

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Thirteenth Legislature

OF THE

State Of Maine

VOLUME IV

SECOND REGULAR SESSION

March 25, 1988 to May 5, 1988

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May 13, 1988

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HOUSE & SENATE LEGISLATIVE SENTIMENTS

December 3, 1986 to December 6, 1988

The Chair recognizes the Senator from Penobscot, Senator Pearson.

Senator PEARSON: Thank you Mr. President. Last year we set aside some money in the Rainy Day Fund above and beyond the normal capacity of the Rainy Day Fund for the purpose of studying the Retirement System and hiring an actuary and looking into it and this is the result of that study. Two actuaries have been hired, it became necessary to deal with the money as it is described in this Bill.

Under suspension of the Rules, READ A SECOND TIME and PASSED TO BE ENGROSSED, without reference to a Committee, and ORDERED PRINTED.

Under suspension of the Rules, ordered sent down forthwith for 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 Amend the Laws Relating to AIDS and Communicable Diseases"

S.P. 916 L.D. 2392
(S "B" S-498 to C "A"
S-487)

In House, April 20, 1988, PASSED TO BE ENACTED.

In Senate, April 20, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-487) AS AMENDED BY SENATE AMENDMENT "B" (S-498), thereto in NON-CONCURRENCE.

Comes from the House that Body ADHERED.

On motion by Senator GAUVREAU of Androscoggin, the Senate RECEDED and CONCURRED.

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

Senator GAUVREAU: Thank you Mr. President. Mr. President, men and women of the Senate. We have just engaged in an action to Recede and Concur with the action of the other Body regarding L.D. 2392, which was the unanimous report of the Joint Standing Committee on Human Resources regarding AIDS. As you recall earlier this evening we had some debate regarding Senate Amendment "B", which if adopted would have provided language immunizing any insurance carrier from potential liability in the event the insurance carrier requested HIV testing of an applicant for insurance. Between Sessions of the Senate there has been significant discussion on the Amendment. It is my understanding the proponents of Senate Amendment "B" have consented not to pursue their case at this time and to accede in the Recede and Concur motion I made a few moments ago. It is also my understanding that the Human Resources Committee, when it considered the AIDS legislation, was bearing its focus upon financial concerns of people who had to submit to HIV screening and the thrust of the Committee attention was not on whether legal liability should be imposed upon insurance carriers requesting HIV testing. It strikes me that this matter might be appropriate for consideration in this Body at another time. Thank you.

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 Promote the Prompt and Peaceful Settlement of Labor Disputes" (Emergency)

S.P. 956 L.D. 2531

In Senate, March 17, 1988, PASSED TO BE ENGROSSED.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-777) in NON-CONCURRENCE.

Senate at Ease

Senate called to order by the President.

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

Senator DUTREMBLE: Thank you Mr. President. Mr. President, men and women of the Senate. This is "An Act to Promote the Prompt and Peaceful Settlement of Labor Disputes," better known as the Strikebreaker Bill and I just want to reassure the good Senator from Aroostook, Senator Collins, that I did not go around and take the supplements off your desk, but I do have some spare copies in my office if you want some. This is the Bill that everyone in this Chamber wanted the opportunity to vote for just a few days ago and I assure everyone including the good Senator from Aroostook, Senator Collins, that where he was so interested in voting for the Strikebreaker Bill a few days ago that there would be another one coming that he could support wholeheartedly today.

On motion by Senator DUTREMBLE of York, the Senate RECEDED and CONCURRED.

Non-concurrent Matter

HOUSE REPORTS - from the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Establish an Enhanced 9-1-1 System"

H.P. 1911 L.D. 2608

Majority - Ought Not to Pass.

Minority - Ought to Pass as Amended by Committee Amendment "A" (H-761).

In House, April 19, 1988, the Minority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-761).

In Senate, April 19, 1988, the Majority OUGHT NOT TO PASS Report READ and ACCEPTED in NON-CONCURRENCE.

Comes from the House, that Body ADHERED.

On motion by Senator KERRY of York, the Senate RECEDED and CONCURRED.

On motion by Senator BALDACCI of Penobscot, RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

ORDERS

Joint Order

On motion by Senator CLARK of Cumberland the following Joint Order:

S.P. 1006

ORDERED, the House concurring, that in accordance with emergency authority granted under the Revised Statutes, Title 3, section 2, the Second Regular Session of the 113th Legislature shall be extended in accordance with the provisions of said section.

Which was READ.

Pursuant to Title 3, Section 2, this Joint Order requires the affirmative vote of two-thirds of the Members present and voting for Passage. 30 Senators having voted in the affirmative and 1 Senator having voted in the negative, and 30 being more than