

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

One Hundred And Thirteenth Legislature

OF THE

State Of Maine

VOLUME IV

SECOND REGULAR SESSION

March 25, 1988 to May 5, 1988

Index

SECOND CONFIRMATION SESSION

May 13, 1988

Index

THIRD CONFIRMATION SESSION

June 15, 1988

Index

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

Index

FOURTH CONFIRMATION SESSION

November 14, 1988

Index

FOURTH SPECIAL SESSION

November 28, 1988

Index

HOUSE & SENATE LEGISLATIVE SENTIMENTS

December 3, 1986 to December 6, 1988

ONE HUNDRED AND THIRTEENTH MAINE LEGISLATURE
SECOND REGULAR SESSION
61st Legislative Day
Friday, April 8, 1988

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

Prayer by Reverend Del Dorr, Church of Christ, South Portland.

The Journal of Thursday, April 7, 1988, was read and approved.

Quorum call was held.

REPORTS OF COMMITTEES

Unanimous Leave to Withdraw

Representative CARTER from the Committee on Appropriations and Financial Affairs on Bill "An Act to Allocate Stripper Well Oil Refund Money to the Home Energy Assistance Program" (Emergency) (H.P. 1670) (L.D. 2288) reporting "Leave to Withdraw"

Representative CARTER from the Committee on Appropriations and Financial Affairs on Bill "An Act to Allow the Interest Earned on the Stripper Well Fund to be used by Nonprofit Groups for Emergency Conservation Projects" (H.P. 1443) (L.D. 1954) reporting "Leave to Withdraw"

Representative OLIVER from the Committee on Education on Bill "An Act to Continue the Block Grants for Teacher Salaries" (H.P. 1508) (L.D. 2058) reporting "Leave to Withdraw"

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 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. 1565) (L.D. 2132) Bill "An Act to Regulate the Use of Oxen, Pony and Draft Horse Competitions" (Emergency) Committee on Agriculture reporting "Ought to Pass" as amended by Committee Amendment "A" (H-642)

(H.P. 1748) (L.D. 2397) Bill "An Act to Require Licensure of Certain Railroad Personnel" Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-645)

(H.P. 1718) (L.D. 2357) Bill "An Act to Improve the Linked Investment Program for Agricultural Loans" (Emergency) Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-646)

Under suspension of the rules, Second Day Consent Calendar notification was given, the House Papers were passed to be engrossed as amended and sent up for concurrence.

SECOND READER

As Amended

Tabled and Assigned

Bill "An Act to Correct Errors and Inconsistencies in the Laws of Maine" (Emergency) (S.P. 950) (L.D. 2521) (C. "A" S-404)

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

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

Representative PARADIS: Mr. Speaker, Ladies and Gentlemen of the House: Out of courtesy for the Representative from Presque Isle, who is not here

today, I would like to have someone table this bill one legislative day.

On motion of Representative Gwadosky of Fairfield, tabled pending passage to be engrossed and specially assigned for Monday, April 11, 1988,

PASSED TO BE ENACTED

Emergency Measure

An Act to Assist Homeowners and Businesses to Comply with the Overboard Discharge Law (S.P. 863) (L.D. 2251)

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. 111 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker pro tem and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Authorize the Maine Self-Insurance Guaranty Association to Act as a Statistical Advisory Organization (S.P. 964) (L.D. 2556) (C. "A" S-397)

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. 110 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker pro tem and sent to the Senate.

ENACTOR

Emergency Measure

Tabled and Assigned

An Act to Authorize the Creation of the Freeport Water District (S.P. 987) (L.D. 2615)

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

On motion of Representative Murphy of Kennebunk, tabled pending passage to be enacted and specially assigned for Monday, April 11, 1988.

PASSED TO BE ENACTED

Emergency Measure

An Act to Make Supplemental Allocations from the Highway Fund for the Fiscal Years Ending June 30, 1988, and June 30, 1989 (H.P. 1788) (L.D. 2449) (C. "A" H-584)

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. 112 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker pro tem and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

RESOLVE, Reimbursing Certain Municipalities on Account of Taxes Lost Due to Lands being Classified under the Maine Tree Growth Tax Law (H.P. 1814) (L.D. 2482) (C. "A" H-608)

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. 115 voted in favor of the same and none against and accordingly the Resolve was finally passed, signed by the Speaker pro tem and sent to the Senate.

FINALLY PASSED
Emergency Measure

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Aroostook County for the Year 1988 (H.P. 1917) (L.D. 2617)

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. 116 voted in favor of the same and 3 against and accordingly the Resolve was finally passed, signed by the Speaker pro tem and sent to the Senate.

PASSED TO BE ENACTED

An Act to Establish a Pilot Program for Transitional Services for Department of Mental Health and Mental Retardation Clients Between the Ages of 20 and 26 (S.P. 794) (L.D. 2091) (C. "A" S-390)

An Act to Amend the Principles of Reimbursement for Nonhealth Employees of Nursing Homes (S.P. 817) (L.D. 2137) (C. "A" S-391)

An Act Providing for the 1988 Amendments to the Maine Housing Authorities Act (S.P. 841) (L.D. 2186) (C. "A" S-399)

An Act to Allow Disclosure of Confidential Information Relevant to Personnel and Licensure Actions (S.P. 844) (L.D. 2190) (C. "A" S-392)

An Act Establishing a Medicare Assignment Program (S.P. 895) (L.D. 2324) (C. "A" S-393)

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

ENACTOR
Tabled and Assigned

An Act to Clarify the Site Location of Development Law (S.P. 897) (L.D. 2326) (C. "A" S-394)

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

On motion of Representative Diamond of Bangor, tabled pending passage to be enacted and specially assigned for Monday, April 11, 1988.

PASSED TO BE ENACTED

An Act to Enable Additional Agencies to Participate under the Finance Authority of Maine Loan Program (S.P. 909) (L.D. 2364) (C. "A" S-400)

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

The SPEAKER PRO TEM: The Chair recognizes the Representative from Wilton, Representative Armstrong.

Representative ARMSTRONG: Mr. Speaker, Men and Women of the House: Item 10-13 is An Act to Enable Additional Agencies to Participate under the Finance Authority of Maine Loan Program. The Committee Amendment "A" (S-400) is, in fact, the bill and does replace it. I happen to have been on the Minority Report out of the committee and was not here the day it went so I don't believe it has been debated. I think it should be and I would like to call your attention some of the provisions of Committee Amendment "A" (S-400) and just exactly what it does.

Most of you are aware that we have a job-start program in the State of Maine. This is basically an anti-poverty type program and it is designed to allow some low income people to hopefully become entrepreneurs. The program calls for loans for low income people to borrow up to \$10,000 that would like to get involved in some kind of a business. This is a new program that we passed in the legislature in 1983 and the monies were handled by FAME. The way it worked was, we set up three pilot programs administered by three community action councils within the State of Maine. All community action councils were offered a chance to submit proposals and they did. Based on the amount of money involved, FAME awarded program grants to three community action councils to run pilot programs.

The community action councils were the only agencies that could handle this money. The original thought was that the committee action councils dealt with this clientele, knew them, knew their needs, and were the logical agency to solicit applications. The council people, the people that were interested in starting some kind of business, opening a barber shop, beauty shop or some type of small printing company or something, and based on the recommendations of the screening committee on the community action council, awards would be made, grants or loans up to \$10,000, to these individuals. FAME merely acted as a conduit with the money and passed it on to the community action councils.

This bill, I believe, is a result of a turf battle that has developed. There are some, and I believe the sponsors of this bill would like to see other agencies besides the community action councils determine who is going to get these \$10,000 grants and other agencies to screen the applications.

The bill has been amended a couple of times. The final amendment, the Committee Amendment, calls for regional planning commissions to also act as the banker to accept and screen applications from eligible low income clients for these \$10,000 grants. I understand that the community action councils feel that they are doing a good job in the three pilot programs. There isn't a lot of money available and there is some objection to expand the program to allow regional planning councils to also act as the area bankers.

Most of these loans -- I think there is something like 53 loans that have been granted so far and the majority of them have been on the books less than 12 months. So, while we have three pilot projects going, no one really knows the long-term success or failure of these individual loan accounts. It is a good little program, it is working well, I would hate to see it be diluted by having other agencies than the community action councils become the screening agents for it.

The original bill, the bill that the committee considered, had no price tag on it. It was simply going to let other agencies become the bankers in handing out these job-start loans. However, it was pointed out quickly by FAME that there is very, very little money in this program. In order for any other agencies to participate, act as bankers, it wouldn't make sense to dilute the limited funds any further. So, there was an appropriation put on here of \$150,000. This would give three other agencies, be they community action councils or regional planning commissions, three other ones up to \$50,000 each to make loans, assuming that they were \$10,000 maximum loans. You are talking obviously about five loans for each regional planning council.

I think the bill was made in haste. I think this is the wrong time to disturb the pilot project that

we have going until we get a little experience under our belt and see how the loans that are currently being made, and if, in fact, they are helping some people get into meaningful businesses. I think it is a mistake to dilute the program by putting in the regional planning councils as loaning agents in addition to the community action agencies we have all over the state. I don't think it is the proper time to put additional loan funds in this program when we have no record of success, no long-term record of success, of the current participants.

Granted, \$150,000 is not much money but, if we want to expand the program and make a big success out of it, we should be talking a good deal more than \$150,000. This \$150,000 appropriation was, I believe, a concession to the bill's sponsors because FAME said, it makes no sense to allow other agencies to participate in this program unless you are going to put in money to do it and the minimum minimum was \$150,000, if you were talking about three more agencies.

The other thing I objected to a little bit was there is an administration fee in this money. So, the more you dilute it and the more agencies you allow to participate in it, the more administration fees are going to come out of it and the less money would be available to these people who apply for these loans.

For those reasons, I would move the indefinite postponement of this bill and all accompanying papers. I ask for a roll call, Mr. Speaker.

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

Representative CROWLEY: Mr. Speaker, Ladies and Gentlemen of the House: I disagree with the indefinite postponement of this bill. As it was originally brought to the committee, I would have agreed with everything that Representative Armstrong said, but we amended the bill. Originally, the bill came in to do away with all the CAP's (community action projects) which was a mistake of course. Then the committee looked at it and we added to the regional planning commission for the express reason that this program started, passed in the 111th, and it ran for one year as a demonstration project in the first year of the 112th. Then it was extended for the two year program.

It is an excellent program, there have been very few failures. The only problem that Representative Armstrong and I have is the adding on of other organizations other than CAP's. The reason these are added is, for example, there was a young fellow in Winslow that came to one of the Governor's Task Force meetings and he asked me the question, why can't I in Winslow become or get involved in the job-start? He said, "I would like to start a little business but they tell me I can't because I live in Winslow." That was true because this is one of the many areas that their CAP does not do planning and development work, economic development work, they leave that for their planning commission.

I don't think we are going to get an avalanche of people applying to this program. I am glad we have a chance to expose the programs to you folks today because it is going to be a more important program as we go down the line.

Two weeks ago on 60 Minutes, there was a program that was featured out west and a woman applied for a million dollar grant through Ford or Kellogg or one of those organizations and she is running a job-start program there. It was very interesting because they showed some of the people that had gotten these loans of \$8,000 and \$10,000. One of them started a house

cleaning business and, before the year was over, she had seven people working for her. The \$8,000 gave her the money to get the equipment together and get into business.

They also showed a day care center where a woman was able to put a business together and now she has two or three day care centers going. So I think that this is a wonderful program, the job-start. I think the reason the committee went 12 to 1 in favor of it was because it would not be fair to cut out other sections of the counties. Right now, only five counties are getting involved and we believe that any county that wants to get into it should be able to make an application even though the monies are limited.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Wilton, Representative Armstrong.

Representative ARMSTRONG: Mr. Speaker, Men and Women of the House: What my good chairman has said is quite true and I find it hard to disagree with him as I think he found it hard to disagree with me in my first premise. What he is talking about is that most of the state is not served by the current program, the three pilot projects. It was designed to be pilot projects and see how they work.

If we were going to do it statewide, I guess I wouldn't have any problem especially if we were going to leave it with the community action councils to screen the clients, do the consulting, make sure that they get the support they need to make these businesses a success but the bill doesn't do that. The bill only extends those three pilot projects to six pilot projects. It doesn't include enough money to really fund three more pilot projects, \$150,000 less ten percent for administration, so you are talking \$135,000 to be allocated out among three more areas. If we are going to do this statewide, we ought to do it statewide. If we are going to have other agencies than the CAP agencies handle it, I think there should be more debate on it.

I don't think this was one of these bills that got amended in committee several times. There was not a large public hearing and the concern was that there are people in this state that don't have access to these job-start loans. I am not convinced that we changed the bill in the 11th hour to handle that situation.

We are talking about expanding the three pilot projects to six. We are talking about letting 16 more agencies or how many regional planning commissions there are get involved to administer the program.

I think you are diluting it. I think you are going to hurt the program and I don't think you are going to answer the problem that my good chairman brought up of people in different areas that live outside the area where these pilot programs are being tried, they still won't have access to them.

I think the thing should be studied more. This bill doesn't do anything to the existing program, it is going on, it is working well. There are three pilot programs going right now. I think next year will be another year of experience under their belt and maybe we can appropriate some real meaningful money and there will be time to debate the issue of whether this clientele can best be served by the community action councils or the regional planning councils. One of the proposals was to have the local development corporations handle the money. But until all those things are answered, I think this is a bandaid, bandaid, bandaid or something that really doesn't need fixing right at this particular time and that is why I urge your support of indefinite postponement of this bill.

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

Representative CROWLEY: Mr. Speaker, Ladies and Gentlemen of the House: Not to be repetitious here but I think it is very important that the other counties in the state get a shot at this if they want it, like Oxford or Waldo and Knox or any of the other counties that have never been involved in this program. I think if it is spread out through this state a little bit, even though the monies are limited, I think the majority on the committee felt that this is a great program and we should give it a little more exposure. So what if a couple of applications came in from York or Cumberland or one of the other counties? I think it would be a healthy thing. I hope you will go with the majority.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Rockland, Representative Melendy.

Representative MELENDY: Mr. Speaker, Ladies and Gentlemen of the House: I am just standing here to say apparently Mr. Armstrong's deepest concern is protection of the community action councils. I have no problem with that. However, what I am saying and what the majority of our committee is saying, for those areas where the community action programs are not interested in jumping into this, they should have an option. If the regional planning commissions of those areas are willing to do that so that people in your community can be a part of it too, that is what we are looking for. Not to do away with CAP's because we all felt on the committee that we do not want to jeopardize what CAP's are doing but this is for those areas where the CAP's do not want to be involved, there should be an option for our people. I hope that you will support our efforts.

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 the motion of Representative Armstrong of Wilton that L.D. 2364 and all accompanying papers be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 246

YEA - Armstrong, Begley, Bickford, Bragg, Callahan, Davis, Farren, Garland, Holloway, Jackson, Lebowitz, Parent, Reed, Salisbury, Seavey, Sherburne, Stevenson, M.; Strout, B.; Tupper, Webster, M.; Wentworth, Whitcomb.

NAY - Aliberti, Allen, Anderson, Anthony, Baker, Bost, Bott, Boutilier, Carroll, Carter, Chonko, Clark, M.; Coles, Cote, Crowley, Curran, Daggett, Dellert, Diamond, Dore, Duffy, Dutremble, L.; Erwin, P.; Farnum, Foss, Foster, Glidden, Gould, R. A.; Greenlaw, Gurney, Gwadosky, Hale, Handy, Harper, Hepburn, Hichborn, Hickey, Higgins, Hogleund, Holt, Hussey, Jacques, Jalbert, Joseph, Ketover, Kilkelly, Lacroix, LaPointe, Lawrence, Lisnik, Look, Lord, Macomber, Mahany, Manning, Marsano, Martin, H.; Matthews, K.; Mayo, McHenry, McPherson, McSweeney, Melendy, Mills, Mitchell, Moholland, Murphy, E.; Murphy, T.; Nadeau, G. R.; Nicholson, Nutting, O'Gara, Oliver, Paradis, E.; Paradis, J.; Paradis, P.; Paul, Perry, Pines, Pouliot, Priest, Racine, Rand, Richard, Ridley, Rolde, Rotondi, Ruhlin, Rydell, Scarpino, Simpson, Small, Smith, Soucy, Stevens, A.; Stevens, P.; Strout, D.; Swazey,

Tamaro, Tardy, Telow, Thistle, Tracy, Vose, Walker, Warren, Willey, Zirkilton, The Speaker.

ABSENT - Bailey, Brown, Cashman, Clark, H.; Conley, Dexter, Hanley, Hillock, Kimball, MacBride, McGowan, Michaud, Nadeau, G. G.; Norton, Reeves, Rice, Sheltra, Stanley, Taylor, Weymouth.

Yes, 22; No, 109; Absent, 20; Paired, 0; Excused, 0.

22 having voted in the affirmative and 109 in the negative with 20 being absent, the motion did not prevail.

Subsequently, the Bill was passed to be enacted, signed by the Speaker pro tem and sent to the Senate.

PASSED TO BE ENACTED

An Act to Require the Department of Human Services to Reimburse Home Health Agencies for the Reasonable Costs of Recruiting, Training and Retaining Qualified Nursing Staff (S.P. 935) (L.D. 2455) (C. "A" S-401)

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

ENACTOR

Tabled and Assigned

An Act Relating to the Maine Uniform Transfers to Minors Act (H.P. 642) (L.D. 865) (C. "A" H-602)

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

On motion of Representative Paradis of Augusta, tabled pending passage to be enacted and specially assigned for Monday, April 11, 1988.

PASSED TO BE ENACTED

An Act to Amend the Maine Juvenile Code to Expand Notice Provisions (H.P. 1486) (L.D. 2020) (C. "A" H-603)

An Act Concerning State Mandates to Local Governments (H.P. 1536) (L.D. 2090) (H. "A" H-613 to C. "A" H-578)

An Act to Increase Funding of Elderly Legal Services (H.P. 1552) (L.D. 2112) (C. "A" H-581)

An Act to Amend Property Tax Exemptions (H.P. 1657) (L.D. 2267) (C. "A" H-586)

An Act to Amend the Farm and Open Space Tax Law (H.P. 1690) (L.D. 2319) (C. "A" H-593)

An Act to Require Service Stations to Post the Price of Fuel Sold (H.P. 1717) (L.D. 2356) (C. "A" H-594)

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

ENACTOR

TABLED AND ASSIGNED

An Act to Extend and Strengthen the State's Mandatory Shoreland Zoning Laws (H.P. 1731) (L.D. 2374) (C. "A" H-597)

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

On motion of Representative Diamond of Bangor, tabled pending passage to be enacted and specially assigned for Monday, April 11, 1988.

PASSED TO BE ENACTED

An Act to Make Changes in the Administration of the Maine State Retirement System (H.P. 1764) (L.D. 2417) (S. "A" S-407 to C. "A" H-592)

An Act to Protect Lake Water from Phosphorous Pollution (H.P. 1784) (L.D. 2445) (C. "A" H-580)

An Act to Amend Maine's Domestic Relations Laws (H.P. 1801) (L.D. 2465) (C. "A" H-601)

An Act to Clarify the Obligations of Distributors, Dealers and Redemption Centers (H.P. 1806) (L.D. 2472) (C. "A" H-605)

An Act to Ensure that a Certain Percentage of Public Housing is Handicapped Accessible (H.P. 1869) (L.D. 2558) (S. "A" S-388)

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

FINALLY PASSED

RESOLVE, Authorizing the Bureau of Health to Conduct a Time-Trend Study of Leukemia Incidence in Maine (H.P. 1769) (L.D. 2422) (C. "A" H-598)

RESOLVE, Establishing the Advisory Committee on Education and Critical Issues for Student Decision Making (H.P. 1776) (L.D. 2429) (C. "A" H-589)

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

ORDERS OF THE DAY
UNFINISHED BUSINESS

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

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

Bill "An Act to Clarify the Definition of Earnable Compensation" (H.P. 1826) (L.D. 2502)

- In House, Passed to be Engrossed as Amended by Committee Amendment "A" (H-624) on April 5, 1988.

- In Senate, Passed to be Engrossed as Amended by Committee Amendment "A" (H-624) and Senate Amendment "A" (S-420) in non-concurrence.

TABLED - April 7, 1988 (Till Later Today) by Representative CARTER of Winslow.

PENDING - Further Consideration.

On motion of Representative Hickey of Augusta, the House voted to Insist.

TABLED AND TODAY ASSIGNED

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

An Act to Recodify the Laws on Municipalities and Counties (H.P. 1855) (L.D. 2538)

TABLED - April 6, 1988 by Representative DIAMOND of Bangor.

PENDING - Passage to be Enacted.

On motion of Representative Diamond of Bangor, retabled pending passage to be enacted and specially assigned for Monday, April 11, 1988.

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

HOUSE REPORT - "Ought to Pass" as Amended by Committee Amendment "A" (H-638) - Committee on Transportation on Bill "An Act to Reallocate Funds from the Maine Turnpike Authority for Construction

and Maintenance of Secondary Roads" (H.P. 1574) (L.D. 2149)

TABLED - April 7, 1988 by Representative DIAMOND of Bangor.

PENDING - Acceptance of the Committee Report.

On motion of Representative Diamond of Bangor, retabled pending acceptance of the Committee Report and specially assigned for Monday, April 11, 1988.

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

Bill "An Act to Revise the Energy Building Standards Act" (S.P. 93) (L.D. 247)

- In Senate, Majority "Ought to Pass" in New Draft Report of the Committee on Energy and Natural Resources read and accepted and the New Draft (S.P. 958) (L.D. 2539) passed to be engrossed as amended by Senate Amendment "B" (S-352) in non-concurrence.

- In House, House Adhered to its former action whereby the Bill and accompanying papers were Indefinitely Postponed on March 30, 1988.

TABLED - April 7, 1988 by Representative DIAMOND of Bangor.

PENDING - Motion of Representative DEXTER of Kingfield to Reconsider.

On motion of Representative Diamond of Bangor, retabled pending the motion of Representative Dexter of Kingfield to reconsider and specially assigned for Monday, April 11, 1988.

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

REPORTS OF COMMITTEES

Unanimous Leave to Withdraw

Representative CARTER from the Committee on Appropriations and Financial Affairs on Bill "An Act to Establish a University-Based Training Program for Substance Abuse Counseling and Employee Assistance" (H.P. 1641) (L.D. 2240) reporting "Leave to Withdraw"

Representative CARTER from the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to the Justification of the Alcohol and Drug Abuse Planning Committee Under the Maine Sunset Laws" (Emergency) (H.P. 1870) (L.D. 2561) reporting "Leave to Withdraw"

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

CONSENT CALENDAR

First Day

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

(H.P. 1677) (L.D. 2306) Bill "An Act to Amend the Requirement that Counties Contribute to the Support of the Superior Courts and the Supreme Judicial Court" Committee on State and Local Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-647)

Under suspension of the rules, Second Day Consent Calendar notification was given, the House Paper was passed to be engrossed as amended and sent up for concurrence.

HELD BILL

Bill "An Act to Prohibit the Sale of Polystyrene Foam Products Containing Chlorofluorocarbons" (H.P. 1797) (L.D. 2461)

- In Senate, Passed to be Engrossed as amended by Committee Amendment "A" (H-596) as amended by Senate Amendments "A" (S-414) and "B" (S-422) thereto in non-concurrence on April 7, 1988.

In House, House Receded and Concurred. HELD at the request of Representative GWADOSKY of Fairfield.

On motion of Representative Gwadosky of Fairfield, the House reconsidered its action whereby the House voted to recede and concur.

On further motion of the same Representative tabled pending further consideration and specially assigned for Monday, April 11, 1988,

(At Ease)

The House was called to order by the Speaker pro tem.

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

REPORTS OF COMMITTEES

Ought to Pass as Amended

Representative CASHMAN from the Committee on Taxation on Bill "An Act to Increase the Minimum Standards for Eligibility for the Elderly Low-Cost Drug Program and the Household Tax and Rent Refund Act" (H.P. 1512) (L.D. 2062) reporting "Ought to Pass" as amended by Committee Amendment "A" (H-651)

Report was read and accepted, the Bill read once.

Committee Amendment "A" (H-651) was read by the Clerk and adopted and the bill assigned for second reading Monday, April 11, 1988.

On motion of Representative Diamond of Bangor, Adjourned until Monday, April 11, 1988 at nine o'clock in the morning.

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

In Senate Chamber

Friday

April 8, 1988

Senate called to Order by the President.

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

PASTOR INCHCOMBE: Let's please bow our heads in order of prayer. Our gracious lovingly heavenly Father we count it a privilege to come into Your presence this morning. We thank You that we can enter into Your presence knowing that there is no fear because perfect love cast out fear. We again ask today as we ask everyday for Your wisdom, for Your guidance as we manage the affairs of this land. We do thank You for our country, we do thank You for the President of the United States of America and those who serve under him. We thank You that today we can seek Your wisdom in this Senate that You might give each one Your guidance. We again thank You and recognize Your power, Your glory, Your majesty and we just ask that You might receive that glory today. For we ask all of these things in the name of Jesus Christ, our Saviour and our Lord. Amen.

Reading of the Journal of Yesterday.

Off Record Remarks

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

Senator PERKINS of Hancock was granted unanimous consent to address the Senate off the Record.

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

After Recess

Senate called to order by the President.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Enhance Outdoor Recreation Opportunities"

S.P. 889 L.D. 2301
(C "A" S-363; S "B"
S-376)

In Senate, March 30, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-363) AND SENATE AMENDMENT "B" (S-376).

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-363) AS AMENDED BY HOUSE AMENDMENT "A" (H-621), thereto in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

Non-concurrent Matter

Bill "An Act to Ensure Local Participation on the Radiological Emergency Preparedness Committee"