

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
64th Legislative Day
Wednesday, April 13, 1988

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

Prayer by Reverend Jonathan Appleyard, St. Paul's Episcopal Church, Brunswick.

The Journal of Tuesday, April 12, 1988, was read and approved.

Quorum call was held.

SENATE PAPERS

The following Communication:

Maine State Senate
Augusta, Maine 04333

April 12, 1988

Honorable Edwin H. Pert

Clerk of the House

State House Station 2

Augusta, Maine 04333

Dear Clerk Pert:

Please be advised that the Senate today appointed the following conferees to the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Fund a Supplemental Highway Program and to Establish a Program to Fund the Construction of Extraordinary Bridges" (Emergency) (H.P. 1799) (L.D. 2463):

Senator DOW of Kennebec

Senator THERIAULT of Aroostook

Senator BLACK of Cumberland

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

Was read and ordered placed on file.

Non-Concurrent Matter

Bill "An Act to Amend the Regulation of Lobster Parts" (H.P. 1584) (L.D. 2162) which was passed to be engrossed as amended by Committee Amendment "A" (H-595) as amended by House Amendment "A" (H-649) thereto in the House on April 11, 1988.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-595) as amended by House Amendment "A" (H-649) and Senate Amendment "A" (S-450) thereto in non-concurrence.

The House voted to adhere.

COMMUNICATIONS

The following Communication:

DEPARTMENT OF
EDUCATIONAL AND CULTURAL SERVICES
State House Station 23
Augusta, Maine 04333

April 11, 1988

Honorable John L. Martin, Speaker

Maine House of Representatives

Augusta, Maine 04333

Dear Speaker Martin:

It is my very great pleasure to present to you this copy of the 1988 Performance Report on Maine Public Schools. This represents the third annual printing as mandated by the Education Reform Act of 1984.

The report provides you with an in-depth, state-wide look at educational achievement, a demographic and educational profile, how education is financed, educational developments and initiatives, as well as a report on the achievements of the fine cultural bureaus within our Department.

Wherever possible we have included charts, graphs and other graphics in the presentation of some of the statistical material.

If you should wish additional information about any portion of the report, please contact my office and we will be more than glad to meet your request.

Cordially,

S/Eve M. Bither

Commissioner

Was read and with accompanying report ordered placed on file.

The following Communication:

State of Maine
Senate Chamber
Augusta, Maine 04333

April 12, 1988

Representative John L. Martin

Dear Speaker Martin:

The Advisory Committee on Staff Retention established in Chapter 749 of the Public Laws by the 112th Legislature is pleased to be sending you our final report. We have learned a great deal about the issues affecting recruitment and retention of direct service staff in facilities serving persons with mental retardation. Many of the issues are similar to those affecting the medical and services industries in Maine, high competition for available workers and the need for competitive wages, for example. There are also issues specific to this segment of the service industry given the needs of the persons served.

The committee believes that, if implemented, the recommendations contained in our report will be effective in improving the ability of facilities serving persons with mental retardation to recruit and retain qualified direct service staff. These are the staff who are critical to the success and effectiveness of community facilities which are enabling Maine's citizens with mental retardation to reach their full developmental potential in the least restrictive environment possible. We believe that there will be many benefits derived from our recommendations. Direct service staff will have the opportunity to develop in their chosen career, persons with mental retardation will benefit from the increased training provided to staff, and families of persons with mental retardation will appreciate the greater stability of community facilities.

We urge you to give your full support to our report so that it will be possible to implement our recommendations.

Sincerely,

S/Senator Beverly Miner

Bustin

Chair

Advisory Committee on Staff Retention

Was read and with accompanying report ordered placed on file.

ORDERS

REPORTS OF COMMITTEES

Ought to Pass Pursuant to Joint Order (H.P. 1916)

Representative MACOMBER from the Committee on Transportation on Bill "An Act to Amend the Motor Vehicle Laws and to Allocate Funds to the Division of Motor Vehicles" (Emergency) (H.P. 1930) (L.D. 2630) reporting "Ought to Pass" - Pursuant to Joint Order (H.P. 1916)

Report was read and accepted, the Bill read once and assigned for second reading later in today's session.

Ought to Pass Pursuant to Joint Order (H.P. 1489)

Representative LOOK from the Committee on State and Local Government on RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Washington County for the Year 1988 (Emergency) (H.P. 1931) (L.D. 2631) reporting "Ought to Pass" - Pursuant to Joint Order (H.P. 1489)

Report was read and accepted, the Resolve read once and assigned for second reading Thursday, April 14, 1988.

CONSENT CALENDARFirst Day

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

(H.P. 1746) (L.D. 2395) Bill "An Act to Strengthen the Drunk Driving Laws" Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-669)

On motion of Representative Conley of Portland, was removed from the Consent Calendar, First Day.

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

Representative CONLEY: Mr. Speaker, I move that the L.D. 2395 and all its accompanying papers be indefinitely postponed.

Men and Women of the House: The bill presently before this body has been debated at length in committee, a workshop and a hearing. I am not the type of person who would subterfuge the committee process but I did attend the workshops and I did attend the public hearing on this bill and expressed my opposition to at least three major provisions of this bill at that time. None of my objections were addressed by the committee and, therefore, I feel it is only appropriate at this time to debate the bill in its entirety.

There are some provisions in the bill which I do not have a problem with but the major provisions that are in this bill that are going to substantially affect the rights of drivers in this state, I believe, must be addressed by this House. I think the House should hear the arguments on these issues and people should know how this bill is going to affect and change the lives of Maine's citizens.

Basically, the bill which is a fairly weighty matter is about 10 pages thick, was put together by a commission which was made up of prosecutors, law enforcement authorities, a member from the MADD group and some members of the committee itself. There are three major points in this bill which I believe should be addressed.

One of the things that this bill would do would be to reduce the present alcohol level in the blood, reduce that level under Maine law presently from .10 to .08 percent of alcohol weight in the blood.

The second thing that it would do, in the case of second offenders, would be that he or she would have a provisional license and, in order to lose their license for a year, that person would only have to be found by a law enforcement officer who stopped that person to have a .02 percent blood alcohol weight. That is the equivalent of one drink.

The third thing and something that bothers me immensely, and I know the committee tried to work on addressing the issue, is that there is still a provision in this bill which calls for forfeiture of an individual's motor vehicle, should he or she be a multiple offender and be caught operating their

vehicle after suspension. That particular provision of the bill bothers me deeply because I, and I know there are many in here who feel similarly, do not want to see the state have the power to confiscate anybody's property for any reason without giving that person due or just compensation. Those are the three points in particular which bother me. The reason why they bother me, I think, are clear.

In regard to the .08, there are only two states in this country that have a .08 provision. One of those states is Utah. I don't think .08 has been tested. I know that you will hear the Chairman of the Committee talk about a doctor testifying before the committee who stated that .05 should be enough to take somebody's license away. I don't have to tell people in here what the consequences of an OUI conviction are. Everybody here has constituents who call them, talking about the difficulties they have had trying to get their license back, going through the Secretary of State's Office and all the problems that go along with it.

What I can tell you is the pain and the suffering that it inflicts on a family of a person who is convicted of this crime, someone who made a mistake, there is no question about that, but the person who really gets hurt is the social drinker -- as my good friend from Belfast would say, this becomes a poor man's murder case, it ruins his life. I am not saying that these people shouldn't be punished but, by reducing it to .08, you are opening up the category of people who can be convicted of operating under the influence and that person will lose his license for 90 days, a \$300 fine, have to take the driver education evaluation program and basically have his name in the paper and go through quite a bit of pain and suffering.

I am not indifferent or insensitive to the pain and suffering that people go through who are killed on the highways by drunk drivers but this bill does not go after those people. Instead, this bill goes after the social drinker. If they wanted to go after the problem drunk driver (and the tests are going up in the state, they have gone from 16 to 19, the average) let's go after the problem drinker. This bill is not going to take the problem drinker off the road. That person doesn't care about a law like this, that person is still out there operating now after suspension or operating without a license and pretty much doing what he or she pleases. This bill is geared toward the social drinker. Instead of making the penalties more substantial for people who have been convicted once before by upping the jail time or making it a felony (which I would have no problem with) -- instead it goes after the social drinker. The question becomes, "When is enough, enough, where are we going to stop with this?" A .02 provision which basically the person has already been convicted of once in this state is already a second-class citizen. If he goes into a bank or a store to cash a check, he has a little star on his license -- that is fine, they should know that somebody has had trouble like this before but how long is this going to go on?

This bill would require that person to have a provisional license for six years. If that person is stopped for any reason whatsoever and an officer smells alcohol on his or her breath, he or she is going to lose their license for a year. It is a .02 test and any doctor will tell you, the person could have had a drink or two the night before, gone to sleep, be going to work the next day, he is stopped for a speeding ticket and that person will lose his or her license for a year. That would be a very good possibility.

The final provision that bothers me is the whole forfeiture issue. I know that the committee has tried to deal with that. You call it impoundment, call it whatever you want to -- a person or a family in particular is going to lose his or her car if an individual is stopped who is operating after suspension or has had convictions in the past. I do not believe that that family should be penalized in any way whatsoever for what that other individual is doing with the car.

I guess what I am saying, ladies and gentlemen of the House, is that we tinker with this OUI bill every six years. It is the politically popular thing to do. We look at it, we change the law, and it is changed over and over and over again. Every time the law books are printed, there is something new in there about OUI, all in the name of "let's get the drunk driver off the road, let's try to protect the people of the state." Well, it is not working. These new laws are not working and this law is yet another attempt to do it. They always say they want to get the drunk driver off the road and it is not going to work. It is going to hurt some very good citizens in this state, families who can't afford to lose their car. People who have been convicted of the offense once and now is stopped because they have alcohol on their breath, they lose their license for another year. That .02 is not related to whether or not the person is impaired whatsoever and then we have a .08 provision which right now prosecutors don't even prosecute. By changing this law, you are going to make that person subject to the very same penalties which a first time offender up to a 1.5 would be subject to.

I think enough is enough and I think this bill and all its accompanying papers should be sent back to where they came from.

On motion of Representative Diamond of Bangor, tabled pending the motion of Representative Conley of Portland that L.D. 2395 and all its accompanying papers be indefinitely postponed and later today assigned.

(H.P. 1602) (L.D. 2193) Bill "An Act to Establish the Maine Science and Technology Commission and to Authorize Funding for Centers for Innovation" Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-672)

(H.P. 1747) (L.D. 2396) Bill "An Act to Create the Railroad Preservation and Assistance Act and to Provide for Annual Track Inspections" Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-673)

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.

(H.P. 1792) (L.D. 2456) Bill "An Act to Address Comprehensively Bail Relative to a Defendant in a Criminal Proceeding" Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-674)

On objection of Representative Paradis of Augusta, was removed from the Consent Calendar, First Day.

On further motion of the same Representative, tabled pending acceptance of the Committee Report and later today assigned.

(H.P. 1710) (L.D. 2347) Bill "An Act Concerning the Statutory Organization of Boards and Commissions" Committee on State and Local Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-677)

(H.P. 1659) (L.D. 2269) Bill "An Act to Make Housing More Affordable to Maine Citizens" Committee on Economic Development reporting "Ought to Pass" as amended by Committee Amendment "A" (H-678)

(H.P. 1866) (L.D. 2551) Bill "An Act to Make Supplemental Appropriations for Expenditures of the Judicial Department and to Change Certain Provisions of the Law Necessary to the Operation of the Judicial Department for the Fiscal Years Ending June 30, 1988, and June 30, 1989" (Emergency) Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-680)

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

Later Today Assigned

Bill "An Act to Authorize the Annexation of Cove Point Township by the Town of Greenville" (H.P. 1929) (L.D. 2629)

Was reported by the Committee on Bills in the Second Reading.

On motion of Representative Carroll of Gray, tabled pending passage to be engrossed and later today assigned.

PASSED TO BE ENACTED

An Act to Require an Interdepartmental Study of and Plan for the Use of 3-rd Party Funds for children in Need of Treatment (S.P. 802) (L.D. 2103) (S. "A" S-434 to C. "A" S-424)

An Act to Require State-Leased Buildings to Meet Certain Air Quality Standards (S.P. 858) (L.D. 2246) (C. "A" S-429)

An Act to Create the Commission to Examine Issues Relating to Legal Expenses Incurred by State Employees in the Execution of their Official Duties and Related Disciplinary Issues (S.P. 914) (L.D. 2383) (C. "A" S-430)

An Act Relating to Special Education in Maine Schools (H.P. 1588) (L.D. 2172) (S. "A" S-428 to C. "A" H-630)

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

(At Ease)

The House was called to order by the Speaker.

On motion of Representative Mitchell of Freeport, the House reconsidered its action whereby the House voted to adhere on Bill "An Act to Amend the Regulation of Lobster Parts" (H.P. 1584) (L.D. 2162).

(Which was passed to be engrossed as amended by Committee Amendment "A" (H-595) as amended by House Amendment "A" (H-649) thereto in the House on April 11, 1988 and came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-595) as amended by House Amendment "A" (H-649) and Senate Amendment "A" (S-450) thereto in non-concurrence.)

On further motion of the same Representative, the House voted to recede and concur.

(At Ease)

The House was called to order by the Speaker.

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

CONSENT CALENDAR

First Day

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

(H.P. 1804) (L.D. 2468) Bill "An Act to Promote More Effective Investigations of Child Abuse Allegations in Out-of-Home Settings" Committee on Audit and Program Review reporting "Ought to Pass" as amended by Committee Amendment "A" (H-682)

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.

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

CONSENT CALENDAR

First Day

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

(S.P. 742) (L.D. 2001) Bill "An Act to Provide Elderly Mental Health Service Needs" (Emergency) Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-440)

(S.P. 924) (L.D. 2435) Bill "An Act to Provide Funds for Teenage Suicide Prevention" Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-439)

(S.P. 558) (L.D. 1670) Bill "An Act to Establish a State Supplemental Insurance Program for Mentally Impaired Individuals" Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-441)

(S.P. 788) (L.D. 2065) Bill "An Act to Implement the Department of Human Services Long-Term Care Plan for the Elderly, Handicapped and Citizens with Long-Term Care Needs" Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-447)

(S.P. 800) (L.D. 2101) Bill "An Act to Include Drugs for Treatment of Chronic Obstructive Lung Disease in the Elderly Low-Cost Drug Program" Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-449)

Under suspension of the rules, Second Day Consent Calendar notification was given, the Senate Papers were passed to be engrossed as amended in concurrence.

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

SENATE PAPERS

Bill "An Act to Authorize Kennebec County to Raise Up to \$7,900,000 to Renovate and Expand Jail and Law Enforcement Facilities for Kennebec County" (S.P. 993) (L.D. 2626)

Came from the Senate under suspension of the rules and without reference to a Committee, the Bill read twice and passed to be engrossed as amended by Senate Amendment "A" (S-446).

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

Under suspension of the rules and without reference to any committee, the Bill was read once.

Senate Amendment "A" (S-446) was read by the Clerk and adopted.

Under suspension of the rules, the Bill was read a second time, passed to be engrossed as amended by Senate Amendment "A" in concurrence.

Ought to Pass as Amended

Report of the Committee on Legal Affairs reporting "Ought to Pass" as Amended by Committee Amendment "A" (S-444) on Bill "An Act to Provide Greater Protection to Tenants of Mobile Home Parks" (Emergency) (S.P. 825) (L.D. 2147)

Came from the Senate, with the report read and accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A" (S-444) as amended by Senate Amendment "A" (S-451) thereto.

Report was read and accepted, the Bill read once. Committee Amendment "A" (S-444) was read by the Clerk and adopted.

Senate Amendment "A" (S-451) to Committee Amendment "A" (S-444) was read by the Clerk and adopted.

Committee Amendment "A" as amended by Senate Amendment "A" thereto was adopted.

Under suspension of the rules, the Bill was read a second time, passed to be engrossed as amended by Committee Amendment "A" as amended by Senate Amendment "A" thereto in concurrence.

CONSENT CALENDAR

First Day

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

(S.P. 992) (L.D. 2625) Bill "An Act Concerning the Authority of the Maine Municipal Bond Bank to Issue Certain Bonds and to Establish and Administer a Revolving Loan Fund" Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-448)

Under suspension of the rules, Second Day Consent Calendar notification was given, the Senate Paper was passed to be engrossed as amended in concurrence.

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

The Chair laid before the House the following matter: (H.P. 1792) (L.D. 2456) Bill "An Act to Address Comprehensively Bail Relative to a Defendant in a Criminal Proceeding" Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-674) which was tabled earlier in the day and later today assigned pending acceptance of the Committee Report.

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

Committee Amendment "A" (H-674) was read by the Clerk.

On motion of Representative Paradis of Augusta, tabled pending adoption of Committee Amendment "A" and later today assigned.

(At Ease)

The House was called to order by the Speaker.

On motion of Representative Carroll of Gray, the House reconsidered its action whereby An Act to Create the Commission to Examine Issues Relating to Legal Expenses Incurred by State Employees in the Execution of their Official Duties and Related Disciplinary Issues (S.P. 914) (L.D. 2383) (C. "A" S-430) was passed to be enacted.

On further motion of the same Representative, the House reconsidered its action whereby L.D. 2383 was passed to be engrossed.

On further motion of the same Representative, the House reconsidered its action whereby Committee Amendment "A" (S-430) was adopted.

The same Representative offered House Amendment "A" (H-684) to Committee Amendment "A" (S-430) and moved its adoption.

House Amendment "A" (H-684) to Committee Amendment "A" (S-430) was read by the Clerk and adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto in non-concurrence and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

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

ENACTOR

An Act to Clarify the Definition of Earnable Compensation (H.P. 1826) (L.D. 2502) (C. "A" H-624; S. "A" S-420 and S. "B" S-445)

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

On motion of Representative Carter of Winslow, the House reconsidered its action whereby L.D. 2502 was passed to be engrossed.

On further motion of the same Representative, the House reconsidered its action whereby it receded and concurred.

On further motion of the same Representative, the House voted to recede.

On further motion of the same Representative, the House reconsidered its action whereby Senate Amendment "A" (S-420) was adopted.

On further motion of the same Representative, Senate Amendment "A" was indefinitely postponed.

On further motion of the same Representative, the House reconsidered its action whereby Committee Amendment "A" (H-624) was adopted.

The same Representative offered House Amendment "A" (H-686) to Committee Amendment "A" (H-624) and moved its adoption.

House Amendment "A" (H-686) to Committee Amendment "A" (H-624) was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Carter.

Representative CARTER: Mr. Speaker, Men and Women of the House: Just briefly, this amendment includes the substance of Senate Amendment "A" and

adds an appropriation and fiscal note to the bill which is required.

Subsequently, House Amendment "A" to Committee Amendment "A" was adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto and Senate Amendment "B" in non-concurrence and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

(Off Record Remarks)

(At Ease to Gong)

The House was called to order by the Speaker.

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

REPORTS OF COMMITTEES

Divided Report

Majority Report of the Committee on State and Local Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-687) on Bill "An Act Relating to Conflict of Interest for Certain Governmental Officials and Employees" (H.P. 1766) (L.D. 2419)

Signed:

Senators:

BALDACCI of Penobscot
TUTTLE of York
GOULD of Waldo
CARROLL of Gray
BICKFORD of Jay
LOOK of Jonesboro
LACROIX of Oakland
ROTONDI of Athens
ANTHONY of South Portland
STROUT of Windham
HUSSEY of Milo
BOUTILIER of Lewiston

Representatives:

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

Signed:

Representative:

WENTWORTH of Wells

Reports were read.

Subsequently, the Majority "Ought to Pass" Report was accepted, the Bill read once.

Committee Amendment "A" (H-687) was read by the Clerk and adopted.

Under suspension of the rules, the Bill was read a second time, passed to be engrossed as amended by Committee Amendment "A" and sent up for concurrence.

On motion of Representative Mitchell of Freeport, the House reconsidered its action whereby the House receded and concurred on Bill "An Act to Amend the Regulation of Lobster Parts" (H.P. 1584) (L.D. 2162).

(Which was passed to be engrossed as amended by Committee Amendment "A" (H-595) as amended by House Amendment "A" (H-649) thereto in the House on April 11, 1988 and comes from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-595) as amended by House Amendment "A" (H-649) and Senate Amendment "A" (S-450) thereto in non-concurrence.)

On motion of the same Representative, the House voted to recede.

Senate Amendment "A" (S-450) to Committee Amendment "A" (H-595) was read by the Clerk and adopted.

On motion of Representative Mitchell of Freeport, House Amendment "A" (H-649) was indefinitely postponed.

Subsequently, the Bill was passed to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A" thereto in non-concurrence and sent up for concurrence.

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

REPORTS OF COMMITTEES

Divided Report

Majority Report of the Committee on Economic Development reporting "Ought to Pass" as amended by Committee Amendment "A" (H-679) on Bill "An Act to Preserve Existing Rental Units which have been Constructed with Federal Assistance and Tax Benefits for Moderate-Income and Low-Income People" (H.P. 1693) (L.D. 2322)

Signed:

Senators: ANDREWS of Cumberland
KANY of Kennebec
DILLENBACK of Cumberland
Representatives: MAHANY of Easton
BAILEY of Farmington
ARMSTRONG of Wilton
CARROLL of Gray
STEVENS of Bangor
MELENDY of Rockland
PRIEST of Brunswick
CROWLEY of Stockton Springs
HICHBORN of LaGrange

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

Signed:

Representative: STANLEY of Cumberland

Reports were read.

Subsequently, the Majority "Ought to Pass" Report was accepted, the Bill read once.

Committee Amendment "A" (H-679) was read by the Clerk and adopted and the Bill assigned for second reading Thursday, April 14, 1988.

The Chair laid before the House the following matter: (H.P. 1792) (L.D. 2456) Bill "An Act to Address Comprehensively Bail Relative to a Defendant in a Criminal Proceeding" Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-674) which was tabled earlier in the day and later today assigned pending adoption of Committee Amendment "A" (H-674).

Representative Paradis of Augusta offered House Amendment "A" (H-688) to Committee Amendment "A" (H-674) and moved its adoption.

House Amendment "A" to Committee Amendment "A" was read by the Clerk and adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto and sent up for concurrence.

(At Ease)

The House was called to order by the Speaker.

ORDERS OF THE DAY
UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment yesterday, has 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 matter of Unfinished Business:

An Act to Establish the Maine Commission on Agent Orange and Radiation (Emergency) (H.P. 1914) (L.D. 2613) (H. "B" H-632)

TABLED - April 12, 1988 (Till Later Today) by Representative DIAMOND of Bangor.

PENDING - Passage to be Enacted.

On motion of Representative Hickey of Augusta, under suspension of the rules, the House reconsidered its action whereby L.D. 2613 was passed to be engrossed.

On further motion of the same Representative, under suspension of the rules, the House reconsidered its action whereby House Amendment "B" (H-632) was adopted.

On further motion of the same Representative, the House voted to indefinitely postpone House Amendment "B."

The same Representative offered House Amendment "D" (H-690) and moved its adoption.

House Amendment "D" (H-690) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended by House Amendment "D" in non-concurrence and sent up for concurrence.

On motion of Representative Foss of Yarmouth, Adjourned until Thursday, April 14, 1988, at eight o'clock in the morning.