

# 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

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

(In Senate, May 16, 1991, **READ A SECOND TIME.**)

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

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

Bill "An Act to Amend the Exemption of Certain  
Divisions from the Definition of Subdivision"  
H.P. 407 L.D. 590

Tabled - May 16, 1991, by Senator **CLARK** of  
Cumberland.

Pending - **ADOPTION** of Committee Amendment "A"  
(H-257), in concurrence

(In Senate, May 13, 1991, Committee Amendment "A"  
(H-257) **READ.**)

(In House, May 9, 1991, **PASSED TO BE ENGROSSED AS  
AMENDED BY COMMITTEE AMENDMENT "A" (H-257).**)

Committee Amendment "A" (H-257) **ADOPTED**, in  
concurrence.

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

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

HOUSE REPORT - from the Committee on **ENERGY AND  
NATURAL RESOURCES** on Bill "An Act to Reduce Littering"  
H.P. 909 L.D. 1306

Report - **Ought to Pass as Amended by Committee  
Amendment "A" (H-255).**

Tabled - May 16, 1991, by Senator **CLARK** of  
Cumberland.

Pending - **ACCEPTANCE** of the Committee Report, in  
concurrence

(In Senate, May 13, 1991, Report **READ.**)

(In House, May 9, 1991, **PASSED TO BE ENGROSSED AS  
AMENDED BY COMMITTEE AMENDMENT "A" (H-255).**)

On motion by Senator **CLARK** of Cumberland, Tabled  
1 Legislative Day, pending **ACCEPTANCE** of Committee  
Report, in concurrence.

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

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

Tabled - May 16, 1991, by Senator **CLARK** of  
Cumberland.

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

(In Senate, May 13, 1991, **READ A SECOND TIME.**)

(In House, May 8, 1991, **PASSED TO BE ENGROSSED.**)

Which was **PASSED TO BE ENGROSSED**, in concurrence.

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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 16, 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.**

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

HOUSE REPORTS - from the Committee on **STATE AND  
LOCAL GOVERNMENT** on Bill "An Act to Codify the Rules  
of Maine"  
H.P. 1 L.D. 1

Majority - **Ought to Pass as Amended by Committee  
Amendment "A" (H-195)**

Minority - **Ought Not to Pass.**

Tabled - May 16, 1991, by Senator **CLARK** of Cumberland.

Pending - Motion by Senator **WEBSTER** of Franklin to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report in **NON-CONCURRENCE**

(In Senate, May 13, 1991, Reports **READ**. **ACCEPTANCE** of Majority **OUGHT TO PASS AS AMENDED** Report **FAILED**.)

(In House, May 8, 1991, 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.)

Senator **BERUBE** of Androscoggin requested a Division.

**THE PRESIDENT:** The Chair recognizes that same Senator.

Senator **BERUBE:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I urge my fellow Senators to vote against the motion to pass the Minority Report. I would remind you that the Committee Report was a 12 to 1 Ought To Pass Report. Thank you.

**THE PRESIDENT:** The pending question before the Senate is the motion by Senator **WEBSTER** of Franklin to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report in **NON-CONCURRENCE**.

A Division has been requested.

Will all those in favor of the motion by Senator **WEBSTER** of Franklin to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report in **NON-CONCURRENCE** please rise in their places and remain standing until counted.

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

11 Senators having voted in the affirmative and 21 Senators having voted in the negative, the motion of Senator **WEBSTER** of Franklin to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report in **NON-CONCURRENCE**, **FAILED**.

On motion by Senator **CLARK** of Cumberland, the Senate **ACCEPTED** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

The Bill **READ ONCE**.

Committee Amendment "A" (H-195) **READ**.

House Amendment "A" (H-200) to Committee Amendment "A" (H-195) **READ** and **ADOPTED**.

Committee Amendment "A" (H-195) as Amended by House Amendment "A" (H-200) thereto, **ADOPTED**, in concurrence.

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

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

HOUSE REPORT - from the Committee on **JUDICIARY** on Bill "An Act to Amend the Penalties for Habitual Offenders and Operating After Suspension"  
H.P. 71 L.D. 99

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-279)**.

Tabled - May 16, 1991, by Senator **CLARK** of Cumberland.

Pending - **ACCEPTANCE** of Committee Report, in concurrence

(In Senate, May 16, 1991, Report **READ**.)

(In House, May 13, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-279)**.)

On motion by Senator **CLARK** of Cumberland, Tabled 1 Legislative Day, pending **ACCEPTANCE** of Committee Report, in concurrence.

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

HOUSE REPORT - from the Committee on **TRANSPORTATION** on Bill "An Act Relating to the Restoration of Drivers' Licenses"  
H.P. 447 L.D. 637

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-281)**.

Tabled - May 16, 1991, by Senator **CLARK** of Cumberland.

Pending - **ACCEPTANCE** of Committee Report, in concurrence

(In Senate, May 16, 1991, Report **READ**.)

(In House May 13, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-281)**.)

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

Senator **BUSTIN:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I rise to oppose what I believe to be legislation which weakens our Public Safety Laws and our Drunk Driving Laws. I have no illusion that because this got a unanimous Report out of Committee, that my speaking on this issue will not turn it over. But, I do think that I need to let you know that I believe that L.D. 637 is inherently unfair. L.D. 637 says, "If you are not convicted of drunk driving, you do not have to attend DEEP". On the surface it seems quite logical. But, given additional consideration, I believe that it will