

# MAINE STATE LEGISLATURE

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# LEGISLATIVE RECORD

OF THE

## **One Hundred And Fifteenth Legislature**

OF THE

## **State Of Maine**

### **VOLUME VII**

#### **SECOND REGULAR SESSION**

Senate

March 10, 1992 to March 31, 1992

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May 20, 1992

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December 5, 1990 to December 1, 1992

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

In Senate Chamber

Wednesday

March 11, 1992

Senate called to Order by the President.

Prayer by the Honorable Dale McCormick of Kennebec.

**SENATOR DALE MCCORMICK:** In honor of International Women's Week, I have chosen to read a paragraph from Sojourner Truth's speech in front of the 1851 International Convocation on Women's Rights. Sojourner Truth was a slave born in New York State and emancipated in 1927.

"That man over there says women needs to be helped into carriages and helped over ditches and to have the best place everywhere. Nobody helps me into carriages or over mud puddles or gives me any best place and ain't I a woman. Look at me, look at my arm, I have plowed and planted and gathered into barns and no man could best me and ain't I a woman. I could work as much and eat as much as any man when I could get it and bear the lashes well and ain't I a woman. I have borne fifteen children and seen them most all sold off into slavery and when I cried out with a mother's grief none but Jesus heard me and ain't I a woman?" Amen.

Reading of the Journal of Tuesday, March 10, 1992.

**PAPERS FROM THE HOUSE**

**Non-concurrent Matter**

Bill "An Act Creating the Victims' Compensation Board"

H.P. 1265 L.D. 1834  
(S "B" S-599 to C "A"  
H-965)

In House, February 27, 1992, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-965) AS AMENDED BY HOUSE AMENDMENTS "A" (H-984) AND "B" (H-989) thereto.**

In Senate, March 5, 1992, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-965) AS AMENDED BY SENATE AMENDMENT "B" (S-599) thereto, in NON-CONCURRENCE.**

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-965) AS AMENDED BY HOUSE AMENDMENT "C" (H-1074) thereto, in NON-CONCURRENCE.**

The Senate **RECEDED and CONCURRED.**

On motion by Senator **BERUBE** of Androscoggin, the Senate **RECONSIDERED** its action whereby it **RECEDED and CONCURRED.**

On motion by Senator **BERUBE** of Androscoggin, the Senate **INSISTED.**

Sent down for concurrence.

**Non-concurrent Matter**

Bill "An Act to Ensure the Retention of Utility Easements in Foreclosure Proceedings"

H.P. 1419 L.D. 2031  
(C "A" H-1023)

In Senate, March 5, 1992, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1023), in concurrence.**

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1023) AS AMENDED BY HOUSE AMENDMENT "A" (H-1055) thereto, in NON-CONCURRENCE.**

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

**Non-concurrent Matter**

Bill "An Act to Clarify and Improve the Regulation of Home Food Service Plans"

H.P. 1501 L.D. 2113  
(H "A" H-1006 to C "A"  
H-987)

In Senate, March 4, 1992, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-987) AS AMENDED BY HOUSE AMENDMENT "A" (H-1006) thereto, in concurrence.**

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-987) AS AMENDED BY HOUSE AMENDMENTS "A" (H-1006) AND "B" (H-1048) thereto, in NON-CONCURRENCE.**

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

**Non-concurrent Matter**

Bill "An Act Related to Ordinary Death Benefits under the Maine State Retirement System as It Affects Terminally Ill Members"

H.P. 1554 L.D. 2192  
(C "A" H-998)

In Senate, March 5, 1992, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-998), in concurrence.**

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-998) AS AMENDED BY HOUSE AMENDMENT "A" (H-1053) thereto, in NON-CONCURRENCE.**

The Senate **RECEDED and CONCURRED.**

**Pursuant to Statutes**

**M.R.S.A. TITLE 36, SECTION 1604**

Pursuant to the Maine Revised Statutes, Title 36, Section 1604, the accompanying Bill "An Act to Establish Municipal Cost Components for Unorganized Territory Services to be Rendered in Fiscal Year 1992-93" (Emergency)

H.P. 1713 L.D. 2398

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

Comes from the House with the Report **READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-1062), without reference to a Committee.**

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

Under suspension of the Rules, **READ ONCE, without reference to a Committee.**

House Amendment "A" (H-1062) **READ and ADOPTED, in concurrence.**

Which was, under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED, As Amended**, without reference to a Committee, 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 **HUMAN RESOURCES** Bill "An Act to Make Further Distinctions between Types of Boarding Care Facilities"

H.P. 1578 L.D. 2225

From the Committee on **STATE & LOCAL GOVERNMENT** Bill "An Act to Require the Use of People First Language in the Maine Revised Statutes and to Authorize Administrative Implementation of Associated Changes in Terminology"

H.P. 1274 L.D. 1845

From the Committee on **STATE & LOCAL GOVERNMENT** Bill "An Act to Clarify the Collective Bargaining Responsibility in Child Development Services and to Protect Employee Rights"

H.P. 1579 L.D. 2229

**Change of Reference**

The Committee on **LEGAL AFFAIRS** on Bill "An Act to Reorganize the Bureau of Alcoholic Beverages" (Emergency)

H.P. 1503 L.D. 2116

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

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

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

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

**Ought to Pass**

The Committee on **STATE & LOCAL GOVERNMENT** on Bill "An Act to Allow Counties to Blanket Bond Part-time Deputy Sheriffs"

H.P. 1436 L.D. 2048

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 & LOCAL GOVERNMENT** on Bill "An Act to Extend the Reporting Date of the Commission to Study State Permitting and Reporting Requirements" (Emergency)

H.P. 1550 L.D. 2188

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 & LOCAL GOVERNMENT** on Bill "An Act to Establish a Boundary between the Town of Skowhegan and the Town of Madison"

H.P. 1612 L.D. 2273

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 **EDUCATION** on Bill "An Act Relating to the Arthur R. Gould School"

H.P. 1695 L.D. 2375

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-1067)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1067)**.

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

The Bill **READ ONCE**.  
Committee Amendment "A" (H-1067) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **JUDICIARY** on Bill "An Act to Increase the Penalties for Committing Repeated Assault"

H.P. 1428 L.D. 2040

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-1068)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1068)**.

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

The Bill **READ ONCE**.  
Committee Amendment "A" (H-1068) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **JUDICIARY** on Bill "An Act Concerning Tribal Courts"

H.P. 1494 L.D. 2106

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-1065)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1065)**.

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

The Bill **READ ONCE**.  
Committee Amendment "A" (H-1065) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **STATE & LOCAL GOVERNMENT** on Bill "An Act to Clarify Responsibility for Workers' Compensation Coverage for Town Forest Fire Wardens and Laborers Hired for Forest Fire-fighting Activities" (Emergency)

H.P. 1561 L.D. 2199

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A"** (H-1060).

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-1060).

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-1060) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **STATE & LOCAL GOVERNMENT** on Resolve, to Authorize the Director of the Bureau of Public Improvements to Condemn in the Name of the State Certain State-owned Land in the Town of Warren and the Town of Cushing and Exchange Boundary Line Agreements with Abutting Land Owners

H.P. 1611 L.D. 2272

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A"** (H-1064).

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-1064).

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

The Resolve **READ ONCE**.

Committee Amendment "A" (H-1064) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **STATE & LOCAL GOVERNMENT** on Bill "An Act to Strengthen Maine's Governmental Ethics Laws" (Emergency)

H.P. 1618 L.D. 2279

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A"** (H-1061).

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-1061).

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-1061) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **STATE & LOCAL GOVERNMENT** on Bill "An Act to Authorize a Bond Issue of \$300,000 to Expand the Sagadahoc County Courthouse to Include Detention Facilities" (Emergency)

H.P. 1619 L.D. 2280

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A"** (H-1063).

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-1063).

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-1063) **READ** and **ADOPTED**, in concurrence.

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

**Senate**

**Ought to Pass As Amended**

Senator **TITCOMB** for the Committee on **ENERGY & NATURAL RESOURCES** on Bill "An Act to Amend Maine's Underground Oil Storage Tank Laws" (Emergency)

S.P. 837 L.D. 2141

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A"** (S-613).

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

The Bill **READ ONCE**.

Committee Amendment "A" (S-613) **READ** and **ADOPTED**.

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

**Off Record Remarks**

**SECOND READERS**

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

**House As Amended**

Bill "An Act to Provide Accountability for Certain Purchased Services Related to Substance Abuse" (Emergency)

H.P. 1630 L.D. 2294

(C "A" H-1041)

Which was **READ A SECOND TIME**.

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

**Senate As Amended**

Bill "An Act Pertaining to the Assessment of Fees on Nuclear Power Plants"

S.P. 829 L.D. 2133

(C "A" S-610)

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

Sent down for concurrence.

**ENACTORS**

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

An Act to Limit the Use of Biosynthetic Bovine Somatotropin until More Extensive Human and Animal Safety Studies Are Completed

H.P. 1163 L.D. 1704

(H "D" H-992 to C "A"

H-897)

An Act to Establish a Voluntary Trauma-reporting System

H.P. 1233 L.D. 1797

(H "A" H-1038 to C "A"

H-915)

An Act Concerning Authorization to Consent to Powers of Attorney

H.P. 1287 L.D. 1857

(S "A" S-572 to C "A"

H-964)

An Act to Clarify the Law Governing Contracts of Adhesion

H.P. 1412 L.D. 2024  
(C "A" H-1019)

An Act Concerning Funding of Indian Schools under the Act to Implement the Maine Indian Claims Settlement

H.P. 1433 L.D. 2045  
(C "A" H-1022)

An Act to Correct an Inconsistency Between the Maine Employment Security Law and the Federal Unemployment Tax Act

H.P. 1465 L.D. 2077  
(C "A" H-1025)

An Act to Require a Right-to-cure Notice in Residential Mortgages

H.P. 1466 L.D. 2078  
(H "A" H-1042 to C "A" H-1024)

An Act Concerning Passamaquoddy Indian Territory

H.P. 1469 L.D. 2081

An Act Pertaining to Pole Attachment Rate Disputes

H.P. 1470 L.D. 2082  
(C "A" H-991)

An Act Concerning Penobscot Nation Trust Land Designation

H.P. 1472 L.D. 2084

An Act to Prohibit Unfair Rating Practices in Small Group Health Insurance

H.P. 1490 L.D. 2102  
(H "A" H-1005)

An Act to Amend the Maine Insurance Code

H.P. 1517 L.D. 2129  
(C "A" H-988)

An Act to Amend the Laws Concerning Adoption Assistance

S.P. 856 L.D. 2180  
(C "A" S-592)

An Act to Clarify Adult Protective and Guardianship Responsibilities

S.P. 859 L.D. 2183  
(C "A" S-574)

An Act to Strengthen the Maine Weights and Measures Law

H.P. 1558 L.D. 2196  
(C "A" H-1004)

An Act Concerning the Degree Granting Authority of Husson College

S.P. 875 L.D. 2236  
(C "A" S-565)

An Act to Provide for the Annual Apportionment of the Kennebec Sanitary Treatment District's Operation Costs on a 3-year Average

S.P. 881 L.D. 2253

An Act to Modify the Medical Examiner Act to Limit Liability of Medical Record Providers

H.P. 1597 L.D. 2259

An Act to Change the Term Secondary Vocational Education to Applied Technology and Adult Learning

S.P. 888 L.D. 2281  
(C "A" S-564)

An Act Concerning the Use of Alternative Coding Systems for Plastic Containers

H.P. 1649 L.D. 2312  
(C "A" H-1000)

An Act to Amend the Charter of the Dexter Utility District

H.P. 1667 L.D. 2343  
(C "A" H-999)

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 Regarding Contracts for the Duplication of Works of Art

H.P. 1011 L.D. 1479  
(H "A" H-1013 to C "A" H-921)

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

An Act to Prohibit Undocumented Insurance Trade Practices

S.P. 843 L.D. 2147  
(C "A" S-550)

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

An Act Authorizing an Advisory Referendum on Whether the Congress of the United States Should Establish a National Health Insurance Program

H.P. 1656 L.D. 2333  
(C "A" H-1015)

On motion by Senator **PEARSON** of Penobscot, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**. Subsequently, the same Senator withdrew his motion to place on the **SPECIAL APPROPRIATIONS TABLE**.

On further motion by same Senator, Tabled 1 Legislative Day, pending **ENACTMENT**.

An Act to Maintain the Retirement Benefits for the Advocate at the Maine State Prison

S.P. 871 L.D. 2226  
(C "A" S-553)

Comes from the House **RULED NOT PROPERLY BEFORE THE BODY**.

Which was **RULED NOT PROPERLY BEFORE THE BODY**, in concurrence.

**Emergency**

An Act to Create Special Veterans Plates

H.P. 1437 L.D. 2049  
(C "A" H-980)

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

**Senator PEARSON:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I am sorry to jump up before the Chairman of the Transportation Committee but I do know that this Bill is destined to go on to the Table. I wanted to ask a question before it were to do so. I remember last year we had a Bill to create special Veterans plates which, in my estimation, blew up in our faces. I want to know if this Bill has taken into account all of the various interests within the Veterans organization so I won't have to spend a lot of time explaining to them that we didn't prefer one veteran over another. Thank you.

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

**Senator TWITCHELL:** Thank you Mr. President. Ladies and Gentlemen of the Senate. The answer is yes.

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

Senator **PEARSON:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I have only risen in order to provide some intervening action. Thank you.

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

**Emergency**

An Act to Revise the Charter of the Boothbay Harbor Sewer District

H.P. 1479 L.D. 2091  
(S "A" S-567 to C "A" H-953)

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 Regarding Growth Management

S.P. 836 L.D. 2140  
(C "A" S-573)

**THE PRESIDENT:** The Chair recognizes the Senator from Hancock, Senator Foster.

Senator **FOSTER:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I have been reading the Committee Amendment to this Bill on growth management. There are language changes in this that change each municipality. Does this mean that we are now implementing growth management again with mandates from the State that we might have to pay for or we might have to have people in growth management to implement? I don't think we put money in the Legislative budget to do this. I wonder where we were on this. Thank you.

**THE PRESIDENT:** The Senator from Hancock, Senator Foster, has posed a question through the Chair. The Chair recognizes the Senator from Cumberland, Senator Titcomb.

Senator **TITCOMB:** Thank you Mr. President. Ladies and Gentlemen of the Senate. In response to the question that has been presented concerning this particular L.D., what the Committee did was in no way put in a mandatory provision in the law. We said there were dollars that were still available, some with considerable matching Federal money and some that were still in the accounts with the specific purpose of comprehensive planning. The Committee set aside a provision saying that if a community chose to continue with implementation of the comprehensive plan to set up local ordinances than there would be specific standards. If they were to ask for funding to assist them, there would be specific standards they would have to abide by. This is by no way a mandatory project. We are not, by any means, appropriating more money than was already there for this project. Thank you.

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with 2 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 Reestablish the Rangeley Water District

S.P. 839 L.D. 2143  
(H "B" H-1040 to C "A" S-566)

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 Amend Child Labor Laws

S.P. 866 L.D. 2213  
(C "A" S-575)

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 Modify Various Licensing and Registration Laws and to Address Budgetary Constraints

H.P. 1592 L.D. 2246  
(C "A" H-990)

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 Require the Issuance of Motor Vehicle Insurance Identification Cards

H.P. 1600 L.D. 2262  
(C "A" H-1020)

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.

**Emergency**

An Act to Amend the Laws Governing the Practice of Hairdressing

H.P. 1604 L.D. 2266

**THE PRESIDENT:** The Chair recognizes the Senator from Knox, Senator Brawn.

Senator **BRAWN**: Thank you Mr. President. Ladies and Gentlemen of the Senate. Would someone please explain what this Bill does? Thank you.

**THE PRESIDENT**: The Senator from Knox, Senator Brawn has posed a question through the Chair. The Chair recognizes the Senator from Cumberland, Senator Rich.

Senator **RICH**: Thank you Mr. President. Ladies and Gentlemen of the Senate. I will try to Senator Brawn. The Bill came before Business Legislation. On the old statute was the wording that a hairdresser had to have a shop in her home. This made a modification that she or he can work in homes. It opened it up. The real point that came across was that the young people coming out of hairdresser school are required to have a clientele build up before they can go to work in a shop. They cannot build this up without that experience. We felt the sympathy to let them have that opportunity providing they met all the barbering laws. Thank you.

**THE PRESIDENT**: The Chair recognizes the Senator from Knox, Senator Brawn.

Senator **BRAWN**: Thank you Mr. President. Ladies and Gentlemen of the Senate. I respectfully ask that this Bill be tabled. The explanation I am concerned about is there is no amendment on this Bill and the Bill as printed does just the opposite of the explanation. I would respectfully ask that this be tabled. Thank you.

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

**Emergency**

An Act to Expand the Membership of the Maine Committee for Global Education

H.P. 1623 L.D. 2286  
(C "A" H-996)

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.

**Emergency**

An Act to Amend the Laws Governing Respiratory Care Practitioners

H.P. 1631 L.D. 2295  
(C "A" H-1001)

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.

Off Record Remarks

**Emergency**

An Act to Create the Searsport Village Water District

H.P. 1687 L.D. 2367  
(C "A" H-1009)

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 Create the Dresden Mills Water District  
H.P. 1688 L.D. 2368  
(C "A" H-1017; H "A" H-1021)

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.

**Emergency Resolve**

Resolve, to Direct the Department of Mental Health and Mental Retardation to Develop a Proposal to Improve Staff Retention in Community-based Programs Serving Persons with Mental Retardation  
S.P. 815 L.D. 2014  
(C "A" S-593)

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

**ORDERS OF THE DAY**

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

An Act to Clarify the Laws Related to Credit Cards

H.P. 1410 L.D. 2022  
(C "A" H-895)

Tabled - March 10, 1992, by Senator **CLARK** of Cumberland.

Pending - **ENACTMENT**  
(**RECALLED** from the Governor's Desk, pursuant to Joint Order S.P. 944, in concurrence.)  
(In Senate, March 10, 1992, **RECONSIDERED ENACTMENT**.)

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

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

Bill "An Act to Amend the Law Regarding the Responsibilities of Code Enforcement Officers to Approve Plans or Technical Submissions by Architects" (Emergency)

S.P. 798 L.D. 1997  
Tabled - March 10, 1992, by Senator **CLARK** of Cumberland.

Pending - **ADOPTION** of Committee Amendment "A" (S-601)



(In Senate, March 10, 1992, Committee Amendment "A" (S-601) READ.)

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending ADOPTION of Committee Amendment "A" (S-601).

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

Bill "An Act Relating to Gambling" (Emergency)  
H.P. 1685 L.D. 2365  
(C "A" H-1056)

Tabled - March 10, 1992, by Senator MILLS of Oxford.

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED**  
(In Senate, March 10, 1992, **PASSSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1056)**, in concurrence. Subsequently, **RECONSIDERED.**)

On motion by Senator MILLS of Oxford, 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 Authorize the Issuance of Bonds for Transportation and Public Infrastructure Capital Improvements and Other Activities Designed to Create and Preserve Jobs for Maine Citizens, in the Amount of \$56,000,000"

S.P. 947 L.D. 2411

Tabled - March 10, 1992, by Senator CLARK of Cumberland.

Pending - **REFERENCE**  
(Committee on **HOUSING & ECONOMIC DEVELOPMENT** suggested and **ORDERED PRINTED.**)

On motion by Senator DUTREMBLE of York, Tabled Unassigned, pending **REFERENCE.**

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

Bill "An Act to Repeal the Community Corrections Act"

S.P. 934 L.D. 2392

Tabled - March 10, 1992, by Senator CLARK of Cumberland.

Pending - **ADOPTION** of Senate Amendment "B" (S-600)  
(In Senate, March 10, 1992, Senate Amendment "B" (S-600) **READ.**)

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending **ADOPTION** of Senate Amendment "B" (S-600).

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

Bill "An Act to Ensure the Retention of Utility Easements in Foreclosure Proceedings"

H.P. 1419 L.D. 2031

(C "A" H-1023)

Tabled - March 11, 1992, by Senator VOSE of Washington

Pending - **FURTHER CONSIDERATION**  
(In Senate, March 5, 1992, **PASSSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1023)**, in concurrence.)

(In House, March 10, 1992, **PASSSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1023) AS AMENDED BY HOUSE AMENDMENT "A" (H-1055)** thereto, in **NON-CONCURRENCE.**)

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

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

Bill "An Act to Clarify and Improve the Regulation of Home Food Service Plans"

H.P. 1501 L.D. 2113

(H "A" H-1006 to

C "A" H-987)

Tabled - March 11, 1992, by Senator CLARK of Cumberland

Pending - **FURTHER CONSIDERATION**  
(In Senate, March 4, 1992, **PASSSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-987) AS AMENDED BY HOUSE AMENDMENT "A" (H-1006)** thereto, in concurrence.)

(In House, March 10, 1992, **PASSSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-987) AS AMENDED BY HOUSE AMENDMENTS "A" (H-1006) AND "B" (H-1048)** thereto, in **NON-CONCURRENCE.**)

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

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

**SENATE PAPERS**

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$10,000,000 to Provide for Job Retention and Job Creation"

S.P. 948 L.D. 2414

Presented by Senator CARPENTER of York (GOVERNOR'S BILL)

Bill "An Act to Adopt the Recommendations of the Maine Jobs Commission" (Emergency)

S.P. 949 L.D. 2415

Presented by Senator CAHILL of Sagadahoc (GOVERNOR'S BILL)

Which were referred to the Committee on **HOUSING & ECONOMIC DEVELOPMENT** and **ORDERED PRINTED.**

Sent down for concurrence.

Senator KANY of Kennebec was granted unanimous consent to address the Senate off the Record.

Senator MATTHEWS of Kennebec was granted unanimous consent to address the Senate off the Record.

Senator DUTREMBLE of York was granted unanimous consent to address the Senate on the Record.

Senator DUTREMBLE: Thank you Mr. President. Ladies and Gentlemen of the Senate. A long time ago, when I went to college, I played and learned from a very able coach. This person told me whenever you get angry in a situation walk out of the room and count to ten and then come back so you don't say things you do not mean. I have counted to a million now and I guess I can say what I have to say.

I am a little disturbed by news that I heard on the way up here this morning about a \$50.00 fine that

was levied on a couple for blowing the whistle in the name of protecting a child. They were fined by the Department of Human Services. I do hope the committee of jurisdiction is checking on this because it seems to me that we want people to be protecting children. When somebody does so you do not punish them. I think it is a slap in the face of everything I stand for and I am sure for what you stand for. I do hope the committee of jurisdiction is checking on that. I think it is very important. Thank you.

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Senator GILL of Cumberland was granted unanimous consent to address the Senate on the Record.

Senator GILL: Thank you Mr. President. Ladies and Gentlemen of the Senate. To respond to the good Senator from York, Senator Dutremble, the committee of jurisdiction did have an Executive Session with the proper people from the Department and the Attorney General's Office to discuss this issue. We are monitoring things as they go on. Thank you.

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On motion by Senator CONLEY of Cumberland, **ADJOURNED** until Thursday, March 12, 1992, at 9:00 in the morning.