Innovative Educational Grants" (S.P. 377) (L.D. 1054) (Presented by Senator GILL of Cumberland) (Cosponsored by Senator ESTES of York and Representative O'GARA of Westbrook) (Submitted by the Department of Education pursuant to Joint Rule 24.

ENERGY & NATURAL RESOURCES

Bill "An Act to Broaden the Availability of Loans under the Finance Authority of Maine to Improve the Environment" (S.P. 386) (L.D. 1063) (Presented by Senator MILLS of Oxford) (Cosponsored by Senator TITCOMB of Cumberland and Representative HOGLUND of Portland)

FISHERIES & WILDLIFE

Bill "An Act to Protect the Public's Rights on Whitewater Rivers of the State" (S.P. 378) (L.D. 1055) (Presented by Senator CLARK of Cumberland) (Cosponsored by Senator TWITCHELL of Oxford and Representative CLARK of Millinocket)

HUMAN RESOURCES

Bill "An Act Concerning Income Eligibility for General Assistance" (S.P. 389) (L.D. 1066) (Presented by Senator THERIAULT of Aroostook) (Cosponsored by Senator COLLINS of Aroostook and Representative TAMMARO of Baileyville)

JUDICIARY

Bill "An Act Relating to the Finalization of Divorces" (S.P. 388) (L.D. 1065) (Presented by Senator GAUVREAU of Androscoggin) (Cosponsored by Representative COTE of Auburn)

Bill "An Act to Permit Collateral Source Evidence in Civil Actions" (S.P. 391) (L.D. 1068) (Presented by Senator HOLLOWAY of Lincoln) (Cosponsored by Representative COTE of Auburn)

LABOR

Bill "An Act to Amend the Workers' Compensation Act to Provide for Fair Minimum Benefits" (S.P. 382) (L.D. 1059) (Presented by Senator CONLEY of Cumberland) (Cosponsored by Representative MCKEEN of Windham)

TAXATION

Bill "An Act to Establish Tax Credits for Capital Investment in Aircraft" (S.P. 379) (L.D. 1056) (Presented by Senator BRAWN of Knox) (Cosponsored by Senator COLLINS of Aroostook)

Bill "An Act to Modify the Maine Residents Property Tax Program" (S.P. 385) (L.D. 1062) (Presented by Senator CLARK of Cumberland) (Cosponsored by Senator BERUBE of Androscoggin and

Representative DORE of Auburn)

TRANSPORTATION

Resolve, to Name the Bridge Spanning the Little Madawaska River in Caribou the "B. Morrell Bridge" (S.P. 380) (L.D. 1057) (Presented by Senator COLLINS of Aroostook) (Cosponsored by Representative BELL of Caribou and Representative ANDERSON of Woodland)

Bill "An Act to Mandate the Use of Seat Belts" (S.P. 381) (L.D. 1058) (Presented by Senator BRANNIGAN of Cumberland) (Cosponsored by Senator COLLINS of Aroostook)

Bill "An Act to Prohibit Passengers under 10 Years of Age on Motorcycles" (S.P. 384) (L.D. 1061) (Presented by Senator FOSTER of Hancock)

UTILITIES

Bill "An Act to Create a Limited Right of Entry" (S.P. 383) (L.D. 1060) (Presented by Senator BALDACCI of Penobscot) (Cosponsored by Senator VOSE of Washington)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Edwin H. Pert
Clerk of the House

Came from the Senate, read and ordered placed on file.

Was read and ordered placed on file in concurrence.

The following Communication: (S.P. 409)

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

March 11, 1991

The Honorable Charles P. Pray
President of the Senate
115th Legislature

The Honorable John L. Martin
Speaker of the House
115th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today 13 bills and 1 resolve were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees and ordered printed on March 11, 1991, as follows:

AGING, RETIREMENT & VETERANS

Bill "An Act Regarding Survivor Benefits in the Event of Divorce and Remarriage" (S.P. 396) (L.D. 1072) (Presented by Senator CAHILL of Sagadahoc) (Cosponsored by Senator CLARK of Cumberland, Senator WEBSTER of Franklin and Representative AULT of Wayne)

APPROPRIATIONS & FINANCIAL AFFAIRS

Bill "An Act to Increase the Borrowing Authority of the University of Maine System" (Emergency) (S.P. 406) (L.D. 1082) (Presented by Senator PEARSON of Penobscot)

BANKING & INSURANCE

Bill "An Act Regarding a 10% Rollback on Automobile Insurance Rates" (S.P. 405) (L.D. 1081) (Presented by Senator BRANNIGAN of Cumberland) (Cosponsored by Representative MARSANO of Belfast)

ENERGY & NATURAL RESOURCES

Bill "An Act to Ensure Voter Participation in the Siting of Both Storage and Disposal of Radioactive Waste" (S.P. 407) (L.D. 1083) (Presented by Senator MILLS of Oxford) (Cosponsored by Speaker MARTIN of Eagle Lake, Representative HOLT of Bath and Senator LUDWIG of Aroostook)

HUMAN RESOURCES

Bill "An Act to Ensure Patient Access to Inpatient Psychiatric Services" (S.P. 395) (L.D. 1071) (Presented by Senator GILL of Cumberland) (Cosponsored by Representative KETOVER of Portland, Representative ANTHONY of South Portland and Representative MITCHELL of Vassalboro)

Bill "An Act to Maintain Appropriate Residential Care to Clients of Pineland Center" (S.P. 398) (L.D. 1074) (Presented by Senator GAUVREAU of Androscoggin) (Cosponsored by Representative MANNING of Portland, Representative CARROLL of Gray and Senator GILL of Cumberland)

Bill "An Act to Require the Department of Human Services to Adopt Criteria for Competitive Reviews of Hospital Certificate of Need Projects and for Other Purposes" (S.P. 404) (L.D. 1080) (Presented by Senator FOSTER of Hancock) (Cosponsored by Representative CONSTANTINE of Bar Harbor, Representative CARROLL of Southwest Harbor and Senator PEARSON of Penobscot)

JUDICIARY

Bill "An Act to Allow the Suspension of Fines in Certain Cases" (S.P. 399) (L.D. 1075) (Presented by Senator CONLEY of Cumberland)

LABOR

Bill "An Act to Protect Private Sector Workers against Unjust Discharge" (S.P. 397) (L.D. 1073) (Presented by Senator CONLEY of Cumberland) (Cosponsored by Representative RUHLIN of Brewer)

LEGAL AFFAIRS

Resolve, Authorizing Pamela LaTourneau, as

Personal Representative of the Estate of Richard LaTourneau III, and Pamela LaTourneau and Richard LaTourneau, Jr. to Bring Civil Action against the State (S.P. 400) (L.D. 1076) (Presented by Senator CONLEY of Cumberland)

Bill "An Act to Allow Ballot Clerks Access to Ballots Up to 2 Hours before the Polls Open" (S.P. 402) (L.D. 1078) (Presented by Senator TITCOMB of Cumberland) (Cosponsored by Representative SIMPSON of Casco and Representative KONTOS of Windham)

Bill "An Act to Improve the Efficiency of Voter Registration" (S.P. 408) (L.D. 1084) (Presented by Senator BERUBE of Androscoggin) (Cosponsored by Senator EMERSON of Penobscot, Representative LOOK of Jonesboro and Representative ROTONDI of Athens)

STATE & LOCAL GOVERNMENT

Bill "An Act to Require Administrative Agencies to Create Municipal Fiscal Impact Statements When They Create Rules" (S.P. 403) (L.D. 1079) (Presented by Senator PEARSON of Penobscot) (Cosponsored by Senator EMERSON of Penobscot, Representative JOSEPH of Waterville, Representative LORD of Waterboro and President PRAY of Penobscot)

UTILITIES

Bill "An Act to Regulate Cellular Telephone Rates" (S.P. 401) (L.D. 1077) (Presented by Senator DUTREMBLE of York)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Edwin H. Pert
Clerk of the House

Came from the Senate, read and ordered placed on file.

Was read and ordered placed on file in concurrence.

The following Communication: (S.P. 376)

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

March 7, 1991

The Honorable Charles P. Pray
President of the Senate
115th Legislature

The Honorable John L. Martin
Speaker of the House
115th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today 6 bills and 1 resolve were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees and ordered printed on March 7, 1991, as follows:

HUMAN RESOURCES

Bill "An Act to Establish the Maine Primary Care Residency Training Assistance Program" (S.P. 374) (L.D. 999) (Presented by Senator CLARK of Cumberland) (Cosponsored by Speaker MARTIN of Eagle Lake, Senator GILL of Cumberland and Representative RYDELL of Brunswick)

LABOR

Bill "An Act to Provide Provisional Orders for Workers' Compensation Cases" (S.P. 373) (L.D. 998) (Presented by Senator CONLEY of Cumberland) (Cosponsored by Speaker MARTIN of Eagle Lake)

STATE & LOCAL GOVERNMENT

Bill "An Act to Provide Employee Protection in the Event of Closure or Reduction in Capacity of State Facilities, Programs or Services" (Emergency) (S.P. 370) (L.D. 995) (Presented by President PRAY of Penobscot) (Cosponsored by Senator DUTREMBLE of York, Representative JOSEPH of Waterville and Representative LARRIVEE of Gorham)

Resolve, to Permit Certain Uses of the State Seal (Emergency) (S.P. 371) (L.D. 996) (Presented by Senator MATTHEWS of Kennebec)

TAXATION

Bill "An Act Concerning Health Care Insurance" (S.P. 372) (L.D. 997) (Presented by Senator MATTHEWS of Kennebec)

Bill "An Act Concerning the Sales and Use Tax on Aircraft Parts" (S.P. 375) (L.D. 1009) (Presented by Senator BALDACCI of Penobscot) (Cosponsored by Representative LEBOWITZ of Bangor and President PRAY of Penobscot)

TRANSPORTATION

Bill "An Act to Amend the Maine Traveler Information Services Laws" (S.P. 369) (L.D. 994) (Presented by Senator BUSTIN of Kennebec) (Cosponsored by Senator TWITCHELL of Oxford)

Sincerely,
s/Joy J. O'Brien
Secretary of the Senate

s/Edwin H. Pert
Clerk of the House

Came from the Senate, read and ordered placed on file.

Was read and ordered placed on file in concurrence.

The following items appearing on Supplement No. 4 were taken up out of order by unanimous consent:

SENATE PAPERS

Bill "An Act to Provide Public Access One Weekend a Month to the Veterans' Memorial Cemetery" (S.P. 334) (L.D. 909)

Bill "An Act to Amend the Disability Provisions of the Maine State Retirement System Laws" (S.P. 411) (L.D. 1125)

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

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

Bill "An Act to Provide for a Minimum Level of Compensation for Cooperating and Supervisory Teachers of Student Teachers" (S.P. 412) (L.D. 1126)

Came from the Senate, referred to the Committee on **Education** and Ordered Printed.

Was referred to the Committee on **Education** in concurrence.

Bill "An Act to Provide Funds to Dental Clinics" (S.P. 333) (L.D. 908)

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

Was referred to the Committee on **Human Resources** in concurrence.

Bill "An Act to Amend the Maximum Number of Benefit Weeks for Partial Disability Under the Workers' Compensation Act" (S.P. 336) (L.D. 911)

Bill "An Act to Increase the Probationary Period for Police Officers" (S.P. 413) (L.D. 1127)

Came from the Senate, referred to the Committee on **Labor** and Ordered Printed.

Were referred to the Committee on **Labor** in concurrence.

Bill "An Act Concerning the Maine Turnpike Authority" (S.P. 410) (L.D. 1124)

Came from the Senate, referred to the Committee on **State and Local Government** and Ordered Printed.

Was referred to the Committee on **State and Local Government** in concurrence.

Bill "An Act to Encourage Internal Audit of Utility Operations" (S.P. 335) (L.D. 910)

Came from the Senate, referred to the Committee on **Utilities** and Ordered Printed.

Was referred to the Committee on **Utilities** in concurrence.

The following items appearing on Supplement No. 5 were taken up out of order by unanimous consent:

SENATE PAPERS

Unanimous Ought Not To Pass

Report of the Committee on **Fisheries and Wildlife** reporting "**Ought Not to Pass**" on Bill "An Act to Prohibit Jet Skis on Small Inland Lakes" (S.P. 127) (L.D. 229)

Report of the Committee on **Legal Affairs** reporting "**Ought Not to Pass**" on Resolve, Authorizing Robert L. Gray to Bring a Civil Action against the State (S.P. 81) (L.D. 144)

Report of the Committee on **Legal Affairs** reporting "**Ought Not to Pass**" on Bill "An Act Regarding Voter Registration" (S.P. 94) (L.D. 179)

Report of the Committee on **Legal Affairs** reporting "**Ought Not to Pass**" on Bill "An Act to Eliminate Voter Registration on Election Day" (S.P. 95) (L.D. 180)

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

Unanimous Leave to Withdraw

Report of the Committee on **Banking and Insurance** reporting "**Leave to Withdraw**" on Bill "An Act Related to Life Insurance Coverage" (S.P. 37) (L.D. 59)

Report of the Committee on **Banking and Insurance** reporting "**Leave to Withdraw**" on Bill "An Act to Increase Access to Dental Services" (S.P. 96) (L.D. 181)

Report of the Committee on **Business Legislation** reporting "**Leave to Withdraw**" on Bill "An Act to Amend the State Architect Licensure Laws" (S.P. 107) (L.D. 204)

Report of the Committee on **Fisheries and Wildlife** reporting "**Leave to Withdraw**" on Bill "An Act Relating to Archery Hunting Licenses" (S.P. 68) (L.D. 124)

Report of the Committee on **Human Resources** reporting "**Leave to Withdraw**" on Bill "An Act to

Ensure That Inflationary and Demographic Trends Are Reflected in Home-based Care Funding" (S.P. 224) (L.D. 578)

Report of the Committee on **Marine Resources** reporting "**Leave to Withdraw**" on Bill "An Act to Limit the Number of Workers on Lobster Boats" (S.P. 102) (L.D. 189)

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

(At Ease to Gong)

The House was called to order by the Speaker.

The following item appearing on Supplement No. 6 was taken up out of order by unanimous consent:

SENATE PAPER

The following Joint Order: (S.P. 415)

Ordered, the House concurring, that Bill "An Act to Ensure Access to Boards of Directors," S.P. 38, L.D. 60, and all its accompanying papers, be recalled from the legislative files to the Senate.

Came from the Senate, read and passed.

Was read.

The SPEAKER: The pending question before the House is passage of Joint Order (S.P. 414). This requires a two-thirds vote of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

77 having voted in the affirmative and 5 in the negative, Joint Order (S.P. 415) was passed in concurrence.

The following items appearing on Supplement No. 7 were taken up out of order by unanimous consent:

SENATE PAPERS

Refer to the Committee on Human Resources

Report of the Committee on **Appropriations and Financial Affairs** on Bill "An Act to Amend the Elderly Low-cost Drug Program" (S.P. 34) (L.D. 48) reporting that it be referred to the Committee on **Human Resources**.

Came from the Senate with the report read and accepted and the bill referred to the Committee on **Human Resources**.

Report was read and accepted and the bill referred to the Committee on **Human Resources** in

concurrence.

Refer to the Committee on Human Resources

Report of the Committee on **Appropriations and Financial Affairs** on Bill "An Act to Provide Funds for Women with Substance Abuse Problems" (S.P. 40) (L.D. 64) reporting that it be referred to the Committee on **Human Resources**.

Came from the Senate with the report read and accepted and the bill referred to the Committee on **Human Resources**.

Report was read and accepted and the bill referred to the Committee on **Human Resources** in concurrence.

Refer to the Committee on Human Resources

Report of the Committee on **Appropriations and Financial Affairs** on Bill "An Act Concerning Monitoring and Inspection of Boarding Homes" (S.P. 50) (L.D. 80) reporting that it be referred to the Committee on **Human Resources**.

Came from the Senate with the report read and accepted and the bill referred to the Committee on **Human Resources**.

Report was read and accepted and the bill referred to the Committee on **Human Resources** in concurrence.

Refer to the Committee on Aging, Retirement and Veterans

Report of the Committee on **Appropriations and Financial Affairs** on Bill "An Act to Require the State to Pay Medicare Costs for Retired State Employees and Retired Teachers" (S.P. 58) (L.D. 107) reporting that it be referred to the Committee on **Aging, Retirement and Veterans**.

Came from the Senate with the report read and accepted and the bill referred to the Committee on **Aging, Retirement and Veterans**.

Report was read and accepted and the bill referred to the Committee on **Aging, Retirement and Veterans** in concurrence.

Refer to the Committee on Human Resources

Report of the Committee on **Appropriations and Financial Affairs** on Bill "An Act to Create a Fund to Pay Certain Costs of Drugs Used to Treat Mental Illness" (S.P. 65) (L.D. 117) reporting that it be referred to the Committee on **Human Resources**.

Came from the Senate with the report read and accepted and the bill referred to the Committee on

Human Resources.

Report was read and accepted and the bill referred to the Committee on **Human Resources** in concurrence.

Refer to the Committee on Human Resources

Report of the Committee on **Appropriations and Financial Affairs** on Bill "An Act to Meet the Increasing Critical Need for Visits by Maternal and Child Health Care Nurses to the Homes of Multiproblem Families" (EMERGENCY) (S.P. 66) (L.D. 118) reporting that it be referred to the Committee on **Human Resources**.

Came from the Senate with the report read and accepted and the bill referred to the Committee on **Human Resources**.

Report was read and accepted and the bill referred to the Committee on **Human Resources** in concurrence.

Refer to the Committee on Human Resources

Report of the Committee on **Appropriations and Financial Affairs** on Bill "An Act to Enhance the Transition from Special Education Programs to Adult Services" (S.P. 73) (L.D. 129) reporting that it be referred to the Committee on **Human Resources**.

Came from the Senate with the report read and accepted and the bill referred to the Committee on **Human Resources**.

Report was read and accepted and the bill referred to the Committee on **Human Resources** in concurrence.

Refer to the Committee on Human Resources

Report of the Committee on **Appropriations and Financial Affairs** on Bill "An Act to Appropriate Funds for Case Management Services for Troubled Youth in the Greater Portland Area" (S.P. 101) (L.D. 188) reporting that it be referred to the Committee on **Human Resources**.

Came from the Senate with the report read and accepted and the bill referred to the Committee on **Human Resources**.

Report was read and accepted and the bill referred to the Committee on **Human Resources** in concurrence.

Refer to the Committee on Fisheries and Wildlife

Report of the Committee on **Transportation** on Bill "An Act Concerning Road Kills" (S.P. 130) (L.D. 232) reporting that it be referred to the Committee

on Fisheries and Wildlife.

Came from the Senate with the report read and accepted and the bill referred to the Committee on Fisheries and Wildlife.

Report was read and accepted and the bill referred to the Committee on Fisheries and Wildlife in concurrence.

The following item appearing on Supplement No. 8 was taken up out of order by unanimous consent:

SENATE PAPER

The following Joint Order: (S.P. 427)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Monday, March 18, 1991, at 4 o'clock in the afternoon.

Came from the Senate, read and passed.

Was read and passed in concurrence.

The following item appearing on Supplement No. 9 was taken up out of order by unanimous consent:

PASSED TO BE ENACTED

Emergency Measure

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government for the Fiscal Year Ending June 30, 1991 and to Change Certain Provisions of the Law (H.P. 192) (L.D. 274) (H. "I" H-33)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 136 voted in favor of the same and 4 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith to the Senate.

Representative Coles of Harpswell was granted unanimous consent to address the House:

Representative COLES: Mr. Speaker, Men and Women of the House: I thank you for granting this permission. I had intended to speak on this bill and we weren't notified in time get here to speak.

I know that we all need a budget and I voted for the bill because I know that we can't tolerate any further delay but there is one section of this budget that I want to make a few comments on. It is the section which postpones the mandates regarding the construction of sand and salt sheds and removal of underground tanks by towns and schools.

Leaving aside the overgrown rhetoric and

political jockeying which have overwhelmed reason and common sense on the mandate issues, leaving aside that this is a flashy ornament, this language in the bill, designed to distract attention from the bad news at the bottom line, leaving aside that this language has nothing to do with the budget but is included in the budget, a budget which we need to pass and includes serious debate on this particular issue. Leaving aside that the Representative was pushed so hard for inclusion of this language in the budget bill and who is sponsoring a biennial budget which would have an absolutely devastating impact on local budgets, leaving all that aside, including this language in this bill, it sends some distinct messages to the towns, the people, and the businesses in this state.

The current law regarding construction of sand and salt storage areas was not passed on a whim or without careful thought about its impact. The law, which received the unanimous approval of the legislature, is intended to eliminate serious threats to the purity of Maine's drinking water. Ask the people of Friendship or the people of the Berwick's, about the consequences of polluting drinking water. Ask the state taxpayers about how expensive it is to clean up groundwater contamination and to restore safe drinking water supplies. Remember, it is the people of all the state who pay the lion's share of these costs, not the people of the town responsible or the school district responsible. So, the first message that this language sends is that the state no longer takes seriously threats to our drinking water.

The second message it sends is that everybody in the state must take their risk associated with the decision of one town or one school to postpone removal of these threats to drinking water.

The third message that is sent by this language is that the legislature is anti-business, anti-private sector, that the legislature does not believe in treating all actual or potential polluters equally. Instead of everyone having to meet a common schedule, we will be saying that those in the private sector, whether businesses or homeowners, must clean up their pollution on schedule, while those in the public sector are excused, yet there is no difference in the drinking water whether the gasoline or the salt comes from a public tank or a private tank.

The fourth message being sent is being sent to those towns that have met their responsibilities under these laws. My own town of Harpswell last year spent \$100,000 for their sand and salt storage shed. This year, we are telling Harpswell and other towns that have acted responsibly that they were foolish to do so, that if they had refused to obey the law, they would have gotten off the hook. Are these the messages we really want to send?

The following item appearing on Supplement No. 10 was taken up out of order by unanimous consent:

SENATE PAPER

Non-Concurrent Matter

Bill "An Act to Ensure Adequate Resources for Energy Assistance Programs for Low-income Households" (EMERGENCY) (S.P. 319) (L.D. 857) which was referred to the Committee on Human Resources in the House on

February 28, 1991.

Came from the Senate with that Body having adhered to its former action whereby the Bill was referred to the Committee on Utilities in non-concurrence.

The House voted to recede and concur.

The following items appearing on Supplement No. 13 were taken up out of order by unanimous consent:

SENATE PAPERS

The following Communication:

Maine State Senate
Augusta, Maine 04333

March 13, 1991

The Honorable John L. Martin
Speaker of the House
115th Legislature
Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Judiciary, Honorable Douglas A. Clapp of Bucks Harbor for appointment as Judge of the Maine District Court.

Honorable Douglas A. Clapp is replacing Judge John W. Benoit.

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file.

Unanimous Leave to Withdraw

Report of the Committee on Legal Affairs reporting "Leave to Withdraw" on Bill "An Act to Amend the Requirements to Become a Licensed Private Investigator" (S.P. 153) (L.D. 365)

Report of the Committee on Judiciary reporting "Leave to Withdraw" on Bill "An Act to Exempt Telephone Workers Engaged in Certain Acts from the Workplace Manslaughter Laws" (S.P. 221) (L.D. 548)

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

CONSENT CALENDAR

First Day

In accordance with House Rule 49, the following item appeared on the Consent Calendar for the First Day:

(S.P. 24) (L.D. 34) Bill "An Act to Amend the Retirement Laws" Committee on Aging, Retirement and Veterans reporting "Ought to Pass"

There being no objections, the above item was ordered to appear on the Consent Calendar of Monday, March 18, 1991, under the listing of Second Day.

The following item appearing on Supplement No. 11 was taken up out of order by unanimous consent:

ORDERS

On motion of Representative MITCHELL of Vassalboro, the following Joint Resolution: (H.P. 792) (Cosponsors: Senator BUSTIN of Kennebec, Representatives O'DEA of Orono and FARNSWORTH of Hallowell)

JOINT RESOLUTION PETITIONING THE GOVERNOR TO RESCIND EXECUTIVE ORDER 11-FY 90/91 AND OTHER ACTIONS IMPLEMENTING FURLOUGHS

WHEREAS, state employees provide vital and necessary services, as determined by the Legislature and approved by the Governor, to the citizens of the State; and

WHEREAS, the timely and efficient provision of services requires sufficient personnel to operate in a productive and cost-effective manner; and

WHEREAS, the Governor has ordered the implementation of 3 furlough days for the purpose of depriving employees of a portion of their salary; and

WHEREAS, the imposition of furloughs effectively constitutes the levy of a special tax or assessment on state workers between now and the end of the fiscal year on June 30, 1991; and

WHEREAS, several budgetary alternatives to the furloughs have been presented and received bipartisan support from a majority of the Legislature; now, therefore, be it

RESOLVED: That we, the members of the One Hundred and Fifteenth Legislature, now assembled in the First Regular Session petition the Governor to rescind Executive Order 11-FY 90/91 and the Governor's other orders and actions that implement furloughs; and be it further

RESOLVED: That a suitable copy of this joint resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable John R. McKernan, Jr.

Was read.

The SPEAKER: The Chair recognizes the Representative from Vassalboro, Representative Mitchell.

Representative MITCHELL: Mr. Speaker, Men and

Women of the House: It is very difficult oftentimes as legislators to deal with the collective bargaining process because we often want to have a say in what goes on. Technically we can't, but as citizens and legislators, we can let the Chief Executive know, who has the ultimate power to make those collective bargaining decisions, how we feel.

I represent many state employees in this state who do an excellent job of delivering services that all of our constituents need and many of you do the same. I have a great deal of concern about asking state employees to take furlough days without pay and this Resolution encourages the Governor to rescind that Order, which he indeed has the power to do.

There are other revenue sources that we could come up with as he is looking for revenue shortfalls, we have explored many of those, and I would encourage him to do that. I would encourage passage of this Order letting him know the feelings of the Maine Legislature on the issue of furloughs for state employees.

The SPEAKER: The Chair recognizes the Representative from Belfast, Representative Marsano.

Representative MARSANO: Mr. Speaker, Men and Women of the House: When the vote is taken, I would request a Division. I would point out to the House that this Order is inconsistent with the bill which was just passed. If this Resolution were to be implemented, we would again be back attempting to deal with the problems that we have just solved.

The SPEAKER: The Chair recognizes the Representative from Hallowell, Representative Farnsworth.

Representative FARNSWORTH: Mr. Speaker, Men and Women of the House: I don't believe at all that this Resolution is inconsistent with what we just passed. The Governor's actions that is the subject of this Resolution was taken separate from and prior to any of the legislation, the last of which we just voted on, had to do with the budget. The Governor's action was done by Executive Order, not something that was voted on by this House and I think it is very appropriate for us to speak to that directly in that form.

The second thing is that the matter has been appealed by at least one of the Unions involved and is currently in the grievance procedure and if, in fact, the Unions are successful, then the state will have an obligation which we recognize to restore those funds. Through this budget process, as the Representative from Vassalboro has just described, there have been numerous other revenue sources available that could have been used and could be used to restore those funds.

I think, in general, it is important for us to recognize that sometimes doing exactly the same thing for everybody is not equitable and this is one of those situations in this bill where we ask every single state employee, whether they are Range 3 or a Range 80, to take a day's pay. A day's pay is vastly different for those people. If we are concerned about the impact of what the state does on the economic situation of the state and of this area, I think we have to realize that a day's pay for people who are (in fact, at all levels of income these days) living on the edge can be very serious. I would imagine that most of the people in this House don't need any further explanations than that, given their own personal situations, at least I can say that. So, I would urge people in this House to understand

that this is responding directly to the Executive Order that the Governor has issued and is, in fact, separate and distinct from what we just voted on.

Representative Mitchell of Vassalboro requested a roll call.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative Murphy.

Representative MURPHY: Mr. Speaker, Ladies and Gentlemen of the House: I, too, feel sorry for state employees. I know what it is, I lived on the edge for a good many years, maybe not now, but there was a time when my children were little that I did. There are people in this state who are not state employees who have been laid off and their unemployment is running out. I do not represent a lot of state employees, I represent people who have been laid off in the private sector, who did not have the opportunity to take a furlough so that their friends could keep their jobs. It is not that I don't sympathize with them because I do.

I looked over this budget this morning and I firmly believe that we did vote for that furlough. I don't know what anyone else thought but those were my thoughts.

The SPEAKER: The Chair recognizes the Representative from Belfast, Representative Marsano.

Representative MARSANO: Mr. Speaker, Men and Women of the House: On page 28 with respect to the salary plan, there is a debit of \$8.3 million which I think we all recognize as those numbers that correlate directly with the matter that is before you in the request for a Resolution. I share the view with the Representative from Berwick that we voted to approve that when we took that action and it seems to me as though we should be consistent.

The SPEAKER: The Chair recognizes the Representative from Hallowell, Representative Farnsworth.

Representative FARNSWORTH: Mr. Speaker, Men and Women of the House: I would just point out that the savings that are referred to by the Representative from Belfast were savings that have been referred to by the Executive Branch and are not made specific to any one purpose. That is the status quo that those monies have not been spent and are not planned to be spent but there is nothing in that legislation that directly addresses the furlough issue.

Secondly, I think it is important to recognize that this is similar to some of the argument that we had when we talked about the Health Care Plan where there was a popular perception, perhaps, that we raised money from the cigarette and alcohol taxes to pay for health care, but as members of the other party were quick to point out, there was nothing in the law that directly mandated that we spend those monies. I would suggest that this is a similar situation. Although there is a similarity in terms of dollar amounts, there is nothing direct in this law that, in fact, accomplishes what is being suggested. In fact, these funds are collected from all different kinds of savings throughout state government and cannot be segregated.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Lipman.

Representative LIPMAN: Mr. Speaker, Ladies and Gentlemen of the House: It appears to me as though we voted on an issue and you are on one side or another and now some people are trying to back off a little. I think that this body has spoken, has spoken within the last hour as to how they feel about

what cuts should take place and what cuts should not take place. I think we should be consistent and, for that reason, if there is more to be considered by this particular Resolution than changing what we just voted on, I would suggest that the reasonable thing to do is that this be tabled. I would move to table it for one legislative day.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of more than one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

Representative Marsano of Belfast moved that Joint Resolution (H.P. 792) be tabled for one legislative day.

Representative Gwadosky of Fairfield requested a roll call.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of more than one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question before the House is tabling for one legislative day Joint Resolution (H.P. 792). Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 18

YEA - Aikman, Anderson, Bailey, H.; Bailey, R.; Barth, Bennett, Bowers, Butland, Carleton, Carroll, J.; Donnelly, Duplessis, Farnum, Farren, Foss, Garland, Greenlaw, Hanley, Hastings, Heino, Hepburn, Hichens, Kutasi, Lebowitz, Libby, Lipman, Look, Lord, MacBride, Marsano, Marsh, Merrill, Murphy, Nash, Ott, Parent, Pendexter, Pendleton, Pines, Reed, G.; Reed, W.; Salisbury, Savage, Small, Spear, Stevens, A.; Stevenson, Strout, Whitcomb.

NAY - Adams, Aliberti, Anthony, Bell, Boutilier, Cahill, M.; Carroll, D.; Cashman, Cathcart, Chonko, Clark, M.; Coles, Constantine, Cote, Crowley, Daggett, DiPietro, Duffy, Dutremble, L.; Erwin, Farnsworth, Gean, Goodridge, Gould, R. A.; Graham, Gray, Gurney, Gwadosky, Handy, Heeschen, Hichborn, Hoglund, Holt, Hussey, Jacques, Jalbert, Joseph, Kerr, Ketover, Ketterer, Kilkelly, Kontos, Larrivee, Lawrence, Lemke, Luther, Macomber, Manning, Mayo, McHenry, McKeen, Melendy, Michaud, Mitchell, E.; Mitchell, J.; Nadeau, Nutting, O'Dea, O'Gara, Oliver, Paradis, J.; Paradis, P.; Paul, Pfeiffer, Pineau, Plourde, Poulin, Pouliot, Powers, Rand, Richardson, Ricker, Rotondi, Ruhlin, Rydell, Saint Onge, Sheltra, Simonds, Simpson, Skoglund, Stevens, P.; Swazey, Tammaro, Tardy, Townsend, Tracy, Vigue, Waterman, Wentworth, The Speaker.

ABSENT - Ault, Clark, H.; Dore, Hale, LaPointe, Mahany, Martin, H.; Morrison, Norton, Richards, Treat, Tupper.

Yes, 49; No, 90; Absent, 12; Paired, 0; Excused, 0.

49 having voted in the affirmative and 90 in the negative with 12 being absent, the motion did not

prevail.

The SPEAKER: The pending question before the House is adoption of Joint Resolution (H.P. 792), a roll call having been ordered.

ROLL CALL NO. 19

YEA - Adams, Aliberti, Anthony, Bell, Boutilier, Cahill, M.; Carroll, D.; Carroll, J.; Cashman, Cathcart, Chonko, Clark, M.; Coles, Constantine, Cote, Crowley, Daggett, DiPietro, Duffy, Dutremble, L.; Erwin, Farnsworth, Gean, Goodridge, Gould, R. A.; Graham, Gray, Gurney, Gwadosky, Hanley, Heeschen, Hichborn, Hoglund, Holt, Hussey, Jacques, Jalbert, Joseph, Kerr, Ketover, Ketterer, Kilkelly, Kontos, Larrivee, Lawrence, Lemke, Macomber, Manning, Mayo, McHenry, McKeen, Melendy, Michaud, Mitchell, E.; Mitchell, J.; Nadeau, Nutting, O'Dea, O'Gara, Oliver, Paradis, P.; Paul, Pfeiffer, Pineau, Plourde, Poulin, Pouliot, Powers, Rand, Richardson, Ricker, Rotondi, Ruhlin, Rydell, Saint Onge, Sheltra, Simonds, Simpson, Skoglund, Stevens, A.; Stevens, P.; Strout, Swazey, Tammaro, Tardy, Townsend, Tracy, Vigue, Waterman, Wentworth, The Speaker.

NAY - Aikman, Anderson, Bailey, H.; Bailey, R.; Barth, Bennett, Bowers, Butland, Carleton, Donnelly, Duplessis, Farnum, Farren, Foss, Garland, Greenlaw, Hastings, Heino, Hepburn, Hichens, Kutasi, Lebowitz, Libby, Lipman, Look, Lord, Luther, MacBride, Marsano, Marsh, Merrill, Murphy, Nash, Ott, Parent, Pendexter, Pendleton, Pines, Reed, G.; Reed, W.; Salisbury, Savage, Small, Spear, Stevenson, Whitcomb.

ABSENT - Ault, Clark, H.; Dore, Hale, Handy, LaPointe, Mahany, Martin, H.; Morrison, Norton, Paradis, J.; Richards, Treat, Tupper.

Yes, 91; No, 46; Absent, 14; Paired, 0; Excused, 0.

91 having voted in the affirmative and 46 in the negative with 14 being absent, Joint Resolution (H.P. 792) was adopted. Sent up for concurrence.

ORDERS

On motion of Representative JOSEPH of Waterville, the following Joint Resolution: (H.P. 793) (Cosponsors: Representative DAGGETT of Augusta, Representative PARADIS of Augusta, and Senator MCCORMICK of Kennebec)

JOINT RESOLUTION PETITIONING THE GOVERNOR TO RESCIND HIS ACTIONS IMPLEMENTING DELAYED PAY DATES

WHEREAS, state employees provide vital and necessary services, as determined by the Legislature and approved by the Governor, to the citizens of the State; and

WHEREAS, the timely and efficient provision of services requires sufficient personnel to operate in a productive and cost-effective manner; and

WHEREAS, the Governor has ordered the systematic deferral of paychecks resulting ultimately in an additional week's delay in pay dates for the purpose of depriving employees of a portion of their salary; and

WHEREAS, the imposition of lag pay dates effectively constitutes the levy of a special tax or assessment on state workers between now and the end of the fiscal year on June 30, 1991; and

WHEREAS, several budgetary alternatives to the lag pay-date plan have been presented and received bipartisan support from a majority of the Legislature; now, therefore, be it

RESOLVED: That we, the members of the One Hundred and Fifteenth Legislature, now assembled in the First Regular Session petition the Governor to rescind his letter of February 13, 1991 that implements lag pay dates; and be it further

RESOLVED: That a suitable copy of this joint resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable John R. McKernan, Jr.

Representative Marsano of Belfast objected.

The **SPEAKER:** The Chair will order a vote. The pending question before the House is suspension of the rules. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Representative Gwadosky of Fairfield requested a roll call.

The **SPEAKER:** A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of more than one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The **SPEAKER:** The pending question before the House is suspension of the rules. This requires a two-thirds vote of the members present and voting. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 20

YEA - Adams, Aliberti, Anthony, Bell, Boutilier, Cahill, M.; Carroll, D.; Cashman, Cathcart, Chonko, Clark, M.; Coles, Constantine, Cote, Crowley, Daggett, DiPietro, Duffy, Dutremble, L.; Erwin, Farnsworth, Gean, Goodridge, Gould, R. A.; Graham, Gray, Gurney, Gwadosky, Heeschen, Hichborn, Hوجلund, Holt, Hussey, Jacques, Jalbert, Joseph, Kerr, Ketover, Ketterer, Kilkelly, Kontos, Larrivee, Lawrence, Lemke, Luther, Macomber, Mahany, Manning, Mayo, McHenry, McKeen, Melendy, Michaud, Mitchell, E.; Mitchell, J.; Nadeau, Nutting, O'Dea, O'Gara, Oliver, Paradis, J.; Paradis, P.; Paul, Pfeiffer, Pineau, Plourde, Poulin, Pouliot, Powers, Rand, Richardson, Ricker, Rotondi, Ruhlin, Rydell, Saint Onge, Sheltra, Simonds, Simpson, Skoglund, Stevens, P.; Strout, Swazey, Tamaro, Tardy, Townsend, Tracy, Vigue, Waterman, Wentworth, The Speaker.

NAY - Aikman, Anderson, Bailey, H.; Bailey, R.; Barth, Bennett, Bowers, Butland, Carleton, Carroll, J.; Donnelly, Duplessis, Farnum, Farren, Foss, Garland, Greenlaw, Hanley, Hastings, Heino, Hepburn, Hichens, Kutasi, Lebowitz, Libby, Lipman, Look, Lord, MacBride, Marsano, Marsh, Merrill, Murphy, Nash, Ott,

Parent, Pendexter, Pendleton, Pines, Reed, G.; Reed, W.; Salisbury, Savage, Small, Spear, Stevens, A.; Stevenson, Whitcomb.

ABSENT - Ault, Clark, H.; Dore, Hale, Handy, LaPointe, Martin, H.; Morrison, Norton, Richards, Treat, Tupper.

Yes, 91; No, 48; Absent, 12; Paired, 0; Excused, 0.

91 having voted in the affirmative and 48 in the negative with 12 being absent, the Rules were not suspended.

The following items appearing on Supplement No. 14 were taken up out of order by unanimous consent:

REPORTS OF COMMITTEES

Unanimous Ought Not to Pass

Representative JALBERT from the Committee on **Legal Affairs** on Bill "An Act to Authorize Law Enforcement Officers of the University of Maine System to Enforce Municipal Parking Ordinances" (H.P. 236) (L.D. 327) reporting "**Ought Not to Pass**"

Representative O'GARA from the Committee on **Education** on Bill "An Act to Allow Spouses of School Board Members to Work for the Same School District" (H.P. 235) (L.D. 326) reporting "**Ought Not to Pass**"

Representative GURNEY from the Committee on **Business Legislation** on Bill "An Act to Regulate Welding" (H.P. 356) (L.D. 486) reporting "**Ought Not to Pass**"

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

Unanimous Leave to Withdraw

Representative MANNING from the Committee on **Human Resources** on Bill "An Act to Suspend Administratively Certain Licenses Granted by the Department of Human Services" (H.P. 348) (L.D. 478) reporting "**Leave to Withdraw**"

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

Refer to the Committee on Taxation

Representative MELENDY from the Committee on **Housing and Economic Development** on Bill "An Act to Increase Support for Affordable Housing" (H.P. 404) (L.D. 587) reporting that it be referred to the Committee on **Taxation**.

Report was read and accepted and the bill referred to the Committee on **Taxation** and sent up for concurrence.

CONSENT CALENDAR

First Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the First Day:

(H.P. 173) (L.D. 258) Bill "An Act to Provide for a Student Member of the Board of Trustees of the Maine Technical College System" Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "A" (H-35)

(H.P. 186) (L.D. 279) Bill "An Act to Allow Minors to Make Anatomical Gifts" Committee on Human Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-36)

There being no objections, the above items were ordered to appear on the Consent Calendar of Monday, March 18, 1991, under the listing of Second Day.

(At Ease)

The House was called to order by the Speaker.

At this point, the Speaker appointed Representative Michaud of East Millinocket to act as Speaker pro tem Monday, March 18, 1991.

On motion of Representative Cote of Auburn,
Adjourned at 3:45 p.m. until Monday, March 18, 1991, at four o'clock in the afternoon pursuant to Joint Order (S.P. 427)
