

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Tenth  
Legislature***

OF THE

STATE OF MAINE

**Volume I**

**FIRST REGULAR SESSION**

**December 3, 1980 to May 1, 1981**

KJ PRINTING  
AUGUSTA, MAINE

STATE OF MAINE  
One Hundred and Tenth Legislature  
First Regular Session  
JOURNAL OF THE SENATE  
February 17, 1981  
Senate called to order by the President.

Prayer by the Reverend Robert Curry of the First Congregational Church in Waterville.

Reverend CURRY: Let us join together in prayer. God, our Creator, we thank You for this day, for its beauty and for its promise, for the activities of life which make it have meaning.

Our world continues to struggle to know Your will and to do it. Our lives continue to seek in faith the strong guidance of Your spirit. Open us to the deepest resources of peace, that our children may know even more of life's goodness and abundance. Help us be aware of the needs of all others. In concern, let us reach out to the poor and those who are sick in body and mind.

To this Senate, O'God, bring urgency to serve, the cause of freedom and the people of this State of Maine. May the liberty we all cherish be guarded here, and the lives of citizens be made the purpose for good that we seek to do. God be with us. Amen.

Reading of the Journal of yesterday.

(Off Record Remarks)

**Papers from the House  
Non-concurrent Matter**

Bill, "An Act to Permit Auctioneers to Conduct Auctions for Charitable Organizations without Posting an Additional Bond under the Charitable Solicitations Act." (S. P. 11) (L. D. 240)

In the Senate, February 10, 1981, Passed to be Engrossed.

Comes from the House, Passed to be Engrossed as amended by House Amendment "A" (H-24), in non-concurrence.

The PRESIDENT: Is it the pleasure of the Senate to Recede and Concur with the House? The motion prevailed.

**Non-concurrent Matter**

Bill, "An Act to Exempt Certain Aquaculture Workers Under the Workers' Compensation Law." (S. P. 74) (L. D. 111)

In the Senate, February 3, 1981, Passed to be Engrossed as amended by Committee Amendment "A" (S-6).

Comes from the House, Passed to be Engrossed as amended by House Amendment "B" (H-23), in non-concurrence.

The PRESIDENT: Is it the pleasure of the Senate to Recede and Concur with the House? The motion prevailed.

**House Papers**

Bill, "An Act to Prohibit Contractual Allowance in Health Insurance." (H. P. 679) (L. D. 793)

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 Dissolve the Wells-Ogunquit Community School District." (Emergency) (H. P. 651) (L. D. 792)

Bill, "An Act to Establish a Maine Energy Efficient School Year Schedule." (H. P. 680) (L. D. 794)

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 Create a Nonresident Prop-

erty Owner Fishing License." (H. P. 681) (L. D. 795)

Comes from the House, referred to the Committee on Fisheries and Wildlife and Ordered Printed.

Which was referred to the Committee on Fisheries and Wildlife and Ordered Printed, in concurrence.

Bill, "An Act to Enable Taxpayers to Support Nongame Management Projects by Donating a Portion of their State Income Tax Refund through a Tax Return Checkoff." (H. P. 660) (L. D. 764)

Reference to the Committee on Fisheries and Wildlife suggested.

Comes from the House, referred to the Committee on Taxation and Ordered Printed.

Which was referred to the Committee on Taxation, and Ordered Printed, in concurrence.

Bill, "An Act to Provide for the Development of Mental Health Services." (H. P. 661) (L. D. 765)

Comes from the House, referred to the Committee on Health and Institutional Services and Ordered Printed.

Which was referred to the Committee on Health and Institutional Services and Ordered Printed, in concurrence.

Bill, "An Act Concerning Writ of Possession." (H. P. 662) (L. D. 766)

Bill, "An Act Relating to Property Abandoned by Tenants." (H. P. 663) (L. D. 767)

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 Provide for Recovery of Unemployment Compensation Overpayments over a Reasonable Period of Time." (H. P. 664) (L. D. 768)

Bill, "An Act to Permit the Employment Security Commission Wider Discretion in Determining Eligibility for Unemployment Compensation Benefits." (H. P. 665) (L. D. 769)

Bill, "An Act to Clarify Application of the Workers' Compensation Law to Injuries Received by an Employee who Voluntarily Participates on an Employer-Sponsored Athletic Team." (H. P. 666) (L. D. 770)

Bill, "An Act to Provide the Employment Security Commission Flexibility in Handling Administrative Appeals." (H. P. 667) (L. D. 771)

Bill, "An Act to Clarify Recovery for Cardiovascular Injury under the Workers' Compensation Laws." (H. P. 668) (L. D. 772)

Come from the House, referred to the Committee on Labor and Ordered Printed.

Which were referred to the Committee on Labor and Ordered Printed, in concurrence.

Bill, "An Act Concerning Medical Payments under the Workers' Compensation Act." (H. P. 708)

Reference to the Committee on Labor suggested.

Comes from the House, Indefinitely Postponed.

The PRESIDENT: Is it the pleasure of the Senate, to Indefinitely Postpone, in concurrence.

It is a vote.

Bill, "An Act to Clarify and Make Corrections in the Liquor Laws." (Emergency) (H. P. 669) (L. D. 773)

Comes from the House, referred to the Committee on Legal Affairs and Ordered Printed.

Which was referred to the Committee on Legal Affairs and Ordered Printed, in concurrence.

Bill "An Act to Establish Uniform Salaries

for all Sheriffs." (H. P. 670) (L. D. 774)

Comes from the House, referred to the Committee on Local and County Government and Ordered Printed.

Which was referred to the Committee on Local and County Government and Ordered Printed, in concurrence.

Bill, "An Act to Restructure Electrical Utility Rate Design to Encourage Conservation." (H. P. 671) (L. D. 775)

Bill, "An Act Relating to Transit Districts." (H. P. 672) (L. D. 776)

Come from the House, referred to the Committee on Public Utilities and Ordered Printed.

Which were referred to the Committee on Public Utilities and Ordered Printed, in concurrence.

Bill, "An Act to Amend the Public Notice of Rulemaking Requirement of the Maine Administrative Procedures Act." (H. P. 673) (L. D. 777)

Bill, "An Act Concerning the Publication of Statements of Intent Concerning Referendum Issues." (H. P. 674) (L. D. 778)

Come from the House, referred to the Committee on State Government and Ordered Printed.

Which were referred to the Committee on State Government and Ordered Printed, in concurrence.

Bill, "An Act to Repeal the Confidentiality Provisions of the Real Estate Transfer Tax Law." (H. P. 675) (L. D. 779)

Resolution, Proposing an Amendment to the Constitution of Maine to Undedicate the Highway Fund." (H. P. 733) (L. D. 833)

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 Exempt Wood Splitters from Special Equipment Registration Requirements." (H. P. 676) (L. D. 780)

Bill, "An Act to Exempt Agricultural Workers from Certain School Bus Transportation Laws." (H. P. 677) (L. D. 781)

Bill, "An Act to Require Removal of Snowplow Supports from a Vehicle when the Plow is Removed." (H. P. 678) (L. D. 782)

Come from the House, referred to the Committee on Transportation and Ordered Printed.

Which were referred to the Committee on Transportation and Ordered Printed, in concurrence.

**Senate Papers**

Senator TRAFON of Androscoggin (Cosponsors: Senator PERKINS of Hancock, Representative BROWN of Bethel and Representative POST of Owls Head) presented, Bill, "An Act in Support of Regional Library Systems." (S. P. 308)

Which was referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

Senator SEWALL of Lincoln presented, Bill, "An Act Concerning Participation of Physicians before the Professional Malpractice Advisory Panel." (S. P. 314)

Which was referred to the Committee on Business Legislation and Ordered Printed.

Sent down for concurrence.

Senator USHER of Cumberland presented, Bill, "An Act Relating to the Costs of Transporting Persons to Hospitals for the Mentally Ill." (S. P. 310)

Which was referred to the Committee on Health and Institutional Services and Ordered Printed.

Sent down for concurrence.

Senator USHER of Cumberland presented, Bill, "An Act to Establish Arbitration Procedures and Rules Governing Employee Activities." (S. P. 311)

Which was referred to the Committee on Labor and Ordered Printed.  
Sent down for concurrence.

Senator COLLINS of Knox presented, Resolve, Authorizing the Exchange by the Department of Conservation of a Certain Parcel of Land in Rockport for a Similar Parcel of Land Adjoining the Marine Park with Dudrun H. Kononen. (S. P. 315)

Which was referred to the Committee on State Government and Ordered Printed.  
Sent down for concurrence.

Senator WOOD of York presented, Bill, "An Act Concerning the Sales Tax Exemption for Air Pollution Control Facilities." (S. P. 313)

Which was referred to the Committee on Taxation and Ordered Printed.  
Sent down for concurrence.

Senator USHER of Cumberland presented, Bill, "An Act to Exempt Certain Island Motor Vehicles from Inspection Requirements." (S. P. 309)

Senator WOOD of York presented, Bill, "An Act to Require that a School Bus Must Stop and Let Vehicles Pass when 5 or More Vehicles are Behind the Bus." (S. P. 312)

Which was referred to the Committee on Transportation and Ordered Printed.  
Sent down for concurrence.

On Motion by Senator Sutton of Oxford, the Senate voted to reconsider its action of earlier in today's session whereby Bill, "An Act Concerning Participation of Physicians before the Professional Malpractice Advisory Panel", (S. P. 314) was Referred to the Committee on Business Legislation.

On Motion by Senator Sutton of Oxford, referred to the Committee on Health and Institutional Services and Ordered Printed, in non-concurrence.

Sent down for concurrence.

Senator Brown of Washington was granted unanimous consent to address the Senate, On the Record.

Senator BROWN: Thank you, Mr. President. Women and Men of the Senate, last Friday, on February 13, as a result of careful planning by the Women's Caucus, a masterful plan was executed that gave us all a great deal of pleasure and laughter, and a number of love notes.

In an effort to thank those women Senators, and the staff of this Senate, I have a few prepared remarks, I would like to present at this time.

Sweetheart, I am called in the halls of this place.

To have achieved this distinction indeed was a race.

For my fellows are men of great honor and pride,

Despite those who feel Senator Trotzky truns the tide.

To be their envy, I humbly am proud,  
For the fairer gender have spoken aloud.  
While a men's caucus could identify lend me,  
My heart has been stolen — so Howard forgive me.

To the women of the Senate, I strive to be true,

Though my wife in the rear has threatened to sue.

The folks Down East, must wonder and question,

If they must wait two years to teach me a lesson.

Elect a Southerner, they thought might offer a change,

But Sweetheart they call me, even forgetting my name.

Senators Bustin, Clark, Gill, Najarian, Sewall, and Trafton,

Your efforts stirred our hearts and of course caused much laughing.

Joy, Beauty, Intelligence are words that describe you.

Our lives are enriched, and our gratitude due you.

So caucus and keep the whole State of Maine wondering,

What deeds and actions may henceforth come lumbering.

And worry not if other men don't lend a hand,  
For you're this Senate's Sweethearts and in that mighty grand.

Thank you, Mr. President.

#### Committee Reports House

The following **Ought Not to Pass** reports shall be placed in the Legislative files without further action pursuant to Rule 22 of the Joint Rules:

Bill, "An Act to Place Sewer Utilities under the Regulation of the Public Utilities Commission." (Emergency) (H. P. 36) (L. D. 41)

Bill, "An Act to Prohibit Campaigning Within 250 Feet of Voter Registration on Election Day." (H. P. 101) (L. D. 131)

#### Leave to Withdraw

The Committee on Aging, Retirement and Veterans on, Bill, "An Act to Remove Restrictions Preventing Retired Teachers Elected to the Legislature from Receiving Certain Benefits." (H. P. 368) (L. D. 406)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Legal Affairs on, Bill, "An Act Relating to Eligibility for License under the Private Investigator Law." (H. P. 200) (L. D. 245)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

Which Reports were Read and Accepted, in concurrence.

#### Ought to Pass

The Committee on Energy and Natural Resources on, Bill, "An Act to Clarify Plumbing and Subsurface Sewage Disposal Laws." (H. P. 172) (L. D. 223)

Reported that the same Ought to Pass.

Comes from the House, the Bill Passed to be Engrossed.

The Committee on Public Utilities on, Bill, "An Act to Increase the Borrowing Capacity of the Winterport Water District." (H. P. 331) (L. D. 371)

Reported that the same Ought to Pass.

Comes from the House, the Bill Passed to be Engrossed.

Which Reports were Read and Accepted, in concurrence, and the Bill Read Once and Tomorrow Assigned for Second Reading.

#### Ought to Pass — As Amended

The Committee on Judiciary on, Bill, "An Act Reinstating Littering as a Criminal Offense." (H. P. 142) (L. D. 168)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-21).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A".

The Committee on Judiciary on, Bill, "An Act to Amend the Disorderly Conduct Statutes to Include Instances of Affray." (H. P. 145) (L. D. 171)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-22).

Comes from the House, the Bill Passed to be

Engrossed as amended by Committee Amendment "A".

The Committee on State Government on, Resolve, Authorizing the Commissioner of Mental Health and Corrections to Convey Land at the Augusta Mental Health Institute to the Augusta Sanitary District. (H. P. 225) (L. D. 282)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-20).

Comes from the House, the Resolve Passed to be Engrossed as amended by Committee Amendment "A".

Which Reports were Read and Accepted, in concurrence, and the Bills and Resolve Read Once. Committee Amendments "A" were Read and Adopted, in concurrence, and the Bills and Resolve, as amended, Tomorrow Assigned for Second Reading.

#### Divided Report

The Majority of the Committee on Health and Institutional Services on, Bill, "An Act Relating to Immunization of Children Prior to Entering School." (H. P. 41) (L. D. 42)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-18).

Signed:

Senators:

GILL of Cumberland  
HICHENS of York  
BUSTIN of Kennebec

Representatives:

PRESCOTT of Hampden  
BOYCE of Auburn  
RICHARD of Madison  
BRODEUR of Auburn  
MANNING of Portland  
McCOLLISTER of Canton  
HOLLOWAY of Edgecomb  
RANDALL of East Machias  
KETOVER of Portland

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

Signed:

Representative:

MacBRIDE of Presque Isle

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A" (H-18).

Which Reports were Read.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Gill.

Senator GILL: I move the Majority Ought To Pass Report.

The PRESIDENT: The Senator from Cumberland, Senator Gill moves the Senate Accept Majority Ought To Pass Report of the Committee.

The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Senator MINKOWSKY: Mr. President and Members of the Senate, before we move the Ought to Pass Report, I believe that there are some points of clarification, at least, I would be satisfied having somebody from the Committee on Health and Institutional Services explain.

If I understand correctly at the present time, the present law covers children in the State of Maine for these shots against rubella from grades K-6. Because of the outbreak of rubella in the southern part of the State of Maine this Bill was put in. I understand with the amendment there is now an emergency preamble before it, to cover all grades.

Now this would basically take up the residue of the children who did not have rubella shots that might be in grades 7-12 if I understand correctly. I guess that what I am wondering at this particular point. Since this law has been in effect and in most municipalities in the State of Maine have actually implemented this law and all children are actually immunized this law and all children are actually immunized other

than that particular outbreak in southern Maine, how many children are we talking of from grades 7-12, that are not immunized?

Secondly, is it absolutely imperative that we put on additional personnel into the department to cover these particular children?

Thirdly, how many years will it take, to actually immunize all of the students that they claim should be immunized?

Will there be a Sunset date at the end of this particular program?

More importantly than those four questions there, Mr. President and Members of the Senate, was my concern with the Committee Amendment under Filing H-18, on page 2, chapter 471. A new sentence at the end to read: before the immunizing agent is administered a female child of child-bearing age and a person in parental relation to the child shall be provided a description of the risks and benefits of receiving rubella vaccine and the risks that are related to becoming pregnant within three months of receiving rubella vaccine. Now my friends are we talking, I have a daughter getting very close to age 11, am I to assume, possibly, that I have to have her put on birth control pills three months before the rubella vaccine, three months after the rubella vaccine, in order to be sure that in the unfortunate event that that child should become impregnated that the fetus might be damaged in this particular case. There is a great medical question in this particular point. I hope that the members of the Committee on Health and Institutional Services, can address this particular problem, but I would wait for their further evaluation if I may.

The PFRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Gill.

Senator GILL: The immunization that the females within that child-bearing age is not mandatory. It does state correctly as Senator Minkowsky read, that the female child, of child-bearing age, and the person in parental relation shall be provided a description of the risks and the benefits. It does say that the child herself will be given a description of the risks and also that her parent will be. It is not mandatory.

The other points, that were raised, I did not write them all down, Senator Minkowsky spoke so fast and furious that I did not have a chance to write them all down.

We do have a letter from a physician who deals in obstetrics and gynecology, and he states: "as a practicing obstetrician and gynecologist, I am in favor of mandatory rubella immunization for all female children."

Apparently the reason for making such an exemption is to be certain that no rubella immunization is given to pregnant women or one who will become pregnant in the few months following immunization.

Such an occurrence could largely be precluded by mandating an educational program prior to the administration of the rubella virus."

This is exactly what we have worked into the Bill in that section, so that we will alert them to those risks and those benefits.

The fact that the Department of Human Services, the fact that the Maine Medical Association has, also, been in favor of it, the fact that it will not cost any additional sum to either the school districts or the State, because the cost of the rubella virus will be borne by the Federal Government.

The Federal Government, also, has a program whereby a Federal grant of \$258,000 for the period of January 1981 through December 1981. This financial assistance, they plan to contract services, it was designated to assist local school systems, in the implementation of this immunization amendment. It will be of no cost to school systems, and they will supply the vaccine, syringes, the record cards, pamphlets, posters, film, consent forms and miscellaneous supplies.

I think, that I have answered all the questions, the four prior to the last question. If I have not I am sure that I will hear about it.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Senator MINKOWSKY: Thank you, Mr. President. I am sure that the good Senator from Cumberland answered the bulk of the questions, but there is a grave concern as to why we only immunize children from grades K-6 prior to this unfortunate outbreak in southern Maine which has put more emphasis on immunizing all children in the State of Maine.

The fact remains, Mr. President and Members of the Senate, that in the event of a child who may not be aware that she is pregnant and did have that particular rubella shot, where does the responsibility lie in case that fetus does not develop properly? Does it lie with the Federal Government who has subsidized that particular program? Does it lie with the Maine Medical Association who endorses this particular Bill? Does it lie with the State of Maine?

There are many general unanswered questions, Mr. President and Members of the Senate, relevant to this particular thing. I have no objection at all to rubella vaccine, or any other vaccines, I as you are well aware have 6 children who have had all these particular shots, I am in full concurrence with the immunization program, but I am looking at the potential health hazard involved in a case that is not administered properly at the right time, if a child or children in the various communities in the State of Maine end up, unfortunately, pregnant.

It might be advisable, Mr. President and Members of the Senate, that somebody might Table this Bill, at least, for 1 Legislative Day to get a more thorough medical evaluation, other than the letter read by the good Senator from Cumberland, Senator Gill, because I think you will find if I understood the rhetoric this morning that was in the corridor that it is actually ludicrous that the State of Maine is involving itself in this particular program, at least, beyond the seventh grade.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Gill.

Senator GILL: To respond to one of the inquiries by Senator Minkowsky, the immunization was not on the statutes until a few years back, as a matter of fact, the first year that I served on Health and Institutional Services Committee in the Legislature.

That went on to take care of the children through the 6th grade. We have found because of the Sanford outbreak, because of the interaction of high school students throughout the state with sports programs, and various school-connected programs that they are travelling quite a bit, if we do not see that they are immunized in the higher grades that if by chance another outbreak occurred that it could spread all over the State. We were indeed fortunate that we took care of the situation in the Sanford area the way that it was taken care of and the people went in and they worked to immunize everybody. That was with the help of the disease control center in Atlanta Georgia, by the way.

We now hope to have it on our books, because in a matter of a few years after these high schools are immunized, then perhaps there will not be any need for further immunization for anyone because everyone will be taken care of, as the people come into the early grades of the schools, that will be a prerequisite as it is now. So at that point everyone from K-12 will be taken care of.

I might add that there are 28 states in the union who do mandate immunization for K-12 now, so Maine would just be joining those 28.

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

Senator BUSTIN: The Senator from Androscoggin, Senator Minkowsky has been trying to

get me up to make my first speech. I would like to remind him that I made it the other day on Friday, but I would like to respond to this very important question as to why we exempted females of child-bearing age from the rubella shot.

It was mainly because of my own feeling that I did not want to be responsible for the reproductive process of my daughter. I thought that that should be between her and her doctor, and that she should not be mandated by the State to have a rubella exam and that I should not have to make that decision for her or sign any consent forms, that she should have to do it herself, I did not want to invade her privacy unless she wants it invaded, by requesting it from me. That is why we made that exemption, and I would hope that that would pass. Thank you.

The PRESIDENT: The pending question before the Senate is the motion by the Senator from Cumberland, Senator Gill, that the Senate Accept the Majority Ought To Pass, as amended, Report of the Committee.

The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Senator MINKOWSKY: I move that LD 54 be Tabled for 1 Legislative day, pending Acceptance of Either Report.

The PRESIDENT: The Senator from Androscoggin, Senator Minkowsky, moves that LD 54 be Tabled for 1 Legislative day, pending Acceptance of the Majority Ought To Pass Report.

The Chair recognizes the Senator from Cumberland, Senator Gill.

Senator GILL: I request a Division.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of the Motion to Table LD 54 for 1 Legislative day, please rise in their places to be counted.

Will all those Senators opposed, please rise in their places to be counted.

7 Senators having voted in the affirmative, and 19 Senators having voted in the negative, the motion to Table for 1 Legislative day, does not prevail.

On motion by Senator Gill of Cumberland the Majority Ought To Pass, as amended, Report of the Committee Accepted, in concurrence, and the Bill Read Once. Committee Amendment "A" was Read and Adopted, in concurrence and the Bill, as amended, Tomorrow Assigned for Second Reading.

#### Senate

The following Ought Not to Pass report shall be placed in the legislative files without further action pursuant to Rule 22 of the Joint Rules:

Bill, "An Act to Repeal County Home Rule." (S. P. 60) (L. D. 86)

#### Ought to Pass

Senator CONLEY for the Committee on Judiciary on, Bill, "An Act to Include Money in the Law Regarding the Forfeiture of Property Used or Intended for Use in Violation of the Criminal Law Relating to Drugs." (S. P. 55) (L. D. 88)

Reported that the same Ought to Pass.

Which Report was Read and Accepted and the Bill Read Once and Tomorrow Assigned for Second Reading.

#### Ought to Pass - As Amended

Senator VIOLETTE for the Committee on State Government on, Bill, "An Act Relating to the Organization of the Department of Transportation." (S. P. 56) (L. D. 82)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-14).

Which Report was Read and Accepted and the Bill Read Once. Committee Amendment "A" was Read and Adopted and the Bill, as amended, Tomorrow Assigned for Second Reading.

**Ought to Pass in New Draft**

Senator GILL for the Committee on State Government on, Bill, "An Act to Preserve Maine's Archaeological Heritage." (S. P. 45) (L. D. 56)

Reported that the same Ought to Pass in New Draft under Same Title (S. P. 316) (L. D. 827)

Which Report was Read and Accepted and the Bill, in New Draft, Read Once and Tomorrow Assigned for Second Reading.

**Second Readers**

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

**House - As Amended**

Bill, "An Act to Repeal Provisions for Premiums and Rebates under the Liquor Laws." (H. P. 234) (L. D. 249)

Bill, "An Act to Provide Relocation Assistance to Certain Persons Ineligible for Federal Benefits." (H. P. 19) (L. D. 25)

Which were Read a Second Time and Passed to be Engrossed, as amended, in concurrence.

Bill, "An Act to Amend the Annual Timber Cut Report Requirement to Include Fuelwood under the Annual Timber Cut Report." (H. P. 10) (L. D. 5)

On Motion by Senator Collins of Knox, Tabled for 1 Legislative Day, pending Passage to be Engrossed.

**Enactors**

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

An Act to Amend the Maine Business Corporation Act. (S. P. 83) (L. D. 180)

An Act to Amend the Maine Insurance Guaranty Association Act to Increase Liability of Association Member Companies (H. P. 52) (L. D. 66)

An Act to Increase the Licensing Fees for Chiropractors. (H. P. 98) (L. D. 128)

Which were Passed to be Enacted and having been signed by the President were by the Secretary presented to the Governor for his approval.

An Act Relating to the Special Administrative Expense Fund and Errors in Benefit Payments under the Employment Security Law. (S. P. 62) (L. D. 89)

On Motion by Senator Huber of Cumberland, Placed on the Special Appropriations Table, pending Enactment.

An Act Concerning the Uniform Processing of Employer Contributions into the Retirement System. (S. P. 101) (L. D. 210)

On Motion by Senator Huber of Cumberland, Placed on the Special Appropriations Table, pending Enactment.

An Act to Extend the Sunset Provision on the Regulation of Business Between Motion Picture Distributors and Exhibitors. (H. P. 96) (L. D. 126)

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: Mr. President, I wonder if a member of the Committee on Business Legislation might give us some explanation of the effect of LD 126?

The PRESIDENT: The Senator from Knox, Senator Collins, has proposed a question through the Chair to any Senator who may care to answer.

The Chair recognizes the Senator from Oxford, Senator Sutton.

Senator SUTTON: Mr. President and Members of the Senate, those of you who were here last session will recall the debate we had over the so-called "blind bidding" in the motion picture industry. Blind-bidding is a practice which has grown steadily in the motion picture industry where distributors solicit bids from theater owners on movies before the movie is completed, and therefore, before the theater owner

has a chance to view the movie.

Two years ago, this Legislature prohibited such practices, but because we were aware that we were inserting ourselves in an economic dispute in the marketplace, we placed a Sunset Provision on the law. The Sunset Provision provided that the law would expire in the fall of 1981.

LD 126, as introduced, repealed that Sunset Provision. The Bill we are about to enact with Committee Amendment "A", extends the Sunset Provision until 1983.

Because the question of blind bidding is a national issue, and one which will be addressed in numerous state legislatures throughout the country this year, I am making this statement to explain our action. Our Committee was split on whether to repeal the Sunset Provision. Actually, a majority of the Committee would have done so, but others on the Committee wanted to add a provision to the law, allowing theater owners to waive the prohibitant against blind-bidding if they wanted to bid on pictures, before completion. After debate, our Committee finally decided that because the law had not had sufficient time to operate, we would leave it in place for another two years, at which time we would be able to fully evaluate its impact and make a decision on whether the law should be continued or repealed.

Which was Passed to be Enacted and having been signed by the President was by the Secretary presented to the Governor for his approval.

**Orders of the Day**

The President laid before the Senate the Tabled and specially assigned matter:

Senate Reports — from the Committee on Education — Bill, "An Act Providing for a Period of Silence in Public Schools." (S. P. 70) (L. D. 107) Majority Report — Ought to Pass in New Draft Under Same Title (S. P. 272) (L. D. 699); Minority Report — Ought Not to Pass.

Tabled — February 12, 1981 by Senator PIERCE of Kennebec.

Pending — Acceptance of Either Report.

On Motion by Senator Collins of Knox, Retabled.

On Motion by Senator Pierce of Kennebec, Adjourned until 10 o'clock tomorrow morning.