

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
May 9, 1991

Senate called to Order by the President.

Prayer by the Honorable Robert R. Gould of Waldo.

SENATOR ROBERT R. GOULD: Let us be in a spirit of prayer. Dear heavenly Father, give us the wisdom to perceive, intelligence to fathom, patience to wait, eyes to behold, a heart to mediate, a life to proclaim, and be with us as we deliberate. This I ask in Jesus name. Amen.

Reading of the Journal of Wednesday, May 8, 1991.

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

S.P. 689

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Monday, May 13, 1991, at five o'clock in the afternoon.

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

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

SENATE PAPERS

Bill "An Act to Transfer Responsibility for the Regulation of Home Service Contracts from the Real Estate Commission to the Bureau of Insurance"

S.P. 688 L.D. 1829

Presented by Senator **RICH** of Cumberland
Cosponsored by Representative **SHELTRA** of Biddeford and Representative **CARLETON** of Wells
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24.

Committee on **BUSINESS LEGISLATION** suggested and **ORDERED PRINTED**.

On motion by Senator **BALDACCI** of Penobscot, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

Sent down for concurrence.

Bill "An Act Concerning Room Requirements for Hotels under the Liquor Licensing Laws"
S.P. 687 L.D. 1828

Presented by Senator **MILLS** of Oxford
Cosponsored by Representative **ERWIN** of Rumford and Representative **PLOURDE** of Biddeford

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

Sent down for concurrence.

COMMITTEE REPORTS

Senate

Ought Not to Pass

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

Reported by Senator **RICH** for the Committee on **BUSINESS LEGISLATION** Bill "An Act to Amend the Electricians' Licensing Laws"

S.P. 565 L.D. 1485

Reported by Senator **GILL** for the Committee on **HUMAN RESOURCES** Bill "An Act to More Effectively Recover Overpayments of Public Assistance"

S.P. 607 L.D. 1611

Leave to Withdraw

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

Reported by Senator **RICH** for the Committee on **BUSINESS LEGISLATION** Resolve, to Establish the Commission to Study the Feasibility of Using the Metric System (Emergency)

S.P. 627 L.D. 1631

Ought to Pass As Amended

Senator RICH for the Committee on **BUSINESS LEGISLATION** on Bill "An Act to Exempt Certain Persons from the Counselors Licensure Laws" S.P. 357 L.D. 959

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (S-140)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-140) **READ** and **ADOPTED**.

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

SECOND READERS

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

Senate

Bill "An Act to Extend the Period of Time to Allow Certain School Secretaries to Elect Not to Be Members of the Maine State Retirement System" (Emergency) S.P. 487 L.D. 1325

Bill "An Act to Limit Major Third-party Payor Status to Governmental Payors" S.P. 594 L.D. 1579

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

Sent down for concurrence.

Senate As Amended

Bill "An Act Amending the Primary Election Law Requiring a Minimum Number of Votes" S.P. 197 L.D. 506 (C "A" S-136)

Bill "An Act to Clarify the Legislature's Intent Regarding Quitclaim Deeds" S.P. 223 L.D. 550 (C "A" S-133)

Bill "An Act to Provide Public Access One Weekend a Month to the Veterans' Memorial Cemetery" S.P. 334 L.D. 909 (C "A" S-138)

Resolve, Authorizing a Payment to Steven P. Smith and Ramona Smith of \$47,908.06 S.P. 350 L.D. 952 (C "A" S-137)

Bill "An Act to Amend the Maine Court Facilities Authority" S.P. 358 L.D. 960 (C "A" S-134)

Bill "An Act to Provide Funding to Offset Rising Costs and Decreasing Federal Revenues for Public Transportation in the State" S.P. 364 L.D. 966 (C "A" S-139)

Bill "An Act to Clarify Requirements for Disclosure of Confidential Client Information Held by Mental Health Service Providers" S.P. 476 L.D. 1268 (C "A" S-135)

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

Sent down for concurrence.

ORDERS OF THE DAY

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

HOUSE REPORTS - from the Committee on **ENERGY AND NATURAL RESOURCES** on Bill "An Act to Allow the Use of Either Paper or Plastic Bags at Point of Retail Sale" H.P. 812 L.D. 1166

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-204)**

Minority - **Ought Not to Pass**.

Tabled - May 8, 1991, by Senator **CLARK** of Cumberland.

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, May 8, 1991, Reports **READ**.)

(In House, May 7, 1991, Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

On motion by Senator **CLARK** of Cumberland, Tabled 1 Legislative Day, pending **ACCEPTANCE OF EITHER REPORT**.

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

Bill "An Act to Amend and Clarify the Definition of Earnable Compensation in the Maine State Retirement System Laws"

S.P. 443 L.D. 1187

Tabled - May 8, 1991, by Senator CLARK of Cumberland.

Pending - **PASSAGE TO BE ENGROSSED**

(In Senate, May 8, 1991, **READ A SECOND TIME.**)

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

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

Bill "An Act Concerning the Franklin County Budget"

H.P. 15 L.D. 18
(C "A" H-225)

Tabled - May 8, 1991, by Senator WEBSTER of Franklin.

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

(In Senate, May 8, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-225),** in concurrence. Subsequently, **RECONSIDERED.**)

(In House, May 7, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-225).**)

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

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

Bill "An Act to Implement the Recommendations of the Travel Information Advisory Council Concerning Informational Signs"

H.P. 86 L.D. 121
(H "F" H-247; S "A" S-58 to C "A" H-72)

Tabled - May 8, 1991, by Senator CLARK of Cumberland.

Pending - Motion of Senator BOST of Penobscot to **RECONSIDER** whereby the Senate **RECEDED** and **CONCURRED** (Division Requested)

(In Senate, April 17, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-72) AS AMENDED BY HOUSE AMENDMENT "C" (H-102) AND SENATE AMENDMENT "A" (S-58)** thereto, in **NON-CONCURRENCE.**)

(In House, May 7, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-72) AS AMENDED BY HOUSE AMENDMENT "F" (H-247) AND SENATE AMENDMENT "A" (S-58)** thereto, in **NON-CONCURRENCE.**)

(In Senate, May 7, 1991, **RECEDED** and **CONCURRED.**)

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Theriault.

Senator **THERIAULT:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I would urge you to support this Bill, our small farmers need it. I think if you look at who is going to gain, and who is going to lose in this particular case, that you would fall in on "the little guys" side, and I said that in my first presentation to this Body. I think that it is reasonable, and it will not cause us any damage, whatsoever. It is our way of encouraging our small farmers. They are having a very difficult time, just like all of us, but it is even worse for them because people cannot locate them. These signs would be nothing more than directional to guide them to their place of business on their farm, where people could purchase the products that they are selling. So I urge you to vote against the motion which is to Reconsider. Thank you.

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

Senator **BOST:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I would like to pose a question through the Chair to the Senator from Aroostook, Senator Theriault. I noted in the original Bill, and I need some clarification on this, if you could provide it to me, that the word "primarily" was included as a preceding of fruit and vegetable, thereby, making certain that if a farmer, or anyone who goes to advertise their product through this method, would have to be someone who dealt primarily with produce, i.e., or something in this case that would be perishable. In looking over House Amendment "F" (H-247) to Committee Amendment "A" (H-72), I note that the word "primarily" has been deleted from the language. Could we get some clarification on that?

THE PRESIDENT: The Senator from Penobscot, Senator Bost, has posed a question through the Chair to any Senator who may care to respond. The Chair recognizes the Senator from Aroostook, Senator Theriault.

Senator **THERIAULT:** Thank you Mr. President. Ladies and Gentlemen of the Senate. The fact that this word was deleted was not my idea. I believe if you want to, and I don't want to call it the correct answer, but in order to get the answer that pertains, you would have to speak to the Presiding Officer at the other end.

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

Senator **BOST:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I believe most of the Presiding Officers are tied up at the moment. My concern, obviously, is that the original intent, which was to help "the little guy", as Senator Theriault frequently reminds us of, this could now be used to enable someone who had something to sell other than fresh produce, to attract through this sign, that individual, that consumer to what could be a used car lot, it could be a house for sale, it could be a number of things. All they have to do, as I read this Bill, and I have run it by a number of other people who are far more scholarly in the legal sense than I am, they feel that all one would need to have would be a symbolic group of a few cukes, and strawberries, and what not out on the table, and then the consumer would conceivably be lead to the other product that the seller wanted that consumer to be lead to in the first place.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Theriault.

Senator **THERIAULT:** Thank you Mr. President. Ladies and Gentlemen of the Senate. Those are points that need to be considered, and I believe that the way the Bill is written, that the primary purpose of it is for the small farmers, and they still have to be farmers. If they happen to have a bag of oranges amongst their produce, I don't think that we should put a statement in there that they can't sell it because it wasn't necessarily grown on that farm. The primary purpose is for those small farmers, it is designed for farmers, and it says farmers, and it also says the time of the year that they will have this, and I think that it is plain enough that it is designed for that purpose. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Ludwig.

Senator **LUDWIG:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I would just like to take a few minutes of your time to continue the friendly discussion I was having the other morning with the good Senator from Aroostook, Senator Theriault. I would remind the good Senator from Aroostook, Senator Theriault, that my small farmers do not live very far from your small farmers, and I am sure that you were not suggesting the other morning that you had more compassion for the community than I had. But you know, not one of my farmers asked me to support this Bill. It is true. Apparently, their produce is so good that buyers beat a path to their door, and their advertising is done primarily by word of mouth, which I hope the Senate will agree is far preferable to opening the door for a proliferation of signs on our highways. Thank you Mr. President.

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

Senator **CARPENTER:** Thank you Mr. President. Ladies and Gentlemen of the Senate. It was on the spur of the moment that I jumped up here again. I think that I want to go back and try to define "primary". My farmers, mostly in my area, might be

dairy farmers and produce growers. I think what they are trying to say is, rather than make someone define whether their "primary" is fruit and vegetables, or the primary occupation is dairy farming, I feel that they eliminated the word "primary" just so that there would not be big discussions of which income produces the most.

Another point that I want to bring out, I have been contacted by most of my farmers, and a lot of people think that there are not farms in the largest town in Southern Maine, Sanford, but there are. They really need directional signs, no matter how good their produce is. In my case, it would be which field are you going to have pick your own strawberries in on that day or that week, or blueberries, if they have different fields, they might be spread as much as a mile apart. These signs are temporary, they must be temporary, because in my area they are moved a lot.

Another point that I would like to bring out before the vote is, that at least in Sanford, we have a very restrictive sign ordinance, and as I understand it under the state law, if the local ordinance is more restrictive than the state ordinance, than the local ordinance is in force by the Codes Office. I think that a lot of the towns, if they really, really object to this after it is passed, than they will have to work on their own sign ordinance. Thank you.

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

Senator **BALDACCI:** Thank you Mr. President. Ladies and Gentlemen of the Senate. We have talked about this for a while. The only point that I would like to make to this in regards to this legislation is, that the amendment that you have before you is expanding what the Travel Advisory Commission had recommended. It is exceeding those limitations. I don't feel that it is appropriate. We have heard Bills that have dealt with Real Estate signs, we have heard Bills that have dealt with 4 x 4's with rotating signs, and lights, and flashers. And the fact that Maine has a very good Billboard Law, it has cleaned up the highways, and by opening it up to non-federal aid highways, and allowing them to be placed in the right of way for one particular group, as admirable as it is, is opening up the door and setting a very bad precedent, because there are many other groups that we have heard from such as the Realtors from out-of-state sign companies who want to put signs by the turnpike and the toll booths, and the Tourist Information Centers. And I think that they may be over blowing the case as far as the concern of the farmers, because when we had a Hearing on this Bill two years ago, we didn't have one farmer attend the Hearing that showed up in support of this particular Bill to allow them to put signs out. I think that the concern is that this is not the salvation for the farming industry, and it shouldn't be reported as such. It is an attempt to break down the Billboard Law, and it is allowing further precedence in an area which Maine should be very proud of, and I hope that you would support the motion of the good Senator from Penobscot, Senator Bost. Thank you.

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

Senator **BRANNIGAN:** I would just like to reiterate again what I said the other night, that the farmers, both small and large growers, represented on the study and the working out of the directional sign issue, they agreed to give up their right to put out these kinds of temporary and flimsy signs, and for that they got an increase in the number of signs, the costs were decreased, and flexibility of what can be on the directional signs were greatly expanded. A tremendous effort was put into making the directional sign fit the Billboard Law and fit the needs of all of the participants, campground owners, lobster shack people, farm bureau people, orchard people, all of those folks were totally in agreement a few years ago, and I don't see any reason to change. I don't think it is fair that they got what they wanted, and now they are back to what they had originally. I will hope that you will support the pending motion. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Gould.

Senator **GOULD:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I rise today to tell you that the Maine Organic Farmers Group are in favor of this Bill, the Maine Blueberry Commission is in favor of this Bill, the Maine State Grange is in favor of this Bill, the Maine Farm Bureau Association is in favor of this Bill, the Maine Vegetable and Small Fruit Associations are in favor of this Bill, so I employ to you, I ask you to please defeat the motion before you. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion by Senator **BOST** of Penobscot to **RECONSIDER** whereby the Senate **RECEDED** and **CONCURRED**.

A Division has been requested.

Will all of those in favor of the motion by Senator **BOST** of Penobscot to **RECONSIDER** whereby the Senate **RECEDED** and **CONCURRED**, please rise in their places and remain standing until counted.

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

14 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion of Senator **BOST** of Penobscot to **RECONSIDER** **RECEDING** and **CONCURRING**, **FAILED**.

HELD BILL

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

Senator **GAUVREAU:** Mr. President, is the Senate in possession of L.D. 88?

THE PRESIDENT: The Chair would answer in the affirmative, the Bill having been held at the Senators request.

Bill "An Act Concerning Consent to Dental Care"
H.P. 60 L.D. 88
(C "A" H-170).

(In Senate, April 30, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-170)**, in concurrence.)

(In House, May 7, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-170) AS AMENDED BY HOUSE AMENDMENT "A" (H-264)** thereto, in **NON-CONCURRENCE**.)

(In Senate, May 8, 1991, **INSISTED**.)

On motion by Senator **GAUVREAU** of Androscoggin, the Senate **RECONSIDERED** its action whereby it **INSISTED**.

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

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

PAPERS FROM THE HOUSE

Non-concurrent Matter

SENATE REPORT - from the Committee on **ENERGY AND NATURAL RESOURCES** on Bill "An Act to Provide Access for Persons with Physical Disability to the State's Recreational Areas"
S.P. 568 L.D. 1488

Report - Refer to the Committee on **HUMAN RESOURCES**.

In Senate, May 7, 1991, Report **READ** and **ACCEPTED** and the Bill referred to the Committee on **JUDICIARY**.

In House, May 8, 1991, Report **READ** and **ACCEPTED** and the Bill referred to the Committee on **HUMAN RESOURCES** in **NON-CONCURRENCE**.

On motion by Senator **CLARK** of Cumberland, the Senate **ADHERED**.

Sent down for concurrence.

Non-concurrent Matter

HOUSE REPORTS - from the Committee on **BANKING AND INSURANCE** on Bill "An Act to Establish the State of Maine Credit Card"
H.P. 248 L.D. 339

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-197)**.

Minority - **Ought Not to Pass.**

In House, May 6, 1991, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-197).**

In Senate, May 7, 1991, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE.**

Comes from the House, that Body **INSISTED.**

On motion by Senator **WEBSTER** of Franklin, the Senate **ADHERED.**

Non-concurrent Matter

Bill "An Act to Require Repair of Septic Systems" (Emergency)

H.P. 504 L.D. 698
(C "A" H-182)

In Senate, April 30, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-182),** in concurrence.

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-182) AND HOUSE AMENDMENT "A" (H-284)** in **NON-CONCURRENCE.**

The Senate **RECEDED** and **CONCURRED.**

House Papers

Bill "An Act to Amend the Laws Concerning Continuity of Individual Health Insurance" (Emergency)

H.P. 1253 L.D. 1821

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 Amend the Determination of the Amount of a School District Budget when the Budget Amount Proposed Fails to Pass"

H.P. 1256 L.D. 1824

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

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

Bill "An Act to Amend Maine's Underground Oil Storage Laws" (Emergency)

H.P. 1258 L.D. 1826

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 Accountability for Certain Purchased Services by the Bureau of Mental Health"

H.P. 1252 L.D. 1820

Bill "An Act to Amend the Laws Relating to the Collection of Debts by the Department of Human Services"

H.P. 1257 L.D. 1825

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 to Allow Admissible Evidence Concerning the Physical or Sexual Assault or Abuse of a Minor"

H.P. 1254 L.D. 1822

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

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

Bill "An Act to Increase the Debt Limit of the Ogunquit Sewer District" (Emergency)

H.P. 1255 L.D. 1823

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 **EDUCATION** Bill "An Act to Amend the School Finance Laws" H.P. 1055 L.D. 1544

From the Committee on **ENERGY AND NATURAL RESOURCES** Bill "An Act to Facilitate Municipal Road Reconstruction" H.P. 252 L.D. 343

From the Committee on **ENERGY AND NATURAL RESOURCES** Bill "An Act Concerning State Provision of Landfill Capacity for Municipal Solid Waste" H.P. 798 L.D. 1144

From the Committee on **ENERGY AND NATURAL RESOURCES** Bill "An Act to Provide for Citizen Input to the Bureau of Public Lands" H.P. 1031 L.D. 1504

From the Committee on **HUMAN RESOURCES** Bill "An Act to Require Eating Establishments That Have Outdoor Seating to Have Restrooms" H.P. 1002 L.D. 1470

From the Committee on **HUMAN RESOURCES** Bill "An Act to Provide Skilled Supervisors to Oversee Weekly Visits between Foster Children and Their Biological Families" H.P. 1115 L.D. 1640

From the Committee on **HUMAN RESOURCES** Bill "An Act to Establish Professional Therapeutic Family Foster Homes" H.P. 1117 L.D. 1642

From the Committee on **HUMAN RESOURCES** Bill "An Act to Reimburse Foster Parents for the True Cost of Raising a Foster Child" H.P. 1167 L.D. 1708

Change of Reference

The Committee on **ENERGY AND NATURAL RESOURCES** on Bill "An Act Establishing Procedures for Notice of Proposed Zoning Changes" H.P. 783 L.D. 1115

Reported that the same be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

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

The Bill **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, in concurrence.

Ought to Pass

The Committee on **AGING, RETIREMENT AND VETERANS** on Bill "An Act to Amend the Laws Relating to the Group Life Insurance Program for Members of the Maine State Retirement System" H.P. 1084 L.D. 1578

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**.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Clarify the Procedures of Local Boards of Appeal" H.P. 832 L.D. 1198

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-248)**.

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

The Bill **READ ONCE**.

House Amendment "A" (H-248) **READ** and **ADOPTED**, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

The Joint Select Committee on CORRECTIONS on Bill "An Act to Establish a Home-Release Monitoring Program for Certain Inmates Sentenced to County Jails" H.P. 879 L.D. 1270

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-243).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-243).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-243) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LABOR on Bill "An Act to Clarify the Definition of Public Employer under the Municipal Public Employees Labor Relations Laws" H.P. 577 L.D. 828

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-242).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-242).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-242) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Bill "An Act to Prohibit the Charging of Rent in Advance by Landlords" (Emergency)

H.P. 370 L.D. 524

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-245).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-245).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-245) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Assist the Expansion of Municipal Sewer Systems"

H.P. 781 L.D. 1113

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-230).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-230) AND HOUSE AMENDMENT "A" (H-259).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-230) READ and ADOPTED, in concurrence.

House Amendment "A" (H-259) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on AGRICULTURE on Bill "An Act to Promote Cranberry Cultivation in Maine" (Emergency)

H.P. 69 L.D. 97

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-175)

Signed:

Senators:

TWITCHELL of Oxford
EMERSON of Penobscot

Representatives:

TARDY of Palmyra
PINES of Limestone
MAHANY of Easton
HUSSEY of Milo
BELL of Caribou
PARENT of Benton
SPEAR of Nobleboro
ALIBERTI of Lewiston
STROUT of Corinth

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "B" (H-176)**

Signed:

Senator:

TITCOMB of Cumberland

Representative:

NUTTING of Leeds

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-175)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-175) AS AMENDED BY HOUSE AMENDMENT "A" (H-266)** thereto.

Which Reports were **READ**.

On motion by Senator **TWITCHELL** of Oxford, the Majority **OUGHT TO PASS AS AMENDED** Report was **ACCEPTED**, in concurrence.

The Bill **READ ONCE**.

Committee Amendment "A" (H-175) **READ**.

House Amendment "A" (H-266) to Committee Amendment "A" (H-175) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-175) as Amended by House Amendment "A" (H-266) thereto, **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **BANKING AND INSURANCE** on Bill "An Act to Require Proof of Insurance in Order to Register an Automobile"

H.P. 16 L.D. 19

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-240)**

Signed:

Senators:

KANY of Kennebec
THERIAULT of Aroostook
BRAWN of Knox

Representatives:

MITCHELL of Vassalboro
TRACY of Rome
KETOVER of Portland
HASTINGS of Fryeburg
PINEAU of Jay
JOSEPH of Waterville

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "B" (H-241)**

Signed:

Representatives:

ERWIN of Rumford
RAND of Portland
CARLETON of Wells
GARLAND of Bangor

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-240)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-240)**.

Which Reports were **READ**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-240) **READ** and **ADOPTED**.

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

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Codify the Rules of Maine"

H.P. 1 L.D. 1

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-195)**

Signed:

Senators:

BERUBE of Androscoggin
BUSTIN of Kennebec

Representatives:

JOSEPH of Waterville
KERR of Old Orchard Beach
LARRIVEE of Gorham
ST. ONGE of Greene
NASH of Camden
SAVAGE of Union
HEESCHEN of Wilton
GRAY of Sedgwick
WATERMAN of Buxton
LOOK of Jonesboro

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

Signed:

Senator:

EMERSON of Penobscot

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-195) AS AMENDED BY HOUSE AMENDMENT "A" (H-200)** thereto.

Which Reports were **READ.**

Senator **BERUBE** of Androscoggin moved to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

On motion by Senator **CLARK** of Cumberland, Tabled 1 Legislative Day, pending the motion by Senator **BERUBE** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with no Senators having voted in the negative, and 30 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.

Senate at Ease

Senate called to order by the President.

Off Record Remarks

The **ADJOURNMENT ORDER** having been returned from the House **READ** and **PASSED**, in concurrence, on motion by Senator **MILLS** of Oxford, **ADJOURNED** until Monday, May 13, 1991, at 5:00 in the afternoon.

ENACTORS

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

An Act to Clarify Certain Laws Affecting the Maine State Archives, Admissibility of Documents and Local Government Records

S.P. 181 L.D. 490

An Act to Amend the School Approval Standards

H.P. 558 L.D. 801
(H "A" H-201 to C
"A" H-178)

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

Emergency

An Act to Modify the Language Governing the Special Commission on Governmental Restructuring

S.P. 669 L.D. 1767
(S "A" S-120)