

# 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  
April 1, 1991

Senate called to Order by the President.

Prayer by The Honorable Beverly Miner Bustin of  
Kennebec.

**SENATOR BEVERLY MINER BUSTIN:** O Supreme Being,  
guide us to become an instrument of Your Peace, so  
that we may truly be a part of Your people here in  
Maine. As You have helped Solomon, Ghandi, and  
others to wisdom, help us. Help us to acknowledge  
our weaknesses. Help us to try again to be the  
leaders of our people. Help us find the strength of  
reason and body, so that we can do the work that is  
the responsibility of this Legislature. Help us put  
aside our presuppositions so that we can come  
together for the advantage of all the people of  
Maine. We ask this help in the name of all Your  
prophets and saints. Amen.

Reading of the Journal of Thursday, March 28, 1991.

Out of order and under suspension of the Rules,  
on motion by Senator **DUTREMBLE** of York, the following  
Joint Order:

S.P. 517

ORDERED, the House concurring that when the House  
and Senate adjourn, they do so until Thursday, April  
4, 1991 at five o'clock in the afternoon.

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

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act to Establish the Maine Volunteer  
Firefighters Retirement System" (Emergency)  
H.P. 926 L.D. 1323

Comes from the House referred to the Committee on  
**AGING, RETIREMENT AND VETERANS** and **ORDERED PRINTED**.

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

Bill "An Act to Revise the Law Protecting  
Farmers' Rights to Farm"  
H.P. 920 L.D. 1317

Bill "An Act to Revise the Maine Horticultural  
Laws"  
H.P. 923 L.D. 1320

Bill "An Act to Increase the Fees for Dog  
Licenses"  
H.P. 932 L.D. 1352

Come from the House referred to the Committee on  
**AGRICULTURE** and **ORDERED PRINTED**.

Which were referred to the Committee on  
**AGRICULTURE** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Establish Capital Improvement  
Programs"  
H.P. 881 L.D. 1272

Committee on **TRANSPORTATION** suggested and **ORDERED  
PRINTED**.

Comes from the House referred to the Committee on  
**APPROPRIATIONS AND FINANCIAL AFFAIRS** and **ORDERED  
PRINTED**.

Which was referred to the Committee on  
**APPROPRIATIONS AND FINANCIAL AFFAIRS** and **ORDERED  
PRINTED**, in concurrence.

Bill "An Act to Clarify Regulation of Private  
Label Credit Cards"  
H.P. 895 L.D. 1292

Bill "An Act to Require that Health Care Provide  
Guaranteed Insurance"  
H.P. 917 L.D. 1314

Bill "An Act Relating to Insurance of Rental  
Motor Vehicles"  
H.P. 934 L.D. 1354

Come from the House referred to the Committee on **BANKING AND INSURANCE** and **ORDERED PRINTED**.

Which were referred to the Committee on **BANKING AND INSURANCE** and **ORDERED PRINTED**, in concurrence.

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Bill "An Act to Amend the Maine Health Program"  
H.P. 930 L.D. 1350

Committee on **HUMAN RESOURCES** suggested and **ORDERED PRINTED**.

Comes from the House referred to the Committee on **BANKING AND INSURANCE** and **ORDERED PRINTED**.

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

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Bill "An Act to Expand the Financing Options of Self-insurers for Securing the Obligation to Pay Compensation and Benefits under the Workers' Compensation Act"  
H.P. 935 L.D. 1355

Committee on **LABOR** suggested and **ORDERED PRINTED**.

Comes from the House referred to the Committee on **BANKING AND INSURANCE** and **ORDERED PRINTED**.

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

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Bill "An Act Concerning Outdoor Advertising"  
H.P. 894 L.D. 1291

Bill "An Act to Prohibit Pawn Brokers from Imposing Unfair Interest Rates"  
H.P. 906 L.D. 1303

Bill "An Act to Amend the Sunday Sales Laws"  
H.P. 911 L.D. 1308

Bill "An Act to Provide for Changes to the Membership of the Electricians' Examining Board"  
H.P. 912 L.D. 1309

Bill "An Act to Clarify Board Membership Qualifications and Make Necessary Fee Adjustments to Meet Board and Departmental Operating Expenses for the State Board of Licensure for Professional Foresters" (Emergency)  
H.P. 919 L.D. 1316

Bill "An Act to Amend the Laws Regulating Aestheticians"  
H.P. 927 L.D. 1324

Come from the House referred to the Committee on **BUSINESS LEGISLATION** and **ORDERED PRINTED**.

Which were referred to the Committee on **BUSINESS LEGISLATION** and **ORDERED PRINTED**, in concurrence.

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Bill "An Act to Notify the Probation Officer and the Probationer When a Motion Is Filed to Terminate Probation at a Time Earlier Than That Provided for in the Sentence"  
H.P. 878 L.D. 1269

Committee on **JUDICIARY** suggested and **ORDERED PRINTED**.

Comes from the House referred to the Joint Select Committee on **CORRECTIONS** and **ORDERED PRINTED**.

Which was referred to the Joint Select Committee on **CORRECTIONS** and **ORDERED PRINTED**, in concurrence.

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Bill "An Act Relating to the Employment of School Board Members"  
H.P. 903 L.D. 1300

Bill "An Act Concerning State Education Mandate Waivers"  
H.P. 908 L.D. 1305

Come from the House referred to the Committee on **EDUCATION** and **ORDERED PRINTED**.

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

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Bill "An Act to Promote Comprehensive and Consistent Statewide Environmental Policy and Regulation"  
H.P. 892 L.D. 1289

Bill "An Act Concerning Dredging within the Webhannet River Estuary"  
H.P. 905 L.D. 1302

Bill "An Act to Reduce Littering"  
H.P. 909 L.D. 1306

Resolve, Authorizing the Sale of Certain Public Lands  
H.P. 914 L.D. 1311

Bill "An Act to Safeguard Production of Ground Water"  
H.P. 924 L.D. 1321

Bill "An Act to Amend the Laws Pertaining to Asbestos Removal"  
H.P. 937 L.D. 1357

Come from the House referred to the Committee on **ENERGY AND NATURAL RESOURCES** and **ORDERED PRINTED**.

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

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Bill "An Act to Create an Exemption for Pleasant Pond Dam"  
H.P. 907 L.D. 1304

Committee on **UTILITIES** suggested and **ORDERED PRINTED**.

Comes from the House referred to the Committee on **ENERGY AND NATURAL RESOURCES** and **ORDERED PRINTED**.

Which was referred to the Committee on **ENERGY AND NATURAL RESOURCES** and **ORDERED PRINTED**, in concurrence.

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Bill "An Act to Clarify Municipal Authority in Regulating Activities on Local Water Bodies Concerning Fishing or Ice Fishing"  
H.P. 899 L.D. 1296

Bill "An Act Regarding Deer Hunting Apparel Requirements"  
H.P. 900 L.D. 1297

Come from the House referred to the Committee on **FISHERIES AND WILDLIFE** and **ORDERED PRINTED**.

Which were referred to the Committee on **FISHERIES AND WILDLIFE** and **ORDERED PRINTED**, in concurrence.

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Bill "An Act to Modify the Radiation Protection Laws"  
H.P. 904 L.D. 1301

Comes from the House referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**.

Which was referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**, in concurrence.

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Bill "An Act to Clarify the Time for Taking an Appeal by the State from the Juvenile Court to the Superior Court"  
H.P. 898 L.D. 1295

Bill "An Act Concerning Visitation Rights of Grandparents of Minor Children in the Event of the Death of a Parent"  
H.P. 910 L.D. 1307

Come from the House referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**.

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

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Bill "An Act to Clarify Appellate Procedures under the Public Sector Labor Laws"  
H.P. 925 L.D. 1322

Comes from the House referred to the Committee on **LABOR** and **ORDERED PRINTED**.

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

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Bill "An Act to Improve the Smoke Detector Laws"  
H.P. 897 L.D. 1294

Bill "An Act to Strengthen the Prohibition Against Illegal Transportation of Alcohol by Minors"  
H.P. 901 L.D. 1298

Bill "An Act to Revise Certain Provisions of the Medical Examiner Act and Provide for the Collection and Retention of Records to Identify Certain Missing Persons"

H.P. 915 L.D. 1312

Bill "An Act Concerning Mobile Home Parks"

H.P. 922 L.D. 1319

Bill "An Act to Establish a Reward for Reports of Operating under the Influence Offenses"

H.P. 929 L.D. 1349

Come from the House referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**.

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

Bill "An Act to Clarify the Authority of Law Enforcement Officers to Release Certain Arrested Individuals on Their Personal Recognizance"

H.P. 896 L.D. 1293

Committee on **JUDICIARY** suggested and **ORDERED PRINTED**.

Comes from the House referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**.

Which was referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Restore Criminal Sanctions for Failure to Obey Lawful Orders of Harbormasters"

H.P. 893 L.D. 1290

Comes from the House referred to the Committee on **MARINE RESOURCES** and **ORDERED PRINTED**.

Which was referred to the Committee on **MARINE RESOURCES** and **ORDERED PRINTED**, in concurrence.

Bill "An Act Regarding Training Costs of Police Officers"

H.P. 890 L.D. 1287

Bill "An Act to Promote Fully Informed Legislation and Rulemaking"

H.P. 913 L.D. 1310

Bill "An Act to Improve the Efficiency of County Government"

H.P. 918 L.D. 1315

Bill "An Act to Reconstitute the Township of Misery-Sapling Gore"

H.P. 928 L.D. 1348

Come from the House referred to the Committee on **STATE AND LOCAL GOVERNMENT** and **ORDERED PRINTED**.

Which were referred to the Committee on **STATE AND LOCAL GOVERNMENT** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Amend the Criteria for Assessment of Property Tax"

H.P. 891 L.D. 1288

Bill "An Act to Redefine Nonprofit Status in the Sales and Use Tax Law"

H.P. 902 L.D. 1299

Bill "An Act to Ensure Progressivity in the Income Tax Structure" (Emergency)

H.P. 916 L.D. 1313

Bill "An Act to Establish Municipal Land Banks"

H.P. 921 L.D. 1318

Bill "An Act to Clarify the Property Tax Exemption of Religious Institutions and Organizations"

H.P. 931 L.D. 1351

Bill "An Act to Establish Municipal Cost Components for Services to be Rendered in Fiscal Year 1991-92" (Emergency)

H.P. 933 L.D. 1353

Come from the House referred to the Committee on **TAXATION** and **ORDERED PRINTED**.

Which were referred to the Committee on **TAXATION** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Clarify Certain Commercial Vehicle Size and Weight Provisions"

H.P. 936 L.D. 1356

Comes from the House referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**.

Which was referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**, in concurrence.

Roland Caron of Eagle Lake  
James Howaniec of Lewiston  
Charlene Kinnelly of Hallowell  
Edward Laverty of Orono  
Patrick McGowan of Canaan  
Donald Nicoll of Portland  
Bonnie Post of Owl's Head  
John Rosser of Portland

**COMMUNICATIONS**

The Following Communication:

Sincerely,

**115TH MAINE LEGISLATURE**

S/Charles P. Pray  
President of the Senate

S/John L. Martin  
Speaker of the House

March 26, 1991

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

Honorable Joy J. O'Brien  
Secretary of the Senate  
State House Station 3  
Augusta, Maine 04333

**SENATE PAPERS**

Dear Secretary O'Brien:

Bill "An Act to Amend the Automobile Insurance Laws"  
S.P. 512 L.D. 1373

This is to notify you that pursuant to our authority under Chapter 9 of the Public Laws of 1991, we have today appointed the following to serve on the Task Force to Evaluate Restructuring the Aid to Families with Dependent Children Program and the Medical Care - Payments to Providers Program:

Presented by Senator **CAHILL** of Sagadahoc

Rep. Donald H. Gean of Alfred  
Rep. Donald A. Strout of Corinth  
Christine Hastedt of Freeport

Bill "An Act to Authorize Financial Institutions and Credit Unions to Sell Annuities"  
S.P. 514 L.D. 1375

Sincerely,

Presented by Senator **BRANNIGAN** of Cumberland  
Cosponsored by Representative **GWADOSKY** of  
Fairfield and Representative **ERWIN** of Rumford

S/Charles P. Pray  
President of the Senate

S/John L. Martin  
Speaker of the House

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

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

Sent down for concurrence.

The Following Communication:

**115TH MAINE LEGISLATURE**

Bill "An Act to Clarify the Workers' Compensation Act"  
S.P. 513 L.D. 1374

March 28, 1991

Presented by Senator **CONLEY** of Cumberland

Honorable Joy J. O'Brien  
Secretary of the Senate  
State House Station 3  
Augusta, Maine 04333

Bill "An Act to Promote Economic Development"  
S.P. 515 L.D. 1376

Dear Secretary O'Brien:

Presented by Senator **CONLEY** of Cumberland  
Cosponsored by President **PRAY** of Penobscot

This is to notify you that pursuant to our authority under Chapter 9 of the Public Laws of 1991, we have today appointed the following to serve on the Special Commission on Governmental Restructuring:

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

Sent down for concurrence.

Bill "An Act to Create a State Municipalities Investment Pool"

S.P. 516 L.D. 1377

Presented by President **PRAY** of Penobscot  
Cosponsored by Representative **GWADOSKY** of  
Fairfield, Senator **BUSTIN** of Kennebec and  
Representative **GOODRIDGE** of Pittsfield

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

Sent down for concurrence.

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

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

**SENATE PAPERS**

Bill "An Act to Institute a System of No-fault Automobile Insurance"

S.P. 529 L.D. 1407

Presented by Senator **COLLINS** of Aroostook  
Cosponsored by Representative **DONNELLY** of Presque Isle

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

Sent down for concurrence.

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Bill "An Act to Establish the Maine Correctional Institution - Warren"

S.P. 518 L.D. 1396

Presented by Senator **GILL** of Cumberland  
Cosponsored by Senator **BUSTIN** of Kennebec,  
Representative **MELENDY** of Rockland and  
Representative **NORTON** of Winthrop  
Submitted by the Department of Corrections  
pursuant to Joint Rule 24.

Which was referred to the Joint Select Committee on **CORRECTIONS** and **ORDERED PRINTED**.

Sent down for concurrence.

---

Bill "An Act to Increase the Minimum State Share of Total Education Costs"

S.P. 521 L.D. 1399

Presented by Senator **ESTES** of York  
Cosponsored by Senator **BOST** of Penobscot and  
Representative **ERWIN** of Rumford

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

Sent down for concurrence.

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Bill "An Act to Establish a Seasonal Permit for the Sale of Deer Hides"

S.P. 519 L.D. 1397

Presented by Senator **SUMMERS** of Cumberland  
Cosponsored by Representative **GREENLAW** of  
Standish, Representative **RUHLIN** of Brewer and  
Senator **MATTHEWS** of Kennebec  
Approved for introduction by the majority of the  
Legislative Council pursuant to Joint Rule 27.

Which was referred to the Committee on **FISHERIES AND WILDLIFE** and **ORDERED PRINTED**.

Sent down for concurrence.

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Bill "An Act to Appropriate Funds for Support Services for Persons Who Are Homeless"

S.P. 520 L.D. 1398

Presented by Senator **BRANNIGAN** of Cumberland  
Cosponsored by Representative **OLIVER** of Portland

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

Sent down for concurrence.

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Bill "An Act Concerning Discrimination under the Maine Human Rights Act and the Workers' Compensation Act"

S.P. 525 L.D. 1403

Presented by Senator **CONLEY** of Cumberland  
Cosponsored by Representative **FARNSWORTH** of  
Hallowell and Senator **BUSTIN** of Kennebec

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

Sent down for concurrence.

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Bill "An Act to Base Workers' Compensation Insurance Surcharge on Preventable Injuries"  
S.P. 523 L.D. 1401

Presented by Senator **CONLEY** of Cumberland  
Cosponsored by Representative **RAND** of Portland  
and Senator **BUSTIN** of Kennebec

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

Sent down for concurrence.

Bill "An Act Relating to Mobile Home Parks"  
S.P. 528 L.D. 1406

Presented by Senator **ESTY** of Cumberland  
Cosponsored by Representative **LAWRENCE** of Kittery  
and Representative **RYDELL** of Brunswick

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

Sent down for concurrence.

Bill "An Act to Provide Confidentiality of Proprietary Data Provided to State Agencies"  
S.P. 524 L.D. 1402

Presented by Senator **EMERSON** of Penobscot  
Cosponsored by Senator **BERUBE** of Androscoggin and  
Representative **BOUTILIER** of Lewiston  
Submitted by the Department of Transportation  
pursuant to Joint Rule 24.

Resolve, Requiring the Maine State Housing Authority to Study Continuing Care Retirement Communities and Life Care Communities  
S.P. 526 L.D. 1404

Presented by Senator **GILL** of Cumberland

Bill "An Act to Provide Confidentiality for the Records of Individuals Who Receive Funds from a Community Development Program Created Pursuant to the Maine Revised Statutes, Title 30-A, Chapter 205"  
S.P. 527 L.D. 1405

Presented by Senator **CLEVELAND** of Androscoggin  
Cosponsored by Senator **EMERSON** of Penobscot

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

Sent down for concurrence.

Bill "An Act to Provide State Reimbursement to Municipalities for Property Tax Losses Due to State-owned Property"  
S.P. 522 L.D. 1400

Presented by Senator **BUSTIN** of Kennebec  
Cosponsored by Representative **PARADIS** of Augusta  
and Representative **MAYO** of Thomaston

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

Sent down for concurrence.

Under suspension of the Rules, all matters 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 Prohibit Insurance Companies From Referring Clients Directly to Particular Glass Companies"  
H.P. 163 L.D. 248

From the Committee on **BUSINESS LEGISLATION** Bill "An Act to Allow Home Buyers to Conduct Inspections for Radon and Other Hazardous Substances"  
H.P. 479 L.D. 673

From the Committee on **BUSINESS LEGISLATION** Bill "An Act to Cover Replacement Vehicle Costs"  
H.P. 629 L.D. 899

From the Committee on **FISHERIES AND WILDLIFE** Bill "An Act to Create a Wildlife Management Area in the Town of Gray"  
H.P. 320 L.D. 450

From the Committee on **FISHERIES AND WILDLIFE** Bill "An Act to Issue Doe Permits to Physically Disabled Persons Upon Request from the Commissioner of Inland Fisheries and Wildlife"  
H.P. 571 L.D. 822

From the Committee on **HUMAN RESOURCES** Bill "An Act to Provide Funding for Certain Dual Diagnosis Treatment Services"  
H.P. 197 L.D. 288

From the Committee on **HUMAN RESOURCES** Bill "An Act to Provide Funding for Certain Mental Health Services"

H.P. 583 L.D. 834

From the Committee on **JUDICIARY** Bill "An Act to Limit Judicial Immunity in Certain Domestic Relations Matters"

H.P. 38 L.D. 54

From the Committee on **JUDICIARY** Bill "An Act to Ensure That Young Adults Are Treated as Adults for Failing to Appear for Hearings Held in Connection with Juvenile Crimes"

H.P. 39 L.D. 55

From the Committee on **JUDICIARY** Bill "An Act to Amend the Laws Governing Parental Rights and Responsibilities in Domestic Relations Matters"

H.P. 42 L.D. 58

From the Committee on **JUDICIARY** Bill "An Act to Permit Jury Duty Exemptions for Primary Caregivers of Children Under the Age of 15"

H.P. 229 L.D. 320

From the Committee on **JUDICIARY** Bill "An Act Regarding Proceedings of the Board of Overseers of the Bar"

H.P. 448 L.D. 638

From the Committee on **LEGAL AFFAIRS** Bill "An Act to Remove Residency Restrictions from the Office of Registrar of Voters"

H.P. 43 L.D. 62

From the Committee on **LEGAL AFFAIRS** Bill "An Act to Amend Laws Relating to Political Campaigning"

H.P. 146 L.D. 218

From the Committee on **LEGAL AFFAIRS** Bill "An Act to Establish September Primary Elections"

H.P. 219 L.D. 310

From the Committee on **LEGAL AFFAIRS** Resolve, Authorizing Arthur Slotsky to Bring a Civil Action against the State

H.P. 290 L.D. 411

From the Committee on **LEGAL AFFAIRS** Resolve, Authorizing David Boone to Bring a Civil Action against the State of Maine

H.P. 292 L.D. 413

From the Committee on **LEGAL AFFAIRS** Bill "An Act Concerning Campaign Sign Posts"

H.P. 378 L.D. 552

From the Committee on **LEGAL AFFAIRS** Bill "An Act to Amend the Prohibition Against the Sale of Liquor on Sundays"

H.P. 458 L.D. 649

From the Committee on **LEGAL AFFAIRS** Bill "An Act to Expedite and Improve Procedures Relating to Election Materials"

H.P. 461 L.D. 652

From the Committee on **LEGAL AFFAIRS** Bill "An Act to Allow Reasonable Inspection of Absentee Ballots"

H.P. 489 L.D. 683

From the Committee on **LEGAL AFFAIRS** Bill "An Act to Amend the Election Laws"

H.P. 542 L.D. 779

From the Committee on **MARINE RESOURCES** Bill "An Act to Protect Scuba Divers and Boaters"

H.P. 301 L.D. 422

From the Committee on **TAXATION** Bill "An Act to Clarify the Laws Relating to Property Tax Abatements"

H.P. 576 L.D. 827

From the Committee on **UTILITIES** Bill "An Act to Limit Compensation of Utility Executives to Comparable Salaries of State Officials"

H.P. 492 L.D. 686

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**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:

From the Committee on **AGRICULTURE** Bill "An Act Setting Up the Office of Farmland Development Rights"

H.P. 339 L.D. 469

From the Committee on **AGRICULTURE** Bill "An Act to Prevent Damage to Agricultural Crops, Beehives and Livestock Caused by Wildlife and to Compensate Agricultural Producers for Losses"

H.P. 637 L.D. 907

From the Committee on **BANKING AND INSURANCE** Bill "An Act to Promote Health Insurance for Workers in Health Care Facilities and Hospitals"

H.P. 599 L.D. 859

From the Committee on **BANKING AND INSURANCE** Bill "An Act Concerning the Provision of Loss Information by an Insurer"

H.P. 675 L.D. 974

From the Committee on **FISHERIES AND WILDLIFE** Bill "An Act to Ensure That Wildlife Rehabilitators Are Reimbursed for Actual Costs"

H.P. 345 L.D. 475

From the Committee on **FISHERIES AND WILDLIFE** Bill "An Act Concerning Liability for Licenses, Permits or Registration Forms Lost by Agents of the Department of Inland Fisheries and Wildlife"

H.P. 428 L.D. 611

From the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** Bill "An Act to Promote Affordable Housing and Comprehensive Planning"

H.P. 206 L.D. 297

From the Committee on **JUDICIARY** Resolve, to Review the Probate System of Maine (Emergency)

H.P. 129 L.D. 174

From the Committee on **JUDICIARY** Bill "An Act Regarding Claim and Notice of Disclosure"

H.P. 179 L.D. 264

From the Committee on **LEGAL AFFAIRS** Bill "An Act to Limit Campaign Contributions to Candidates and Candidates' Political Committees"

H.P. 445 L.D. 635

From the Committee on **TAXATION** Bill "An Act to Authorize a Local Option Sales Tax"

H.P. 311 L.D. 441

From the Committee on **TAXATION** Bill "An Act to Amend the Maine Residents Property Tax Program for Elderly Households"

H.P. 315 L.D. 445

From the Committee on **TAXATION** Bill "An Act Relating to Income Taxation of Part-time Residents"

H.P. 323 L.D. 453

From the Committee on **TAXATION** Bill "An Act Permitting Abatement of Property Tax under Catastrophic Circumstances"

H.P. 350 L.D. 480

From the Committee on **TAXATION** Bill "An Act Authorizing Counties to Choose Alternative Sources of Revenue"

H.P. 475 L.D. 669

From the Committee on **TAXATION** Bill "An Act to Award Costs to the Prevailing Party in Property Tax Abatement Cases"

H.P. 495 L.D. 689

From the Committee on **TAXATION** Bill "An Act to Require That Property Taxed under the Maine Tree Growth Tax Law and the Farm and Open Space Tax Laws Be Recorded in the Registry of Deeds"

H.P. 540 L.D. 777

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**Change of Reference**

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Improve the Standard of Living for Children from Low-income Families" (Emergency)

H.P. 766 L.D. 1100

Reported that the same be **REFERRED** to the Committee on **HUMAN RESOURCES**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **HUMAN RESOURCES**.

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

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

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The Committee on **BUSINESS LEGISLATION** on Bill "An Act to Prohibit Telephone Solicitation in Maine"

H.P. 231 L.D. 322

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

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

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

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

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The Committee on **FISHERIES AND WILDLIFE** on Bill "An Act to Promote Safety While Hunting"

H.P. 705 L.D. 1010

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

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

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

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

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**Ought to Pass**

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

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

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

The Bill **READ ONCE**.

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

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**Ought to Pass As Amended**

The Committee on **ENERGY AND NATURAL RESOURCES** on Bill "An Act Regarding Zoning Variances"  
H.P. 135 L.D. 195

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-48)**.

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-48)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-48) **READ** and **ADOPTED**, in concurrence.

The Bill as **Amended, TOMORROW ASSIGNED FOR SECOND READING**.

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The Committee on **HUMAN RESOURCES** on Bill "An Act to Increase the Availability of Funding for Health Care"  
H.P. 281 L.D. 401

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-49)**.

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-49)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-49) **READ** and **ADOPTED**, in concurrence.

The Bill as **Amended, TOMORROW ASSIGNED FOR SECOND READING**.

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**SECOND READERS**

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

**House**

Bill "An Act to Amend the Law Regarding the Display of Legislative Plates" (Emergency)  
H.P. 322 L.D. 452

Bill "An Act to Expand the Availability of Automatic Liens to Certain Businesses"  
H.P. 399 L.D. 573

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

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Bill "An Act Concerning Succession to the Position of Treasurer of State"  
H.P. 103 L.D. 146

Which was **READ A SECOND TIME**.

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

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**House As Amended**

Bill "An Act Concerning Open Burning Regulations" (Emergency)  
H.P. 2 L.D. 2  
(C "A" H-41)

Bill "An Act to Clarify the Waste Transfer Station Setback Requirements"  
H.P. 12 L.D. 15  
(C "A" H-42)

Bill "An Act to Amend the Laws Concerning Registration of Camp Trailers"

H.P. 36 L.D. 50  
(C "A" H-37)

Resolve, Authorizing the State to Release Its Interest in Certain Real Property in Rumford, Maine

H.P. 68 L.D. 96  
(C "A" H-44)

Bill "An Act to Amend Qualifying Standards Applicable to Reinsurance Transactions"

H.P. 255 L.D. 346  
(C "A" H-39)

Bill "An Act to Amend Certain Provisions of the Laws Relating to Health Insurance"

H.P. 257 L.D. 348  
(C "A" H-47)

Bill "An Act to Amend the Juvenile Code Regarding Detention in Homicide Cases"

H.P. 264 L.D. 384  
(C "A" H-40)

Bill "An Act to Prohibit Coerced and Connected Sales in Insurance"

H.P. 273 L.D. 393  
(C "A" H-46)

Bill "An Act to Require Telephone Companies to Include Emergency Numbers for Sheriffs' Departments in Directories"

H.P. 305 L.D. 435  
(C "A" H-45)

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

**Senate**

Bill "An Act to Define the Boundary between the Towns of Madison, Norridgewock and Skowhegan"

S.P. 91 L.D. 176

Bill "An Act Providing a Procedure for the Termination of the Degree-granting Authority of Educational Institutions"

S.P. 273 L.D. 732

Bill "An Act to Provide Funding for Volunteer Literacy Services for Maine Citizens" (Emergency)

S.P. 291 L.D. 773

Bill "An Act to Amend the Maine Lemon Law"

S.P. 315 L.D. 853

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

Sent down for concurrence.

**Senate As Amended**

Bill "An Act to Regulate Water Utilities" (Emergency)

S.P. 19 L.D. 8  
(C "A" S-31)

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

Sent down for concurrence.

**ENACTORS**

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

An Act to Permit Certain Retailers to Conduct Games of Chance

S.P. 28 L.D. 38

An Act to Establish a Permanent License System for Older Citizens

H.P. 33 L.D. 43  
(C "A" H-26)

An Act Concerning Capital Improvements and Impact Fees

H.P. 44 L.D. 63  
(C "A" H-22)

An Act Regarding Possession of Certain Weapons, Implements or Aids

H.P. 78 L.D. 106  
(C "A" H-23)

An Act to Improve the Enforcement of the Maine Insurance Code

S.P. 105 L.D. 202  
(H "A" H-29)

An Act Relating to Medicare Supplement Insurance

S.P. 106 L.D. 203  
(H "A" H-28)

An Act to Amend the Definition of a Street Rod

H.P. 151 L.D. 236  
(C "A" H-27)

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

An Act to Allow Minors to Make Anatomical Gifts  
H.P. 186 L.D. 279  
(C "A" H-36)

An Act to Amend Maine's Commercial Lines  
Cancellation Laws  
H.P. 427 L.D. 610

Which were **PASSED TO BE ENACTED** and having been signed by the President, were presented by the Secretary to the Governor for his approval.

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**Resolve**

Resolve, to Name the Waterville-Winslow Bridge the "Donald V. Carter Bridge"  
S.P. 114 L.D. 210  
(C "A" S-26)

Which was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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**Emergency**

An Act to Conform the Maine Income Tax Law for 1990 with the United States Internal Revenue Code  
H.P. 8 L.D. 11

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with No Senators having voted in negative, and 25 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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**Emergency**

An Act to Amend the Long Pond Water District Charter  
H.P. 85 L.D. 119  
(C "A" H-24)

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with No Senators having voted in negative, and 26 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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**Emergency**

An Act to Amend the Law Concerning Failure to Wear a Flotation Device  
H.P. 105 L.D. 148  
(C "A" H-25)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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**Emergency**

An Act to Delay the Minimum Lobster Gauge Increases  
S.P. 132 L.D. 234  
(C "A" S-25)

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with No Senators having voted in negative, and 25 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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**Emergency**

An Act to Provide for a Student Member of the Board of Trustees of the Maine Technical College System  
H.P. 173 L.D. 258  
(C "A" H-35)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

**Emergency**

An Act to Provide Funds to the Maine Rural Water Association for Services to Water and Wastewater Systems

H.P. 328 L.D. 458

On motion by Senator PEARSON of Penobscot, placed on the SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

**Emergency Resolve**

Resolve, to Require Assistance for Economic and Community Development Activities

S.P. 428 L.D. 1139  
(S "A" S-30)

On motion by Senator DUTREMBLE of York, Tabled Unassigned, pending FINAL PASSAGE.

**ORDERS OF THE DAY**

The Chair laid before the Senate the Tabled and Specially Assigned matter:

Bill "An Act to Protect Children from Illegal Tobacco Sales"

S.P. 506 L.D. 1344

Tabled - March 28, 1991, by Senator CLARK of Cumberland.

Pending - REFERENCE

(Committee on LEGAL AFFAIRS suggested and ORDERED PRINTED.)

On motion by Senator BALDACCI of Penobscot, referred to the Committee on BUSINESS LEGISLATION.

Sent down for concurrence.

The Chair laid before the Senate the Tabled and Specially Assigned matter:

Bill "An Act to Exempt the Repair and Maintenance of Road Culverts from Approval by the Department of Environmental Protection"

H.P. 98 L.D. 139

Tabled - March 28, 1991, by Senator CLARK of Cumberland.

Pending - ADOPTION of House Amendment "A" (H-50) to Committee Amendment "A" (H-43), in concurrence

(In Senate, March 28, 1991, House Amendment "A" (H-50) to Committee Amendment "A" (H-43) READ.)

(In House, March 25, 1991, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-43) AS AMENDED BY HOUSE AMENDMENT "A" (H-50) thereto.)

House Amendment "A" (H-50) to Committee Amendment "A" (H-43) ADOPTED, in concurrence.

Committee Amendment "A" (H-43) as Amended by House Amendment "A" (H-50) thereto, ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

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 TITCOMB for the Committee on ENERGY AND NATURAL RESOURCES Bill "An Act to Ease Municipal Solid Waste Costs" (Emergency)  
S.P. 240 L.D. 631

Reported by Senator GAUVREAU for the Committee on JUDICIARY Bill "An Act Regarding Harassment by Telephone"  
S.P. 176 L.D. 431

Reported by Senator GAUVREAU for the Committee on JUDICIARY Bill "An Act to Allow the Maine Human Rights Commission to Recover Litigation Costs"  
S.P. 219 L.D. 546

**Ought to Pass As Amended**

Senator BALDACCI for the Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Expand the Applicability of Certain Energy Standards"  
S.P. 149 L.D. 361

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (S-34)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-34) **READ** and **ADOPTED**.

The Bill as **Amended, TOMORROW ASSIGNED FOR SECOND READING**.

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Senator **GAUVREAU** for the Committee on **JUDICIARY** on Bill "An Act to Modify the Law Relating to Continuing Deliberation by a Civil Jury in the Face of Disagreement"

S.P. 313 L.D. 851

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (S-36)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-36) **READ** and **ADOPTED**.

The Bill as **Amended, TOMORROW ASSIGNED FOR SECOND READING**.

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#### Divided Report

The Majority of the Committee on **ENERGY AND NATURAL RESOURCES** on Bill "An Act to Prohibit the Use of All-terrain Vehicles in State Parks"

S.P. 166 L.D. 378

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

TITCOMB of Cumberland  
BALDACCI of Penobscot  
LUDWIG of Aroostook

Representatives:

LORD of Waterboro  
COLES of Harpswell  
ANDERSON of Woodland  
HUGLUND of Portland  
JACQUES of Waterville  
POWERS of Coplin Plantation  
MARSH of West Gardiner  
GOULD of Greenville

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-35)**.

Signed:

Representatives:

MITCHELL of Freeport  
SIMPSON of Casco

Which Reports were **READ**.

The Senate **ACCEPTED** the Majority **UGHT NOT TO PASS** Report.

Sent down for concurrence..

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Senate at Ease

Senate called to order by the President.

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Off Record Remarks

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The **ADJOURNMENT ORDER** having been returned from the House **READ** and **PASSED**, in concurrence, on motion by Senator **ESTY** of Cumberland, **ADJOURNED** until Thursday, April 4, 1991, at 5:00 in the afternoon.