

# 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  
48th Legislative Day  
Thursday, May 9, 1991

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

Prayer by Father George Capen, St. Paul's Center, Augusta.

The Journal of Wednesday, May 8, 1991, was read and approved.

**SENATE PAPERS**

**Unanimous Ought Not To Pass**

Report of the Committee on **Human Resources** reporting **"Ought Not to Pass"** on Resolve, to Create a Comprehensive Health Care Plan for the State (S.P. 611) (L.D. 1615)

Report of the Committee on **Human Resources** reporting **"Ought Not to Pass"** on Bill "An Act to Allow the Receipt of Grants by the Commissioner of Human Services to Create Jobs for Persons with Disabilities in the State" (S.P. 637) (L.D. 1685)

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

**Divided Report**

Majority Report of the Committee on **Human Resources** reporting **"Ought to Pass"** as amended by Committee Amendment "A" (S-123) on Bill "An Act to Clarify the Misbranded Food Laws" (S.P. 354) (L.D. 956)

Signed:

Senator: CONLEY of Cumberland

Representatives: MANNING of Portland  
GEAN of Alfred  
GOODRIDGE of Pittsfield  
WENTWORTH of Arundel  
TREAT of Gardiner  
SIMONDS of Cape Elizabeth  
CLARK of Brunswick

Minority Report of the same Committee reporting **"Ought Not to Pass"** on same Bill.

Signed:

Senators: BOST of Penobscot  
GILL of Cumberland

Representatives: PENDLETON of Scarborough  
DUPLESSIS of Old Town  
PENDEXTER of Scarborough

Came from the Senate with the Majority **"Ought to Pass"** as amended Report read and accepted and the Bill passed to be engrossed as amended by Committee

Amendment "A" (S-123).

Reports were read.

On motion of Representative Manning of Portland, the House accepted the Majority "Ought to Pass" as amended Report, the bill read once.

Committee Amendment "A" (H-123) was read by the Clerk and adopted and the Bill assigned for second reading Monday, May 13, 1991.

**Non-Concurrent Matter**

Bill "An Act to Increase Funding to Programs Dealing with Domestic Violence" (H.P. 239) (L.D. 330) which was passed to be engrossed as amended by Committee Amendment "B" (H-179) in the House on April 29, 1991.

Came from the Senate passed to be engrossed as amended by Committee Amendment "B" (H-179) as amended by Senate Amendment "C" (S-121) thereto in non-concurrence.

The House voted to recede and concur.

**COMMUNICATIONS**

The following Communication: (S.P. 686)

115TH MAINE LEGISLATURE

May 7, 1991

Senator N. Paul Gauvreau  
Rep. Patrick E. Paradis  
Chairpersons  
Joint Standing Committee on Judiciary  
115th Legislature  
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Rolanda L. Klapatch of Camden for appointment to the Maine Human Rights Commission.

Pursuant to Title 5, MRSA Section 4561, this nomination will require review by the Joint Standing Committee on Judiciary 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 **Judiciary**.

Was Read and Referred to the Committee on **Judiciary** in concurrence.

**PETITIONS, BILLS AND RESOLVES  
REQUIRING REFERENCE**

The following Bills 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:

**Banking and Insurance**

Bill "An Act to Prohibit Certain Banking Practices" (EMERGENCY) (H.P. 1261) (L.D. 1830) (Presented by Representative MITCHELL of Vassalboro) (Cosponsored by Senator KANY of Kennebec, Representative JOSEPH of Waterville and Representative RAND of Portland)

Ordered Printed.  
Sent up for Concurrence.

**Energy and Natural Resources**

Bill "An Act Allowing Zoning Boards of Appeal to Grant Dimensional Variances Based On Practical Difficulty" (H.P. 1263) (L.D. 1832) (Presented by Representative LORD of Waterboro) (Cosponsored by Representative ANDERSON of Woodland, Representative JACQUES of Waterville and Senator TITCOMB of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Ordered Printed.  
Sent up for Concurrence.

**Human Resources**

Bill "An Act to Establish the Maine Human Development Foundation" (EMERGENCY) (H.P. 1266) (L.D. 1835) (Presented by Representative CARROLL of Gray)

Ordered Printed.  
Sent up for Concurrence.

**Judiciary**

Bill "An Act Creating the Victims' Compensation Board" (H.P. 1265) (L.D. 1834) (Presented by Representative MacBRIDE of Presque Isle) (Cosponsored by Senator COLLINS of Aroostook, Representative RICHARDS of Hampden and Representative KETTERER of Madison)

Ordered Printed.  
Sent up for Concurrence.

**Legal Affairs**

Bill "An Act to Amend the Liquor Laws" (H.P. 1264) (L.D. 1833) (Presented by Representative LAWRENCE of Kittery) (Approved for introduction by a

majority of the Legislative Council pursuant to Joint Rule 27)

Ordered Printed.  
Sent up for Concurrence.

**Human Resources**

Bill "An Act to Allow Municipalities to Establish Fees for Copies of Vital Records" (H.P. 1262) (L.D. 1831) (Presented by Representative KILKELLY of Wiscasset) (Cosponsored by Representative STEVENS of Sabattus and Representative LARRIVEE of Gorham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

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

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

By unanimous consent, all reference bills were ordered sent forthwith to the Senate.

**REPORTS OF COMMITTEES**

**Unanimous Ought Not to Pass**

Representative ANTHONY from the Committee on **Judiciary** on Bill "An Act to Keep Portions of Foster Parent Licensing Records Confidential" (H.P. 808) (L.D. 1162) reporting "**Ought Not to Pass**"

Representative SIMONDS from the Committee on **Human Resources** on Bill "An Act to Provide Improved Services for People with Autism" (H.P. 1207) (L.D. 1763) reporting "**Ought Not to Pass**"

Representative MANNING from the Committee on **Human Resources** on Bill "An Act to Increase the Utilization of Supplemental Security Income through Education and Outreach" (H.P. 1110) (L.D. 1635) reporting "**Ought Not to Pass**"

Representative MANNING from the Committee on **Human Resources** on Bill "An Act to Provide a Juvenile Offender with a Continuum of Services through the Department of Human Services" (H.P. 1158) (L.D. 1699) reporting "**Ought Not to Pass**"

Representative SIMONDS from the Committee on **Human Resources** on Bill "An Act Concerning Bone Marrow Transplant Education" (H.P. 1169) (L.D. 1710) reporting "**Ought Not to Pass**"

Representative MANNING from the Committee on **Human Resources** on Resolve, to Establish the Commission to Study Service Delivery Systems for Children with Autism (EMERGENCY) (H.P. 1170) (L.D. 1711) reporting "**Ought Not to Pass**"

Representative GRAHAM from the Committee on **Business Legislation** on Bill "An Act Concerning Outdoor Advertising" (H.P. 894) (L.D. 1291) reporting **"Ought Not to Pass"**

Representative GRAHAM from the Committee on **Business Legislation** on Bill "An Act to License Installers of Milking Equipment" (H.P. 995) (L.D. 1444) reporting **"Ought Not to Pass"**

Representative SIMONDS from the Committee on **Human Resources** on Bill "An Act to Ensure Smoke-free Areas in the Workplace" (H.P. 13) (L.D. 16) reporting **"Ought Not to Pass"**

Representative DiPIETRO from the Committee on **Taxation** on Bill "An Act to Provide a Local Option Income Tax to Municipalities" (H.P. 1037) (L.D. 1510) reporting **"Ought Not to Pass"**

Representative DiPIETRO from the Committee on **Taxation** on Bill "An Act to Permit Municipalities the Option of Local Taxes" (H.P. 965) (L.D. 1392) reporting **"Ought Not to Pass"**

Representative DiPIETRO from the Committee on **Taxation** on 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) 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 GRAHAM from the Committee on **Business Legislation** on Bill "An Act to Provide for Clean-burning Diesel Fuel" (H.P. 1003) (L.D. 1471) reporting **"Leave to Withdraw"**

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

**Divided Report**

Majority Report of the Committee on **Human Resources** reporting **"Ought Not to Pass"** on Bill "An Act to Repeal the Law Relating to Monosodium Glutamate" (H.P. 220) (L.D. 311)

Signed:

Senators: CONLEY of Cumberland  
BOST of Penobscot

Representatives: MANNING of Portland  
GEAN of Alfred  
GOODRIDGE of Pittsfield  
TREAT of Gardiner  
WENTWORTH of Arundel  
CLARK of Brunswick

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

Signed:

Senator: GILL of Cumberland

Representatives: PENDLETON of Scarborough  
DUPLESSIS of Old Town  
PENDEXTER of Scarborough  
SIMONDS of Cape Elizabeth

Reports were read.

On motion of Representative Manning of Portland, the House accepted the Majority "Ought Not to Pass" Report. Sent up for concurrence.

**Divided Report**

Majority Report of the Committee on **Human Resources** reporting **"Ought to Pass"** as amended by Committee Amendment "A" (H-253) on Bill "An Act to Establish a Statewide Area Health Education Centers System" (H.P. 112) (L.D. 155)

Signed:

Senators: BOST of Penobscot  
CONLEY of Cumberland  
GILL of Cumberland

Representatives: MANNING of Portland  
GEAN of Alfred  
GOODRIDGE of Pittsfield  
TREAT of Gardiner  
WENTWORTH of Arundel  
SIMONDS of Cape Elizabeth  
CLARK of Brunswick

Minority Report of the same Committee reporting **"Ought Not to Pass"** on same Bill.

Signed:

Representatives: PENDLETON of Scarborough  
DUPLESSIS of Old Town  
PENDEXTER of Scarborough

Reports were read.

On motion of Representative Manning of Portland, the House accepted the Majority "Ought to Pass" Report, the Bill read once.

Committee Amendment "A" (H-253) was read by the Clerk and adopted and the Bill assigned for second reading Monday, May 13, 1991.

**Divided Report**

Majority Report of the Committee on **Fisheries and Wildlife** reporting **"Ought Not to Pass"** on Bill "An Act to Increase Hunting Opportunity by Allowing Sunday Hunting in Unorganized Townships" (H.P. 962) (L.D. 1389)

Signed:

Senators: MATTHEWS of Kennebec  
TWITCHELL of Oxford  
SUMMERS of Cumberland

Representatives: CLARK of Millinocket  
PAUL of Sanford  
SWAZEY of Bucksport  
JACQUES of Waterville  
FARREN of Cherryfield  
DUFFY of Bangor  
TRACY of Rome  
ROTONDI of Athens

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (H-258) on same Bill.

Signed:

Representatives: CARROLL of Southwest Harbor  
GREENLAW of Standish

Reports were read.

Representative Rotondi of Athens moved that the House accept the Majority "Ought Not to Pass" Report. The SPEAKER: The Chair recognizes the Representative from Southwest Harbor, Representative Carroll.

Representative CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: In reference to the Minority Report, the only reason I bring this to your attention is that we are the only state in the eastern flyway that does not accept Sunday hunting. This is a department bill. I don't want any debate about it but I think it is food for thought down the road. This is in unorganized territories only and I think it would be food for thought. I am sure this will be coming back to us again and it will probably be thought about and voted on next time. I don't need debate, I just want you to think about it. There are other Representatives whose constituents may want Sunday hunting and that is the reason Representative Greenlaw and I went on this bill.

Subsequently, the Majority "Ought Not to Pass" Report was accepted. 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. 1053) (L.D. 1542) Bill "An Act to Correct Certain Errors and Inconsistencies in the Maine Revised Statutes, Title 17-A" Committee on Judiciary reporting "Ought to Pass"

(H.P. 893) (L.D. 1290) Bill "An Act to Restore Criminal Sanctions for Failure to Obey Lawful Orders of Harbormasters" Committee on Marine Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-267)

(H.P. 636) (L.D. 906) Bill "An Act to Amend Certain Commercial Motor Vehicle Laws" Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-268)

(H.P. 602) (L.D. 862) Bill "An Act to Encourage the Development of Air Transportation Service to Small Communities" Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-269)

(H.P. 920) (L.D. 1317) Bill "An Act to Revise the Law Protecting Farmers' Rights to Farm" Committee on Agriculture reporting "Ought to Pass" as amended by Committee Amendment "A" (H-270)

(H.P. 1060) (L.D. 1549) Bill "An Act to Make Maine Milk Laws Conform to Federal Laws" Committee on Agriculture reporting "Ought to Pass" as amended by Committee Amendment "A" (H-271)

(H.P. 932) (L.D. 1352) Bill "An Act to Increase the Fees for Dog Licenses" Committee on Agriculture reporting "Ought to Pass" as amended by Committee Amendment "A" (H-272)

(H.P. 875) (L.D. 1261) Bill "An Act to Enhance the Integrated Pest Management Capabilities of Agriculture in the State" Committee on Agriculture reporting "Ought to Pass" as amended by Committee Amendment "A" (H-273)

(H.P. 873) (L.D. 1259) Bill "An Act to Clarify the Landlord's Handling of Abandoned Property" Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-274)

(H.P. 897) (L.D. 1294) Bill "An Act to Improve the Smoke Detector Laws" Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-275)

(H.P. 776) (L.D. 1108) Resolve, To Require the Department of Human Services to Inform Certain Persons of their Rights Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-278)

(H.P. 71) (L.D. 99) Bill "An Act to Amend the Penalties for Habitual Offenders and Operating After Suspension" Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-279)

(H.P. 688) (L.D. 987) Bill "An Act to Allow the Department of Transportation to Facilitate Traffic and Highway Improvements" Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-280)

(H.P. 447) (L.D. 637) Bill "An Act Relating to the Restoration of Drivers' Licenses" Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-281)

There being no objections, the above items were ordered to appear on the Consent Calendar of Monday, May 13, 1991, under the listing of Second Day.

(S.P. 452) (L.D. 1228) Bill "An Act Regarding the Issuance of Identification Cards" Committee on **State and Local Government** reporting "Ought to Pass"

On motion of Representative Joseph of Waterville, was removed from Consent Calendar, First Day.

Subsequently, the Report was read and accepted, the Bill read once and assigned for second reading Monday, May 13, 1991.

(S.P. 246) (L.D. 655) Bill "An Act to Eliminate Mandatory Participation in the E-9-1-1 Program" Committee on **State and Local Government** reporting "Ought to Pass" as amended by Committee Amendment "A" (S-127)

(S.P. 371) (L.D. 996) Resolve, to Permit Certain Uses of the State Seal (EMERGENCY) Committee on **State and Local Government** reporting "Ought to Pass" as amended by Committee Amendment "A" (S-128)

(S.P. 426) (L.D. 1138) Bill "An Act to Clarify the Regulation of Water Districts" Committee on **Utilities** reporting "Ought to Pass" as amended by Committee Amendment "A" (S-122)

(S.P. 509) (L.D. 1358) Bill "An Act to Grant Enforcement Powers to Sewer Districts" Committee on **Utilities** reporting "Ought to Pass" as amended by Committee Amendment "A" (S-129)

(H.P. 829) (L.D. 1195) Bill "An Act to Amend the Maine Consumer Credit Code" Committee on **Business Legislation** reporting "Ought to Pass" as amended by Committee Amendment "A" (H-282)

There being no objections, the above items were ordered to appear on the Consent Calendar of Monday, May 13, 1991, under the listing of Second Day.

**CONSENT CALENDAR**

**Second Day**

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

(H.P. 271) (L.D. 391) Bill "An Act to Prohibit the Installation of Electric Heating Systems" (C. "A" H-249)

(H.P. 858) (L.D. 1224) Bill "An Act to Amend the Charter of the Lubec Water and Electric District" (C. "A" H-250)

(H.P. 959) (L.D. 1386) Bill "An Act to Authorize Involvement of the Department of Human Services in Providing School-based Child Care" (C. "A" H-251)

(H.P. 983) (L.D. 1428) Bill "An Act to Require Electric Utilities to Develop Proposals for Affordable Pricing for Low-income Residential Customers and for Financing Conversions from Electric

Space Heat" (C. "A" H-252)

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

(H.P. 75) (L.D. 103) Bill "An Act to Amend the Law Concerning Family Medical Leave" (C. "A" H-254)

On motion of Representative Gwadosky of Fairfield, was removed from Consent Calendar, Second Day.

Subsequently, the Report was read and accepted, the Bill read once.

Committee Amendment "A" (H-254) was read by the Clerk and adopted and the Bill assigned for second reading Monday, May 13, 1991.

(H.P. 299) (L.D. 420) Bill "An Act Concerning Overboard Discharge Inspection Fees" (C. "A" H-256)

(H.P. 407) (L.D. 590) Bill "An Act to Amend the Exemption of Certain Divisions from the Definition of Subdivision" (C. "A" H-257)

(H.P. 976) (L.D. 1419) Bill "An Act to Amend the Charter of the Gray Water District" (EMERGENCY) (C. "A" H-260)

(H.P. 972) (L.D. 1413) Bill "An Act to Restrict Unsolicited Computer-generated or Automated Telephone Calls" (C. "A" H-261)

(S.P. 457) (L.D. 1233) Bill "An Act Concerning the Suspension of Licenses by the Commissioner of Marine Resources"

(S.P. 299) (L.D. 797) Bill "An Act to Regulate Conflict of Interest within the Maine Science and Technology Commission" (EMERGENCY)

(S.P. 158) (L.D. 370) Bill "An Act Regarding Purchase of Service Credit by Teachers Who Previously Taught in Other than Public Schools" (C. "A" S-115)

(S.P. 430) (L.D. 1151) Bill "An Act to Require Door-to-door Sellers of Frozen Foods to Disclose Actual Unit Prices" (C. "A" S-118)

(S.P. 322) (L.D. 878) Bill "An Act to Clarify the Confidentiality of Public Employee Disciplinary Records" (C. "A" S-114)

(S.P. 290) (L.D. 772) Bill "An Act Relating to the Knox County Budget Process" (EMERGENCY) (C. "A" S-116)

(S.P. 171) (L.D. 426) Bill "An Act to Regulate Water Utility Contingency Reserve Funds" (C. "A" S-113)

(H.P. 1239) (L.D. 1805) Bill "An Act to Appropriate Funds for the Save Loring Committee" (EMERGENCY)

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

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

**PASSED TO BE ENGROSSED**

**As Amended**

Bill "An Act to Require Administrative Agencies to Create Municipal Fiscal Impact Statements When They Create Rules" (S.P. 403) (L.D. 1079) (S. "A" S-130)

Bill "An Act to Reduce Littering" (H.P. 909) (L.D. 1306) (C. "A" H-255)

Bill "An Act to Define the Professional Responsibilities of Teachers" (H.P. 671) (L.D. 970) (C. "A" H-244)

Bill "An Act to Prohibit the Breaking of Glass Products in Games of Skill" (H.P. 880) (L.D. 1271) (H. "A" H-265 to C. "A" H-246)

Bill "An Act to Improve Energy Efficiency in Buildings" (H.P. 561) (L.D. 804) (C. "A" H-218)

Were reported by the Committee on Bills in the Second Reading, read the second time, the Senate Paper was Passed to be Engrossed as Amended in concurrence and the House Papers were Passed to be Engrossed as Amended and sent up for concurrence.

(At Ease)

The House was called to order by the Speaker.

**ORDERS OF THE DAY**

**UNFINISHED BUSINESS**

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, have preference in the Orders of the Day and continue with such preference until disposed of as provided by Rule 24.

The Chair laid before the House the first item of Unfinished Business:

SENATE REPORT - "Ought to Pass" as Amended by Committee Amendment "A" (S-124) - Committee on Energy and Natural Resources on Bill "An Act

Concerning Special Waste Landfills" (EMERGENCY) (S.P. 472) (L.D. 1264)

- In Senate, Report read and accepted and Bill Passed to be Engrossed as Amended by Committee Amendment "A" (S-124) as Amended by Senate Amendment "D" (S-132) thereto.

TABLED - May 8, 1991 (Till Later Today) by Representative GWADOSKY of Fairfield.  
PENDING - Acceptance of Committee Report.

Subsequently, the Committee Report was accepted, the Bill read once.

Committee Amendment "A" (S-124) was read by the Clerk.

Senate Amendment "D" (S-132) to Committee Amendment "A" (S-124) was read by the Clerk and adopted.

Committee Amendment "A" (S-124) as amended by Senate Amendment "D" (S-132) thereto was adopted and the Bill assigned for second reading Monday, May 13, 1991.

The Chair laid before the House the second item of Unfinished Business:

SENATE REPORT - Majority (7) "Ought Not to Pass" - Minority (6) "Ought to Pass" as amended by Committee Amendment "A" (S-117) - Committee on State and Local Government on Bill "An Act to Require the State to Pay Municipal Permit Fees for New Construction or Improvements to State-owned Buildings" (S.P. 226) (L.D. 580)

- In Senate, Majority "Ought Not to Pass" Report read and accepted.

TABLED - May 8, 1991 (Till Later Today) by Representative JOSEPH of Waterville.

PENDING - Acceptance of Either Report.

Representative Joseph of Waterville moved that the House accept the Minority "Ought to Pass" Report.

The SPEAKER: The Chair recognizes the Representative from Jonesboro, Representative Look.

Representative LOOK: Mr. Speaker, Men and Women of the House: I would like for you to consider the "Ought Not to Pass" Report. I would remind you that this is an undetermined cost factor.

I would ask for a division, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Joseph.

Representative JOSEPH: Mr. Speaker, Men and Women of the House: The only change in existing law is that, yes, fees may be assessed for any permit obtained for any construction project or public improvement to state-owned buildings.

The minority of the committee, the six members of the committee who voted in favor of this report, felt that this was nominal because the reviews that are done currently by the state are only cursory reviews which would be different from the code enforcement review and inspection that would be done by the municipality. We felt that this would be of insignificant financial consequence to the state.

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

Representative DAGGETT: Mr. Speaker, Ladies and Gentlemen of the House: I hope that you will support the "Ought to Pass" Report. This bill would require the state to pay fees when there is new construction



or additions to state projects. While I would freely admit that perhaps the larger number of these take place in the city of Augusta, it would affect all state buildings.

Currently, whenever there is a construction project, the state pays itself an internal fee for the fire marshal fee for all state projects and the state does pay DEP fees for school projects. These fees for the appropriate code enforcement inspection and review by the appropriate city code enforcement agency or group is totally appropriate. At this time, communities are reluctant to do this because there is no way to pay them for the time that their staff spends making sure that the construction is done in an appropriate way. It really is a relatively small amount of money and should be a part of the budgeted amount of the project. I urge you to support this motion.

The SPEAKER: The Chair recognizes the Representative from Fryeburg, Representative Hastings.

Representative HASTINGS: Mr. Speaker, I would like to pose a question through the Chair.

I would question whether or not fees could impact fees that towns may later impose that may not now be on their books so that impact fees could be charged to the state for this type of construction?

The SPEAKER: Representative Hastings of Fryeburg has posed a question through the Chair to any member who may respond if they so desire.

The Chair recognizes the Representative from Augusta, Representative Daggett:

Representative DAGGETT: Mr. Speaker, Ladies and Gentlemen of the House: I don't have a copy of the amendment in my possession right now but it is meant only to pay for those fees for code enforcement to go out and inspect the property and go over the plans. When the state goes over the plans, I believe they only have two people to cover the State of Maine in BPI to cover these plans and they do not look at the way the construction conforms to the codes of the municipality. It is an important part. It is my understanding that the intent of the legislation was only to cover that part.

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

Representative LIPMAN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to urge an additional reason to support this bill. Currently, the state is auditing the state, if it in fact audits the state when it reviews for code enforcement by encouraging the communities where these state buildings are going up to make sure that the codes are being followed within a position to be sure that the safety regulations are followed. Currently, where they are not being paid the fees, many of the municipalities cannot perform this necessary function. We are asking the state to go through the same safety inspection that private enterprise does. I think it is reasonable and I would urge you to support the bill.

The SPEAKER: The Chair recognizes the Representative from Fryeburg, Representative Hastings.

Representative HASTINGS: Mr. Speaker, Men and Women of the House: While it may be the purpose of this bill only to charge nominal out-of-pocket expenses for review of the different plans and projects that are to be presented to a municipality, it does not limit itself to that. I would be concerned where there is a growing use of impact fees that towns could suddenly impose those and, by the

wording of this existing statute and the amendment that is made thereto, it would allow impact fees to be a charge against the project.

Representative Mayo of Thomaston requested a roll call vote.

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

Representative PARADIS: Mr. Speaker, ladies and Gentlemen of the House: I would like to disagree with my friend, the Representative from Fryeburg, on the issue of impact fees because the city of Augusta and any city in this state cannot impose restrictions on the State of Maine. The state is a sovereign body and the cities and towns do not have the power to impose this type of restriction.

The problem brought before us this afternoon and the reason that Representative Daggett sponsored this legislation is the fact that there is presently a conflict of interest. If you really think about it, the state, as the Representative from Augusta, Representative Lipman just stated, audits itself. If you pause and think one moment, you will find that when we in state government do our own check, we usually don't do it correctly.

Let me give you two examples, if we think we are doing the job correctly about building standards. Several years ago, the state built a brand new museum and library. It didn't go to any other entity and have them review the building plans. BPI said we can do it adequately on our own. These two individuals who cannot and are not capable of doing this professionally had this building built and it wasn't one season before the rain started coming in. We spent hundreds of thousands of dollars in 1987 to redo the lobby and the atrium of the library and museum area and all of the damage. There were tens of thousands of dollars of damage to priceless books because that building began to leak with the first rain after it was open.

Let me give you another example where we have costs that are incredibly high to Workers' Comp and that is the so-called Department of Transportation building right down below from this very chamber. In 1980 soon after this building was constructed, it was found that many of the employees were suffering from lung ailments. Illnesses were cropping up from some of the healthiest people and some of the most career oriented people that we had. Why all of a sudden were they becoming sick and filing Workers' Comp claims? Because the air conditioning system that is a closed unit, similar to one used on the submarines in the United States Navy, was used in that new DOT building, no windows are allowed to open, they are all sealed — well, the air conditioning system that circulates the air, the motor was the size of a lawn mower. Can you imagine that?

If anyone else had looked at that system from the outside, they would have found a small minute little gasoline powered engine was being used to circulate all the air in that building. Consequently, the air was not only stale, it was also poisonous, all the fumes from the carpeting, the paint, and from other individuals who walked in there during the day stayed in that building for days. It took days before the air would circulate. We had to hire an outside consultant, we had to negotiate on the Workers' Compensation, attorneys were hired, MSEA filed suit — we could have avoided all that costly litigation had someone from the outside looked at our plans. But no, we don't need anyone else to look at our

plans.

So, it doesn't only impact on the new construction that is going on in Augusta, it says when the State of Maine is going to build a building, we should have the same courtesy of our building plans as (by law) we require others to do. Someone can't put up a building without going to city hall in Bangor, Augusta, Waterville or anyplace else and having it reviewed before they can start construction. It has got to be up to the local municipality to approve it. But the sovereign king of the State of Maine doesn't have to do that, we exempt ourselves. That is what this bill seeks to redress.

So in fairness, as a cost preventive measure, I would urge adoption of the Minority Report.

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 Chair recognizes the Representative from Fryeburg, Representative Hastings.

Representative HASTINGS: Mr. Speaker, Men and Women of the House: I would call your attention to the wording of the bill. While it may be the intent of the drafters to do only that, that is require a reasonable fee paid to cover reasonable review of plans, we are in fact opening the door to any fee that that town or city may charge for the review or for the completion of ordinances of their towns. So, if you file any application and there is an impact fee in that town or city or any other fees connected to the permit, you must pay them, so we are not opening it up just to the review, we are opening it up to whatever that town or city chooses to have on its books for the fee.

The SPEAKER: the Chair recognizes the Representative from Thomaston, Representative Mayo.

Representative MAYO: Mr. Speaker, Men and Women of the House: If you want to talk about opening up something, let's talk about the impact upon the citizens of Warren, Maine where a maximum security prison is located within that municipality. It is time the State of Maine started living up to its responsibility when it imposes structures and facilities upon municipalities. We talk about mandates around this chamber all the time, that is a massive mandate that my constituents are paying for today.

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Reed.

Representative REED: Mr. Speaker, I would like to pose a question through the Chair.

I would like to pose a question either to the sponsor or signer to the Minority Report relative to the second paragraph which states, "Fees may be assessed for any permit obtained for any state construction project or public improvements to state-owned buildings." That language seems to me to make a differentiation between what we would consider building permit type activity, i.e., public improvements to state-owned buildings and any other state construction project.

My question is, is it the intent of this legislation that it could be construed to apply to

highway projects as well?

The SPEAKER: Representative Reed of Falmouth has posed a question through the Chair to any member who may respond if they so desire.

The Chair recognizes the Representative from Waterville, Representative Joseph.

Representative JOSEPH: Mr. Speaker, Men and Women of the House: I would call the good Representative's attention to the preceding paragraph where it does in fact talk about permits on state construction projects and public improvements within the municipality and it talked about state-owned leased buildings must comply with municipal ordinances governing the construction and alterations of buildings as it is in existing law.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Manning.

Representative MANNING: Mr. Speaker, Ladies and Gentlemen of the House: I would hope people wouldn't think this is just an Augusta bill, it deals with many communities, it deals with my community in Portland, it deals with the community in South Portland, it deals with many communities throughout the state so it isn't just an Augusta bill.

We talk about not knowing what is going on — I will give you an example of what we don't know that's going on. Last year, the Portland Delegation was informed that they were building a new Department of Human Services building. After it had gone out to bid with the architects and everything like that, we didn't even know about it. You talk about not knowing — that was probably one of the craziest things that I have heard.

I talked to the Commissioner of Human Services and said, "I would have thought that you would have let us know." He said, "I would have thought your community would have let you know." I said, "I would have thought you would have at least let me know being the House Chair and it being in my district."

I want to make sure people know this isn't just for Augusta, there are many communities out there and, if it is good for the private industry, why isn't it good for public industry? We talk about site selection, the DEP process, we talk about a lot of those things — if we make private industry go through it, why don't we make public industry go through it, our own state buildings? I think it is only fair. Let's forget it is just Augusta, it is every community conceivably in this state where we would put something up. Stop to think what your selectmen or your town people would want. I think they would want the same thing.

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

Representative MARSANO: Mr. Speaker, Men and women of the House: I had not realized that this bill would be debated in this fashion this morning. I am sympathetic to the plight of the Representative from Thomaston but the question that we are dealing with if we debate this bill on the basis of the Representative from Thomaston's question is the question of sovereignty. It is important for us to recognize that municipalities have a form of sovereignty which is based directly upon the grant by the state of that sovereignty to the municipality and that they act and react under that with respect only to whatever kinds of rights we give them.

I see this as a money bill. That is, I do not understand that there is anything to be dealt with here except the case of having the municipality look

at it and have the state pay for that look.

I am concerned because I think the Representative from Fryeburg's questions are good ones. In my city of Belfast, there are scaled fees that, at some point, get to be rather substantial. Depending upon where you go and what you do, you have to pay a great deal of money. If we pay fees on that level and it may be that we do — I don't know how this bill works that way — isn't that sort of like a prepaid property tax? Is that what we are trying to do with this bill? I just don't understand the level of this bill.

The SPEAKER: The Chair recognizes the Representative from Gorham, Representative Larrivee.

Representative LARRIVEE: Mr. Speaker, Men and Women of the House: I am on the Minority Report, I urge you to support it. The reality is that work is being done at the municipal level regarding these state buildings. If these same buildings had been in the private domain, the standard fees would apply. If it is a state building, the fee does not apply and the work still has to be done. That is patently unfair in my opinion for that type of work that has to be done with no reimbursement. The fee schedules are set in each one of your towns. I am sure if you went in right now, you could get a list of what the fees are. They are based on the size of the building so the fees are not a new process, this is something your town already has in place. We are simply saying, if the state requires that kind of service from the municipality, that they ought to pay for it the same way everybody else does for the same size building.

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

Representative LIPMAN: Mr. Speaker, Men and Women of the House: I have to answer a question my brother Representative from Belfast has raised. This is not, in all due respect, a sovereign immunity in my opinion. This is a case of the municipalities being encouraged to do what is necessary in order to protect the safety of the people in the buildings that are being constructed by the state. They are not doing these inspections now and, as a result, we are getting buildings that are not what they should be that is endangering the people and is not giving what we should get for the dollars that we are investing in those buildings.

The SPEAKER: The pending question before the House is the motion of the Representative from Waterville, Representative Joseph, that the House accept the Minority "Ought to Pass" Report. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 56

YEA - Adams, Aliberti, Anthony, Ault, Barth, Bell, Bennett, Boutilier, Cahill, M.; Carroll, D.; Carroll, J.; Cashman, Cathcart, Chonko, Clark, H.; Coles, Constantine, Cote, Crowley, Daggett, DiPietro, Dore, Duffy, Dutremble, L.; Erwin, Farnsworth, Farren, Foss, Garland, Gean, Goodridge, Gould, R. A.; Graham, Gray, Greenlaw, Gurney, Gwadosky, Hale, Handy, Heeschen, Heino, Hichborn, Hoglund, Hussey, Jacques, Jalbert, Joseph, Kerr, Ketover, Ketterer, Kilkelly, Kontos, LaPointe, Larrivee, Lemke, Lipman, Luther, Macomber, Mahany, Manning, Martin, H.; Mayo, McHenry, McKeen, Melendy, Mitchell, E.; Mitchell, J.; Morrison, Nadeau, O'Gara, Oliver, Paradis, J.; Paradis, P.; Paul, Pendexter, Pendleton, Pfeiffer,

Pineau, Plourde, Poulin, Pouliot, Powers, Rand, Reed, G.; Richardson, Rotondi, Ruhlin, Rydell, Saint Onge, Simonds, Simpson, Skoglund, Small, Spear, Stevens, A.; Stevens, P.; Strout, Swazey, Townsend, Tracy, Treat, Vigue, Wentworth.

NAY - Aikman, Anderson, Bailey, H.; Bailey, R.; Bowers, Butland, Carleton, Donnelly, Farnum, Hanley, Hastings, Hepburn, Hichens, Kutasi, Lawrence, Lebowitz, Libby, Look, Lord, MacBride, Marsano, Merrill, Michaud, Murphy, Nash, Norton, Ott, Parent, Pines, Reed, W.; Richards, Ricker, Salisbury, Savage, Stevenson, Tammaro, Waterman, Whitcomb.

ABSENT - Clark, M.; Duplessis, Holt, Marsh, Nutting, O'Dea, Sheltra, Tardy, Tupper, The Speaker.

Yes, 103; No, 38; Absent, 10; Paired, 0; Excused, 0.

103 having voted in the affirmative and 38 in the negative with 10 being absent, the Minority "Ought to Pass" Report was accepted and the bill read once.

Committee Amendment "A" (S-117) was read by the Clerk and adopted and the Bill assigned for second reading, Monday, May 13, 1991.

The Chair laid before the House the third item of Unfinished Business:

Bill "An Act to Amend the Laws Regarding Sunday Sales" (H.P. 1079) (L.D. 1573)

TABLED - May 8, 1991 (Till Later Today) by Representative GWADOSKY of Fairfield.  
PENDING - Passage to be Engrossed.

On motion of Representative Mayo of Thomaston, retabled pending passage to be engrossed and later today assigned.

The Chair laid before the House the fourth item of Unfinished Business:

Bill "An Act to Amend the Maine Human Rights Act Regarding Pregnancy" (H.P. 486) (L.D. 680) (C. "A" H-224)

TABLED - May 8, 1991 (Till Later Today) by Representative MARSANO of Belfast.  
PENDING - Passage to be Engrossed.

On motion of Representative Paradis of Augusta, retabled pending passage to be engrossed and specially assigned for Monday, May 13, 1991.

The Chair laid before the House the fifth item of Unfinished Business:

Bill "An Act to Enhance the Filing of Documents in the Registry of Deeds" (H.P. 95) (L.D. 136) (C. "A" H-229)

TABLED - May 8, 1991 (Till Later Today) by Representative MAYO of Thomaston.  
PENDING - Passage to be Engrossed.

On motion of Representative Joseph of Waterville, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" (H-229) was adopted.

The same Representative offered House Amendment "A" (H-286) to Committee Amendment "A" (H-229) and moved its adoption.

House Amendment "A" (H-286) to Committee Amendment "A" (H-229) was read by the Clerk and adopted.

Committee Amendment "A" (H-229) as amended by House Amendment "A" (H-286) thereto was adopted.

The bill was passed to be engrossed as amended by Committee Amendment "A" (H-229) as amended by House Amendment "A" (H-286) thereto and sent up for concurrence.

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The Chair laid before the House the sixth item of Unfinished Business:

An Act Relating to Violations Involving the Disregard of Red Flashing Lights on School Buses (H.P. 443) (L.D. 633) (S. "A" S-90 to C. "A" H-106) TABLED - May 8, 1991 (Till Later Today) by Representative GWADOSKY of Fairfield.  
PENDING - Passage to be Enacted.

On motion of Representative Gwadosky of Fairfield, retabled pending passage to be enacted and specially assigned for Monday, May 13, 1991.

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The Chair laid before the House the seventh item of Unfinished Business:

An Act to Amend and Add to Certain Provisions of Geographic-based Information Services (H.P. 743) (L.D. 1047) TABLED - May 8, 1991 (Till Later Today) by Representative GWADOSKY of Fairfield.  
PENDING - Passage to be Enacted.

On motion of Representative Mayo of Thomaston, retabled pending passage to be enacted and specially assigned for Monday, May 13, 1991.

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The Chair laid before the House the eighth item of Unfinished Business:

An Act Concerning Purchases of Alcohol from Agency Stores (EMERGENCY) (H.P. 91) (L.D. 132) (C. "A" H-155) TABLED - May 8, 1991 (Till Later Today) by Representative GWADOSKY of Fairfield.  
PENDING - Passage to be Enacted.

On motion of Representative Lawrence of Kittery, under suspension of the rules, the House reconsidered its action whereby L.D. 132 was passed to be engrossed.

On further motion of the same Representative, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" (H-155) was adopted.

The same Representative offered House Amendment "A" (H-294) to Committee Amendment "A" (H-155) and moved its adoption.

House Amendment "A" (H-294) to Committee Amendment "A" (H-155) was read by the Clerk and

adopted.

Committee Amendment "A" (H-155) as amended by House Amendment "A" (H-294) thereto was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" (H-155) as amended by House Amendment "A" (H-294) thereto and sent up for concurrence.

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**TABLED AND TODAY ASSIGNED**

The Chair laid before the House the first tabled and today assigned matter:

Bill "An Act to Modify the Ban on Plastic Rings and Other Plastic Holding Devices" (EMERGENCY) (H.P. 591) (L.D. 842) (C. "A" H-205) TABLED - May 8, 1991 by Representative MITCHELL of Freeport.  
PENDING - Passage to be Engrossed.

On motion of Representative Gwadosky of Fairfield, retabled pending passage to be engrossed and specially assigned for Monday, May 13, 1991.

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The Chair laid before the House the second tabled and today assigned matter:

An Act to Provide an Expedited Process for the Commencement of Paternity Actions (S.P. 310) (L.D. 819) (C. "A" S-87) TABLED - May 8, 1991 by Representative GWADOSKY of Fairfield.  
PENDING - Passage to be Enacted.

On motion of Representative Gwadosky of Fairfield, retabled pending passage to be enacted and specially assigned for Monday, May 13, 1991.

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The Chair laid before the House the third tabled and today assigned matter:

HOUSE DIVIDED REPORT - Majority (8) "Ought to Pass" as amended by Committee Amendment "A" (H-228) - Minority (5) "Ought Not to Pass" - Committee on State and Local Government on Bill "An Act to Share Proportionately the Public Safety Costs for the Capitol Area" (H.P. 411) (L.D. 594) TABLED - May 8, 1991 by Representative GWADOSKY of Fairfield.  
PENDING - Motion of Representative JOSEPH of Waterville to accept the Majority "Ought to Pass" as amended Report.

On motion of Representative Gwadosky of Fairfield, retabled pending the motion of Representative Joseph of Waterville that the House accept the Majority "Ought to Pass" as amended Report and specially assigned for Monday, May 13, 1991.

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The Chair laid before the House the fourth tabled and today assigned matter:

SENATE DIVIDED REPORT - Majority (11) "Ought Not to Pass" - Minority (2) "Ought to Pass" as amended by Committee Amendment "A" (S-107) - Committee on Energy and Natural Resources on Bill "An Act to Amend the Voter Ratification Provisions of the Low-level Radioactive Waste Laws" (EMERGENCY) (S.P. 346) (L.D. 946)  
 - In Senate, Majority "Ought Not to Pass" Report read and accepted.  
 TABLED - May 8, 1991 by Representative GWADOSKY of Fairfield.  
 PENDING - Acceptance of Either Report.

On motion of Representative Jacques of Waterville, retabled pending acceptance of either report and specially assigned for Monday, May 13, 1991.

The Chair laid before the House the fifth tabled and today assigned matter:

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Protect the Assets of State Retirement Plans (S.P. 122) (L.D. 224) (C. "A" S-82)  
 TABLED - May 8, 1991 by Representative GWADOSKY of Fairfield.  
 PENDING - Final Passage.

On motion of Representative Gwadosky of Fairfield, retabled pending final passage and specially assigned for Monday, May 13, 1991.

The Chair laid before the House the sixth tabled and today assigned matter:

Bill "An Act Concerning Late Support Payments" (H.P. 384) (L.D. 558)  
 TABLED - May 8, 1991 by Representative MANNING of Portland.  
 PENDING - Adoption of Committee Amendment "A" (H-221)

On motion of Representative Gwadosky of Fairfield, retabled pending adoption of Committee Amendment "A" (H-221) and specially assigned for Monday, May 13, 1991.

The Chair laid before the House the seventh tabled and today assigned matter:

Bill "An Act to Prescribe the Duties and Liabilities of Ice-skating Rink Operators and Persons Who Use Ice-skating Rinks" (H.P. 1217) (L.D. 1775)  
 -In House, Referred to the Committee on Business Legislation on May 6, 1991.  
 - In Senate, Read Twice Under Suspension of the Rules and without Reference to a Committee, Passed to be Engrossed.  
 TABLED - May 8, 1991 by Representative CHONKO of Topsham.  
 PENDING - Motion of same Representative to Recede.

On motion of Representative Chonko of Topsham, the House voted to recede.  
 The same Representative offered House Amendment

"A" (H-285) and moved its adoption.  
 House Amendment "A" (H-285) was read by the Clerk and adopted.  
 The Bill was passed to be engrossed as amended by House Amendment "A" (H-285) in non-concurrence and sent up for concurrence.

**BILL RECALLED FROM LEGISLATIVE FILES**

(Pursuant to Joint Order - House Paper 1236)

Bill "An Act to Compensate Landowners for Land Value Lost because of Wildlife Restrictions" (H.P. 1039) (L.D. 1512)

On motion of Representative Skoglund of St. George, was referred to the Committee on Energy and Natural Resources, ordered printed and sent up for concurrence.

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. 689)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Monday, May 13, 1991, at five o'clock in the afternoon.

Came from the Senate, read and passed.

Was read and passed in concurrence.

Representative Carroll of Gray was granted unanimous consent to address the House.

Representative CARROLL: Mr. Speaker, Men and Women of the House: Over the last 48 hour period, over 50 percent of this body has asked me a question dealing with Emergency Medical Services and the Office of Emergency Medical Services, Department of Human Services, about testing for those people who have just finished classes for their EMT exams. For the last 48 hours, I have been bouncing back and forth between those two departments and agencies of state government to no avail. It seems that one department wants to blame an agency and one agency wants to blame the department for shortfalls in their accounts. This part of state government causes us many phone calls and many disturbing thoughts about those people who are waiting to take an exam so they can provide emergency medical services to be an outrage to the people of this state. I would hope that the meeting that is going to take place sometime this afternoon will finally resolve the issue so that everybody will be able to take their exams within the next couple of weeks instead of just those people in the surrounding area of Farmington. That test for those who are in that area has been okayed and will be issued (I believe) tonight. The other 512 people waiting for a test are still in limbo. I would hope that that agency and that department will finally resolve this so you and I will stop getting phone

calls.

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Representative Clark of Millinocket was granted unanimous consent to address the House.

Representative CLARK: Mr. Speaker, Men and Women of the House: I only want to echo what the good Representative has indicated. My phone has been ringing off the hook with fire chief's in four of my towns and they have a major concern with this. The test itself that is going to be given in our area is supposed to be given around the 22nd of this month. The towns are willing to pay for it but somehow the EMS doesn't want that to happen. We have got to come up with some funding for these people because we have a number of towns up in our area that need to test these people come November 22nd.

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(Off Record Remarks)

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On motion of Representative Manning of Portland,  
Adjourned at 1:10 p.m. to Monday, May 13, 1991 at  
five o'clock in the afternoon, pursuant to Joint  
Order, (S.P. 689).

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