

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
Thursday
April 25, 1991

Senate called to Order by the President.

Prayer by the Honorable Pamela L. Cahill of Sagadahoc.

SENATOR PAMELA L. CAHILL: Friday, April 26th, is the national observance of Arbor Day. I am reminded of Joyce Kilmer's words when he wrote, "I think that I shall never see a poem as lovely as a tree. Poems are made by fools like me. Only God can make a tree. Let us pray. Dear God, thank you for the trees. Amen.

Reading of the Journal of Wednesday, April 24, 1991.

Off Record Remarks

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

S.P. 651

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Monday, April 29, 1991, at five o'clock in the afternoon.

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

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

Out of order and under suspension of the Rules, on motion by Senator **CLARK** of Cumberland, the following Senate Order:

ORDERED, that a message be sent to the House of Representatives proposing a Convention of both Branches in the Hall of the House at 11:00 in the morning, for the purpose of extending to the Honorable Robert L. Woodbury, Chancellor of the University of Maine, an invitation to attend the Convention and make such communication as pleases him.

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

The Chair appointed the Senator from Cumberland, Senator **CLARK**, to deliver the message. The Sergeant-At-Arms escorted the Senator to the House of Representatives.

Subsequently, Senator **CLARK** of Cumberland reported she had delivered the message with which she was charged.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Amend the Charter of the Portland Water District"

S.P. 254 L.D. 712
(C "A" S-41)

In Senate, April 8, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-41).**

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-41) AS AMENDED BY HOUSE AMENDMENT "A" (H-161)** thereto, in **NON-CONCURRENCE**.

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

House Papers

Bill "An Act Concerning the State's Escrow Accounts"

H.P. 1139 L.D. 1664

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 Implement Certain Recommendations of the State Compensation Commission" (Emergency)

H.P. 1137 L.D. 1662

Committee on **STATE AND LOCAL GOVERNMENT** 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 Repeal the Exemptions for Consumer and Antitrust Laws as They Apply to the Banking Industry"

H.P. 1108 L.D. 1633

Bill "An Act to Exclude Certain Procedures from the Managed Care Program"

H.P. 1127 L.D. 1652

Bill "An Act to Facilitate the Purchase of Insurance by Purchasing Groups"

H.P. 1140 L.D. 1665

Bill "An Act Concerning Insurance Reimbursement for First Assistants in Surgery"

H.P. 1143 L.D. 1668

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 Establish Licensure of Manufactured Housing Installers" (Emergency)

H.P. 1130 L.D. 1655

Bill "An Act to Regulate Suntanning Booths"

H.P. 1133 L.D. 1658

Bill "An Act to Provide for Better Regulation of Commercial Driving Instruction Schools" (Emergency)

H.P. 1136 L.D. 1661

Bill "An Act to Prevent Preprinting of Federal Drug Enforcement Agency Registration Numbers on Prescription Drug Order Forms"

H.P. 1145 L.D. 1670

Bill "An Act to Make Technical Adjustments to Various Licensing Board Laws and to Adjust Budgetary Constraints Affecting Various Boards" (Emergency)

H.P. 1151 L.D. 1676

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 Provide a Percent for Art Program Waiver"

H.P. 1128 L.D. 1653

Bill "An Act to Recodify the Adult and Secondary Vocational Education Laws"

H.P. 1152 L.D. 1677

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.

Bill "An Act to Allow Municipalities to Regulate Borrow Pits"

H.P. 1111 L.D. 1636

Bill "An Act to Promote the Beneficial Use of Solid Waste"

H.P. 1126 L.D. 1651

Bill "An Act to Clarify the Laws Pertaining to Underground Oil Storage Tanks"

H.P. 1150 L.D. 1675

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 Regarding Doe Permits"

H.P. 1109 L.D. 1634

Bill "An Act to Provide Antlerless Deer Permits to Persons Who Are Disabled Who Hold Valid Hunting Licenses"

H.P. 1114 L.D. 1639

Bill "An Act to Amend the Laws Concerning Hunting on Private Property"

H.P. 1141 L.D. 1666

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.

Bill "An Act Concerning Amendments to the Laws Affecting the Finance Authority of Maine"
H.P. 1149 L.D. 1674

Comes from the House referred to the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** and **ORDERED PRINTED**.

Which was referred to the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Increase the Utilization of Supplemental Security Income through Education and Outreach"
H.P. 1110 L.D. 1635

Bill "An Act to Provide Skilled Supervisors to Oversee Weekly Visits between Foster Children and Their Biological Families"
H.P. 1115 L.D. 1640

Bill "An Act to Establish Professional Therapeutic Family Foster Homes"
H.P. 1117 L.D. 1642

Bill "An Act to Establish Minimum Standards for Special Relief for Border Hospitals"
H.P. 1125 L.D. 1650

Resolve, to Provide for the Study of Fraud and Overcompensation Involving Recipients of Aid to Families with Dependent Children and Food Stamps Assistance (Emergency)
H.P. 1146 L.D. 1671

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

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

Resolve, to Study the Structure of Law Enforcement in the State (Emergency)
H.P. 1123 L.D. 1648

Bill "An Act to Facilitate Criminal Enforcement of the Environmental Laws"
H.P. 1129 L.D. 1654

Bill "An Act to Preserve the Confidentiality of Communications by Interpreters for the Deaf"
H.P. 1138 L.D. 1663

Bill "An Act to Exempt Certain Medical and Juvenile Records from the Freedom of Access Law"
H.P. 1144 L.D. 1669

Bill "An Act to Establish the Maine Civil Legal Services Fund"
H.P. 1147 L.D. 1672

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 Open Teacher-employer Bargaining to the Public"
H.P. 1132 L.D. 1657

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 to Amend the Election Laws Governing Voting Machines and Electronic Voting Systems"
H.P. 1131 L.D. 1656

Bill "An Act to Regulate Sales of Malt Liquor in Kegs"
H.P. 1142 L.D. 1667

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 Increase Fees for Licenses Issued by the Department of Marine Resources"
H.P. 1148 L.D. 1673

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 to Ensure Impartiality in Local Planning and Appeals Boards" H.P. 1112 L.D. 1637

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Reduce the Size of the Legislature H.P. 1122 L.D. 1647

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 Income Tax Laws Pertaining to Children's Interest Earnings" H.P. 1113 L.D. 1638

Bill "An Act to Amend the Maine Sales and Use Tax Law" H.P. 1119 L.D. 1644

Bill "An Act to Protect Forest Resources From Piecemeal Development and to Amend the Maine Tree Growth Tax Law" H.P. 1120 L.D. 1645

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 Prohibit Emission of Unreasonable Noise from Motor Vehicles" H.P. 1116 L.D. 1641

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.

Bill "An Act to Protect Telephone Customer Privacy" H.P. 1118 L.D. 1643

Bill "An Act Regarding Cable Television" H.P. 1121 L.D. 1646

Bill "An Act to Promote the Access of Cable Television to Maine Citizens" H.P. 1124 L.D. 1649

Bill "An Act to Protect Consumers from Unfair and Deceptive Telephone Practices" H.P. 1134 L.D. 1659

Bill "An Act to Establish the Electric Facilities Siting Council" H.P. 1135 L.D. 1660

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.

COMMUNICATIONS

The Following Communication: S.P. 650

115TH MAINE LEGISLATURE

April 24, 1991

Senator N. Paul Gauvreau
Rep. Patrick E. Paradis
Chairpersons
Joint Standing Committee on Judiciary
115th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Maynard F. Marsh of Gorham and Frederick B. Hurley, Jr. of Wayne for reappointments and John H. Cox of Bangor and Stephen Adams of Bangor for appointments to the Maine Indian Tribal-State Commission.

Pursuant to Title 30, MRSA Section 6212, these nominations will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,

S/Charles P. Pray
President of the Senate

S/John L. Martin
Speaker of the House

Which was **READ** and **REFERRED** to the Committee on **JUDICIARY**.

Sent down for concurrence.

At this point, a message was received from the House of Representatives, borne by Representative GWADOSKY of Fairfield, informing the Senate that the House concurred in the proposition for a Joint Convention, to be held in the Hall of the House, at 11:00 a.m., for the purpose of extending to the Honorable Robert L. Woodbury, Chancellor of the University of Maine, an invitation to attend the Joint Convention and make such communication as pleases him.

The Following Communication:

115TH MAINE LEGISLATURE

March 29, 1991

Robert L. Woodbury, Chancellor
University of Maine System
107 Maine Avenue
Bangor, Maine 04401-1805

Dear Chancellor Woodbury:

Pursuant to 20-A M.R.S.A., Section 10902-B, we are pleased to invite you to address a joint session of the 115th Maine Legislature on Thursday, April 25, at eleven o'clock in the morning, on the state of the University of Maine System and any other matters which you may care to bring to our attention.

We look forward to seeing you then. Best wishes.

Sincerely,

S/Charles P. Pray
President of the Senate

S/John L. Martin
Speaker of the House

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

The Following Communication:

**UNIVERSITY OF MAINE
107 MAINE AVENUE
BANGOR, MAINE 04401-1805**

April 8, 1991

The Honorable Charles P. Pray
President of the Senate
The Honorable John L. Martin
Speaker of the House
Maine State Legislature
State House
Augusta, Maine 04333

Dear President Pray and Speaker Martin:

Thank you for your invitation to address a joint session of the 115th Maine Legislature on Thursday, April 25. I accept and look forward to the opportunity to share my thoughts on the status of public higher education with our elected representatives.

Sincerely,

S/Robert L. Woodbury
Chancellor

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

The Following Communication:

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON BUSINESS LEGISLATION**

April 24, 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 Business Legislation has had under consideration the nomination of J. Franklin Howe of Bath, for reappointment to the Maine Real Estate Commission.

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 5

NAYS: 1

ABSENT: 5 Sen. Matthews of Kennebec, Rep. Stevens of Sabattus, Rep. Gurney of Portland, Rep. Bailey of Township 27, Rep. Kutasi of Bridgton

Seven members of the Committee having voted in the affirmative and One in the negative, it was the vote of the Committee that the nomination of J. Franklin Howe of Bath, for reappointment to the Maine Real Estate Commission be confirmed.

Sincerely,

S/Senator John E. Baldacci S/Rep. Carl F. Sheltra
Senate Chair House Chair

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

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

SENATE PAPERS

Bill "An Act to Regulate Cash Flow Balances in State Government Accounts" S.P. 648 L.D. 1693

Presented by Senator **PEARSON** of Penobscot Cosponsored by Senator **FOSTER** of Hancock

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

Sent down for concurrence.

Bill "An Act to Assist Municipalities to Design Growth Management Strategies That Are Compatible with Rural Landscapes" S.P. 646 L.D. 1691

Presented by Senator **BRANNIGAN** of Cumberland Cosponsored by Representative **JACQUES** of Waterville

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

Sent down for concurrence.

Bill "An Act to Set Priorities in the Tax Setoff Program" S.P. 647 L.D. 1692

Presented by Senator **CONLEY** of Cumberland Cosponsored by Representative **CASHMAN** of Old Town

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

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 **ENERGY AND NATURAL RESOURCES** Bill "An Act to Prohibit Funnel Development of Shorefront Areas" H.P. 834 L.D. 1200

From the Committee on **ENERGY AND NATURAL RESOURCES** Bill "An Act to Repeal the Ban on Composite Material Beverage Containers" H.P. 938 L.D. 1360

From the Committee on **LABOR** Bill "An Act Concerning the State Minimum Wage" H.P. 140 L.D. 200

From the Committee on **LEGAL AFFAIRS** Bill "An Act Regarding the Location of State Agency Stores" H.P. 642 L.D. 916

From the Committee on **TAXATION** Bill "An Act to Preserve the Taxable Status of Land Receiving Benefit of Subsidies" H.P. 731 L.D. 1035

From the Committee on **TAXATION** Bill "An Act to Establish Municipal Land Banks" H.P. 921 L.D. 1318

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 **ENERGY AND NATURAL RESOURCES** Bill "An Act to Authorize the Board of Environmental Protection to Adopt Rules Relating to the Proximity of Solid Waste Facilities to Property Boundaries on Islands"

H.P. 697 L.D. 1001

From the Committee on **ENERGY AND NATURAL RESOURCES** Bill "An Act to Improve the Bottle Recycling Laws"

H.P. 729 L.D. 1033

From the Committee on **HUMAN RESOURCES** Bill "An Act to Clarify the Authority of the Department of Human Services in Conducting Chronic Disease Investigation and Evaluating the Completeness or Data Quality in Disease Surveillance Programs"

H.P. 843 L.D. 1209

Ought to Pass As Amended

The Committee on **BANKING AND INSURANCE** on Bill "An Act to Amend the Law Concerning the Maine High-Risk Insurance Organization"

H.P. 546 L.D. 783

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A"** (H-135).

Comes from the House with the Report **READ** and the Bill and Accompanying Papers **RECOMMITTED** to the Committee on **BANKING AND INSURANCE**.

Which Report was **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The Bill **READ ONCE**.

Committee Amendment "A" (H-135) **READ** and **ADOPTED**.

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

Off Record Remarks

At this point, the Senate retired to the Hall of the House, where a Joint Convention was formed.

AFTER CONVENTION

IN SENATE

Senate called to order by the President.

Off Record Remarks

Divided Report

The Majority of the Committee on **LEGAL AFFAIRS** on Bill "An Act to Require Landlords to Pay Interest Earned on Security Deposits to Tenants"

H.P. 134 L.D. 194

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

Signed:

Senators:

MILLS of Oxford
KANY of Kennebec
SUMMERS of Cumberland

Representatives:

LAWRENCE of Kittery
JALBERT of Lisbon
PLOURDE of Biddeford
DAGGETT of Augusta
POULIN of Oakland
STEVENS of Sabattus
TUPPER of Orrington
HICHENS of Eliot
BOWERS of Sherman

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-120)

Signed:

Representative:

RICHARDSON of Portland

Comes from the House Bill and Accompanying Papers **INDEFINITELY POSTPONED**.

Which Reports were **READ**.

The Majority **OUGHT NOT TO PASS** Report was **ACCEPTED**.

Divided Report

The Majority of the Committee on **LEGAL AFFAIRS** on Bill "An Act to Require Interest on Tenant Security Deposits and to Provide Funds for Affordable Housing"
H.P. 607 L.D. 867

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

Signed:

Senators:

MILLS of Oxford
SUMMERS of Cumberland

Representatives:

PLOURDE of Biddeford
POULIN of Oakland
STEVENS of Sabattus
TUPPER of Orrington
HICHENS of Eliot
BOWERS of Sherman
DAGGETT of Augusta

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-150)**

Signed:

Senator:

KANY of Kennebec

Representatives:

LAWRENCE of Kittery
JALBERT of Lisbon
RICHARDSON of Portland

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

Which Reports were **READ**.

On motion by Senator **CLARK** of Cumberland, Tabled until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

Off Record Remarks

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on **RESOLUTION**, Proposing an Amendment to the Constitution of Maine to Provide for 4-year Terms for Senators and Members of the House of Representatives

H.P. 256 L.D. 347

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

Signed:

Senators:

BERUBE of Androscoggin
BUSTIN of Kennebec
EMERSON of Penobscot

Representatives:

KERR of Old Orchard Beach
SAVAGE of Union
WATERMAN of Buxton
LOOK of Jonesboro
HEESCHEN of Wilton

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-89)**

Signed:

Representatives:

ST. ONGE of Greene
GRAY of Sedgwick
NASH of Camden
LARRIVEE of Gorham
JOSEPH of Waterville

Comes from the House with the Minority **UGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolution **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-89)**.

Which Reports were **READ**.

Senator **BERUBE** of Androscoggin moved to **ACCEPT** the Majority **UGHT NOT TO PASS** Report in **NON-CONCURRENCE**.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator **BUSTIN**.

Senator **BUSTIN:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I would like to let you know that I inadvertently signed the Ought Not To Pass Report, and I intended to sign the Ought To Pass Report, so I, in fact, am supporting the referendum item to go out to the voters to decide whether or not both Bodies should serve for two or four year terms.

I have supported in the past, and continued to support that we should be here for four years. It is exhausting for me, I don't know if it is for other members of this Body to go every two years to the voters and campaign again. I think that is the crest of the matter, is raising the money, spending those kinds of dollars for only a two year term. It does not make a whole lot of sense to me that we do this, and it seems that it would be a more efficient way of running government if we did not. So I would ask for a Division on the pending motion, and ask that you vote against the motion.

Senator **BUSTIN** of Kennebec requested a Division.

THE PRESIDENT: The pending question before the Senate is the motion by Senator **BERUBE** of Kennebec to **ACCEPT** the Majority **UGHT NOT TO PASS** Report in **NON-CONCURRENCE**.

A Division has been requested.

Will all those in favor of the motion by Senator **BERUBE** of Kennebec to **ACCEPT** the Majority **UGHT NOT TO PASS** Report in **NON-CONCURRENCE**, please rise in their places and remain standing until counted.

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

10 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion of Senator **BERUBE** of Kennebec to **ACCEPT** the Majority **UGHT NOT TO PASS** Report in **NON-CONCURRENCE**, **FAILED**.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator **Berube**.

Senator **BERUBE**: Thank you Mr. President. Is it possible to make a motion to have a Roll Call vote on this?

THE PRESIDENT: The Chair would advise the Senator in reference to the motion of the same Senator, that the Senate accept the Majority Ought Not Pass Report, the Chair had already announced the vote on the Division. The pending question is to accept the Minority Ought to Pass As Amended Report, and the Chair would answer in the affirmative. The Chair recognizes that same Senator.

Senator **BERUBE**: Thank you Mr. President. Ladies and Gentlemen of the Senate. Mention was made that this was a Bill that would go to the people for referendum, and normally, I am very supportive of that. Unfortunately, there are two or three Bills that came before the Committee that the Senator from Kennebec, and I serve on, that were rejected because they did call to send the issue to referendum, which dealt with legislative terms and such issues.

I am voting against this motion of the Minority Ought To Pass, because first of all, we have heard that it is very exhaustive, very tiring to campaign every two years. I submit to you that, if that is exhausting, I happen to find it very rewarding and therapeutic, because we do a lot of walking, and we meet a lot of nice people every two years, and we give the people back home a chance to approve of our work, and our legislative record, and our voting record, or not to approve. If it is exhaustive for some people, how exhaustive is it when you campaign for Congress every two years? I don't think that would influence my vote. I think we have to realize if this were a four year term, that every ten years, as you know, we do submit to a census. These four terms, what would happen after four and four which make eight, what would happen to the other two years? There is something that would not be right, because you cannot divide four into ten, but two into ten go very nicely, and it has worked for our citizen's Legislature over these many years that Maine has been a state.

I am not scared to go to the people every two years, and if I were, I don't think I would use the avenue of trying to be elected for four years. Mention will be made to you that it is a cost saving measure to the state to only have election every four years rather than two years. Well, I submit also to you, that every two years, whether this Bill passes or not, that every two years there are at least municipal elections, there are Congressional elections, I suspect that will not change, there are also referenda questions, and bond issues. Every two years, whether or not this passes will not be a cost savings to the Secretary of States Department. We will hear that election costs will be less. Well, I think that if the stakes are higher, i.e., four years, there will be more people interested in keeping someone in there for four years rather than two, and the stakes will go up, and the costs will go up.

I think we have at least done work here for the betterment of our constituents back home. I know that when I came here several years ago, I made one promise that I would represent them with the dignity and honor they deserve. I think I have tried to do

that, and every two years I look forward to campaigning and going out to see them again. So, I would urge you to vote against the motion, which is Ought to Pass. Thank you.

Senator **BERUBE** of Androscoggin requested a Roll Call.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Bustin.

Senator **BUSTIN**: Thank you Mr. President. Ladies and Gentlemen of the Senate. My worthy opponent, the good Senator from Androscoggin, Senator Berube, has indicated that I have refused to vote for other referendum items, and I would send this out to the voters. I would also vote for a Bill that was before me for four year terms for Senators and Representatives. But this isn't the Bill that is before me, the Bill that came to us came in a form of a referendum question. I am willing to send that out, because I think the question needs to be resolved by the people.

It was also indicated that there would be no less cost to the Secretary of State. I did not indicate in my remarks that I was talking about the costs of campaigns for the Secretary of State. I was talking about the costs of campaigns for individuals, and the money that has to be raised and paid out in order to run those campaigns, the signs, the advertising, all of those kinds of things that we are all very aware of when we run campaigns.

The other issue that was brought up was the mention that perhaps I would not be willing to go back to the people. I was down at City Hall in Augusta at 7:30 this morning meeting with the people, and I meet with my people all the time, and whether I am opposed or not opposed, I am out there meeting with those people, and talking to them, and going to their town meetings, and going to their council meetings. And, in fact, I was the instigator of setting up this monthly, now we are going to do it bi-monthly until the session ends, with the counselors and people that be at the City of Augusta. So, it is not that I am afraid to face the people every two years, I face them every day of my life, as I take votes on this floor, and as I work with them to submit legislation.

I have been accused a number of times of submitting too many pieces of legislation, and that, perhaps, constituents shouldn't have the right to put in any Bills. Well, I don't happen to think that the citizens shouldn't have that right! I think they should. And whether the Bills are enacted or not, that is their area of last regress, and I think they ought to have it.

I am very close to my people, I am very close to my voters, and I respond consistently to them. So, it is not because of that that I urge you to vote for this motion today. I think that it is timely, and one that is needed, and I would urge your support. Thank you.

Senator **WEBSTER** of Franklin moved to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE**.

On motion by Senator **BUSTIN** of Kennebec, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Gauvreau.

Senator **GAUVREAU:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I concurred in the motion for a Roll Call, and I intend to oppose the motion for Indefinite Postponement, and take a stance in opposition to my good colleague from Androscoggin, Senator Berube. I do believe it is appropriate for me to put on the Record why I believe that this measure should, in fact, go to the voters for consideration.

I would take a slightly different tact than in that suggested to you by the good Senator from Kennebec, Senator Bustin. The real issue in this debate is not what is most convenient for us as policy makers or as public officials. We are all too aware of the financial, and physical burdens and strains, attendant to public service. Yet, when we offer ourselves as a candidate for public office, we accept those burdens and those challenges. It seems to me that the real issue is what is in the best interest of the people of the State of Maine. And I believe that issue should be discussed and should be discussed in some length.

I believe that there are many ways that we could improve efficiency and responsiveness of our State Legislature. And frankly, I believe that all those issues are not embraced in a simple question of whether we should have two or four year terms. I have concerns in terms of the length of session, in terms of the timing of our session, in terms of how many Bills are introduced, many Bills which are really outside the preview of this question. But, I am concerned about the increasing complexity of issues which come before this State Legislature. Perhaps, certainly when our state was founded, a state government had less responsibilities, and the challenge of the state government was much less. But, today, we are all aware of the complexity of issues with which we are confronted. One only has to go forward to the Committee on Appropriations to understand the extent of financial issues that they have to deal with, or go the Committee on Energy and Natural Resources, and understand how complicated the energy policy is in our state. In my nine years of legislative service, I have been involved primarily in very, very subtle areas of health care policy, as well as judicial policy. These are issues, that quite frankly, is difficult for members to acquaint themselves thoroughly with in six months, one year, or even two years. It seems to me, that if we are going to do our job properly, and respond to the initial challenges of the sole styled new federalism, where states are being asked to take on more and more responsibility, than we also have to expect Legislators a reasonable time to learn the topics that they are discussing in order that they can fashion appropriate policy.

And a second concern that I have, is in the area of recycling legislative proposals. All of you are aware that every other year, we have many Bills which have been before us, they are perineal Bills. The Committee on Judiciary this year will have over two

hundred and twenty Bills referred to it. And I dare say that well over half of the Bills referred to our Committee have been heard fully, and at great length in past years. Now, we are coming to the point where we are taxing our emotional and cerebral resources in terms of providing good legislation. Our Committee is being asked to pass judgment upon, and report out hundreds of Bills. I wonder if we would not better serve the people of Maine if we would focus our attention upon a smaller number of Bills. If we have two year terms, than obviously, every two years we will introduce these Bills again, and again. It would be unfair to new members not to have an opportunity to introduce those Bills and discuss those Bills. But, if we have four year terms, we can deal with urgent matters, we can deal with the Bills on one occasion, we can either pass them out, we can amend the Bills, or we can reject them. If it is an urgent matter, we have to return to the same topic area, our council can certainly waive the rules, we can hear that issue later in our term.

But it seems to me somewhat impractical in this day and age to reinvent the wheel every year, or every other year. We all understand that many of our Committee's go until six or seven in the evening, and we know full well what the result of the Hearing's will be, because we have heard the Bills many, many times. That is not an issue that we have not really discussed in this debate, I think it does merit some discussion if the voters are asked to pass judgment on the appropriateness of four year terms. I believe strongly in the concept of a citizen Legislature. I believe that a four year term is fully compatible with the notion of a citizen Legislature. If we expect our Legislature to become conversant in difficult matters of public policy, and to deal appropriately with those issues, we have to allow Legislators a reasonable time to acquaint themselves with those issues. That, in fact, does advance the public interest. That is why I stand before you today in opposition to the pending motion which is the motion of the good Senator from Franklin, Senator Webster for Indefinite Postponement. I hope we could defeat the motion, and go on to enact this Resolve. Thank you.

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

Senator **CAHILL:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I rise today hoping that you will accept the motion to Indefinitely Postpone this piece of legislation. Although I rise as an individual Senator from Sagadahoc County, I am speaking in the role as one member of Senate leadership. In that role, comes an awesome task of recruiting candidates every two years to run for office. As I look around at the membership, I can see some of the people that have been recruited in the past, and it brings to my attention that, perhaps, those individuals would not be here if when they were approached to run for office, they were approached with the idea of a four year term. Many of the people in this Legislature, in this Senate, in fact, are business people. They have lives outside of the Legislature, and probably if asked, would not have been able to make a four year commitment. I think that is unfortunate for the people of the State of Maine, because I happen to think that the individuals in this Legislature are very top notch,

and it would be too bad to deny the citizens of the State of Maine their expertise. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Matthews.

Senator **MATTHEWS:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I rise to ask the members of this Body to oppose the pending motion to Indefinitely Postpone, and I just want to offer one quick observation.

It has been mentioned that Congress is a good lead to follow with respect to two year terms. Well, ladies and gentlemen, Congress is a good lead, as far as I am concerned, to follow increasing the term to four years. We all know what it is like to run every year, because we know a two year term means that you are campaigning the very first day you are elected. We also know that in the Congress of the United States, we know the concerns and the problems with influence, we know the problems with getting reelected. Of all of the kinds of things that I think go to the heart of what really public service in the Legislature, or in the Congress is about, as was so eloquently mentioned by the good Senator from Androscoggin, Senator Gauvreau, is that we are here to do is do people's business. The last time that I spoke on this issue, I was taken to task in my local paper, but, risking that, I will still do it again. I think we will have a better process if we increase the term to four years, because I think what will happen is, we may put a few of the political pollsters out of business, some consultants out of business, some of those that put out all the propaganda of campaigning, and we would get down to brass tacks, taking care of the people's business, at least for two or three years. I think that is important, that is what is at stake here.

The last issue that I would mention, is that we give the people an opportunity to decide this issue in the referendum process. What is wrong with that? What is wrong with giving the people the right to decide? Thank you Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Bustin.

Senator **BUSTIN:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I just wanted to rise once again so that I could concur with the good Senator from Androscoggin, Senator Gauvreau. I did not mean to imply that the only reason that we should have four year terms is because of the stress of campaigning or the expense of campaigning. As a matter of fact, I had my business partner with me all day yesterday, bless his dear soul, he stayed with me from early in the morning until late at night. He was a former AP Reporter, Associated Press Reporter, here on this third floor, and was heard to say a number of times to people, as he was introduced, and as he went through the day, that the issues had become so much more complex than when he was here in the seventies, and that he could understand the stress and the amount of time that we had to give to the issues these days was much, much more than what he had experienced when he was a Reporter on this floor. So, I just wanted to state that, to add some kind of additional weight, not that he needs it, to

the good Senator from Androscoggin, Senator Gauvreau. Thank you.

On motion by Senator **BUSTIN** of Kennebec, Tabled until Later in Today's Session, pending the motion by Senator **WEBSTER** of Franklin to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE**. (Roll Call Ordered.)

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

ORDERS OF THE DAY

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

HOUSE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on **RESOLUTION**, Proposing an Amendment to the Constitution of Maine to Provide for 4-year Terms for Senators and Members of the House of Representatives

H.P. 256 L.D. 347

Majority - Ought Not to Pass

Minority - Ought to Pass as Amended by Committee Amendment "A" (H-89)

Tabled - April 25, 1991, by Senator **BUSTIN** of Kennebec

Pending - the motion by Senator **WEBSTER** of Franklin to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE**. (Roll Call Ordered.)

(In Senate, April 25, 1991, Reports **READ**. Motion to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **FAILED**.)

(In House, April 24, 1991, Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolution **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-89)**.)

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator McCormick.

Senator **MCCORMICK:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I would like to pose a question through the Chair. Where in the Bill is the wording that proposes the four year terms, and does it propose an offsetting of four year terms? Will there be elections every two years for some persons in the two Bodies? Thank you Mr. President.

THE PRESIDENT: The Senator from Kennebec, Senator McCormick, has posed a question through the Chair to any Senator who may care to respond. The

Chair recognizes the Senator from Androscoggin, Senator Berube.

Senator BERUBE: Thank you Mr. President. Ladies and Gentlemen of the Senate. That is a very good question, Mr. President. However, I don't know who will determine who will be running in the ninth and tenth year, because we have, no matter how you slice it, every ten years we have redistricting, restructuring as a result of the Senate, so how you can get four and four into ten three times, or two and a half times? I don't know. The Bill does not address that.

Off Record Remarks

On motion by Senator BUSTIN of Kennebec, RECESSED until 5:00 in the evening.

After Recess

Senate called to order by the President.

ORDERS OF THE DAY

Unfinished Business

The following matters in the consideration of which the Senate was engaged at the time of Recess, have preference in the Orders of the Day and continue with such preference until disposed of as provided by Senate Rule 29.

4/25/91 - Divided Report

HOUSE REPORTS - from the Committee on STATE AND LOCAL GOVERNMENT on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for 4-year Terms for Senators and Members of the House of Representatives

H.P. 256 L.D. 347

Majority - Ought Not to Pass

Minority - Ought to Pass as Amended by Committee Amendment "A" (H-89)

(In Senate, April 25, 1991, Reports READ. Motion to ACCEPT the Majority OUGHT NOT TO PASS Report FAILED. Senator WEBSTER of Franklin moved to INDEFINITELY POSTPONE Bill and Accompanying Papers in NON-CONCURRENCE (Roll Call Ordered).)

(In House, April 24, 1991, Minority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Resolution PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-89).)

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending the motion by Senator WEBSTER of Franklin to INDEFINITELY POSTPONE Bill and Accompanying Papers in NON-CONCURRENCE. (Roll Call Ordered.)

Divided Report

The Majority of the Committee on UTILITIES on Bill "An Act Concerning Utility Projects in an Existing Right-of-Way"

H.P. 623 L.D. 893

Reported that the same Ought Not to Pass.

Signed:

Senators:

CLEVELAND of Androscoggin
CARPENTER of York

Representatives:

ADAMS of Portland
CLARK of Millinocket
AIKMAN of Poland
MERRILL of Dover-Foxcroft
LUTHER of Mexico
DONNELLY of Presque Isle
LIPMAN of Augusta
HOLT of Bath
KONTOS of Windham

The Minority of the same Committee on the same subject reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-151)

Signed:

Representative:

MORRISON of Bangor

Comes from the House with the Majority OUGHT NOT TO PASS Report READ and ACCEPTED.

Which Reports were READ.

The Majority OUGHT 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 TWITCHELL for the Committee on **AGRICULTURE** Bill "An Act Concerning Manure Spreading"

S.P. 99 L.D. 184

Reported by Senator KANY for the Committee on **BANKING AND INSURANCE** Bill "An Act to Authorize the State, Counties and Municipalities to Buy Employee-deferred Compensation Plans from Financial Institutions"

S.P. 164 L.D. 376

Reported by Senator KANY for the Committee on **BANKING AND INSURANCE** Bill "An Act to Amend the Automobile Insurance Laws"

S.P. 512 L.D. 1373

Reported by Senator TITCOMB for the Committee on **ENERGY AND NATURAL RESOURCES** Resolve, Concerning the Construction of Coal-burning Facilities (Emergency)

S.P. 483 L.D. 1285

Reported by Senator GAUVREAU for the Committee on **JUDICIARY** Bill "An Act to Retain Legal Services for Debtors"

S.P. 531 L.D. 1409

Reported by Senator MILLS for the Committee on **LEGAL AFFAIRS** Resolve, Authorizing Pamela LaTourneau, as Personal Representative of the Estate of Richard LaTourneau III, and Pamela LaTourneau and Richard LaTourneau, Jr. to Bring Civil Action against the State

S.P. 400 L.D. 1076

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 Expand Public Representation on the Board of Environmental Protection"

S.P. 498 L.D. 1336

Reported by Senator GAUVREAU for the Committee on **JUDICIARY** Bill "An Act Regarding Court Security in Androscoggin County" (Emergency)

S.P. 123 L.D. 225

Reported by Senator GAUVREAU for the Committee on **JUDICIARY** Bill "An Act to Waive Restrictions on Certain Physicians"

S.P. 256 L.D. 714

Reported by Senator GAUVREAU for the Committee on **JUDICIARY** Bill "An Act to Protect Access to Medicare, Medicaid and Social Security Benefits and Maintain Insurance Premiums"

S.P. 328 L.D. 884

Reported by Senator GAUVREAU for the Committee on **JUDICIARY** Bill "An Act to Ensure Timely and Equitable Treatment of Discrimination Complaints Made to the Maine Human Rights Commission"

S.P. 362 L.D. 964

Reported by Senator GAUVREAU for the Committee on **JUDICIARY** Bill "An Act to Permit Collateral Source Evidence in Civil Actions"

S.P. 391 L.D. 1068

Ought to Pass

Senator TITCOMB for the Committee on **ENERGY AND NATURAL RESOURCES** on Bill "An Act to Amend the Reduction in Toxics in Packaging Laws"

S.P. 572 L.D. 1526

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

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

The Bill **READ ONCE**.

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

Senator GAUVREAU for the Committee on **JUDICIARY** on Bill "An Act to Revise Provisions for a New Birth Certificate after Adoption"

S.P. 339 L.D. 929

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 KANY for the Committee on **BANKING AND INSURANCE** on Bill "An Act Relating to Health Insurance"

S.P. 265 L.D. 742

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-86)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-86) **READ** and **ADOPTED**.

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

Senator **BALDACCI** for the Committee on **BUSINESS LEGISLATION** on Bill "An Act to Improve Consumer Access to Physical Therapy Services"
S.P. 184 L.D. 493

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-93)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-93) **READ** and **ADOPTED**.

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

Senator **CONLEY** for the Committee on **HUMAN RESOURCES** on Bill "An Act to Provide Funds to Dental Clinics"
S.P. 333 L.D. 908

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-91)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-91) **READ** and **ADOPTED**.

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

Senator **GAUVREAU** for the Committee on **JUDICIARY** on Bill "An Act to Ban Tree Spiking"
S.P. 116 L.D. 211

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-89)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-89) **READ** and **ADOPTED**.

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

Senator **BERUBE** for the Committee on **JUDICIARY** on Bill "An Act to Provide an Expedited Process for the Commencement of Paternity Actions"
S.P. 310 L.D. 819

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-87)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-87) **READ** and **ADOPTED**.

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

Senator **ESTES** for the Committee on **MARINE RESOURCES** on Bill "An Act Regarding the Relaying of Shellfish"
S.P. 439 L.D. 1183

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-88)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-88) **READ** and **ADOPTED**.

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

Divided Report

The Majority of the Committee on **EDUCATION** on Bill "An Act to Provide for a Minimum Level of Compensation for Cooperating and Supervisory Teachers of Student Teachers"
S.P. 412 L.D. 1126

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

Signed:

Senators:
ESTES of York
MCCORMICK of Kennebec
BRAWN of Knox

Representatives:

CROWLEY of Stockton Springs
O'GARA of Westbrook
BARTH of Bethel
PFEIFFER of Brunswick
CAHILL of Mattawamkeag
NORTON of Winthrop
AULT of Wayne
O'DEA of Orono

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-92)**

Signed:

Representatives:

HANDY of Lewiston
OLIVER of Portland

Which Reports were **READ**.

The Majority **OUGHT NOT TO PASS** Report was **ACCEPTED**.

Sent down for concurrence.

SECOND READERS

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

House

Bill "An Act to Clarify the Provisions for Temporary and Conditional Psychologists' Licenses"
H.P. 724 L.D. 1028

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

House As Amended

Bill "An Act to Expand Consumer Membership on the Board of Osteopathic Examination and Registration"
H.P. 361 L.D. 515
(C "A" H-145)

Bill "An Act to Improve Eye Care in the Schools"
H.P. 382 L.D. 556
(C "A" H-147)

Bill "An Act to Amend the Public Drinking Laws"
H.P. 405 L.D. 588
(C "A" H-148)

Bill "An Act to Clarify Provisions Relating to the Bureau of Intergovernmental Drug Enforcement"
H.P. 423 L.D. 606
(C "A" H-149)

Bill "An Act to Improve the Regulatory Operations of the Board of Licensing of Auctioneers" (Emergency)
H.P. 440 L.D. 623
(C "A" H-146)

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

Bill "An Act Relating to Violations Involving the Disregard of Red Flashing Lights on School Buses"
H.P. 443 L.D. 633
(S "A" S-90 to C "A" H-106)

Bill "An Act Concerning Ice Fishing"
H.P. 485 L.D. 679
(C "A" H-132)

Which were **READ A SECOND TIME** and **PASSED TO BE ENGROSSED, As Amended** in **NON-CONCURRENCE**.

Sent down for concurrence.

Senate

Bill "An Act to Exempt Certain Students from Eligibility for Unemployment Compensation Benefits"
S.P. 222 L.D. 549

Bill "An Act to Create a Duty of Fair Representation under the University of Maine System Labor Relations Act"
S.P. 489 L.D. 1327

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

Sent down for concurrence.

Senate As Amended

Bill "An Act to Revise Transition Services for Disabled Students"
S.P. 79 L.D. 142
(C "A" S-85)

Bill "An Act Pertaining to Community Corrections Programs" (Emergency)

S.P. 207 L.D. 534
(C "A" S-83)

An Act to Ensure Safe Removal of Underground Oil Storage Tanks

S.P. 146 L.D. 358
(C "A" S-48)

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

Sent down for concurrence.

An Act to Correct the Registration of the Thorncrag, Davis and Woodbury Sanctuaries of the Stanton Bird Club with the Department of Inland Fisheries and Wildlife

S.P. 160 L.D. 372
(C "A" S-50)

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

S.P. 367 L.D. 969
(C "A" S-84)

An Act to Amend the Appointment Process for the Panel of Mediators

S.P. 168 L.D. 380

Which was **READ A SECOND TIME.**

An Act to Amend Employment Practices Regarding Employee Personnel Files

H.P. 267 L.D. 387

On motion by Senator **CLARK** of Cumberland, Tabled until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED AS AMENDED.**

An Act Relating to Discrimination in Membership in Golf and Country Clubs

S.P. 172 L.D. 427
(C "A" S-52)

ENACTORS

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

An Act Concerning the Payment of Interest on Mandatory Escrow Balances

H.P. 363 L.D. 517
(C "A" H-104)

An Act to Protect Insurance Consumers

H.P. 54 L.D. 75
(C "A" H-105)

An Act Concerning the Commission on Governmental Ethics and Election Practices

H.P. 383 L.D. 557
(C "A" H-67)

An Act Concerning the Licensing of Organizations Operating Games of Chance or Beano

H.P. 67 L.D. 95
(C "A" H-77)

An Act to Exempt Municipal Vehicles from Overweight Penalties

H.P. 444 L.D. 634
(C "A" H-92)

An Act to Change the Title of the Commission on Safety in the Maine Workplace

H.P. 100 L.D. 141

An Act to Increase the Fees for Local Registration of Motor Vehicles

H.P. 470 L.D. 664

An Act to Change the Term "Handicap" in the Maine Human Rights Act

S.P. 104 L.D. 191
(C "A" S-53)

An Act to Prohibit Refusal to Issue Automobile Insurance Solely because the Applicant Has Reached the Age of 65

H.P. 497 L.D. 691
(C "A" H-85)

An Act to Change the Composition of the Advisory Council on Deferred Compensation Plans

H.P. 202 L.D. 293
(C "A" H-88)

An Act to Amend the Uniform Fraudulent Transfer Act

H.P. 501 L.D. 695
(C "A" H-103)

An Act to Amend the Election Laws Dealing with Local Elections

H.P. 224 L.D. 315
(C "A" H-86)

An Act to Provide for Fiscal Year Accounting and Pretreatment Provisions for the Kennebec Sanitary Treatment District

S.P. 251 L.D. 709
(C "A" S-46)

An Act Regarding Moose Permits for People Called to Serve in an Armed Conflict

S.P. 280 L.D. 739
(C "A" S-49)

An Act to Amend the Laws Regarding State Assistance to Mass Transportation

H.P. 517 L.D. 745
(C "A" H-79)

An Act to Clarify Certain Provisions of the Hospital Care Financing System and Provide for Systematic Consideration of Consumer Viewpoints by the Maine Health Care Finance Commission

H.P. 550 L.D. 787

An Act to Repeal the Restriction on Investments in Loans Secured by First Mortgages on Real Estate by State-chartered Credit Unions

H.P. 601 L.D. 861
(C "A" H-83)

An Act to Provide for Notice of Termination of an Insurance Agency Appointment

S.P. 324 L.D. 880
(C "A" S-57)

An Act to Amend the Rules Dealing with Laundering Services for Cloth Diapers Used by Day Care Centers

H.P. 619 L.D. 889
(C "A" H-95)

An Act to Clarify the Obligation of District Attorneys to Pay for Physical Examinations of Certain Crime Victims

H.P. 621 L.D. 891

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

An Act to Expand the Blaine House Scholars Program to Assist in Teacher Certification

H.P. 136 L.D. 196
(C "A" H-75)

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

An Act to Amend the Provisions Regarding the Uniform Traffic Ticket and Complaint

S.P. 131 L.D. 233
(C "A" S-54)

On motion by Senator **THERIAULT** of Aroostook, placed on the **SPECIAL HIGHWAY TABLE**, pending **ENACTMENT**.

An Act to Make Changes in the Quahog Tax Laws

H.P. 164 L.D. 249
(C "A" H-107)

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

An Act to Provide Due Process in Employment Decisions Affecting Public School Principals

H.P. 190 L.D. 283
(C "A" H-108)

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

An Act to Amend the School Bus Inspection Laws

H.P. 216 L.D. 307
(C "A" H-91)

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

An Act to Extend Coverage to Veterans' Stepchildren for Educational Assistance

H.P. 335 L.D. 465
(C "A" H-93)

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

An Act to Amend the Auctioneer Licensing Law Relating to the Sale of Motor Vehicles at Public Auction

H.P. 389 L.D. 563
(C "A" H-101)

On motion by Senator **THERIAULT** of Aroostook, placed on the **SPECIAL HIGHWAY TABLE**, pending **ENACTMENT**.

An Act to Amend the Maine Housing Authorities Act and the Affordable Housing Partnership Act of 1989
H.P. 612 L.D. 872
(C "A" H-96)

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

An Act to Define Medically Necessary Mastectomy Surgery
H.P. 230 L.D. 321
(C "A" H-84)

Comes from the House Bill and Accompanying Papers **RECOMMITTED** to the Committee on **BANKING AND INSURANCE**.

On motion by Senator CLARK of Cumberland, Bill and Accompanying Papers **RECOMMITTED** to the Committee on **BANKING AND INSURANCE**, in concurrence.

Emergency

An Act to Establish Standards of Financial Need for Grants under the Small Community Grants Program
H.P. 99 L.D. 140
(C "A" H-61; H "A" H-87)

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with no Senators having voted in the 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.

Emergency

An Act to Clarify the Licensing Status of Acute Care Units at State Mental Health Institutes
H.P. 391 L.D. 565
(C "A" H-82)

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with no Senators having voted in the negative, and 24 being 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 Amend the Augusta Sanitary District Charter to Comply with Federal Sewerage Pretreatment Requirements

S.P. 321 L.D. 877
(C "A" S-51)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with no Senators having voted in the 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 Amend the Charter of the Berwick Sewer District

H.P. 645 L.D. 919
(H "A" H-97)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with no Senators having voted in the 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 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

S.P. 435 L.D. 1156

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with no Senators having voted in the negative, and 29 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 Remedy Statutory Inconsistencies

S.P. 463 L.D. 1239
(C "A" S-47; S "A" S-59)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with no Senators having voted in the negative, and 28 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.

RECALLED FROM LEGISLATIVE FILES

Bill "An Act to Extend the Eligibility Period for Reimbursement of Municipalities for Landfill Closure"
H.P. 324 L.D. 454

(In Senate, April 18, 1991, **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in concurrence.)

(**RECALLED** from the Legislative Files, pursuant to Joint Order S.P. 629.)

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Titcomb.

Senator **TITCOMB:** Mr. President, is the Senate in possession of L.D. 454?

THE PRESIDENT: The Chair would answer in the affirmative, the Bill having been recalled from the Legislative Files, pursuant to Joint Order S.P. 629.

On motion by Senator **TITCOMB** of Cumberland, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ACCEPTED** the **OUGHT NOT TO PASS** Report of the Committee.

The same Senator further moved to **RECOMMIT** Bill and Accompanying Papers to the Committee on **ENERGY AND NATURAL RESOURCES** in **NON-CONCURRENCE**.

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

Senator **CAHILL:** Thank you Mr. President. I see some people shaking their heads, and I wonder why you could explain why this is necessary?

THE PRESIDENT: The Senator from Sagadahoc, Senator Cahill, has posed a question through the Chair to any Senator who may care to respond. The Chair recognizes the Senator from Cumberland, Senator Titcomb.

Senator **TITCOMB:** Thank you Mr. President. I wish I could give you more details as to why this was directed to me to recall and recommit to our Committee, but if you will give me a few minutes, I will get the specifics on it.

On motion by Senator **CLARK** of Cumberland, Tabled until Later in Today's Session, pending the motion by Senator **TITCOMB** of Cumberland, to **RECOMMIT** Bill and Accompanying Papers to the Committee on **ENERGY AND NATURAL RESOURCES** in **NON-CONCURRENCE**.

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order: H.P. 1178

ORDERED, the Senate concurring, that the Joint Standing Committee on Labor and the Joint Standing Committee on Banking and Insurance jointly report out a bill to the House to reform the worker's compensation system.

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

Which was **READ** and **PASSED**, in concurrence.

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

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Provide for the 1991 and 1992 Allocations of the State Ceiling on Private Activity Bonds" (Emergency)

S.P. 632 L.D. 1680

In Senate, April 24, 1991, referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and **ORDERED PRINTED**.

Comes from the House referred to the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** and **ORDERED PRINTED** in **NON-CONCURRENCE**.

The Senate **INSISTED**.

(See Action Later Today)

House Papers

Bill "An Act to Prohibit the Sale and Distribution of Certain Milk Products"
H.P. 1163 L.D. 1704

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

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

Bill "An Act Relating to Insurance Trade Practices"
H.P. 1160 L.D. 1701

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.

Bill "An Act to Prohibit Unfair Sale Practices by Rent-to-own Businesses"
H.P. 1176 L.D. 1717

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

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

Bill "An Act to Clarify the Role of the Maine Youth Center"
H.P. 1161 L.D. 1702

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.

Resolve, to Establish Minimum Graduation Requirements for High School Students
H.P. 1153 L.D. 1694

Resolve, to Establish the Commission to Study the Feasibility of a Capital Cultural Center (Emergency)
H.P. 1164 L.D. 1705

Bill "An Act to Protect the Rights of Parents and Guardians"
H.P. 1173 L.D. 1714

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.

Bill "An Act to Clarify Provisions of and Provide Funding for Toxics Use, Toxics Release and Hazardous Waste Reduction Programs"
H.P. 1171 L.D. 1712

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.

Bill "An Act to Provide a Juvenile Offender with a Continuum of Services through the Department of Human Services"
H.P. 1158 L.D. 1699

Bill "An Act to Reimburse Foster Parents for the True Cost of Raising a Foster Child"
H.P. 1167 L.D. 1708

Bill "An Act Concerning Bone Marrow Transplant Education"
H.P. 1169 L.D. 1710

Resolve, to Establish the Commission to Study Service Delivery Systems for Children with Autism (Emergency)
H.P. 1170 L.D. 1711

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

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

Bill "An Act Concerning the Construction of the Maine Revised Statutes"
H.P. 1159 L.D. 1700

Bill "An Act to Safeguard Money Held for Minors"
H.P. 1172 L.D. 1713

Bill "An Act to Allow Guardians to Hospitalize
Wards"
H.P. 1175 L.D. 1716

Bill "An Act to Provide for Administrative
Correction of Certain Errors and Inconsistencies in
the Maine Revised Statutes and to Establish the
Commission to Study Resolution of Conflicting
Enactments" (Emergency)
H.P. 1177 L.D. 1718

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 Concerning the Unlawful Prohibition
of Legal Activities as a Condition of Employment"
H.P. 1155 L.D. 1696

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 to Allow the Officers of a
Municipality the Option to Designate the State Police
as That Municipality's Issuing Authority for
Concealed Weapons"
H.P. 1154 L.D. 1695

Bill "An Act to Reform Campaign Finance"
H.P. 1162 L.D. 1703

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 Amend the Maine Uniform
Accounting and Auditing Practices Act for Community
Agencies"
H.P. 1166 L.D. 1707

Bill "An Act to Establish State Selective
Purchasing Standards"
H.P. 1174 L.D. 1715

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 Encourage Increased Investment
and Employment in the State"
H.P. 1156 L.D. 1697

Bill "An Act to Exempt Certain Farm Structures
from Taxation"
H.P. 1165 L.D. 1706

Bill "An Act to Promote Motor Vehicle Fuel
Efficiency"
H.P. 1168 L.D. 1709

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 Promote Participation in
Affordable Telephone Service"
H.P. 1157 L.D. 1698

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

Which was referred to the Committee on **UTILITIES**
and **ORDERED PRINTED**, in 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 **BANKING AND INSURANCE** Bill
"An Act to Require Notice of Costs Associated with
Transactions at Automated Teller Machines"
H.P. 751 L.D. 1085

From the Committee on **BANKING AND INSURANCE** Bill
"An Act to Amend the Maine Health Program"
H.P. 930 L.D. 1350

From the Committee on **EDUCATION** Bill "An Act to
Provide a Vocational Planning Initiative for
Secondary School Students"
H.P. 799 L.D. 1145

From the Committee on **ENERGY AND NATURAL
RESOURCES** Bill "An Act to Facilitate Recycling
Programs for Aseptic Packages and Milk Cartons"
(Emergency)
H.P. 982 L.D. 1427

From the Committee on **JUDICIARY** Bill "An Act to
Protect Consumers and Provide Access to Information"
H.P. 1006 L.D. 1474

From the Committee on **LEGAL AFFAIRS** Resolve,
Authorizing Peter K. Sweck of Columbia Falls to Bring
a Civil Action against the State
H.P. 682 L.D. 981

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 **BANKING AND INSURANCE** Bill
"An Act to Authorize the Town of Casco to Operate
Amusement Devices without Requiring Proof of
Insurance" (Emergency)
H.P. 862 L.D. 1242

From the Committee on **BUSINESS LEGISLATION** Bill
"An Act to Regulate Building Contractors"
H.P. 694 L.D. 993

From the Committee on **BUSINESS LEGISLATION** Bill
"An Act Concerning Slack-filled Food Packages"
H.P. 802 L.D. 1148

From the Committee on **HUMAN RESOURCES** Bill "An
Act to Facilitate the Participation of Community
Hospitals in the Development of Mental Health
Services"
H.P. 223 L.D. 314

From the Committee on **HUMAN RESOURCES** Bill "An
Act to Improve Community Services to People with
Mental Illness"
H.P. 351 L.D. 481

From the Committee on **JUDICIARY** Bill "An Act to
Modify Joint and Several Liability in Medical
Malpractice Actions"
H.P. 243 L.D. 334

From the Committee on **JUDICIARY** Bill "An Act
Regarding Release of Joint Tort-feasors"
H.P. 472 L.D. 666

From the Committee on **JUDICIARY** Bill "An Act to
Clarify the Standard for Punitive Damages in
Negligence Cases"
H.P. 493 L.D. 687

From the Committee on **JUDICIARY** Bill "An Act to
Clarify the Laws Governing Prelitigation Screening
Panels" (Emergency)
H.P. 605 L.D. 865

From the Committee on **JUDICIARY** Bill "An Act to
Promote Uniform Statutes of Limitations"
H.P. 669 L.D. 949

From the Committee on **JUDICIARY** Bill "An Act
Concerning Illegally Dumped Solid Waste"
H.P. 753 L.D. 1087

From the Committee on **JUDICIARY** Bill "An Act
Regarding Wrongful Death Actions"
H.P. 851 L.D. 1217

From the Committee on **JUDICIARY** Bill "An Act to
Remove Certain Exemptions from Jury Service"
H.P. 868 L.D. 1254

From the Committee on **JUDICIARY** Bill "An Act
Concerning Jury Duty"
H.P. 939 L.D. 1361

From the Committee on **JUDICIARY** Bill "An Act to
Allow for Criminal and Civil Prosecution for Animal
Trespass Laws"
H.P. 963 L.D. 1390

From the Committee on **MARINE RESOURCES** Bill "An
Act to Establish a Lobster Management Plan"
H.P. 745 L.D. 1049

Ought to Pass

The Committee on **HUMAN RESOURCES** on Bill "An Act
to Modify the Radiation Protection Laws"
H.P. 904 L.D. 1301

Reports 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**.

The Committee on **LABOR** on Bill "An Act to Clarify Appellate Procedures under the Public Sector Labor Laws"

H.P. 925 L.D. 1322

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**.

Ought to Pass As Amended

The Committee on **AGRICULTURE** on Bill "An Act to Appropriate Funds for the Maine Potato Breeding Program"

H.P. 809 L.D. 1163

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-168)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-168)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-168) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **BANKING AND INSURANCE** on Bill "An Act to Clarify the Laws Relating to Insurance Coverage for Mammograms" (Emergency)

H.P. 452 L.D. 642

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-166)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-166)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-166) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **BUSINESS LEGISLATION** on Bill "An Act Regarding the Licensing of Nurses"

H.P. 436 L.D. 619

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-154)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-154)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-154) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **EDUCATION** on Bill "An Act to Amend the Laws Concerning Postgraduate Education in the Field of Medicine" (Emergency)

H.P. 430 L.D. 613

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-165)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-165)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-165) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act Relating to the Computation of Flow for Wastewater Discharges"

H.P. 644 L.D. 918

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-167).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-167).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-167) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on HUMAN RESOURCES on Resolve, to Create a Pilot Project for a Substance Abuse Halfway House for Pregnant Women and Mothers with Young Children

H.P. 174 L.D. 259

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-158).

Comes from the House with the Report READ and ACCEPTED and the Resolve PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-158).

Which Report was READ and ACCEPTED, in concurrence.

The Resolve READ ONCE.

Committee Amendment "A" (H-158) READ and ADOPTED, in concurrence.

The Resolve as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on HUMAN RESOURCES on Bill "An Act Concerning Postsecondary Student Immunization Requirements"

H.P. 198 L.D. 289

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-164).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-164).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-164) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on HUMAN RESOURCES on Bill "An Act Concerning Requests for Medical Records"

H.P. 298 L.D. 419

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-157).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-157).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-157) READ.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Conley.

Senator CONLEY: Thank you Mr. President. Ladies and Gentlemen of the Senate. There is one point of clarification that I would like to make for the Record in respect to this L.D. as amended by Committee Amendment "A" (H-157). Medical records can be provided through copies of records, or through a narrative from the physician. It is not the intention of the Committee to have this Bill applied to prescriptions, which the Committee did not consider a medical record per say, and particular, this does not apply to contact lenses. Specifications are for prescriptions when they are provided by an optometrist or an optician. The Committee is aware that this particular issue may come up before another Committee. That it is a fight for another day. And accordingly, we want to make it clear that contact lens prescriptions were not intended to be included within the scope of this Bill or its amendment. Thank you Mr. President.

Committee Amendment "A" (H-157) ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on **HUMAN RESOURCES** on Bill "An Act to Continue Support for the Maine Hospice Council and to Change Certain Provisions of the Law Necessary to the Proper Operations of the Maine Hospice Council"
H.P. 412 L.D. 595

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-159)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-159)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-159) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **HUMAN RESOURCES** on Bill "An Act to Establish Coordination Services for People Who have Sustained Traumatic Brain Injury"
H.P. 613 L.D. 873

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-156)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-156)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-156) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **HUMAN RESOURCES** on Bill "An Act to Change the Title of the Office of Dental Health"
H.P. 801 L.D. 1147

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-163)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-163)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-163) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **LEGAL AFFAIRS** on Bill "An Act Concerning Purchases of Alcohol from Agency Stores"
H.P. 91 L.D. 132

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-155)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-155)**.

Which Report was **READ**.

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

Senator **PEARSON:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I wonder if we could have a brief explanation of what this Bill and its Amendment does?

THE PRESIDENT: The Senator from Penobscot, Senator Pearson, has posed a question through the Chair to any Senator who would care to respond.

Off Record Remarks

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Mills.

Senator **MILLS:** Thank you Mr. President. This Bill as amended, allows businesses that sell liquor, living more than fifteen miles away from a Liquor Store, when the Liquor Store is closed, they may get written permission from the Bureau of Alcoholic Beverages to go to an Agency Store that might be open, and buy the liquor at eight percent more than they normally would buy it for at a State Liquor Store, so that the state loses no money from that. They are only allowed to do that when the State Liquor Store is more than fifteen miles away and closed. They can purchase at a State Agency Store, and it does not cost the State of Maine any money.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-155) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **MARINE RESOURCES** on Bill "An Act to Reduce Marine Pollution"
H.P. 594 L.D. 845

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A"** (H-162).

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-162).

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-162) **READ** and **ADOPTED**, in concurrence.

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

ENACTORS

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

An Act to Ensure Access to Boards of Directors
S.P. 38 L.D. 60
(C "A" S-67)

An Act to Amend the Special Archery Hunting Season Laws
S.P. 63 L.D. 115
(C "A" S-65)

An Act Regarding Traffic Violations Bureaus
H.P. 178 L.D. 263
(C "A" H-110)

An Act to Provide Payment of Restitution to the Offices of the District Attorneys
H.P. 268 L.D. 388
(C "A" H-111)

An Act to Amend the Maine Human Rights Act to Prohibit Educational Discrimination on the Basis of Race
H.P. 341 L.D. 471
(C "A" H-109)

An Act Regarding Local Option Questions on the Sale of Beer and Wine
H.P. 388 L.D. 562
(C "A" H-121)

An Act to Require Each Person Licensed for the Practice of Funeral Service to Participate in Continuing Professional Education
S.P. 227 L.D. 581
(C "A" S-66)

An Act to Clarify the Role of Law Enforcement Officers in the Investigation of Medical Examiner Cases
S.P. 236 L.D. 627
(C "A" S-60)

An Act to Amend the Laws Concerning Removal or Destruction of Landmark Locations by State Departments
S.P. 276 L.D. 735
(C "A" S-61)

An Act to Enable Retail Stores to Bottle and Sell Water on the Premises
H.P. 516 L.D. 744
(C "A" H-119)

An Act to Amend the Revised Maine Securities Act
S.P. 297 L.D. 795
(C "A" S-68)

An Act to Require Voter Approval for Disposal of School Property
H.P. 573 L.D. 824
(C "A" H-114)

An Act to Amend the Qualification of Blueberry Producers Associations in the Maine Agriculture Marketing and Bargaining Act of 1973
H.P. 708 L.D. 1013

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

An Act Concerning the Lobster Harvesting License Fee for Persons 70 Years of Age or Older
H.P. 346 L.D. 476
(C "A" H-125)

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

Emergency

An Act to Appropriate Funds to Continue the Surname Index Project at the Maine State Library
H.P. 97 L.D. 138
(C "A" H-113)

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

Emergency

An Act to Authorize the Town of Brownville to Acquire the Assets and Liabilities of the Brownville Water District

S.P. 355 L.D. 957
(C "A" S-69)

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with no Senators having voted in the 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.

RECALLED FROM LEGISLATIVE FILES

Bill "An Act Concerning Federal Impact Aid for Education"

S.P. 72 L.D. 128

(In Senate, April 4, 1991, **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in concurrence.)

(**RECALLED** from the Legislative Files, pursuant to Joint Order S.P. 649.)

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Estes.

Senator **ESTES:** Mr. President, is the Senate in possession of L.D. 128?

THE PRESIDENT: The Chair would answer in the affirmative, the Bill having been recalled from the Legislative Files, pursuant to Joint Order S.P. 649.

On motion by Senator **ESTES** of York, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** its action whereby it **ACCEPTED** the **OUGHT NOT TO PASS** Report.

On further motion by same Senator, Bill and Accompanying Papers **RECOMMITTED** to the Committee on **EDUCATION** in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **CLARK** of Cumberland, the Senate **RECONSIDERED** its action whereby it **INSISTED** on:

Bill "An Act to Provide for the 1991 and 1992 Allocations of the State Ceiling on Private Activity Bonds" (Emergency)

S.P. 632 L.D. 1680

(In Senate, April 24, 1991, referred to Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and **ORDERED PRINTED**.)

(In House, April 25, 1991, referred to Committee on **HOUSING AND ECONOMIC DEVELOPMENT** and **ORDERED PRINTED** in **NON-CONCURRENCE**.)

On further motion by same Senator, the Senate **RECEDED** and **CONCURRED**.

Senate at Ease

Senate called to order by the President.

ORDERS OF THE DAY

On motion by Senator **CLARK** of Cumberland, the Senate removed from the Tabled and Later Today Assigned matter:

Bill "An Act to Amend the Charter of the Portland Water District"

S.P. 254 L.D. 712
(C "A" S-41)

Tabled - April 25, 1991, by Senator **VOSE** of Washington

Pending - **FURTHER CONSIDERATION**

(In Senate, April 8, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-41)**.)

(In House, April 24, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-41) AS AMENDED BY HOUSE AMENDMENT "A" (H-161)** thereto, in **NON-CONCURRENCE**.)

On motion by Senator **VOSE** of Washington, the Senate **RECEDED** and **CONCURRED**.

On motion by Senator **CLARK** of Cumberland, the Senate removed from the Tabled and Later Today Assigned matter:

HOUSE REPORTS - from the Committee on **LEGAL AFFAIRS** on Bill "An Act to Require Interest on Tenant Security Deposits and to Provide Funds for Affordable Housing"

H.P. 607 L.D. 867

Majority - **Ought Not to Pass**

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-150)**

Tabled - April 25, 1991, by Senator **CLARK** of Cumberland.

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, April 25, 1991, Reports **READ**.)

(In House, April 24, 1991, Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

On motion by Senator **MILLS** of Oxford, the Majority **OUGHT NOT TO PASS** Report was **ACCEPTED**, in concurrence.

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

NOMINATION - of J. Franklin Howe of Bath for reappointment to the Maine Real Estate Commission.

Tabled - April 25, 1991, by Senator **CLARK** of Cumberland.

Pending - **CONSIDERATION**

(In Senate, April 25, 1991, Communication from the Committee on **BUSINESS LEGISLATION READ** and **ORDERED PLACED ON FILE**.)

THE PRESIDENT: The Joint Standing Committee on Business Legislation has recommended the nomination of J. Franklin Howe of Bath, be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Business Legislation 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 **BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, ESTES, ESTY, FOSTER, GAUVREAU, GOULD, HOLLOWAY, KANY, LUDWIG, MCCORMICK, MILLS, PEARSON, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY**

ABSENT: Senators **BALDACCI, DUTREMBLE, EMERSON, GILL, MATTHEWS, RICH,**

No Senators having voted in the affirmative and 29 Senators having voted in the negative, with 6 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 J. Franklin Howe, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

On motion by Senator **CLARK** of Cumberland, the Senate removed from the Tabled and Later Today Assigned matter:

Bill "An Act to Extend the Eligibility Period for Reimbursement of Municipalities for Landfill Closure" H.P. 324 L.D. 454

Tabled - April 25, 1991, by Senator **CLARK** of Cumberland

Pending - The motion by Senator **TITCOMB** of Cumberland to **RECOMMIT** Bill and Accompanying Papers to the Committee on **ENERGY AND NATURAL RESOURCES** in **NON-CONCURRENCE**.

(**RECALLED** from the Legislative Files, pursuant to Joint Order S.P. 629.)

(In Senate, April 25, 1991, **RECONSIDERED ACCEPTANCE** of the **OUGHT NOT TO PASS** Report in **NON-CONCURRENCE**.)

(In House, April 17, 1991, **OUGHT NOT TO PASS** Report **ACCEPTED**.)

On motion by Senator **TITCOMB** of Cumberland, **RECOMMITTED** Bill and Accompanying Papers to the Committee on **ENERGY AND NATURAL RESOURCES** in **NON-CONCURRENCE**.

Sent down for concurrence.

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

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

On motion by Senator **CAHILL** of Sagadahoc, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

ORDERS OF THE DAY

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

HOUSE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on **RESOLUTION**, Proposing an Amendment to the Constitution of Maine to Provide for 4-year Terms for Senators and Members of the House of Representatives

H.P. 256 L.D. 347

Majority - **Ought Not to Pass**

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-89)**

Tabled - April 25, 1991, by Senator **CLARK** of Cumberland

Pending - the motion by Senator **WEBSTER** of Franklin to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE**. (Roll Call Ordered.)

(In Senate, April 25, 1991, Reports **READ**. Motion to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **FAILED**.)

(In House, April 24, 1991, Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolution **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-89)**.)

Senator **BUSTIN** of Kennebec requested and received leave of the Senate to withdraw her motion for a Roll Call.

The Chair ordered a Division.

THE PRESIDENT: The pending question before the Senate is the motion by Senator **WEBSTER** of Franklin to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE**.

Will all those in favor of the motion by Senator **WEBSTER** of Franklin to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE**, please rise in their places and remain standing until counted.

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

20 Senators having voted in the affirmative and 7 Senators having voted in the negative, the motion by Senator **WEBSTER** of Franklin to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE**, **PREVAILED**.

Sent down for concurrence.

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

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory
S.P. 367 L.D. 969
(C "A" S-84)

Tabled - April 25, 1991, by Senator **CLARK** of Cumberland

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED**

(In Senate, April 25, 1991, **READ A SECOND TIME**.)

On motion by Senator **BOST** of Penobscot, the Senate **RECONSIDERED** its action whereby Committee Amendment "A" (S-84) was **ADOPTED**.

On further motion by same Senator, Committee Amendment "A" (S-84) **INDEFINITELY POSTPONED**.

THE PRESIDENT: The Chair recognizes that same Senator.

Senator **BOST:** Thank you Mr. President. I would just briefly explain to the members of the Senate, that the amendment that was added in the Committee was simply an emergency clause, and we later found out that it was a Constitutional issue, and therefore, this motion.

Which was **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

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

Bill "An Act to Review the Kennebec County Budget Committee" (Emergency)

S.P. 640 L.D. 1688

Tabled - April 24, 1991, by Senator CLARK of Cumberland.

Pending - REFERENCE

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

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending REFERENCE.

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

Bill "An Act to Change the Process of Selecting the Commissioner of Education"

S.P. 51 L.D. 81
(C "A" S-56)

Tabled - April 24, 1991, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED AS AMENDED

(In Senate, April 24, 1991, READ A SECOND TIME.)

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

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

Bill "An Act to Create a Special Liquor License for Certain Service Provider Organizations"

S.P. 136 L.D. 276
(C "A" S-78)

Tabled - April 24, 1991, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED AS AMENDED

(In Senate, April 24, 1991, READ A SECOND TIME.)

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

Senator GAUVREAU of Androscoggin was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

Senator CAHILL of Sagadahoc was granted unanimous consent to address the Senate off the Record.

Senator TWITCHELL of Oxford was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

The ADJOURNMENT ORDER having been returned from the House READ and PASSED, in concurrence, on motion by Senator GAUVREAU of Androscoggin, ADJOURNED until Monday, April 29, 1991, at 5:00 in the afternoon.