

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 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 8, 1991

Senate called to Order by the President.

Prayer by Pastor Donald Miller of the Trinity
Orthodox Presbyterian Church in Auburn.

PASTOR DONALD MILLER: Let us pray. Almighty and
everlasting God, Who has given us this good state for
our heritage, that we may always prove ourselves
Senators mindful of Your favor, and glad to do Your
will. Bless our state with honorable government,
sound learning, and pure manners. Save us from
violence, discord, and confusion, from pride and
arrogance, and from every evil way. Defend our
liberties, and fashion into one united people, the
many people of the State of Maine brought here from
many different countries. Endow with Your spirit of
wisdom, those to whom in Your name we entrust the
authority of government, that there may be justice
and peace at home. And that through obedience to
Your law, we may show forth Your praise among the
nations of the earth. And finally, heavenly Father,
we ask that in the time of prosperity, You will fill
our hearts with thankfulness, and in the days of
trouble, You will not allow our trust in You to
fail. Amen.

Reading of the Journal of Thursday, April 4, 1991.

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. 543

ORDERED, the House concurring, that when the
House and Senate adjourn, they do so until Thursday,
April 11, 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

Non-concurrent Matter

Bill "An Act to Amend the Real Estate Brokerage
Laws"

S.P. 64 L.D. 116
(C "A" S-27)

In Senate, March 21, 1991, **PASSED TO BE ENGROSSED
AS AMENDED BY COMMITTEE AMENDMENT "A" (S-27)**.

Comes from the House **PASSED TO BE ENGROSSED AS
AMENDED BY COMMITTEE AMENDMENT "A" (S-27) AND HOUSE
AMENDMENT "A" (H-64) in NON-CONCURRENCE**.

On motion by Senator CLARK of Cumberland, Tabled
until Later in Today's Session, pending **FURTHER
CONSIDERATION**.

Non-concurrent Matter

SENATE REPORTS - from the Committee on **JUDICIARY**
on Bill "An Act to Prevent Discrimination"

S.P. 175 L.D. 430
(C "A" S-32)

Majority - **Ought to Pass as Amended by Committee
Amendment "A" (S-32)**.

Minority - **Ought Not to Pass**.

In Senate, March 28, 1991, the Majority **OUGHT TO
PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill
**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE
AMENDMENT "A" (S-32)**.

Comes from the House the Minority **OUGHT NOT TO
PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

On motion by Senator CLARK of Cumberland, Tabled
1 Legislative Day, pending **FURTHER CONSIDERATION**.

Non-concurrent Matter

Bill "An Act to Amend the Salaries of the Knox
County Commissioners and Officers" (Emergency)

S.P. 501 L.D. 1339

In Senate, March 28, 1991, referred to the Committee on **STATE AND LOCAL GOVERNMENT** and **ORDERED PRINTED**.

Comes from the House Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

On motion by Senator **CLARK** of Cumberland, the Senate **RECEDED** and **CONCURRED**.

House Papers

Bill "An Act to Create a State Insurance Fund"
H.P. 988 L.D. 1433

Bill "An Act to Amend the Law Regarding Assessment of Insurers and License Fees under the Insurance Law"
H.P. 989 L.D. 1434

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.

Bill "An Act to Require Disclosure of the Per Therm Price of Propane Gas"
H.P. 971 L.D. 1412

Bill "An Act to Provide for the Regulation of Massage Therapists"
H.P. 978 L.D. 1421

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.

Bill "An Act to Require a Driver Education Program Curriculum"
H.P. 984 L.D. 1429

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

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

Bill "An Act to Provide Certain Municipalities with an Exception to the Waste Facility Siting Laws"
H.P. 973 L.D. 1414

Bill "An Act to Facilitate Recycling Programs for Aseptic Packages and Milk Cartons" (Emergency)
H.P. 982 L.D. 1427

Bill "An Act to Establish and Implement the Maine Nonpoint Source Pollution Control Program"
H.P. 987 L.D. 1432

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.

Bill "An Act to Require the Department of Human Services to Certify all Septic Systems on Bodies of Water Used for Drinking Water Supplies before Requiring Filtration Systems"
H.P. 986 L.D. 1431

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

Come 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.

Bill "An Act to Amend the Boundaries of the Back Bay Cove Sanctuary"
H.P. 974 L.D. 1417

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

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

Bill "An Act to Establish a Special Housing Allowance for the Aid to Families with Dependent Children Program" (Emergency)
H.P. 977 L.D. 1420

Come 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.

Bill "An Act to Extend Confidential Status to Medical Data Assembled by Certain Health Care Providers"
H.P. 946 L.D. 1368

Bill "An Act to Prevent Financial Gain by Convicted Drug Offenders"
H.P. 969 L.D. 1410

Bill "An Act to Allow Disclosure of Litigation Information in Cases That Settle"
H.P. 985 L.D. 1430

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.

Bill "An Act to Increase the Interest Paid on Workers' Compensation Awards"
H.P. 975 L.D. 1418

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.

Bill "An Act Concerning the Number of Signatures Required for County Office Elections"
H.P. 970 L.D. 1411

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 Expand the Conflict of Interest Laws for Officers and Employees of the Maine State Housing Authority"
H.P. 981 L.D. 1426

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

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

Bill "An Act to Restrict Unsolicited Computer-generated or Automated Telephone Calls"
H.P. 972 L.D. 1413

Bill "An Act to Amend the Charter of the Gray Water District" (Emergency)
H.P. 976 L.D. 1419

Bill "An Act to Provide Affordable Electric Service for Low-income Citizens of the State"
H.P. 980 L.D. 1425

Bill "An Act to Require Electric Utilities to Develop Proposals for Affordable Pricing for Low-income Residential Customers and for Financing Conversions from Electric Space Heat"
H.P. 983 L.D. 1428

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

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

**Pursuant to Public Law
COMMITTEE ON TRANSPORTATION**

The Committee on **TRANSPORTATION**, pursuant to Public Law 1989, chapter 707, section 5, ask leave to submit its findings and to report that the accompanying Bill "An Act to Clarify Use of Motor Vehicle Auxiliary Lights and Emergency Signals"
H.P. 990 L.D. 1435

Be referred to the Committee on **TRANSPORTATION** for Public Hearing and printed pursuant to Joint Rule 18.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**, pursuant to Joint Rule 18.

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

The Bill referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**, pursuant to Joint Rule 18, in concurrence.

COMMUNICATIONS

The Following Communication:

**INTERAGENCY TASK FORCE ON HOMELESSNESS
AND HOUSING OPPORTUNITIES**

April 5, 1991

The Honorable Charles P. Pray
President of the Senate
State House Station 3
Augusta, Maine 04330

Dear President Pray:

Pursuant to L.D. 1809, An Act Relating to Various Commissions, Task Forces and Committees, Sub-Chapter V, which created the Interagency Task Force on Homelessness and Housing Opportunities, I am pleased to forward this report, "By Sundown," for your review.

Sincerely,

S/Margaret R. Marshall
Chairperson
Interagency Task Force
on Homelessness &
Housing Opportunities

Which was **READ** and with Accompanying Papers **ORDERED PLACED ON FILE.**

The Following Communication:

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON STATE AND LOCAL GOVERNMENT**

April 5, 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 State & Local Government has had under consideration the nomination of Captain Andrew E. Demers, Jr. of New Gloucester, for reappointment as Chief of the Maine State Police.

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 3
Representatives 9

NAYS: 0

ABSENT: 1 Rep. Heeschen of Wilton

Twelve 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 Captain Andrew E. Demers, Jr. of New Gloucester, for reappointment as Chief of the Maine State Police be confirmed.

Sincerely,

S/Senator Georgette B. Berube S/Rep. Ruth Joseph
Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on State and Local Government has recommended the nomination of Captain Andrew E. Demers, Jr. of New Gloucester, be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on State and Local Government 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, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators MATTHEWS, TITCOMB

No Senators having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators 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 Captain Andrew E. Demers, Jr., was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

SENATE PAPERS

Bill "An Act Concerning Health Insurance for Retired Teachers"

S.P. 541 L.D. 1439

Presented by Senator **CLARK** of Cumberland
Cosponsored by Senator **THERIAULT** of Aroostook,
Representative **HASTINGS** of Fryeburg and
Representative **GWADOSKY** of Fairfield
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 27.

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

(See Action Later Today)

Resolve, to Direct the Department of Mental Health and Mental Retardation to Develop a Proposal to Improve Staff Retention in Community-based Programs Serving Persons with Mental Retardation (Emergency)

S.P. 538 L.D. 1436

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

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

Sent down for concurrence.

Bill "An Act to Exempt from Right-to-know Laws Information Contained in the Personnel File of Department of Corrections Employees"

S.P. 540 L.D. 1438

Presented by Senator **GILL** of Cumberland
Cosponsored by Representative **GREENLAW** of Standish and Representative **MANNING** of Portland
Submitted by the Department of Corrections pursuant to Joint Rule 24.

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

Sent down for concurrence.

Bill "An Act to Amend the Workers' Compensation Insurance Laws to Encourage Safety in the Workplace"
S.P. 539 L.D. 1437

Presented by Senator **CONLEY** of Cumberland
Cosponsored by Representative **TAMMARO** of Baileyville and Representative **TRACY** of Rome

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

Sent down for concurrence.

**Pursuant to Resolves
COMMISSION ON MAINE'S FUTURE**

Senator **KANY** for the **COMMISSION ON MAINE'S FUTURE**, pursuant to Resolve 1987, Chapter 60, Resolve 1989, Chapter 3 and Resolve 1989, Chapter 72, ask leave to submit its findings and to report that the accompanying Resolve, to Create the Maine Commission on Environmental Policy

S.P. 545 L.D. 1449

Be referred to the Joint Standing Committee on **ENERGY AND NATURAL RESOURCES** for Public Hearing and printed pursuant to Joint Rule 18.

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

The Resolve referred to the Committee on **ENERGY AND NATURAL RESOURCES** and **ORDERED PRINTED**, pursuant to Joint Rule 18.

Sent down for concurrence.

**Pursuant to Resolves
COMMISSION ON MAINE'S FUTURE**

Senator **KANY** for the **COMMISSION ON MAINE'S FUTURE**, pursuant to Resolve 1987, Chapter 60, Resolve 1989, Chapter 3 and Resolve 1989, Chapter 72, ask leave to submit its findings and to report that the accompanying Resolve, to Implement the Final Report of the Commission on Maine's Future

S.P. 546 L.D. 1450

Be referred to the Joint Standing Committee on **ENERGY AND NATURAL RESOURCES** for Public Hearing and printed pursuant to Joint Rule 18.

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

The Resolve referred to the Committee on **ENERGY AND NATURAL RESOURCES** and **ORDERED PRINTED**, pursuant to Joint Rule 18.

Sent down for concurrence.

**Pursuant to Resolves
COMMISSION ON MAINE'S FUTURE**

Senator **KANY** for the **COMMISSION ON MAINE'S FUTURE**, pursuant to Resolve 1987, Chapter 60, Resolve 1989, Chapter 3 and Resolve 1989, Chapter 72, ask leave to submit its findings and to report that the accompanying Resolve, to Create the Commission on Effective Information Systems in State Government
S.P. 544 L.D. 1448

Be referred to the Joint Standing Committee on **STATE AND LOCAL GOVERNMENT** for Public Hearing and printed pursuant to Joint Rule 18.

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

The Resolve referred to the Committee on **STATE AND LOCAL GOVERNMENT** and **ORDERED PRINTED**, pursuant to Joint Rule 18.

Sent down for concurrence.

**Pursuant to Resolves
COMMISSION ON MAINE'S FUTURE**

Senator **KANY** for the **COMMISSION ON MAINE'S FUTURE**, pursuant to Resolve 1987, Chapter 60, Resolve 1989, Chapter 3 and Resolve 1989, Chapter 72, ask leave to submit its findings and to report that the accompanying Bill "An Act to Codify the Maine Vision"
S.P. 547 L.D. 1451

Be referred to the Joint Standing Committee on **STATE AND LOCAL GOVERNMENT** for Public Hearing and printed pursuant to Joint Rule 18.

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

The Bill referred to the Committee on **STATE AND LOCAL GOVERNMENT** and **ORDERED PRINTED**, pursuant to Joint Rule 18.

Sent down 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 Regarding the Improper Installation of Chimneys and Fireplaces"

H.P. 27 L.D. 30

From the Committee on **ENERGY AND NATURAL RESOURCES** Bill "An Act to Encourage the Use of Water Conservation Devices"

H.P. 364 L.D. 518

From the Committee on **ENERGY AND NATURAL RESOURCES** Bill "An Act to Exempt Housing Developments of 6 Units or Less from the Natural Resource Protection Laws in Certain Situations"

H.P. 451 L.D. 641

From the Committee on **ENERGY AND NATURAL RESOURCES** Bill "An Act to Allow Certain Lime Quarries to Be Used for Nontoxic Disposal Sites"

H.P. 624 L.D. 894

From the Committee on **ENERGY AND NATURAL RESOURCES** Bill "An Act to Compensate Landowners for Property Value Losses Due to Wetlands Regulation"

H.P. 626 L.D. 896

From the Committee on **JUDICIARY** Bill "An Act to Quiet Title to Unused Ancient Rights-of-way"

H.P. 342 L.D. 472

From the Committee on **JUDICIARY** Bill "An Act Concerning Disclosure of the Names of Criminal Suspects"

H.P. 449 L.D. 639

From the Committee on **JUDICIARY** Bill "An Act to Amend the Confidentiality of Records for the Department of Transportation"

H.P. 531 L.D. 759

From the Committee on **LEGAL AFFAIRS** Bill "An Act to Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee"

H.P. 153 L.D. 238

From the Committee on **LEGAL AFFAIRS** Bill "An Act to Remove the State from the Liquor Business"

H.P. 185 L.D. 270

From the Committee on **LEGAL AFFAIRS** Bill "An Act Concerning the Signing of Marriage Certificates"

H.P. 468 L.D. 662

From the Committee on **LEGAL AFFAIRS** Bill "An Act to Bring Conformity to the Application of Comprehensive Planning Ordinances"

H.P. 506 L.D. 700

From the Committee on **LEGAL AFFAIRS** Bill "An Act Relating to Credit Terms for Retail Liquor Licensees"
H.P. 539 L.D. 776

From the Committee on **UTILITIES** Bill "An Act to Require Certain Proposed Cogenerators to Obtain Review by and Approval of the Public Utilities Commission" (Emergency)
H.P. 530 L.D. 758

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 to Limit Domestic Waterfowl in Farm Ponds"
H.P. 467 L.D. 661

From the Committee on **ENERGY AND NATURAL RESOURCES** Bill "An Act to Facilitate Economic Growth Compatible with the Maine Environment"
H.P. 434 L.D. 617

From the Committee on **FISHERIES AND WILDLIFE** Bill "An Act Regarding Deer Hunting"
H.P. 608 L.D. 868

From the Committee on **JUDICIARY** Bill "An Act to Limit the Liability of Sponsors of Equine Activities"
H.P. 41 L.D. 57

From the Committee on **JUDICIARY** Bill "An Act to Allow a Limit on Fees for Service of Disclosure Subpoenas"
H.P. 262 L.D. 382

From the Committee on **JUDICIARY** Bill "An Act to Protect Volunteers from Liability"
H.P. 340 L.D. 470

From the Committee on **JUDICIARY** Bill "An Act to Provide for More Substantial Penalties for Assaults Against Certain Agents of the Department of Human Services"
H.P. 442 L.D. 632

From the Committee on **JUDICIARY** Bill "An Act Concerning Liability for Damage to Property as a Result of Shoplifting"
H.P. 466 L.D. 660

From the Committee on **JUDICIARY** Bill "An Act to Recriminalize Intoxication"
H.P. 524 L.D. 752

From the Committee on **LEGAL AFFAIRS** Bill "An Act Authorizing Sale of Liquor Outside of Exclusive Territory"
H.P. 410 L.D. 593

From the Committee on **TAXATION** Bill "An Act to Exclude Public Pension Payments for People 62 Years of Age or Older from Taxation"
H.P. 29 L.D. 32

From the Committee on **TAXATION** Bill "An Act Concerning the Property Tax Circuit Breaker"
H.P. 49 L.D. 69

From the Committee on **TAXATION** Bill "An Act to Raise the Property Tax Exemption for Churches"
H.P. 416 L.D. 599

From the Committee on **TAXATION** Bill "An Act to Permit Counties to Promote Economic Development and Property Tax Relief Through a Dedicated Local Tax on Meals and Lodging"
H.P. 431 L.D. 614

From the Committee on **TAXATION** Bill "An Act to Change Eligibility Requirements for the Maine Residents Property Tax Program"
H.P. 488 L.D. 682

From the Committee on **TRANSPORTATION** Bill "An Act to Protect the Safety of Motorcycle Passengers"
H.P. 368 L.D. 522

From the Committee on **UTILITIES** Bill "An Act to Amend the Charter of the Bangor Water District"
H.P. 527 L.D. 755

Ought to Pass As Amended

The Committee on **TRANSPORTATION** on Resolve, to Name the Bridge Crossing the Sebecook River in Benton the Benton Veterans' Memorial Bridge
H.P. 385 L.D. 559

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-58)**.

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-58)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-58) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TRANSPORTATION** on Bill "An Act Regarding Amber Lights on Snowplows and Sanding Equipment"

H.P. 424 L.D. 607

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-59).**

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-59).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (H-59) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **UTILITIES** on Bill "An Act Dealing with the Public Utilities Commission's Involvement in Contract Settlements" (Emergency)

H.P. 132 L.D. 192

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-57).**

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-57).**

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

The Bill **READ ONCE.**

Committee Amendment "A" (H-57) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **AGRICULTURE** on Bill "An Act to Provide Administrative Oversight of Organic Food Certification in Maine"

H.P. 422 L.D. 605

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

Signed:

Senators:

TWITCHELL of Oxford
TITCOMB of Cumberland
EMERSON of Penobscot

Representatives:

SPEAR of Nobleboro
TARDY of Palmyra
BELL of Caribou
MAHANY of Easton
PINES of Limestone
PARENT of Benton
NUTTING of Leeds
ALIBERTI of Lewiston

The Minority of the same Committee on the same subject reported that the same **Ought Not to Pass.**

Signed:

Representatives:

STROUT of Corinth
HUSSEY of Milo

Comes from the House with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-63).**

Which Reports were **READ.**

The Majority **OUGHT TO PASS** Report was **ACCEPTED**, in concurrence.

The Bill **READ ONCE.**

House Amendment "A" (H-63) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **BUSINESS LEGISLATION** on Bill "An Act to Amend the Laws Pertaining to Car Dealerships"

H.P. 247 L.D. 338

Reported that the same **Ought to Pass As Amended as Amended by Committee Amendment "A" (H-52).**

Signed:

Senators:

BALDACCI of Penobscot
MATTHEWS of Kennebec
RICH of Cumberland

Representatives:
SHELTRA of Biddeford
BAILEY of Township 27
REED of Dexter
STEVENS of Sabattus
GRAHAM of Houlton
VIGUE of Winslow
LIBBY of Kennebunk

The Minority of the same Committee on the same subject reported that the same **Ought Not to Pass.**

Signed:

Representatives:
GURNEY of Portland
KUTASI of Bridgton

Comes from the House the Majority **UGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-52).**

Which Reports were **READ.**

The Majority **UGHT TO PASS AS AMENDED** Report was **ACCEPTED**, in concurrence.

The Bill **READ ONCE.**

Committee Amendment "A" (H-52) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **LEGAL AFFAIRS** on Bill "An Act Concerning Municipal Clerk Office Hours on the Saturday Preceding a Statewide Election"
H.P. 386 L.D. 560

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

Signed:

Senators:
MILLS of Oxford
KANY of Kennebec
SUMMERS of Cumberland

Representatives:
LAWRENCE of Kittery
PLOURDE of Biddeford
DAGGETT of Augusta
POULIN of Oakland
RICHARDSON of Portland
TUPPER of Orrington
BOWERS of Sherman

The Minority of the same Committee on the same subject reported that the same **Ought to Pass.**

Signed:

Representatives:
JALBERT of Lisbon
STEVENS of Sabattus
HICHENS of Eliot

Comes from the House the Majority **UGHT NOT TO PASS** Report **READ** and **ACCEPTED.**

Which Reports were **READ.**

The Majority **UGHT NOT TO PASS** Report was **ACCEPTED**, in concurrence.

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 **BALDACCI** for the Committee on **BUSINESS LEGISLATION** Bill "An Act Related to Licensing Requirements for Landscape Architects"
S.P. 162 L.D. 374

Reported by Senator **TITCOMB** for the Committee on **ENERGY AND NATURAL RESOURCES** Bill "An Act to Prohibit Commercial Hazardous Waste Disposal Facilities" (Emergency)
S.P. 173 L.D. 428

Reported by Senator **MATTHEWS** for the Committee on **FISHERIES AND WILDLIFE** Bill "An Act to Conform the State Endangered Species Protection Laws with Those of the Federal Government"
S.P. 264 L.D. 723

Reported by Senator **TWITCHELL** for the Committee on **FISHERIES AND WILDLIFE** Bill "An Act to Promote Safety in Hunting"
S.P. 307 L.D. 816

Reported by Senator **MILLS** for the Committee on **LEGAL AFFAIRS** Bill "An Act Concerning Liability of Persons Selling or Serving Alcohol to Minors"
S.P. 206 L.D. 533

Reported by Senator **MILLS** for the Committee on **LEGAL AFFAIRS** Resolve, Authorizing Kathleen Maynard and Howard Briggs to Sue the State
S.P. 348 L.D. 950

Reported by Senator **GOULD** for the Committee on **MARINE RESOURCES** Bill "An Act to Limit the Number of Lobster Traps Per Line"
S.P. 179 L.D. 488

Reported by Senator **CONLEY** for the Committee on **HUMAN RESOURCES** Bill "An Act to Expedite Repairs of Equipment Needed by Supplemental Security Income Recipients"
S.P. 308 L.D. 817

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 **TWITCHELL** for the Committee on **FISHERIES AND WILDLIFE** Bill "An Act Concerning Surveys Conducted by the Department of Inland Fisheries and Wildlife"
S.P. 270 L.D. 729

Reported by Senator **TWITCHELL** for the Committee on **FISHERIES AND WILDLIFE** Bill "An Act to Protect the Public's Rights on Whitewater Rivers of the State"
S.P. 378 L.D. 1055

Reported by Senator **CONLEY** for the Committee on **HUMAN RESOURCES** Bill "An Act to Amend the Elderly Low-cost Drug Program"
S.P. 34 L.D. 48

Reported by Senator **CONLEY** for the Committee on **HUMAN RESOURCES** Bill "An Act to Meet the Increased Need for Crisis Intervention and Community Education Services Provided by Rape Crisis Centers in the State" (Emergency)
S.P. 126 L.D. 228

Reported by Senator **CONLEY** for the Committee on **HUMAN RESOURCES** Bill "An Act to Provide Funds for Family Support Services"
S.P. 144 L.D. 356

Reported by Senator **GILL** for the Committee on **HUMAN RESOURCES** Bill "An Act to Provide Funds for Additional Adult Day Care Services"
S.P. 147 L.D. 359

Reported by Senator **CONLEY** for the Committee on **HUMAN RESOURCES** Bill "An Act to Establish a Crisis Intervention System for Children and Families" (Emergency)
S.P. 163 L.D. 375

Reported by Senator **CONLEY** for the Committee on **HUMAN RESOURCES** Bill "An Act to Continue Funding for Peer Support and Advocacy Services for Persons with Mental Illness"
S.P. 185 L.D. 494

Reported by Senator **CONLEY** for the Committee on **HUMAN RESOURCES** Resolve, to Establish a Respite Care Demonstration Project
S.P. 327 L.D. 883

Reported by Senator **GAUVREAU** for the Committee on **JUDICIARY** Bill "An Act to Amend the Definition of Sexual Contact"
S.P. 142 L.D. 354

Reported by Senator **GAUVREAU** for the Committee on **JUDICIARY** Bill "An Act to Amend the Law Relating to Gross Sexual Assault"
S.P. 305 L.D. 814

Reported by Senator **BOST** for the Committee on **TAXATION** Bill "An Act to Increase the Authority of Municipalities to Levy Service Charges on Certain Tax Exempt Property"
S.P. 318 L.D. 856

Reported by Senator **COLLINS** for the Committee on **TAXATION** Bill "An Act Regarding Leased Equipment"
S.P. 345 L.D. 945

Ought to Pass

Senator **GILL** for the Committee on **HUMAN RESOURCES** on 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

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

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

The Bill **READ ONCE**.

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

SECOND READERS

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

House

Bill "An Act to Strengthen the Operating-under-the-influence Laws" (Emergency)
H.P. 32 L.D. 42

Bill "An Act to Amend the Law Concerning the Court Appointed Special Advocate Advisory Panel"
H.P. 196 L.D. 287

Bill "An Act to Amend the Warranty and Disclosure Requirements Applicable to Certain Sellers of Repossessed Vehicles"
H.P. 600 L.D. 860

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

House As Amended

Bill "An Act to Amend the Student Incentive Scholarship Program"
H.P. 200 L.D. 291
(C "A" H-53)

Bill "An Act Regarding the Filing of a Uniform Traffic Ticket and Complaint by Law Enforcement Officers"
H.P. 208 L.D. 299
(C "A" H-56)

Bill "An Act to Amend the Laws Governing Disclosure of Information in Medical Support Recoupment and Child Support Cases"
H.P. 302 L.D. 423
(C "A" H-51)

Bill "An Act to Abolish the Pheasant Stamp Program"
H.P. 396 L.D. 570
(C "A" H-55)

Bill "An Act Requiring Motor Vehicle Operators to Furnish Their Date of Birth upon the Request of a Law Enforcement Officer"
H.P. 414 L.D. 597
(C "A" H-54)

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

Senate

Bill "An Act to Require the Earlier Determination of State Aid to Education"
S.P. 39 L.D. 61

Bill "An Act to Amend the Law Governing the Election of Members to Regional Vocational Boards"
S.P. 252 L.D. 710

Bill "An Act Pertaining to the Licensing of Boarding Care Facilities"
S.P. 269 L.D. 728

Bill "An Act to Amend the Laws Concerning the Aeronautical Functions Investigation"
S.P. 277 L.D. 736

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

Sent down for concurrence.

Senate As Amended

Bill "An Act to Provide Equity in the Natural Resources Protection Laws"
S.P. 125 L.D. 227
(C "A" S-43)

Bill "An Act to Change the Specifications for Membership of the Maine Dental Health Council"
S.P. 180 L.D. 489
(C "A" S-39)

Bill "An Act to Amend the Charter of the Portland Water District"
S.P. 254 L.D. 712
(C "A" S-41)

Bill "An Act to Protect the Confidentiality of Library Records at Libraries of the University of Maine System"
S.P. 260 L.D. 718
(C "A" S-42)

Bill "An Act to Reestablish the Board of Visitors of State Institutions, except for the Augusta Mental Health Institute and the Bangor Mental Health Institute"
S.P. 279 L.D. 738
(C "A" S-38)

Bill "An Act to Amend the Laws Governing the Bath Children's Home"
S.P. 282 L.D. 741
(C "A" S-37)

Bill "An Act to Prevent Multiple Assessments of Patients at the Augusta Mental Health Institute"
S.P. 323 L.D. 879
(C "A" S-44)

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

Sent down for concurrence.

On motion by Senator **CLARK** of Cumberland, the Senate **RECONSIDERED** its action whereby it **REFERRED** to the Committee on **AGING, RETIREMENT AND VETERANS**:

Bill, "An Act Concerning Health Insurance for Retired Teachers"
S.P. 541 L.D. 1439

Senate at Ease

Senate called to order by the President.

On further motion by same Senator, **REFERRED** to the Committee on **BANKING AND INSURANCE**.

Sent down for concurrence.

ENACTORS

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

Resolve

Resolve, to Rename Pickle Island to Woodie Wheaton Island
S.P. 284 L.D. 766

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

Emergency

An Act to Increase the Limit of Indebtedness of the Newport Water District from \$1,500,000 to \$3,500,000
H.P. 306 L.D. 436

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in negative, and 33 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 Extend the Reporting Deadline of the Maine Water Resources Management Board
H.P. 849 L.D. 1215

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in negative, and 34 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.

ORDERS OF THE DAY

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

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

Tabled - April 4, 1991, by Senator **CLARK** of Cumberland.

Pending - **PASSAGE TO BE ENGROSSED**, in concurrence

(In Senate, April 1, 1991, **READ A SECOND TIME**.)

(In House, March 25, 1991, **PASSED TO BE ENGROSSED**.)

On motion by Senator **CLARK** of Cumberland, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

Sent down for concurrence.

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:

Senator **ESTY** for the Committee on **LABOR** Bill "An Act Concerning Illegally Employed Minors and Workers' Compensation"
S.P. 200 L.D. 509

Senator **ESTY** for the Committee on **LABOR** Bill "An Act to Ensure Safety in the Workplace"
S.P. 202 L.D. 511

Ought to Pass

Senator **ESTY** for the Committee on **LABOR** on Bill "An Act to Amend the Appointment Process for the Panel of Mediators"
S.P. 168 L.D. 380

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

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

The Bill **READ ONCE**.

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

Ought to Pass As Amended

Senator **CLEVELAND** for the Committee on **UTILITIES** on Bill "An Act to Provide for Fiscal Year Accounting and Pretreatment Provisions for the Kennebec Sanitary Treatment District"
S.P. 251 L.D. 709

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-46)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-46) **READ** and **ADOPTED**.

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

ORDERS OF THE DAY

The Chair laid before the Senate the Tabled and Later Today Assigned matter:

Bill "An Act to Amend the Real Estate Brokerage Laws"
S.P. 64 L.D. 116
(C "A" S-27)

Tabled - April 8, 1991, by Senator **CLARK** of Cumberland

Pending - **FURTHER CONSIDERATION**

(In Senate, March 21, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-27)**.)

(In House, April 4, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-27) AND HOUSE AMENDMENT "A" (H-64) in NON-CONCURRENCE**.)

On motion by Senator **CLARK** of Cumberland, Tabled 1 Legislative Day, pending **FURTHER CONSIDERATION**.

Senate at Ease

Senate called to order by the President.

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

ORDERS

Joint Order

On motion by Senator **CONLEY** of Cumberland the following Joint Order:
S.P. 563

ORDERED, the House concurring, that Bill, "An Act to Enhance the Protection of Children Who Have Been Removed from Their Homes," H.P. 528, L.D. 756, and all its accompanying papers, be recalled from the Legislative files to the Senate.

Which was **READ**.

THE PRESIDENT: The pending question before the Senate is **PASSAGE**. Pursuant to Joint Rule 15 this Joint Order requires a two-thirds vote of those present and voting.

Will all those members in favor of **PASSAGE** please rise and remain standing in your place until counted.

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

31 Senators having voted in the affirmative and No Senators having voted in the negative, The Joint Order, pursuant to Joint Rule 15, was **PASSED**.

Sent down for concurrence.

Off Record Remarks

Senate at Ease

Senate called to order by the President.

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

COMMITTEE REPORTS

House

Ought to Pass

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act Regarding the Authority of Cumberland County to Take Land by Eminent Domain" (Emergency)
H.P. 860 L.D. 1240

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, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

Under suspension of the Rules, ordered sent forthwith to the Engrossing Department.

ORDERS OF THE DAY

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for the Override of a Governor's Veto by a Three-Fifths Vote
H.P. 947 L.D. 1369

Tabled - April 4, 1991, by Senator **CLARK** of Cumberland.

Pending - **REFERENCE**

(In House, April 1, 1991, referred to the Committee on **STATE AND LOCAL GOVERNMENT**.)

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

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:

Senator **GAUVREAU** for the Committee on **JUDICIARY** on Bill "An Act to Increase the Maximum Permissible Fines for Class D and Class E Crimes"
S.P. 255 L.D. 713

Senator **CLEVELAND** for the Committee on **UTILITIES** on Bill "An Act to Regulate Cellular Telephone Rates"
S.P. 401 L.D. 1077

Ought to Pass As Amended

Senator **GAUVREAU** for the Committee on **JUDICIARY** on Bill "An Act to Remedy Statutory Inconsistencies" (Emergency)
S.P. 463 L.D. 1239

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-47)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-47) **READ** and **ADOPTED**.

Senate at Ease

Senate called to order by the President.

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

Senate at Ease

Senate called to order by the President.

The **ADJOURNMENT ORDER** having been returned from the House **READ** and **PASSED**, in concurrence, on motion by Senator **MCCORMICK** of Kennebec, **ADJOURNED** until Thursday, April 11, 1991, at 5:00 in the afternoon.