

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eleventh
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 1, 1982 to May 13, 1983

STATE OF MAINE
One Hundred and Eleventh Legislature
First Regular Session
JOURNAL OF THE SENATE

Augusta, Maine
March 31, 1983

Senate called to order by the President.

Prayer by Reverend Richard S. Hasty of the First Parish Church (Unitarian Universalist) of Portland.

REVEREND HASTY: O Thou Whom we call God, Thou Who art named by all the languages of humanity, Father, Mother, Creator, Infinite and Eternal Force that moves throughout the universal universalities. We ask Thy blessing upon us this morning: especially, upon these Senators, and the Officers of this Chamber and their families, upon the government of our great State, and the citizens so governed.

May the Men and Women of this Chamber ever use its wisdom and power to free the enslaved and to protect the discriminated; that true equality may be shared by all within our borders.

Thus do we most ardently and sincerely pray. Amen.

Reading of the Journal of yesterday.

Out of Order and Under Suspension of the Rules:

On motion by Senator PRAY of Penobscot, the following Joint Order: (S. P. 460)

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn on Tuesday, April 4, 1983 at 9:00 in the morning. Which was Read and Passed.

Sent down forthwith for concurrence.

**Papers from the House
House Papers**

BILL, "An Act to Assure Public Awareness of Nuclear Civil Protection Plans for Maine" (H. P. 1006) (L. D. 1331)

Comes from the House, referred to the Committee on Aging, Retirement and Veterans and Ordered Printed.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Pray.

Senator PRAY: We are on L. D. 1331?

The PRESIDENT: The Chair would answer in the affirmative.

Senator PRAY: Mr. President, I would move that this be referred to the Committee on Public Utilities and Ordered Printed.

On motion by Senator Dow of Kennebec, Tabled until later in today's session, pending the motion by the Senator from Penobscot, Senator Pray.

(Off Record Remarks)

BILL, "An Act Concerning the Use of Sludge for Agricultural Purposes" (H. P. 1007) (L. D. 1332)

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

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

BILL, "An Act to Authorize Coverage of Medical Supplies Under the Low Cost Drugs for the Elderly Program" (H. P. 997) (L. D. 1330)

Reference to the Committee on Health and Institutional Services suggested.

Comes from the House referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

On motion by Senator Carpenter of Aroostook, Tabled until later in today's session, pending Reference.

BILL, "An Act to Appropriate Sohio Oil Company Overcharge Funds to the Energy Resources Development Fund" (Submitted by the Office of Energy Resources pursuant to Joint

Rule 24) (H. P. 1010) (L. D. 1335)

Reference to the Committee on Energy and Natural Resources suggested.

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

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

RESOLVE, Authorizing the Exchange of Certain Public Lands. (Submitted by the Department of Conservation pursuant to Joint Rule 24) (H. P. 1008) (L. D. 1333)

BILL, "An Act to Clarify the Decision-making Process within the Department of Environmental Protection" (Submitted by the Department of Environmental Protection pursuant to Joint Rule 24) (H. P. 1009) (L. D. 1334)

Comes from the House, referred to the Committee on Energy and Natural Resources and Ordered Printed.

Which were referred to the Committee on Energy and Natural Resources and Ordered Printed, in concurrence.

BILL, "An Act to Permit Hunting of Wild Birds on Sunday with Bird Dogs" (H. P. 1011) (L. D. 1336)

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 Concerning Criteria for Determining Need for Welfare" (H. P. 1012) (L. D. 1337)

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 Relating to the Licensing of Dental Radiographers" (H. P. 996) (L. D. 1329)

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

On motion by Senator Pray of Penobscot, Tabled until later in today's session, pending Reference.

(Off Record Remarks)

BILL, "An Act Concerning Compensation for Witnesses" (H. P. 1021) (L. D. 1344)

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 Minimum Wage" (H. P. 1013) (L. D. 1338)

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

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

BILL, "An Act to Amend the Law Relating to Games of Chance" (Submitted by the Department of Public Safety pursuant to Joint Rule 24) (H. P. 1014) (L. D. 1339)

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 Create an Incentive-Penalty Rate Base Adjustment" (Submitted by the Public Utilities Commission pursuant to Joint Rule 24) (H. P. 1015) (L. D. 1340)

Comes from the House, referred to the Committee on Public Utilities and Ordered

Printed.

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

RESOLVE, Authorizing Governor to Convey an Interest in Land and Buildings on the Bangor Mental Health Institute Campus. (H. P. 1016) (L. D. 1341)

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

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

**Committee Reports
Senate**

Leave to Withdraw

The following Leave to Withdraw reports shall be placed in the legislative files without further action pursuant to Rule 15 of the Joint Rules:

BILL, "An Act to Clarify the Rights of Health Care Providers" (S. P. 252) (L. D. 814)

BILL, "An Act Concerning Hospital Immunity and the Administration of Blood Tests to Juveniles for Operating under the Influence" (S. P. 286) (L. D. 874)

Ought to Pass

Senator TRAFTON for the Committee on Judiciary on BILL, "An Act to Eliminate the Requirement that Supreme Judicial Court Briefs be Bound" (S. P. 145) (L. D. 436) Reported that the same Ought to Pass.

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

Ought to Pass in New Draft under New Title

Senator BUSTIN for the Committee on Health and Institutional Services on BILL, "An Act to Provide Itemized Hospital Bills to Medicare Beneficiaries and Medicaid Recipients" (S. P. 182) (L. D. 549) Reported that the same Ought to Pass in New Draft under New Title, BILL, "An Act to Require Hospitals to Provide Itemized Bills Upon Request" (S. P. 460) (L. D. 1391)

Which Report was Read and Accepted. The Bill in New Draft under New Title Read Once and Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Labor on BILL, "An Act to Clarify the Negotiability of Pay Rates Under the State Employees Labor Relations Act" (S. P. 170) (L. D. 525)

Reported that the same Ought to Pass.

Signed:

Senators:

DUTREMBLE of York
HAYES of Penobscot

Representatives:

BEAULIEU of Portland
LEWIS of Auburn
GAUVREAU of Lewiston
ZIRNKILTON of Mount Desert
SWAZEY of Bucksport
TAMMARO of Baileyville
TUTTLE of Sanford

The minority of the same Committee on the same subject matter Reported that the same Ought Not to Pass.

Signed:

Senator:

SEWALL of Lincoln

Representatives:

WILLEY of Hampden
NORTON of Biddeford

Which Reports were Read.

On motion by Senator Dutremble of York the Majority Ought to Pass Report of the Committee was Accepted.

The Bill Read Once and Tomorrow Assigned

for Second Reading.

Divided Report

The Majority of the Committee on Labor on BILL, "An Act to Provide for the Negotiation of Union Security Provisions" (S. P. 267) (L. D. 812)

Reported that the same Ought to Pass.

Signed:

Senators:

DUTREMBLE of York
HAYES of Penobscot

Representatives:

BEAULIEU of Portland
NORTON of Biddeford
GAUVREAU of Lewiston
SWAZEY of Bucksport
TAMMARO of Baileyville
TUTTLE of Sanford

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

Signed:

Senator:

SEWALL of Lincoln

Representatives:

LEWIS of Auburn
ZIRNKILTON of Mount Desert
WILLEY of Hampden

Which Reports were Read.

On motion by Senator Dutremble of York the Majority Ought to Pass Report of the Committee was Accepted.

The Bill Read Once and Tomorrow Assigned for Second Reading.

Second Readers

House

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

BILL, "An Act Relating to Unreasonable or Unjust Rent in Mobile Home Parks" (H. P. 340) (L. D. 399)

BILL, "An Act to Transfer Residual Jurisdiction of the Public Utilities Commission Over Municipal Transit Districts to the Department of Transportation" (H. P. 745) (L. D. 957)

BILL, "An Act to Amend the Act Restricting Rate Increase Proposals by Public Utilities" (H. P. 748) (L. D. 960)

BILL, "An Act to Require the Public Utilities Commission to Expeditiously Process Consumer Complaints" (H. P. 749) (L. D. 961)

BILL, "An Act to Permit Persons Under 18 Years of Age Who Pass the Test for General Educational Development to Receive a High School Equivalency Certificate at that Time" (H. P. 1022) (L. D. 1323)

RESOLVE, Authorizing the State Director of Public Improvements to Convey a Right-of-way Across the Elizabeth Levinson Center in Bangor" (H. P. 1018) (L. D. 1315)

BILL, "An Act to Provide for Consideration of the Age of the Victim in Sentencing Criminal Offenders" (H. P. 1027) (L. D. 1328)

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

Sent forthwith to the Engrossing Department.

RESOLVE, Authorizing the Conveyance of a Certain Unused Building and Land Owned by the State to the Town of Wells for \$10,000 (H. P. 1024) (L. D. 1325)

Which was Read a Second Time.

On motion by Senator Pray of Penobscot, Tabled for 2 Legislative Days, pending Passage to be Engrossed.

House—As Amended

BILL, "An Act Relating to Attorneys Searching and Certifying Title to Real Estate" (H. P. 969) (L. D. 1225)

BILL, "An Act to Prohibit Shooting within 100 Yards of any Dwelling During Hunting Season" (H. P. 167) (L. D. 198)

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

Sent forthwith to the Engrossing Department.

Senate—As Amended

BILL, "An Act to Equalize Health Insurance Benefits for Retired State Employees" (S. P. 323) (L. D. 968)

Which was Read a Second Time and Passed to be Engrossed as Amended.

Sent down for concurrence.

(Senate at Ease)

The Senate called to Order by the President.

Enactors

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

An Act to Clarify and Establish the Boundary Line Between the Town of Bowdoinham and the Town of Bowdoin (H. P. 633) (L. D. 784)

An Act to Clarify the Definition of Approved Training in the Unemployment Compensation Program (H. P. 983) (L. D. 1284)

An Act Concerning the Compensation of County Personnel Board Members (H. P. 672) (L. D. 855)

An Act to Coordinate Regulatory Review (H. P. 808) (L. D. 1048)

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

RESOLVE, Directing the Department of Marine Resources to Erect a Fishway on the Orange River in Whiting, Washington County (H. P. 420) (L. D. 503)

On motion by Senator Pray of Penobscot, placed on the Special Appropriations Table, pending Enactment.

Emergency

An Act Relating to Handicapped Parking Space Designation (H. P. 580) (L. D. 728)

This being an emergency measure and having received the affirmative votes of 30 Members of the Senate, with No Senators having voted in the negative, was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Knox County for the Year 1983 (H. P. 1026) (L. D. 1327)

Emergency

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Aroostook County for the Year 1983 (H. P. 1056) (L. D. 1379).

Emergency

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Washington County for the Year 1983 (H. P. 1061) (L. D. 1384)

Emergency

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Piscataquis County for the Year 1983 (H. P. 1060) (L. D. 1383)

Emergency

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Penobscot County for the Year 1983 (H. P. 1059) (L. D. 1382)

Emergency

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Waldo County for the Year 1983 (H. P. 1046) (L. D. 1376)

These being emergency measures and having received the affirmative votes of 27 Members of the Senate, with No Senators having voted in the negative, were Finally Passed, and having been signed by the President, were

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.

An Act to give Alternates the Right to Vote on a School Board. (H. P. 626) (L. D. 778)

Tabled—March 29, 1983 by Senator CARPENTER of Aroostook

Pending—Enactment
(In House March 24, 1983 Failing of Passage to be Enacted)

Which was passed to be enacted.

(See Action Later Today)

(Senate at Ease)

The Senate called to Order by the President.

On motion by Senator Carpenter of Aroostook, The Senate voted to take from the Table:

BILL, "An Act to Authorize Coverage of Medical Supplies Under the Low Cost Drugs for the Elderly Program" (H. P. 997) (L. D. 1330)
Tabled earlier in today's session, on motion by Senator Carpenter of Aroostook pending Reference.

On motion by Senator Carpenter of Aroostook, referred to the Committee on Health and Institutional Services and Ordered Printed, in non-concurrence.

Sent down for concurrence.

On motion by Senator Carpenter of Aroostook, Recessed until 12 noon.

Recess

After Recess

The Senate called to Order by the President.

The President called the Senate's attention to the Tabled and specially assigned matter:

"An Act to give Alternates the Right to Vote on a School Board." (H. P. 626) (L. D. 778)

Tabled—March 29, 1983 by Senator CARPENTER of Aroostook.

Pending—Enactment
(In House March 24, 1983, Failing of Passage to be Enacted)

There being an error on the calendar and this Bill being an emergency measure must receive the affirmative vote of two-thirds of those Senators present and voting for Enactment.

The Chair will restate the pending question. The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Pearson.

Senator PEARSON: Mr. President, I'd like to pose a question through the Chair to anybody who may care to answer.

The question is: Does this Bill provide for the ability of alternates to vote only in those communities that so choose to have alternates, and does not affect every other community? In those communities that do choose to have alternates, does this allow them to have an option, as to whether the alternates would have the right to vote?

The PRESIDENT: The Senator from Penobscot, Senator Pearson, has posed a question through the Chair to any member of the Senate who may wish to respond.

The Chair recognizes the Senator from Penobscot, Senator Hayes.

Senator HAYES: Our understanding of this Bill in the Committee of Education is that, in fact, some municipalities do not have alternates. This would only apply to those communities which do have alternates and would not affect the others.

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

Senator PEARSON: Further question, Mr. President, I'd like to ask whether or not those communities now, if this Bill would pass,

would have the option to allow their alternates to have the vote?

The PRESIDENT: The Senator from Penobscot, Senator Pearson, poses a question through the Chair to any member of the Senate who may respond.

The Chair recognizes the Senator from Penobscot, Senator Hayes.

Senator HAYES: My understanding of this is it would be a local determination. It is not written in the present Bill to do that.

This being an emergency measure and having received the affirmative votes of 21 Members of the Senate, with 6 Senators having voted in the negative, Failed of Passage to be Enacted, in concurrence.

Out of Order and Under Suspension of the Rules, the Senate voted to consider the following:

Committee Reports

House

Ought to Pass

The Committee on Local and County Government on RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Kennebec County for the Year 1983 (Emergency) (H. P. 1067) (L. D. 1399) Reported that the same Ought to Pass pursuant to Joint Order (H. P. 159).

Comes from the House with the Report Read and Accepted and the Resolve Passed to be Engrossed.

Which Report was Read and Accepted in concurrence. The Resolve Read Once.

Under the Suspension of the Rules the Resolve Read a Second Time and Passed to be Engrossed, in concurrence.

Sent forthwith to the Engrossing Department.

Enactor

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

Emergency

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Somerset County for the Year 1983 (H. P. 1063) (L. D. 1386)

This being an emergency measure and having received the affirmative votes of 27 Members of the Senate, with No Senators having voted in the negative, was Finally Passed and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Out of Order and Under Suspension of the Rules, the Senate voted to consider the following:

Papers from the House

Non-concurrent Matter

BILL, "An Act Relating to Business, Travel or Recreation on Sunday" (S. P. 29) (L. D. 84)

In the Senate March 29, 1983 Passed to be Engrossed as Amended by Committee Amendment "A" (S-38).

Comes from the House Passed to be Engrossed as Amended by Committee Amendment "A" (S-38) and House Amendment "C" (H-108) in non-concurrence.

On motion by Senator Pray of Penobscot, Tabled for 1 Legislative Day, pending Consideration.

House Papers

BILL, "An Act to Address School Failure in Kindergarten and Early Elementary Grades" (H. P. 1066)

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.

RESOLVE, to Authorize the Commissioners of Cumberland County to Reimburse the Town of Harrison \$2,368.86 for Unexpended Retire-

ment Funds (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27) (H. P. 1065)

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 Clarify Conflict of Interest for State Boards and Commissions" (H. P. 1064)

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

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

Committee Reports

House

Leave to Withdraw

The following Leave to Withdraw reports shall be placed in the legislative files without further action pursuant to Rule 15 of the Joint Rules:

BILL, "An Act to Designate an Elvis Presley Day" (H. P. 670) (L. D. 853)

BILL, "An Act to Encourage Speedy Rehabilitation under the Workers' Compensation Act" (H. P. 800) (L. D. 1040)

Ought to Pass—As Amended

The Committee on Fisheries and Wildlife on BILL, "An Act Relating to Hunting and Fishing by Disabled Persons" (H. P. 266) (L. D. 326) Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-96)

Comes from the House, the Report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-96)

Which Report was Read and Accepted in concurrence. The Bill Read Once. Committee Amendment "A" Read and Adopted, in concurrence.

The Bill, as amended, Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Marine Resources on BILL, "An Act to Promote Conservation of Lobster Resources" (H. P. 736) (L. D. 945)

Reported that the same Ought Not to Pass. Signed:

Sensors:

MINKOWSKY of Androscoggin
DUTREMBLE of York
SHUTE of Waldo

Representatives:

VOSE of Eastport
CROWLEY of Stockton Springs
MITCHELL of Freeport
SALSURY of Bar Harbor
MELENDY of Rockland
AINSWORTH of Yarmouth
MANNING of Portland

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass.

Signed:

Representatives:

HOLLOWAY of Edgecomb
SCARPINO of St. George
CONNERS of Franklin

Come from the House with the Majority Ought Not to Pass Report Read and Accepted.

Which Reports were Read and the Majority Ought Not to Pass Report of the Committee was Accepted, in concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following: An Act to Remove Reference to Clerical As-

sistants under the Court Laws. (S. P. 419) (L. D. 1268)

An Act to Amend Special Education Statutes Related to Complaint Procedures. (H. P. 520) (L. D. 645)

An Act to Limit Access to Confidential Data. (H. P. 573) (L. D. 721)

An Act to Conform Maine Garnishment Laws to the United States Code, Title 15, Section 1673, the Federal Consumer Credit Protection Act. (S. P. 110) (L. D. 262)

(See Action Later Today)

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 Concerning Court Procedures Dealing with Notice in Liability Cases. (H. P. 402) (L. D. 485)

(Comes from the House, Bill and Accompanying Papers Indefinitely Postponed)

On motion by Senator Pray of Penobscot, Tabled until later in Today's Session, pending Enactment.

Emergency

An Act Relating to Motor Fuel Taxes. (H. P. 130) (L. D. 138)

(Comes from the House, Bill and Accompanying Papers Indefinitely Postponed)

On motion by Senator Carpenter of Aroostook, Tabled until later in Today's Session, pending Enactment.

On motion by Senator Pray of Penobscot, Recessed until 4 o'clock this afternoon.

Recess

After Recess

The Senate called to Order by the President.

On motion by Senator Pray of Penobscot, the Senate voted to Reconsider its action of earlier in today's session whereby:

BILL, "An Act to Conform Maine Garnishment Laws to the United States Code, Title 15, Section 1673 the Federal Consumer Credit Protection Act." (S. P. 110) (L. D. 262) was Passed to be Enacted.

On motion by Senator Pray of Penobscot the Senate voted to Suspend its Rules.

On further motion by the same Senator, the Senate voted to Reconsider its action whereby LD 262 was Passed to be Engrossed.

On further motion by the same Senator, Tabled until later in today's session, pending Passage to be Engrossed.

Orders of the Day

On motion by Senator Pray of Penobscot, the Senate voted to take from the Table:

"An Act Concerning Court Procedures Dealing with Notice in Liability Cases." (H. P. 402) (L. D. 485)

Tabled earlier in Today's Session, on motion by Senator Pray of Penobscot, pending Enactment.

On motion by Senator Pray of Penobscot, L.D. 485 and Accompanying Papers was Indefinitely Postponed, in concurrence.

On motion by Senator Carpenter of Aroostook, the Senate voted to take from the Table: "An Act Relating to Motor Fuel Taxes." (H. P. 130) (L. D. 138)

Tabled earlier in Today's Session, on motion by Senator Carpenter of Aroostook, pending Enactment.

On motion by Senator Carpenter of Aroostook, L.D. 138, being an emergency measure and having received the affirmative votes of 32 Members of the Senate, with No Senators having voted in the negative, was Passed to be Enacted, in non-concurrence and having been signed by the President.

Sent down for concurrence.

On motion by Senator Pray of Penobscot the Senate voted to take from the Table:

BILL, "An Act to Assure Public Awareness of Nuclear Civil Protection Plans for Maine (H. P. 1006) (L. D. 1331)

Tabled earlier in Today's Session, on motion by Senator Dow of Kennebec, pending the motion by the Senator from Penobscot Senator Pray.

The PRESIDENT: The Senator has the floor. Senator PRAY: Mr. President, I request permission of the Senate to Withdraw my motion that this Bill be referred to the Joint Standing Committee on Public Utilities.

The PRESIDENT: The Senator from Penobscot, Senator Pray now requests Leave of the Senate to Withdraw his motion to refer LD 1331 to the Committee on Public Utilities?

Is it the pleasure of the Senate to Grant this Leave?

It is a vote.

Which was referred to the Committee on Aging, Retirement, and Veterans and Ordered Printed, in concurrence.

On motion by Senator Pray of Penobscot the Senate voted to take from the Table:

BILL, "An Act Relating to the Licensing of Dental Radiographers" (H. P. 996) (L. D. 1329)

Tabled earlier in Today's Session, on motion by Senator Pray of Penobscot, pending Reference.

On motion by Senator Pray of Penobscot, referred to the Committee on Business Legislation and Ordered Printed, in non-concurrence.

Sent down for concurrence.

Out of Order and Under Suspension of the Rules, the Senate voted to consider the following:

Enactors

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

An Act to Provide for Establishment of Employee Cooperative Corporations (H. P. 215) (L. D. 258)

An Act to Amend the Statutes Relating to Coordination Services for Preschool Handicapped Children (S. P. 221) (L. D. 658)

An Act to Permit Young Children to Accompany a Voter into the Voting Booth (H. P. 543) (L. D. 695)

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

Emergency

An Act to Amend the Statute Relative to the Appointment of the Commissioner of Educational and Cultural Services (S. P. 416) (L. D. 1263)

An Act to Remove the Superintendent of the Governor Baxter School for the Deaf from Classified Service and Clarify the Law Relating to State Educational Personnel (H. P. 769) (L. D. 999)

An Act to Make Allocations from the Alcoholism Prevention, Education, Treatment and Research Fund for the Fiscal Year Ending June 30, 1983 (H. P. 513) (L. D. 638)

These being emergency measures and having received the affirmative votes of 31 Members of the Senate, with No Senators having voted in the negative, were Passed to be Enacted, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

On motion by Senator Carpenter of Aroostook, Recessed until the sound of the Bell.

Recess

After Recess

The Senate called to Order by the President.

Out of Order and Under Suspension of the Rules, the Senate voted to consider the following.

Committee Reports

House

Ought to Pass

The Committee on Local and County Government on RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of York County for the Year 1983 (Emergency) (H. P. 1068) (L. D. 1400) Reported that the same Ought to Pass pursuant to Joint Order (H. P. 159).

Comes from the House with the Report Read and Accepted and the Bill Passed to be Engrossed, as Amended by House Amendment "B" (H-112).

Which Report was Read and Accepted, in concurrence. The Resolve Read Once.

House Amendment "B" was Read and Adopted, in concurrence.

Under the Suspension of the Rules the Resolve Read a Second Time and Passed to be Engrossed, as amended, in concurrence.

Sent forthwith to the Engrossing Department.

Enactor

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

Emergency

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1984, and June 30, 1985. (S. P. 423) (L. D. 1285)

The PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Perkins.

Senator PERKINS: Mr. President, Ladies and Gentlemen of the Senate, I don't think it is any secret to the Members of this Body, or the other Body that there were those of us on the Appropriations Committee who had, at one point, considered that some of the things in the Part I Budget were perhaps premature or left unanswered, and it is through the courtesy of the other members on the Appropriations Committee and through the efforts of many others, Commissioner Scribner and others, that this afternoon was spent going over many of these concerns and it was with appreciation I express on behalf of myself, and my party, that appreciation and ask you, I will be voting for the budget and encourage you to do so, also.

This being an emergency measure and having received the affirmative votes of 28 Members of the Senate, with 3 Senators having voted in the negative, was Passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Cumberland County for the Year 1983 (H. P. 1057) (L. D. 1380)

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

Senator CLARK: I request a Roll Call on Final Enactment, please.

The PRESIDENT: A Roll call has been requested. Under the Constitution, in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

Obviously more than one-fifth having arisen a Roll Call is ordered.

The pending question before the Senate is Final Passage of LD 1380.

A Yes vote will be in favor of Final Passage.

A No vote will be opposed.

The Doorkeepers will secure the Chamber. The Secretary will call the Roll.

ROLL CALL

YEA—Baldacci, Brown, Bustin, Carpenter, Charette, Danton, Dow, Dutremble, Emerson, Erwin, Hayes, Kany, McBrearty, Minkowsky, Najarian, Pearson, Perkins, Pray, Redmond, Sewall, Shute, Teague, Usher, Violette, Wood, The President-Gerard P. Conley.

NAY—Clark, Diamond, Gill, Hichens, Twit-chell.

ABSENT—Collins, Trafton.

A Roll Call was had.

26 Senators having voted in the affirmative and 5 Senators in the negative, with 2 Senators being absent, the Resolve was Finally Passed and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Out of Order and Under Suspension of the Rules, the Senate voted to consider the following:

Papers From the House

House Papers

BILL, "An Act to Make the Maine Gasoline Tax Implementation Identical to the Federal Implementation" (Emergency) (H. P. 1072) (L. D. 1401)

Comes from the House under suspension of the rules Read Twice and Passed to be Engrossed without reference to a committee.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, that LD 1401 be given its First Reading at this time without Reference to Committee?

It is a vote.

Under Suspension of the Rules, the Bill Read Twice, and Passed to be Engrossed, without Reference to Committee and Ordered Printed, in concurrence.

Sent forthwith to the Engrossing Department.

Enactor

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

Emergency

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Hancock County for the Year 1983 (H. P. 1058) (L. D. 1381)

This being an emergency measure and having received the affirmative votes of 29 Members of the Senate, with No Senators having voted in the negative, was Finally Passed and having been signed by the President, was by the Secretary presented to the Governor for his approval.

(Senate at Ease)

The Senate called to Order by the President.

Orders of the Day

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

An Act to Conform Maine Garnishment Laws to the United States Code, Title 15, Section 1673, the Federal Consumer Credit Protection Act. (S. P. 110) (L. D. 262)

Tabled—March 31, 1983 by Senator PRAY of Penobscot.

Pending—Engrossment.

(In House, March 31, 1983 Passed to be Enacted)

(In Senate, March 31, 1983 Reconsidered Passage to be Enacted Further Reconsidered Passage to be Engrossed)

On motion by Senator Pray of Penobscot, Re-tabled for 2 Legislative Days.

(Off Record Remarks)

On motion by Senator Pray of Penobscot, Recessed until the sound of the bell.

Recess**After Recess**

The Senate called to Order by the President.

Out of Order and Under Suspension of the Rules, the Senate voted to consider the following:

Enactor

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

Emergency

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of York County for the Year 1983 (H. P. 1068) (L. D. 1400)

This being an emergency measure and having received the affirmative votes of 30 Members of the Senate, with No Senators having voted in the negative, was Finally Passed, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

(Senate at Ease)

The Senate called to Order by the President.

On motion by Senator Pray of Penobscot, Recessed until the sound of the bell.

Recess**After Recess**

The Senate called to Order by the President.

Under Suspension of the Rules, the Senate voted to consider the following:

Enactor

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

Emergency

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Kennebec County for the Year 1983 (H. P. 1067) (L. D. 1399)

This being an emergency measure and having received the affirmative votes of 30 Members of the Senate, with No Senators having voted in the negative, was Finally Passed and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

An Act to Make the Maine Gasoline Tax Implementation Identical to the Federal Implementation (H. P. 1072) (L. D. 1401)

The PRESIDENT: The Chair recognizes the Senator from York, Senator Wood.

Senator WOOD: Mr. President, Men and Women of the Senate, just to clarify what this Act will do, it simply puts into place the same regulations that will govern the Federal Tax that will take effect on April 1st. This will allow for ease and continuity in management and collection of the tax.

This being an emergency measure and having received the affirmative votes of 30 Members of the Senate, with No Senators having voted in the negative, was Passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

(Off Record Remarks)

Pursuant to Senate Rule 5, the Chair appointed the Senator from Penobscot, Senator Pray, to serve as President Pro-Tem.

On motion by Senator Carpenter of Aroostook, Adjourned until Tuesday, April 5, 1983 at 9 o'clock in the morning.