

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Fifteenth Legislature

OF THE

State Of Maine

VOLUME III

FIRST REGULAR SESSION

Senate

December 5, 1990 to May 20, 1991

STATE OF MAINE
ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
JOURNAL OF THE SENATE

In Senate Chamber
Monday
March 18, 1991

Senate called to Order by the President.

Prayer by The Honorable Gerard P. Conley, Jr. of
Cumberland.

SENATOR GERALD P. CONLEY, JR.: On this day following St. Patrick's Day, it is still fitting to celebrate through prayer the contribution which the Emerald Isle has made in sending much of its most valuable natural resource, namely its people as this Chamber verifies, to our shores, to help make this country the great world leader which it has become. So to all of you and to the people of this great state, an Irish blessing. Health and long life to you, land without rent to you, a child every year to you. And if you can't go to heaven, may you die in Ireland.

Reading of the Journal of Wednesday, March 13, 1991.

Off Record Remarks

Joint Resolutions

The Following Joint Resolution:
H.P. 792

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

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

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

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

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

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

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

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

Comes from the House **READ** and **ADOPTED**.

Which was **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Cahill.

Senator **CAHILL:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I would ask for a Division on the adoption of this Joint Resolution. It seems to me that in passage of the Budget Bill, eight point five million dollars was obtained by implementing furloughs, and if we do recede the Order, we are out of balance, and I don't think that makes for a good government. Thank you.

Senator **CAHILL** of Sagadahoc requested a Division.

THE PRESIDENT: The pending question before the Senate is **ADOPTION**.

A Division has been requested.

Will all those in favor of **ADOPTION**, please rise in their places and remain standing until counted.

Will all those opposed please rise in their places and remain standing until counted.

16 Senators having voted in the affirmative and 10 Senators having voted in the negative, the Joint Resolution was **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication:

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON LABOR**

March 13, 1991

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Labor has had under consideration the nomination of James Libby of Buxton, for appointment as Alternate Public Member to the Maine Labor Relations Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 2
Representatives 9

NAYS: 0

ABSENT: 2 Senator Conley of Cumberland,
Representative Pineau of Jay

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of James Libby of Buxton, for appointment as Alternate Public Member to the Maine Labor Relations Board be confirmed.

Sincerely,

S/Sen. Donald E. Esty, Jr. S/Rep. Edward A. McHenry
Senate Chair House Chair

Which was **READ** and **ORDERED PLACED ON FILE**.

Senate at Ease

Senate called to order by the President.

THE PRESIDENT: The Joint Standing Committee on Labor has recommended the nomination of James Libby of Buxton be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Labor be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A Vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None

NAYS: Senators BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator EMERSON

No Senators having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of James Libby, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON LABOR**

March 13, 1991

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Labor has had under consideration the nomination of Eben Marsh of Denmark, for appointment as Alternate Employer Representative to the Maine Labor Relations Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 2
Representatives 8

NAYS: 0

ABSENT: 2 Sen. Conley of Cumberland, Rep. Pineau of Jay

ABSTAINED: 1 Rep. Hastings of Fryeburg

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Eben Marsh of Denmark, for appointment as Alternate Employer Representative to the Maine Labor Relations Board be confirmed.

Sincerely,

S/Sen. Donald E. Esty, Jr. Senate Chair
S/Rep. Edward A. McHenry House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on Labor has recommended the nomination of Eben Marsh of Denmark be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Labor be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A Vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None

NAYS: Senators BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator EMERSON

No Senators having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of Eben Marsh, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON LABOR**

March 13, 1991

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Labor has had under consideration the nomination of Jimmy McGregor of Coopers Mills, for reappointment as Alternate Employer Representative to the Maine Labor Relations Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 2
Representatives 9

NAYS: 0

ABSENT: 2 Sen. Conley of Cumberland, Rep. Pineau of Jay

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Jimmy McGregor of Coopers Mills, for reappointment as Alternate Employer Representative to the Maine Labor Relations Board be confirmed.

Sincerely,

S/Sen. Donald E. Esty, Jr. S/Rep. Edward A. McHenry
Senate Chair House Chair

Which was **READ** and **ORDERED PLACED ON FILE**.

THE PRESIDENT: The Joint Standing Committee on Labor has recommended the nomination of Jimmy McGregor of Coopers Mills be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Labor be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A Vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None

NAYS: Senators BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator EMERSON

No Senators having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of Jimmy McGregor, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON LABOR**

March 13, 1991

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Labor has had under consideration the nomination of Howard Reiche of Falmouth, for appointment as Primary Employer Representative to the Maine Labor Relations Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 2
 Representatives 9

NAYS: 0

ABSENT: 2 Sen. Conley of Cumberland, Rep. Pineau of Jay

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Howard Reiche of Falmouth, for appointment as Primary Employer Representative to the Maine Labor Relations Board be confirmed.

Sincerely,

S/Sen. Donald E. Esty, Jr. S/Rep. Edward A. McHenry
Senate Chair House Chair

Which was **READ** and **ORDERED PLACED ON FILE**.

THE PRESIDENT: The Joint Standing Committee on Labor has recommended the nomination of Howard Reiche of Falmouth be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Labor be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 3B of the 115th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A Vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None

NAYS: Senators BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator EMERSON

No Senators having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of Howard Reiche, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

Out of order and under suspension of the Rules, the Senate considered the following:

ORDERS

Joint Order

On motion by Senator DUTREMBLE of York the following Joint Order: S.P. 449

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Thursday, March 21, 1991, at 11 o'clock in the morning.

Which was **READ** and **PASSED**.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

COMMITTEE REPORTS

Senate

Ought Not to Pass

The following **Ought Not to Pass** Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Reported by Senator LUDWIG for the Committee on **ENERGY AND NATURAL RESOURCES** Bill "An Act to Prohibit the Burying of Low-level Radioactive Waste" S.P. 89 L.D. 158

Reported by Senator TITCOMB for the Committee on **ENERGY AND NATURAL RESOURCES** Bill "An Act to Ensure Proper Disposal of Waste at Marinas" S.P. 98 L.D. 183

Reported by Senator BALDACCI for the Committee on **ENERGY AND NATURAL RESOURCES** Bill "An Act Regulating Maine Land Use Regulation Commission Zoning Practices" S.P. 124 L.D. 226

Reported by Senator LUDWIG for the Committee on **ENERGY AND NATURAL RESOURCES** Bill "An Act Relating to Solid Waste Management" S.P. 165 L.D. 377

Reported by Senator LUDWIG for the Committee on **ENERGY AND NATURAL RESOURCES** Bill "An Act to Create Citizen Councils on Unorganized Islands" S.P. 118 L.D. 217

Reported by Senator THERIAULT for the Committee on **TRANSPORTATION** Bill "An Act to Require the Secretary of State to Notify Owners When Motor Vehicle Registrations Are Due to Expire" S.P. 208 L.D. 535

Leave to Withdraw

The following **Leave to Withdraw** Report shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Reported by Senator GAUVREAU for the Committee on **JUDICIARY** Bill "An Act to Expand the Duties of the Maine Human Rights Commission" S.P. 69 L.D. 125

Ought to Pass As Amended

Senator **BALDACCI** for the Committee on **BUSINESS LEGISLATION** on Bill "An Act to Amend the Real Estate Brokerage Laws"

S.P. 64 L.D. 116

Reported that the same **Ought to Pass As Amended** by **Committee Amendment "A" (S-27)**.

Which Report was **READ** and **ACCEPTED**.

The Bill **READ ONCE**.

Committee Amendment "A" (S-27) **READ** and **ADOPTED**.

The Bill **TOMORROW ASSIGNED FOR SECOND READING**.

Bill "An Act to Amend the Requirements for Superintendent Certification" S.P. 419 L.D. 1131

Presented by Senator **BRAWN** of Knox
Cosponsored by Representative **NORTON** of Winthrop

Bill "An Act to Provide Educational Choice" S.P. 431 L.D. 1152

Presented by Senator **BRAWN** of Knox
Cosponsored by Senator **GOULD** of Waldo

Which were referred to the Committee on **EDUCATION** and **ORDERED PRINTED**.

Sent down for concurrence.

SENATE PAPERS

Bill "An Act to Amend the Teacher Retirement Laws" (Emergency)

S.P. 436 L.D. 1157

Presented by Senator **CLARK** of Cumberland
Cosponsored by Representative **JALBERT** of Lisbon and Representative **O'DEA** of Orono

Which was referred to the Committee on **AGING, RETIREMENT AND VETERANS** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Assist in the Management of Biomedical and Associated Wastes" S.P. 424 L.D. 1136

Presented by Senator **GILL** of Cumberland
Cosponsored by Representative **STEVENS** of Bangor, Representative **GWADOSKY** of Fairfield and Senator **BALDACCI** of Penobscot

Bill "An Act to Repeal Certain Redundant Laws Relating to the Bureau of Air Quality Control" S.P. 425 L.D. 1137

Presented by Senator **LUDWIG** of Aroostook
Cosponsored by Representative **GOULD** of Greenville and Representative **ANDERSON** of Woodland
Submitted by the Department of Environmental Protection pursuant to Joint Rule 24.

Which were referred to the Committee on **ENERGY AND NATURAL RESOURCES** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Eliminate the Requirement of Uninsured and Underinsured Motorist Coverage"

S.P. 417 L.D. 1129

Presented by Senator **MCCORMICK** of Kennebec

Which was referred to the Committee on **BANKING AND INSURANCE** and **ORDERED PRINTED**.

Sent down for concurrence.

Resolve, to Require Assistance for Economic and Community Development Activities (Emergency) S.P. 428 L.D. 1139

Presented by Senator **DUTREMBLE** of York
Cosponsored by Representative **DUTREMBLE** of Biddeford, Representative **PLOURDE** of Biddeford and Representative **SHELTRA** of Biddeford
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Committee on **HOUSING AND ECONOMIC DEVELOPMENT** suggested and **ORDERED PRINTED**.

Bill "An Act to Require Door-to-door Sellers of Frozen Foods to Disclose Actual Unit Prices"

S.P. 430 L.D. 1151

Presented by Senator **BRANNIGAN** of Cumberland
Cosponsored by Representative **GURNEY** of Portland and Representative **CONSTANTINE** of Bar Harbor

Which was referred to the Committee on **BUSINESS LEGISLATION** and **ORDERED PRINTED**.

Sent down for concurrence.

Which was, under suspension of the Rules, **READ TWICE**, without reference to a Committee.

On motion by Senator **CLARK** of Cumberland, Tabled
Unassigned, pending **PASSAGE TO BE ENGROSSED.**

Bill "An Act to Permit Timely Certificate of Need
Approval of Hospital Projects Identified as Urgent"
(Emergency)

S.P. 420 L.D. 1132

Presented by Senator **MILLS** of Oxford

Bill "An Act to Protect Citizens from the Effects
of Environmental Tobacco Smoke"

S.P. 422 L.D. 1134

Presented by Senator **MATTHEWS** of Kennebec
Cosponsored by Representative **PINES** of Limestone,
Representative **HEESCHEN** of Wilton and
Representative **DUPLESSIS** of Old Town

Bill "An Act to Extend the Reporting Deadline of
the Commission to Study the Certificate of Need Law
and the Impact of Competitive Market Forces on
Ambulatory Health Services" (Emergency)

S.P. 435 L.D. 1156

Presented by Senator **GAUVREAU** of Androscoggin
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 27.

Which were referred to the Committee on **HUMAN
RESOURCES** and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Clarify the Laws on Manslaughter
in the Workplace"

S.P. 416 L.D. 1128

Presented by Senator **GAUVREAU** of Androscoggin
Cosponsored by Senator **HOLLOWAY** of Lincoln,
Senator **CONLEY** of Cumberland and Representative
RICHARDS of Hampden

Bill "An Act to Amend Sentences of Imprisonment
for Class A Crimes Other Than Murder"

S.P. 421 L.D. 1133

Presented by Senator **CONLEY** of Cumberland

Which were referred to the Committee on **JUDICIARY**
and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Require Notification of Employee
Termination"

S.P. 432 L.D. 1153

Presented by Senator **BRAWN** of Knox
Cosponsored by Representative **ALIBERTI** of Lewiston

Which was referred to the Committee on **LABOR** and
ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Provide Affordable Housing in the
State"

S.P. 418 L.D. 1130

Presented by Senator **MATTHEWS** of Kennebec

Bill "An Act Concerning the Regulation of
Electronic Video Credit Machines by the State Police"

S.P. 423 L.D. 1135

Presented by Senator **CONLEY** of Cumberland
Cosponsored by Representative **DAGGETT** of Augusta,
Representative **STEVENS** of Sabattus and
Representative **GWADOSKY** of Fairfield

Bill "An Act to Allow Service of Civil Process by
any Licensed Private Investigator or Bonded Security
Agency"

S.P. 434 L.D. 1155

Presented by Senator **ESTY** of Cumberland
Cosponsored by Senator **GILL** of Cumberland,
Senator **GAUVREAU** of Androscoggin and
Representative **LEMKE** of Westbrook

Which were referred to the Committee on **LEGAL
AFFAIRS** and **ORDERED PRINTED.**

Sent down for concurrence.

Resolve, to Clear Title to Property in the Town
of Oxford (Emergency)

S.P. 429 L.D. 1150

Presented by Senator **BERUBE** of Androscoggin

Which was referred to the Committee on **STATE AND
LOCAL GOVERNMENT** and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Clarify the Tax Status of Nonprofit Hospitals, Nursing Homes and Boarding Homes" S.P. 433 L.D. 1154

Presented by Senator **BUSTIN** of Kennebec
Cosponsored by Senator **BOST** of Penobscot

Which was referred to the Committee on **TAXATION** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Clarify the Regulation of Water Districts" S.P. 426 L.D. 1138

Presented by Senator **CARPENTER** of York
Cosponsored by Representative **AIKMAN** of Poland and Senator **EMERSON** of Penobscot

Which was referred to the Committee on **UTILITIES** and **ORDERED PRINTED**.

Sent down for concurrence.

Under suspension of the Rules, all reference papers thus acted upon were ordered sent down forthwith for concurrence.

COMMITTEE REPORTS

House

Ought Not to Pass

The following **Ought Not to Pass** Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

From the Committee on **BUSINESS LEGISLATION** Bill "An Act to Regulate Welding" H.P. 356 L.D. 486

From the Committee on **EDUCATION** Bill "An Act to Allow Spouses of School Board Members to Work for the Same School District" H.P. 235 L.D. 326

From the Committee on **LEGAL AFFAIRS** Bill "An Act to Authorize Law Enforcement Officers of the University of Maine System to Enforce Municipal Parking Ordinances" H.P. 236 L.D. 327

Leave to Withdraw

The following **Leave to Withdraw** Report shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

From the Committee on **HUMAN RESOURCES** Bill "An Act to Suspend Administratively Certain Licenses Granted by the Department of Human Services" H.P. 348 L.D. 478

Change of Reference

The Committee on **HOUSING AND ECONOMIC DEVELOPMENT** on Bill "An Act to Increase Support for Affordable Housing" H.P. 404 L.D. 587

Reported that the same be **REFERRED** to the Committee on **TAXATION**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill and Accompanying Papers **REFERRED** to the Committee on **TAXATION**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill **REFERRED** to the Committee on **TAXATION**, in concurrence.

Senate

Leave to Withdraw

The following **Leave to Withdraw** Report shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Reported by Senator **ESTES** for the Committee on **MARINE RESOURCES** Bill "An Act to Change the Scalloping Season" S.P. 36 L.D. 52

SECOND READERS

The Committee on **Bills in the Second Reading** reported the following:

House

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

Which was **READ A SECOND TIME**.

On motion by Senator **CLARK** of Cumberland, Tabled 1 Legislative Day, pending **PASSAGE TO BE ENGROSSED**, in concurrence.

House As Amended

Bill "An Act Concerning the Use of Headlights in Inclement Weather"

H.P. 14 L.D. 17
(C "A" H-19)

Bill "An Act to Amend the Shellfish Licensing Laws" (Emergency)

H.P. 118 L.D. 163
(H "A" H-34)

Which were **READ A SECOND TIME** and **PASSED TO BE ENGROSSED, as Amended**, in concurrence.

Senate

Bill "An Act Regarding the Collection of Fines"
S.P. 135 L.D. 273

Bill "An Act to Permit Certain Retailers to Conduct Games of Chance"

S.P. 28 L.D. 38

Which were **READ A SECOND TIME** and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

Senate As Amended

Resolve, to Name the Waterville-Winslow Bridge the "Donald V. Carter Bridge"

S.P. 114 L.D. 210
(C "A" S-26)

Bill "An Act to Delay the Minimum Lobster Gauge Increases" (Emergency)

S.P. 132 L.D. 234
(C "A" S-25)

Which were **READ A SECOND TIME** and **PASSED TO BE ENGROSSED, as Amended**.

Sent down for concurrence.

RECALLED FROM LEGISLATIVE FILES

Bill "An Act to Ensure Access to Boards of Directors"
S.P. 38 L.D. 60

(In Senate, February 27, 1991, the **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(**RECALLED** from the Legislative Files, pursuant to Joint Order S.P. 415, in concurrence.)

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Baldacci.

Senator **BALDACCI:** Mr. President, is the Senate in possession of L.D. 60?

THE PRESIDENT: The Chair would answer in the affirmative the Bill having been recalled from the Legislative Files, pursuant to Joint Order S.P. 415.

On motion by Senator **BALDACCI** of Penobscot, the Bill was substituted for the Committee Report.

On further motion by same Senator, Bill and Accompanying Papers Recommended to the Committee on **BUSINESS LEGISLATION**.

Sent down for concurrence.

Off Record Remarks

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

Senator **BERUBE** of Androscoggin was granted unanimous consent to address the Senate on the Record.

Senator **BERUBE:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I was outside making a call in the Majority office, and I heard the word St. Patrick, and it seems to me that every year I have to rise and make a certain correction on the floor of this Body. I keep hearing that St. Patrick was an Irishman, and I know that tomorrow in Italy they are celebrating St. Joseph's Holiday. But I would like to remind everyone once and for all that St. Patrick was really St. Patrice. He was really born in Wales, we can hear Scotland, we can hear everywhere else, but he was really born in Wales of a Roman soldier and a Welch, in those days, mother.

This is an historical fact by the way, that he was captured by pirates who came from this country off of Great Britain, I guess called today, Ireland. He escaped when he was sixteen years of age, he was a slave, but he escaped and made his way to France, where he learned the niceties of life, and he learned

religious values, and joined the Monastery and became a Monk.

Many years later he was sent by his superiors to evangelize and christianize the then combative people that lived in that country up there where he had been a slave. At any rate, he was very successful. In fact, it was my understanding that he went to a county in Northern Ireland called County Entrum, if I am correct. It is difficult for some of us French-Canadian descendents to pronounce the words, and it hurts.

But I wanted to mention this, and also to this day the Irish people have maintained their Roman Catholic faith, and if not, their combativeness, and so to all of you who are of my seatmate's heritage I say, "Bonne journee de St. Patrice, Happy St. Patrick's Day, and always, always Erin Go Bragh".

Out of Order and Under Suspension of the Rules, the Senate considered the following:

COMMITTEE REPORTS

Senate

Leave to Withdraw

The following **Leave to Withdraw** Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Reported by Senator **CONLEY** for the Committee on **HUMAN RESOURCES** Bill "An Act to Restrict the Consumption of Alcoholic Beverages in Licensed Day Care Homes"

S.P. 111 L.D. 208

Reported by Senator **CONLEY** for the Committee on **HUMAN RESOURCES** Bill "An Act to Increase the Funding Level for Congregate Housing"

S.P. 167 L.D. 379

Ought to Pass

Senator **BUSTIN** for the Committee on **STATE AND LOCAL GOVERNMENT** on Resolve, to Rename Pickle Island to Woodie Wheaton Island

S.P. 284 L.D. 766

Reports that the same **Ought to Pass**.

Which Report was **READ** and **ACCEPTED**.

The Resolve **READ ONCE**.

The Resolve **TOMORROW ASSIGNED FOR SECOND READING**.

Senator **WEBSTER** of Franklin was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

ORDERS OF THE DAY

On motion by Senator **CLARK** of Cumberland, the Senate removed from the Unassigned Table the following:

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

Tabled - February 28, 1991, by Senator **CLARK** of Cumberland.

Pending - **REFERENCE**

(Committee on **STATE AND LOCAL GOVERNMENT** suggested and **ORDERED PRINTED**.)

On further motion by same Senator, referred to the Committee on **STATE AND LOCAL GOVERNMENT** and **ORDERED PRINTED**.

Sent down for concurrence.

The **ADJOURNMENT ORDER** having been returned from the House **READ** and **PASSED**, in concurrence, on motion by Senator **CONLEY** of Cumberland, **ADJOURNED** until Thursday, March 21, 1991, at 11:00 in the morning.