

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Fifteenth Legislature

OF THE

State Of Maine

VOLUME V

FIRST SPECIAL SESSION

July 11, 1991 to July 18, 1991

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FIRST CONFIRMATION SESSION

October 2, 1991

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SECOND SPECIAL SESSION

December 18, 1991 to January 7, 1992

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SECOND REGULAR SESSION

House of Representatives

January 8, 1992 to March 9, 1992

ONE HUNDRED AND FIFTEENTH MAINE LEGISLATURE
FIRST SPECIAL SESSION
4th Legislative Day
Sunday, July 14, 1991

The House met according adjournment and was called to order by the Speaker.
Prayer by Reverend Edward Hatch, Palermo Christian Church.
Pledge of Allegiance.
The Journal of Saturday, July 13, 1991, was read and approved.

SENATE PAPERS

The following Communication:

MAINE STATE SENATE
AUGUSTA, MAINE 04333

July 11, 1991

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

Dear Clerk Pert:

Pursuant to M.R.S.A. Title 3, section 2, the Senate was in possession of the following items when the second five-day extension of the First Regular Session of 115th Legislature expired:

PENDING CONSIDERATION

JOINT RESOLUTION Urging the Media not to Publicize the Identities of Victims of Rape
H.P. 1388

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

Bill "An Act to Repeal the Maine Educational Assessment Program" (Emergency)
H.P. 1081 L.D. 1575

Bill "An Act to Provide for Deferrals of Unfunded State Mandates for Municipalities Experiencing Financial Hardships" (Emergency)
H.P. 1190 L.D. 1743

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$10,000,000 for the Purchase of Recycling Equipment and Facilities and for the Remediation and Closure of Solid Waste Landfills"
H.P. 1384 L.D. 1973

Bill "An Act to Allow State Government to Continue to Operate in Fiscal Years 1991-92 and 1992-93" (Emergency)
H.P. 1386 L.D. 1974

IN COMMITTEE

(APPROPRIATIONS AND FINANCIAL AFFAIRS)

Bill "An Act to Require the State to Pay Medicare Costs for Retired State Employees and Retired Teachers"
S.P. 58 L.D. 107

Bill "An Act to Provide the Legislature with Revenue Forecasting Capabilities" (Emergency)
S.P. 232 L.D. 586

Bill "An Act Relating to the Restoration of Drivers' Licenses"
H.P. 447 L.D. 637

Bill "An Act to Provide Funds for the Montpelier Museum in Thomaston"
H.P. 521 L.D. 749

Bill "An Act to Ensure Adequate Resources for Energy Assistance Programs for Low-income Households" (Emergency)
S.P. 319 L.D. 857

Bill "An Act Concerning the Regulation of Electronic Video Credit Machines by the State Police"
S.P. 423 L.D. 1135

Bill "An Act to Implement the Recommendations of the Maine Commission on Legal Needs"
H.P. 837 L.D. 1203

Resolve, to Provide Additional Funding and an Extension of Time to Allow Phase 2 of the New Capitol Area Master Plan to Be Completed (Emergency)
S.P. 507 L.D. 1345

Bill "An Act to Establish a Seasonal Permit for the Sale of Deer Hides"
S.P. 519 L.D. 1397

Bill "An Act to Provide Fully Paid Health Insurance Benefits to Retired Teachers"
S.P. 571 L.D. 1525

Bill "An Act to Establish a Public Solid Waste Facilities Loan and Grant Program"
S.P. 641 L.D. 1689

Bill "An Act Concerning Railroad Personnel"
H.P. 1309 L.D. 1891

(BANKING AND INSURANCE)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Limit the Expenditure of the Funds of a Public Mutual Insurance Company Created by the State to Provide Workers' Compensation Insurance to Employers in this State
H.P. 1378 L.D. 1966

(EDUCATION)

Bill "An Act to Change the Process of Selecting the Commissioner of Education"
S.P. 51 L.D. 81

(JUDICIARY)

Bill "An Act Regarding the Crime of Prostitution"
(Emergency)

H.P. 1364 L.D. 1952

(STATE AND LOCAL GOVERNMENT)

Bill "An Act to Implement Constitutional Provisions
Restricting the Imposition of Unfunded State
Mandates"

S.P. 767 L.D. 1963

Resolve, to Establish the Commission on Recall

H.P. 1377 L.D. 1964

(BANKING AND INSURANCE & LABOR)

Bill "An Act to Reform the Maine Workers'
Compensation System"

S.P. 777 L.D. 1972

TABLED

(TABLED LATER AND TODAY ASSIGNED)

Bill "An Act to Allow Agencies to Amend Legislative
Agendas to Accommodate Unforeseen Events" (Emergency)

S.P. 779 L.D. 1975

(UNASSIGNED TABLE)

NOMINATION of Michael W. Aube of Bangor for
reappointment to the Maine Technical College System
Board of Trustees

Bill "An Act to Prevent Striking Workers from Being
Permanently Replaced by Strikebreakers"

H.P. 615 L.D. 875

(SPECIAL APPROPRIATIONS TABLE)

Bill "An Act to Expand the Applicability of Certain
Energy Standards"

S.P. 149 L.D. 361

Bill "An Act to Appropriate Funds for a Study of the
Effectiveness of Education Reform in Maine"
(Emergency)

S.P. 154 L.D. 366

Bill "An Act Concerning the Lobster Harvesting
License Fee for Persons 70 Years of Age or Older"

H.P. 346 L.D. 476

Bill "An Act Pertaining to Community Corrections
Programs" (Emergency)

S.P. 207 L.D. 534

Bill "An Act to Share Proportionately the Public
Safety Costs for the Capitol Area"

H.P. 411 L.D. 594

Bill "An Act to Amend the Maine Uniform Accounting
and Auditing Practices Act for Community Agencies"

H.P. 1166 L.D. 1707

Bill "An Act to Reduce the Administrative Cost of
State Government by Abolishing the Division of
Community Services and the Department of Economic and
Community Development and Transferring Their

Essential Functions"

H.P. 1210 L.D. 1768

Bill "An Act to Encourage Business Investments"
(Emergency)

H.P. 1211 L.D. 1769

Bill "An Act to Amend the Minimum Requirements for
Emergency Medical Technicians"

H.P. 1230 L.D. 1794

(SPECIAL HIGHWAY TABLE)

Bill "An Act to Amend the Provisions Regarding the
Uniform Traffic Ticket and Complaint"

S.P. 131 L.D. 233

Bill "An Act to Amend the Auctioneer Licensing Law
Relating to the Sale of Motor Vehicles at Public
Auction"

H.P. 389 L.D. 563

Bill "An Act to Amend the Motor Vehicle Title Laws"

H.P. 457 L.D. 648

Bill "An Act to Amend Certain Commercial Motor
Vehicle Laws"

H.P. 636 L.D. 906

Resolve, Authorizing a Payment to Steven P. Smith and
Ramona Smith of \$47,908.06

S.P. 350 L.D. 952

Bill "An Act to Amend the Laws Governing License
Plates and Placards for Disabled Veterans"

S.P. 585 L.D. 1538

Bill "An Act to Provide Identification Cards for
Persons 18 to 20 Years of Age"

H.P. 1073 L.D. 1567

Bill "An Act Amending Certain Motor Vehicle Laws"

H.P. 1209 L.D. 1765

Bill "An Act to Create Special Veteran Plates and
Emblems"

H.P. 1221 L.D. 1779

Please be advised that these matters have been
placed in the legislative files. If you have any
questions please contact me.

Sincerely,

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

Was read and ordered placed on file.

COMMUNICATIONS

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333-0002

July 11, 1991

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

Dear Speaker Martin:

On July 10, 1991, the House adjourned without day as the second five-day extension expired pursuant to the Maine Revised Statutes Annotated, Title 3, section 2, thereby failing to take action on the following items:

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide State Funding of any Mandate Imposed on Municipalities (S.P. 42) (L.D. 66)

Bill "An Act to Preserve the Integrity of the Maine State Lotteries" (S.P. 80) (L.D. 143)

Bill "An Act Related to the Office of Substance Abuse" (S.P. 90) (L.D. 175)

Bill "An Act to Revise the Small Claims Laws" (EMERGENCY) (S.P. 134) (L.D. 272)

Resolve, to Establish the Commission to Study the Use of Professional Strikebreakers (EMERGENCY) (H.P. 139) (L.D. 199)

Bill "An Act to Protect the Public from Unsafe Industrial and Commercial Facilities" (H.P. 258) (L.D. 349)

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

Bill "An Act Relating to Assumption of Medical Expenses by the State in Child Protection Investigations" (S.P. 211) (L.D. 538)

Bill "An Act to Reduce Duplication at the Department of Human Services" (S.P. 247) (L.D. 656)

Bill "An Act Regarding Subsidies to Public Schools for Home School Students" (H.P. 579) (L.D. 830)

Bill "An Act to Ensure Early Intervention Services to Eligible Special Needs Children from 3 to 5 Years of Age" (H.P. 588) (L.D. 839)

Bill "An Act to Amend the Laws Concerning Certification of Educational Personnel" (EMERGENCY) (S.P. 326) (L.D. 882)

Bill "An Act to Strengthen Municipal Borrowing Alternatives" (S.P. 331) (L.D. 887)

Bill "An Act to Eliminate the Lobster Management Task Force" (S.P. 365) (L.D. 967)

Bill "An Act to Improve Student Financial Assistance Services" (EMERGENCY) (H.P. 750) (L.D. 1070)

Bill "An Act to Impose a Limit on Campaign Contributions" (H.P. 785) (L.D. 1117)

Bill "An Act to Enhance the Integrated Pest Management Capabilities of Agriculture in the State" (H.P. 875) (L.D. 1261)

Resolve, Relating to Medicaid Rules Governing Services to Persons with Mental Retardation (EMERGENCY) (S.P. 538) (L.D. 1436)

Resolve, to Conduct an Independent Review of the Department of Human Services (S.P. 551) (L.D. 1455)

Bill "An Act to Unify Housing Services" (EMERGENCY) (H.P. 1067) (L.D. 1556)

Bill "An Act to Establish a Higher Education Loan Program and to Make Certain Amendments to the Laws Affecting Education Programs of the Finance Authority of Maine" (S.P. 642) (L.D. 1690)

Bill "An Act to Establish State Selective Purchasing Standards" (H.P. 1174) (L.D. 1715)

Resolve, to Study the Feasibility of a Statewide Health Insurance Program (EMERGENCY) (H.P. 1184) (L.D. 1727)

Bill "An Act to Repeal the Laws Allowing the State to Participate in Lotto*America" (H.P. 1304) (L.D. 1886)

Bill "An Act to Promote Long-term Economic Development" (EMERGENCY) (H.P. 1321) (L.D. 1912)

Bill "An Act Concerning the Low-income Home Energy Assistance Program" (EMERGENCY) (H.P. 1333) (L.D. 1924)

Bill "An Act to Eliminate the Requirement of Reimbursement for Search and Rescue Activities" (H.P. 1343) (L.D. 1934)

Bill "An Act to Allow the Risk Management Division to Provide Insurance Services for Elementary and Secondary Schools in the State" (H.P. 1354) (L.D. 1946)

Bill "An Act to Fund a Collective Bargaining Agreement" (EMERGENCY) (H.P. 1374) (L.D. 1959)

Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government Necessary to the Proper Operations of State Government for the Period of July 1, 1991 until July 8, 1991" (EMERGENCY) (H.P. 1380) (L.D. 1970)

Sincerely,

S/Edwin H. Pert
Clerk of the House

Was read and ordered placed on file.

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

SENATE PAPER

Non-Concurrent Matter

An Act Providing Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1991, June 30, 1992 and June 30, 1993 (EMERGENCY) (H.P. 1393) (L.D. 1979) which failed of passage to be enacted in the House on July 13, 1991.

Came from the Senate passed to be engrossed as amended by Senate Amendments "C" (S-467) and "D" (S-468) in non-concurrence.

The House voted to recede and concur.

By unanimous consent, ordered sent forthwith to Engrossing.

At this point, the rules were suspended for the purpose of removing jackets for the remainder of today's session.

(At Ease)

The House was called to order by the Speaker.

At this point, Representative Michaud of East Millinocket was appointed to act as Speaker pro tem for Monday, July 15, 1991.

On motion of Representative Parent of Benton, Adjourned at 8:49 p.m. until Monday, July 15, 1991, at five o'clock in the afternoon.
