

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
April 29, 1983
Senate called to order by the President.

Prayer by the Reverend William Smith of the Windsor Memorial Baptist Church of Windsor.

REVEREND SMITH: Shall we bow together in prayer this morning! Our Father, we thank You that we can enter into this Chamber now in silence and recognize that You are God and know Lord that in this Chamber with its great historical happenings, we sense the presence of Your Person, as Your Spirit moves among us.

Lord, in all humility we come to You today to ask that Your blessing and wisdom be upon the Men and Women of this Chamber: for this is a complex world in which we live and the decisions that we reach today will have far reaching affect, not only in the immediate day in which we live, but to all generations who are yet to come.

So, our Father, we pause at this noon hour to thank You for each one of these persons who represent us, the people of Maine, in this Senate Room.

We, also, think of the House and of the Governor's Office and lift these folk before You, asking our Father that Your blessing be upon them.

So our gracious Lord, we seek Your blessing on our efforts on our behalf in this day. We are indeed thankful for each one of them.

We are thankful, too, that You have raised up this great Nation and we would pray, O Lord, that we would honorably wear the mantle of peace that You have given to us as our inheritance through Your Son that in these troubled times we would not be overwhelmed nor be afraid, but that we will trust in our God, Who is our refuge and our strength, our ever present help in our time of trouble. We would pray these things now in the Master's Name. Amen.

Reading of the Journal of Wednesday, April 27, 1983.

(Off Record Remarks)

Senator Carpenter of Aroostook was granted unanimous consent to address the Senate, Off the Record.

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

BILL, "An Act Concerning the Distribution of Table Wines" (H. P. 833) (L. D. 1070)

In House April 25, 1983 Minority Ought to Pass as Amended by C. "A" H-159 Report Read and Accepted.

In Senate April 26, 1983 Majority Ought Not to Pass Report Read and Accepted in non-concurrence.

Comes from the House, that Body Insisted.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Charette. Senator CHARETTE: I move that the Senate Adhere.

The PRESIDENT: The Senator from Androscoggin, Senator Charette, moves that the Senate Adhere.

The Chair recognizes the Senator from Cumberland, Senator Usher.

Senator USHER: Mr. President, I move that we Recede and Concur with the House.

The PRESIDENT: The Senator from Cumberland, Senator Usher, moves that the Senate Recede and Concur with the House.

Is this the pleasure of the Senate?

The Chair recognizes the Senator from York, Senator Danton.

Senator DANTON: Would the Secretary please read the Committee Report?

The Committee Report was Read.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Charette. Senator CHARETTE: I would ask for a Division on the pending motion and I would speak briefly.

The PRESIDENT: The Senator has the floor. Senator CHARETTE: Thank you very much, Mr. President, Women and Men of the Senate, earlier in this session the Joint Standing Committee on Legal Affairs did address the issue of beer and wines, to do with the franchise of beer and wines and at that time, we had a 12 to 1, Ought Not to Pass Report on that issue.

Now, we are dealing with strictly wine. I'd like to point out the reason why we had a Majority Ought Not to Pass Report on this issue, and for those who voted Ought Not to Pass, the decision that there is some responsibility in the quality of products and bad wine is no different than you could have had bad beer. For that reason, we felt that this could be a problem, because the franchise dealing with changing stock and making sure fresh stock is sold continuously is that the franchise, itself, is responsible for that. If we allow retailers to buy wine from other franchises, then what about the franchise that is responsible for that area? What about wholesalers selling the same labeled wine?

At the workshop, there were two wholesalers present, both of them happened to have their warehouse side by side. One franchised with York County and the other one was Cumberland County, and they both sell the same label, because the wine manufacturers allowed each one to carry the same label, the fact that each one services two different franchises; one being York and one being Cumberland county.

It was pointed out that many small retailers mom and pop stores, and as well as, some of the larger ones sometimes do pick up their own products. They do save a few cents when they do that. So, in this case, if one mom and pop shop needed the number one beer, the number one seller of beer and, also, needed some wines, rather than going to his franchise for the wine, he certainly now with this Bill could be able to pick up his wine as he is picking up the beer that he needs on that particular day, and that would take away sales from the one who holds that franchise. So, it becomes difficult for these wholesalers in order to project their sales on some of these same labels that both warehouses in different franchise do have.

This Bill would create a lot of problems and for those reasons, we felt best that that area should be left alone just as we decided to leave the beer alone. Thank you very much.

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

Senator PERKINS: Mr. President, Ladies and Gentlemen of the Senate: The good Senator from Androscoggin has expressed well his Committee's feelings. I might only relate that both the distributor and the retailer have to keep records for five years on these products, so I don't see that it would create any great problem on either side to know who bought the product from whom and to whom, if it was defected, where the return should go.

I would urge you to face this head on now that this is not the problem.

You might wonder why I take an interest in this. In the past season, one of my people who runs a fairly substantial restaurant called me on a particular day, and said that they were about to lose their liquor license. I inquired why, as I didn't want to get in the middle of a problem where there had been some fault of selling to a minor or selling when it was illegal. The net result was that these people found that a particular grade of wine, they could drive to Waterville, and pickup for two dollars a bottle less, than they could buy from the distributor, who had the franchise.

Now, this seems rather innocuous, accept that this particular wine is a favorite of many

of their eating customers, then it becomes worthwhile to drive to Waterville, and because this man chose to drive on his own to Waterville to pickup this, he was about to lose his license to serve beverages.

So, I think this maybe is good reason for us here in this Body to provide a little equity, while I am in sometimes in favor of protection of quality, quality is not the case here, equity is the case in this instance.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Violette.

Senator VIOLETTE: Mr. President, Ladies and Gentlemen of the Senate, I'll be brief this morning. I once again rise, somewhat reluctantly, but yet I rise in opposition to this amended version of L. D. 1070.

As the original sponsor of the beer and wine whole franchises act, I think that, and which was an act by the 109th, if memory serves me correct; it was unanimous committee report at that time and passed without objection in the House and the Senate. That act, in my opinion, has brought a sense of control and has operated smoothly and efficiently since its inception. That Bill, does indeed, some of you may have read a letter from the sponsor of this Bill today, Representative Zirnkilton, implying that that Legislation gave a degree of monopoly through a franchiser, and in fact it does. What it, also, does that it gives the responsibility to making sure that products are rotated, that they are exchanged, and that bad products are removed and compensated for.

The present law allows that where a franchiser in his territory or where a product is not available, that one may go outside of that district or where, if there is a problem and where there have been problems, the Commission has allowed, and as it has done, allowed for a retailer to go outside of a district. This has not been a problem on a statewide level. There have been instances whereby there have been problems; they have been extremely limited. I would hate to think that today because one or two instances where we've had this problem, we would feel compelled to change the law throughout the State.

I would hope that you would go along with those, your three Senators on the Committee on Legal Affairs today, I hope that you would vote against Senator Usher's motion to Recede and Concur, so that we then might Adopt Senator Charette's motion to Adhere. Thank you.

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

Senator PERKINS: Mr. President, Ladies and Gentlemen of the Senate, as a member of the Committee, Senator Violette commands a certain amount of respect and I appreciate that. I, also, would ask Senator Violette that in his many pleas to this Body for equity for his County which he sometimes portrays as being neglected in the appointment process and some of the other areas, that maybe, we could plea for this same type of treatment with regard to the distributorship of some of these franchise products. While I am aware that he did sponsor this piece of Legislation, I submit to you that it was not a case of trying to discriminate, but a case of an oversight. In this particular case, in talking with Mr. Cayford who is the Liquor Tax Auditor, that this piece of Legislation is indeed, and he is willing to be quoted, "difficult to administer" and that while maybe waivers can be, we have no record of waivers being granted to areas where there is price differential to the magnitude of which I quoted.

I urge you to support the Recede and Concur motion.

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

Senator BALDACCI: Mr. President and Members of the Senate, I'd just like to point out some things about equity and fairness. For examples, if you want to (I'm in the restaurant business), if I want to buy liquor at the Kittery

store, I can't buy that, it's illegal. There's no process, whatsoever, I can get that, whereas all the other consumers can go to the Kittery store and buy their liquor. When you have a liquor license as these people that sell wine, or beer, or liquor; it is a privilege. When I close the restaurant down in January, I have to get permission from the Liquor Commission to close that restaurant down, and that's the process to work through.

If people are having problems in their Districts, I think there's a system in place that they go through the Liquor Commission for permission. If you look at this particular area you're saying is, equity and fairness and it all makes sense looking at it but you have to look at the whole picture of what's going on with that Department and they whole system as it exists now!

I haven't had anybody in my District and I'm involved in the business, say, "Well, I don't like that, I can get it cheaper someplace else." I haven't had anybody tell me that this franchising is a problem in my District, and I'm in the business, and I sure want the best price available.

It isn't just discrimination with wine; its also with beer and liquor and there's a process in place and that's the process. If you want to attack this particular situation, then do the whole thing. Thank you, Mr. President.

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

Senator PERKINS: Mr. President, Ladies and Gentlemen of the Senate, I would only pose one question to the good Senator from Penobscot. I have been unable to find where there has been a waiver granted when there has been a request for a waiver in regards to price discrimination, or price advantage, and would be happy to know if there were, and be happy to know, because he is in the business, if he can show my people where they could get the waiver and how it could be obtained?

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

The Chair recognizes the Senator from Androscoggin, Senator Charette.

Senator CHARETTE: In answer to the good Senator Perkins, yes, there has been a waiver. Not for the price difference. There has been a waiver where a particular label is unavailable within that franchise and the need for that particular label is in place. So, there are waivers presently being given for that kind of situation. As I have answered that question, I'd like to also add one more comment is that perhaps it is true there is some price difference between Bangor, Waterville, Lewiston and Portland, but let's bear in mind there are transportation costs involved in any product being shipped throughout the State, and yes, if you live in the northern part of this State, certainly, that product will become more expensive at that end than it would be in Portland. Thank you.

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

Senator CLARK: Thank you, Mr. President. Mr. President, Men and Women of the Senate, to apprise you of an issue which was raised by the good Senator from Penobscot, Senator Baldacci relative to the franchising dealing with malt beverages, I am the cosponsor or sponsor, it was so long ago, a couple of months, of a measure that was introduced into this 111th Maine Legislature to remove those franchising agreements, dealing with malt beverages and must share with you that the Committee on Legal Affairs reported that measure out with a 12-1 Ought Not to Pass Report. The better part of wisdom and/or valor when that report came before us in this Chamber was to remain in my seat, obviously, but in order to be consistent with the spirit and the concept with which I introduced that mea-

sure, I find myself supporting the pending motion of Receding and Concurring.

To supplement that, I would share with you that Vocational Region #10, a school which serves the town of Harpswell, Freeport, Brunswick, Bowdoin and Bowdoinham. Past resolution, which was adopted unanimously by the governing Board of those respected communities, acknowledging that today is "Free Enterprise Day," and I shall vote accordingly. Thank you, Mr. President.

The PRESIDENT: Is the Senate ready for the question?

A Division has been requested.

Will all those Senators in favor of the motion by the Senator from Cumberland, Senator Usher to Recede and Concur, please rise in their places to be counted.

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

19 Senators having voted in the affirmative, and 10 Senators having voted in the negative, the motion to Recede and Concur, Prevailed.

(Off Record Remarks)

House Papers

RESOLVE, Authorizing the Bureau of Public Lands to Convey by Sale to the Maine State Advent Christian Conference the State's Interest in the Former Municipal Building of Plantation 21. (Emergency) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27) (H. P. 1139) (L. D. 1508)

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.

Communication

The Following Communication: (S. P. 514)

111th Maine Legislature

April 28, 1983

Honorable Kenneth P. Hayes

Honorable Stephanie Locke

Chairs

Joint Standing Committee on Education

State House

Augusta, Maine 04333

Dear Chairs Hayes and Locke:

Please be advised that Governor Joseph E. Brennan today nominated Joseph D. Murphy of Biddeford for appointment to the State Board of Education.

Pursuant to Title 20 MRSA Section 51, this nomination will require review by the Joint Standing Committee on Education and confirmation by the Senate.

Sincerely,

S/GERARD P. CONLEY

President of the Senate

S/JOHN L. MARTIN

Speaker of the House

Which was Read and referred to the Committee on Education.

Sent down for concurrence.

Senate Papers

BILL, "An Act to Open State Collective Bargaining to the Public." (Submitted by the Department of Personnel pursuant to Joint Rule 24) (S. P. 506) (Presented by Senator SEWALL of Lincoln) (Cosponsors: Representative SCARPINO of St. George, Representative RODERICK of Oxford and Representative WILLEY of Hampden)

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

Sent down for concurrence.

BILL, "An Act to Provide for Licensing of Bottle Clubs" (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27) (S. P. 509) (Presented by Senator CARPENTER of Aroostook) (Cosponsor:

Representative SMITH of Mars Hill)

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

Sent down for concurrence.

BILL, "An Act to Extend the Time for County Commissioners to Apportion County Taxes" (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27) (Emergency) (S. P. 510) (Presented by Senator SEWALL of Lincoln)

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

Sent down for concurrence.

BILL, "An Act to Provide for Citizen Participation in the Decision to Construct any Nuclear Power Plant" (S. P. 513) (Presented by Senator KANY of Kennebec) (Cosponsors: Representative THOMPSON of South Portland, Senator CARPENTER of Aroostook and Representative HALL of Sangerville)

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

Sent down for concurrence.

(Off Record Remarks)

Senator Twitchell of Oxford was granted unanimous consent to address the Senate, On the Record.

Senator TWITCHELL: I thank you, Mr. President and Members of the Senate, because it is Secretaries Week I thought that it might be nice to pay tribute to our Secretary and so on behalf of the State Senate I would like to present Joy O'Brien some flowers.

The President requested the Sergeant-at-Arms to escort the Senator from Oxford, Senator Twitchell to the rostrum. (Applause, the members rising)

(Off Record Remarks)

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:

BILL, "An Act Concerning Insurance Rates for Persons with Good Driving Records" (H. P. 917) (L. D. 1197)

BILL, "An Act Relating to the State Board of Education" (H. P. 949) (L. D. 1230)

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 Concerning the Adoption of Rules and Rule Changes by the Department of Inland Fisheries and Wildlife" (H. P. 393) (L. D. 476)

BILL, "An Act to Provide for Alternate Financing for Displaced Homeowners" (H. P. 782) (L. D. 1011)

BILL, "An Act to Require that Hospitals Furnish Itemized Bills" (H. P. 195) (L. D. 239)

BILL, "An Act Relating to Group Health Insurance" (H. P. 945) (L. D. 1226)

BILL, "An Act Relating to Assigned Risk Plans in Workers' Compensation Insurance" (H. P. 250) (L. D. 300)

Change of Reference

The Committee on Health and Institutional Services on BILL, "An Act to Establish a State Board of Prison Terms and Supervised Release" (H. P. 1033) (L. D. 1358) Reported that the same be referred to the Committee on Judiciary.

Comes from the House with the Report Read and Accepted and the Bill referred to the

Committee on Judiciary.

Which Report was Read and Accepted, in concurrence.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Trafton. Senator TRAFTON: Mr. President and Members of the Senate, as Chairman of the Joint Standing Committee on Judiciary, I am concerned that our Committee is receiving more bills at this late date.

Frankly, we have had one hundred and eighty-five bills submitted to our Committee at this time, more than any other Committee. I would ask you to consider whether or not this Bill is appropriately before the Joint Standing Committee on Judiciary. I would move that the Senate recommend that this Bill be forwarded to the Joint Standing Committee on Legal Affairs.

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

Ought to Pass

The Committee on Energy and Natural Resources on RESOLVE, Authorizing the Exchange of Certain Public Lands (H. P. 1008) (L. D. 1333) 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 Resolve Read Once and Tomorrow Assigned for Second Reading.

The Committee on Energy and Natural Resources on BILL, "An Act to Authorize Easements for the Purpose of Sewage Disposal and to Eliminate Undersized Rights-of-Way on Certain Leased Lots Owned by the Town of Bridgton" (H. P. 1079) (L. D. 1425) 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 and Tomorrow Assigned for Second Reading.

The Committee on Education on BILL, "An Act to Amend Special Education Statutes Pertaining to the Filing of Allowable Expenditures by Special Purpose Schools, Agencies or Institutions" (Emergency) (H. P. 856) (L. D. 1106) 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 and Tomorrow Assigned for Second Reading.

The Committee on Business Legislation on BILL, "An Act to Override the Federal Preemption of State Authority to Regulate Alternative Mortgage Transactions" (Emergency) (H. P. 790) (L. D. 1082) 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 and Tomorrow Assigned for Second Reading.

The Committee on Transportation on BILL, "An Act to Provide the Department of Transportation with the Ability to Collect Rents on Acquired Properties" (H. P. 813) (L. D. 1053) 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 and Tomorrow Assigned for Second Reading.

The Committee on Business Legislation on BILL, "An Act to Revise the Charitable Solicitations Law" (H. P. 852) (L. D. 1102) 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 and Tomorrow Assigned for Second Reading.

Ought to Pass as Amended

The Committee on Fisheries and Wildlife on BILL, "An Act to Prohibit Smelting on Morrill Pond in Somerset County" (H. P. 995) (L. D. 1305) Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-167).

Comes from the House with the Report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-167).

Which Report was Read and Accepted in concurrence. The Bill Read Once. Committee Amendment "A" (H-167) was Read and Adopted, in concurrence. The Bill, as amended, Tomorrow Assigned for Second Reading.

The Committee on Fisheries and Wildlife on BILL, "An Act to Require Persons being Licensed to Hunt for the First Time to have Completed a Gun Safety Course" (H. P. 168) (L. D. 199) Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-166).

Comes from the House with the Report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-166).

Which Report was Read and Accepted in concurrence. The Bill Read Once. Committee Amendment "A" (H-166) was Read and Adopted, in concurrence. The Bill, as amended, Tomorrow Assigned for Second Reading.

The Committee on State Government on BILL, "An Act to Make Corrections in the Maine State Housing Authorities Law" (H. P. 1053) (L. D. 1397) Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-163).

Comes from the House with the Report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-163) as amended by House Amendment "A" (H-165) thereto.

Which Report was Read and Accepted in concurrence. The Bill Read Once. Committee Amendment "A" (H-163) was Read. House Amendment "A" (H-165) to Committee Amendment "A" was Read and Adopted in concurrence. Committee Amendment "A" as amended by House Amendment "A" thereto was adopted, in concurrence. The Bill, as amended, Tomorrow Assigned for Second Reading.

The Committee on Energy and Natural Resources on BILL, "An Act to Amend the Maine Coastal Protection Fund" (H. P. 993) (L. D. 1303) Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-164).

Comes from the House with the Report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-164).

Which Report was Read and Accepted in concurrence. The Bill Read Once. Committee Amendment "A" (H-164) was Read and Adopted, in concurrence. The Bill, as amended, Tomorrow Assigned for Second Reading.

Ought to Pass in New Draft

The Committee on Election Laws on BILL,

"An Act Relating to Boards of Voter Registration" (H. P. 186) (L. D. 228) Reported that the same Ought to Pass in New Draft under same title (H. P. 1146) (L. D. 1509).

Comes from the House, the Report Read and Accepted and the New Draft Passed to be Engrossed.

Which Report was Read.

On motion by Senator Pearson of Penobscot, Tabled for 2 Legislative Days, pending Acceptance of the Committee Report.

Divided Report

The Majority of the Committee on Education on BILL, "An Act to Allow the Department of Educational and Cultural Services to Administer the Child Nutrition Program in Private, Nonprofit Schools" (H. P. 772) (L. D. 1002)

Reported that the same Ought to Pass.

Signed:

Senators:

CLARK of Cumberland

HAYES of Penobscot

HICHENS of York

Representatives:

MATTHEWS of Caribou

LOCKE of Sebec

CROUSE of Washburn

SMALL of Bath

MURPHY of Kennebunk

BOTT of Orono

RANDALL of East Machias

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

Signed:

Representatives:

SOUICY of Kittery

THOMPSON of South Portland

BROWN of Gorham

Comes from the House the Majority Report Read and Accepted and the Bill Passed to be Engrossed.

Which Reports were Read, and the Majority Ought to Pass Report of the Committee was Accepted, in concurrence.

The Bill Read Once and Tomorrow Assigned for Second Reading.

Senate**Ought Not to Pass**

The following Ought Not to Pass report shall be placed in the legislative files without further action pursuant to Rule 15 of the Joint Rules:

BILL, "An Act to Regulate Gymnastic Instructors" (S. P. 381) (L. D. 1173)

Change of Reference

Senator NAJARIAN for the Committee on Appropriations and Financial Affairs on BILL, "An Act to Create an Uncontrolled Site Cleanup Program and to Provide for the Removal of Certain Hazardous Waste from the McKin Site in Gray, Maine" (Emergency) (S. P. 465) (L. D. 1419) reported that the same be referred to the Committee on Energy and Natural Resources.

Which Report was Read and Accepted and the Bill referred to the Committee on Energy and Natural Resources.

Sent down forthwith for concurrence.

Ought to Pass

Senator EMERSON for the Committee on Public Utilities on BILL, "An Act for the Town of Bethel to Acquire the Assets and Liabilities of the Bethel Water District and for the Dissolution of the Bethel Water District" (S. P. 410) (L. D. 1258) Reported that the same Ought to Pass.

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

Senator WOOD for the Committee on Agriculture on BILL, "An Act Relating to Agricultural Contracts" (S. P. 272) (L. D. 835) Reported that the same Ought to Pass.

Which Report was Read.

On motion by Senator Carpenter of Aroostook, Tabled for 1 Legislative Day, pending Acceptance of the Committee Report.

Ought to Pass — As Amended

Senator VIOLETTE for the Committee on Judiciary on BILL, "An Act to Establish New Selection Procedures for the Maine Indian Tribal-State Commission Chairmanship" (S. P. 342) (L. D. 1016) Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-76).

Which Report was Read.

On motion by Senator Pray of Penobscot, Tabled until later in today's session, pending Acceptance of the Committee Report.

Ought to Pass in New Draft

Senator CHARETTE for the Committee on Legal Affairs on BILL, "An Act to Require Swimming Pools to be Enclosed" (S. P. 425) (L. D. 1287) Reported that the same Ought to Pass in New Draft under same title (S. P. 511) (L. D. 1528).

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

Divided Report

The Majority of the Committee on Business Legislation on BILL, "An Act to Extend Maine's Returnable Deposit Law" (S. P. 183) (L. D. 609) Reported that the same Ought Not to Pass.

Signed:

Senator:

CHARETTE of Androscoggin

Representatives:

POULIOT of Lewiston

CONARY of Oakland

PERKINS of Brooksville

RACINE of Biddeford

MARTIN of Van Buren

TELOW of Lewiston

BRANNIGAN of Portland

MacBRIDE of Presque Isle

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass in New Draft under same title (S. P. 512) (L. D. 1529)

Signed:

Senator:

CLARK of Cumberland

SEWALL of Lincoln

Representatives:

MURRAY of Bangor

STEVENS of Bangor

Which Reports were Read.

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

Senator CLARK: Mr. President, I move that the Senate Accept the Minority Ought to Pass, as amended Report from the Committee.

The PRESIDENT: The Senator from Cumberland, Senator Clark, moves that the Senate Accept the Minority Ought to Pass, in New Draft, Report of the Committee.

Senator CLARK: Thank you, Mr. President. I would like to speak to my motion, if I may.

The PRESIDENT: The Senator has the floor.

Senator CLARK: Thank you, Sir. Mr. President, Men and Women of the Senate, in all of my years of Legislative service and now in my fifth year of Chairing the Committee on Business Legislation, representing one Body or the other, I have never moved an Ought to Pass Report or a Minority Report from that Committee when I, in fact, was a member of the Minority Report; but I think that the content of L.D. 609 in New Draft, thank you, Mr. President for the gentle correction, should be acted upon by the Maine Senate with a positive motion and that is Ought to Pass.

The amended version of the New Draft of the version, "An Act to Extend Maine's Returnable Deposit Law" is in fact, and reflective of the concept that I, as the prime sponsor of the measure, intended when the measure was introduced into this 111th Maine Legislature.

The original Bill would have extended coverage of the returnable deposit law to a wide variety of beverages and different types of containers. The hearing on that L.D. was reflective of earlier hearings before that Committee on earlier attempts, previous attempts, to amend Maine's landmark legislation dealing with returnable beverage containers. Needless to say, the opponents clearly outnumbered the proponents of the measure.

I am under no optimistic cloud as I stand before you this afternoon that the pending motion will prevail. However, I would share some of the reasons for this measure because I think it reflects very positively on current conditions and I think it reflects on some new concepts which were not embraced at the time that the original returnable beverage container law was positively acted upon by an earlier Legislature and reaffirmed unanimously, not unanimously, but with a vast majority by the citizens of this State in a referendum attempt.

The New Draft significantly reduces the extent of the change to encompass only fruit imitation and tea drinks, "Hi-C," "Country Time Lemonade," and as I hold up the look-alike, I would hope that you would understand exactly what is included in the New Draft only. A twelve ounce can that we see in all vending machines and which is marked as a viable alternative to those beverages which are currently encompassed in Maine's Returnable Beverage Container Law. The New Draft is designed to extend coverage to these beverage containers, exclusive of all vegetable drinks and all of the other kinds of beverages which might be contained in other containers. The New Draft is very neat and it addresses the issue of solid waste with greater emphasis than the main thrust of the original measure years ago which dealt with the issue of litter control.

This Legislation builds upon the positive effects of litter control, conservation of natural resources and waste reduction brought about by the current law. It is on the latter point of solid waste that I wish, this afternoon, to place emphasis. Across this State, our municipalities are confronting serious financial and technical problems in managing solid waste. Landfills are being consumed more rapidly than anticipated. We all know as we review and watch our local officials agonize and deliberate over municipal budgets.

The alternative of converting waste to steam through incineration is attractive but the problem of slag caused by melted glass and metals are significant. In both cases, landfills or incineration, this Bill would be of assistance through the removal of containers from the waste stream. The life of our landfills would be extended while the quantity of slag generated by incineration would be considerably, and tremendously reduced.

These are the thoughts that I leave with you, as you vote on the pending motion. Please consider them seriously and please seriously and even more look at the example that I hold before you and recognize its emphasis in the marketing and advertising process today. I assure you that the distributors of these beverages contained in this twelve ounce can do not violate the distribution system that is currently in effect.

I recognize that there has been no great monumental lobbying effort against this Bill, but I do recognize that in some respects, the traditional supporters of a measure that would extend this to the look-alikes, as we call them, have not supported the New Draft, as reported out by the Committee for it does not address, in simple terms their competitors. I would submit, that that is in fact, a specious position for not supporting a normal extension of the Bill to what we call and all people call "look-alike". Thank you, Mr. President.

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

Senator CHARETTE: I would ask a Division on the pending motion and certainly would ask the Senate to vote for the Majority Report, or vote against the pending motion, which would support the Majority Report of this Bill which happened to be 9-4 Ought Not to Pass.

I find it very, very admirable on the part of this sponsor, my good friend, Senator Clark who is the sponsor of this Bill, and also Chairman of Business Legislation, I think that it is fine that she got up and made the motion to support the Minority Report, however, I believe that there is no need for this piece of legislation today. I think our problems on clean up of litter are really not affected by the twelve ounce metal containers, affecting fruit and tea drinks.

I think that we have a good line of operation in place. Retail stores have set up good lines, as I said of operations, dealing with returnables and adding these two products would just add to frustration of supporting returnables. I think, as I said, its admirable on her part. I think that the Bill is not needed; it is not a problem to my knowledge in this State, and we do have a good returnable bottle bill in place and to deal with two more products would create a lot of hardships on all retailers as well as the manufacturers of these products and the whole handling through the whole process line.

I would hope that you vote for the Majority Ought Not to Pass Report. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Sewall.

Senator SEWALL: Thank you, Mr. President. Members of the Senate, I signed the Minority Ought to Pass Report for a very simple and very personal reason, I thought that I might share with you on this Friday afternoon.

As most of you know I run a small restaurant and we deal with cans of soda and we have from time to time had lemonade and iced tea and we always refer to this Bill as the T-Can Bill, and I'm really on this report because of my mother, who is always afraid we are going to lose money at the restaurant, and she sometimes goes through out garbage bags to make sure she gets all of the returnable cans and its been an awful problem when she digs around and spends all that time and comes out with those tea cans and the lemonade cans. They do look exactly alike, and except for the labeling, they are alike. Thank you.

The PRESIDENT: Is the Senate ready for the question?

A Division has been requested.

Will all those Senators in favor of accepting the motion by Senator Clark of Cumberland to Accept the Minority Ought to Pass in New Draft Report, please rise in their places to be counted.

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

22 Senators having voted in the affirmative, and 3 Senators having voted in the negative, the motion to Accept the Minority Ought to Pass in New Draft Report, Prevailed.

The Bill, in New Draft, Read Once and Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Labor on BILL, "An Act to Remove Minimum Weekly Charge for Handicapped Workers under the Workers' Compensation Act." (S. P. 448) (L. D. 1369)

Reported that the same Ought Not to Pass.

Signed:

Senators:

DUTREMBLE of York

HAYES of Penobscot

Representatives:

TUTTLE of Sanford

NORTON of Biddeford

TAMMARO of Baileyville

SWAZEY of Bucksport

BEAULIEU of Portland

GAUVREAU of Lewiston

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

Signed:

Senator:

SEWALL of Lincoln

Representatives:

WILLEY of Hampden

ZIRNKILTON of Mount Desert

BONNEY of Falmouth

LEWIS of Auburn

Which Reports were Read.

On motion by Senator Pray of Penobscot, Tabled for 1 Legislative Day, pending Acceptance of Either Committee Report.

**Second Readers
Senate**

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

BILL, "An Act to Change References to the Public Utilities Commission in the Transportation Statutes" (S. P. 360) (L. D. 1081)

BILL, "An Act to Amend the Laws Governing the Administration of Medications in Group Home Intermediate Care Facilities for the Mentally Retarded" (S. P. 466) (L. D. 1420)

BILL, "An Act Concerning Transient Sellers who Offer Merchandise as Free of Charge" (S. P. 508) (L. D. 1522)

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

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

Senator USHER: Mr. President, is the Senate in possession of L.D. 904?

The PRESIDENT: The Chair would answer in the affirmative, the Bill, "An Act to Create Boothbay Region Waterfowl Sanctuary" (H. P. 713) (L. D. 904), having been held at the request of a Senator.

On motion by Senator Usher of Cumberland, the Senate voted to Reconsider its action whereby: (L. D. 904) was Indefinitely Postponed.

On motion by Senator Usher of Cumberland, recommitted to the Committee on Fisheries and Wildlife, in non-concurrence.

Sent down for concurrence.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Senator CARPENTER: Mr. President, is the Secretary in possession of L.D. 1187?

The PRESIDENT: The Chair would answer in the affirmative, the Bill, "An Act Relating to Clam Regulation in the Unorganized Territories" (H. P. 908) (L. D. 1187), having been held at the request of a Senator.

On motion by Senator Carpenter of Aroostook, the Senate voted to Reconsider its action whereby: (L. D. 1187) was Passed to be Engrossed.

On motion by Senator Carpenter of Aroostook, Tabled for 1 Legislative Day, pending Passage to be Engrossed.

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 Relating to the Funding of School Construction Projects" (Submitted by the Department of Educational and Cultural Services pursuant to Joint Rule 24.) (H. P. 1144) (L. D. 1516)

BILL, "An Act to Incorporate Bills Passed in the Second Regular Session of the 110th Legislature into Title 20-A." (H. P. 1145) (L. D. 1517)

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 Amend the Foreclosure Laws." (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27) (H. P. 1153) (L. D. 1523)

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 Annual Public Utilities Commission Regulatory Fund Assessments to \$1,450,000 for Fiscal Year 1984 and \$1,500,000 for Fiscal Year 1985." (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.) (Emergency) (H. P. 1151) (L. D. 1520)

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.

BILL, "An Act to Provide for the 1983 Amendment to the Maine Housing Authorities Act." (Submitted by the Maine State Housing Authority pursuant to Joint Rule 24.) (H. P. 1152) (L. D. 1521)

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.

BILL, "An Act Relating to the Taxation of Certain Watercraft." (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27) (H. P. 1154) (L. D. 1524)

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.

**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:

BILL, "An Act to Appropriate Money for Revolutionary War Veterans' Grave Markers" (H. P. 721) (L. D. 930)

BILL, "An Act to Share Equitably the Fines and Forfeitures Resulting from Enforcement of the State Motor Vehicle Laws" (H. P. 815) (L. D. 1055)

BILL, "An Act to Fund a Marketing Study on the Effects of Lowering Liquor Prices Throughout the State" (H. P. 697) (L. D. 886)

BILL, "An Act Relating to Overtime Pay" (H. P. 979) (L. D. 1280)

BILL, "An Act to Clarify the Law Regarding Repayment of State Capitation Payment for Postgraduate Education in Medicine" (H. P. 594) (L. D. 738)

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 Establish Statewide Pretrial Release Agencies" (H. P. 796) (L. D. 1036)

BILL, "An Act Relating to Bail Procedures" (H. P. 226) (L. D. 274)

BILL, "An Act Concerning the Return of Bail After a Defendant Makes an Appearance in Court" (H. P. 687) (L. D. 867)

BILL, "An Act Regarding Interest Under the Workers' Compensation Act" (H. P. 702) (L. D. 891)

BILL, "An Act to Provide for an Income Tax Credit for Parents who Pay Private School Tuition" (H. P. 706) (L. D. 895)

BILL, "An Act to Protect Unemployed

Workers from Excessive Delays in Eligibility Determination in the Unemployment Compensation Program" (H. P. 270) (L. D. 330)

BILL, "An Act to Create an Incentive-Penalty Rate Base Adjustment" (H. P. 1015) (L. D. 1340)

Orders of the Day

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

BILL, "An Act to Establish a State Board of Prison Terms and Supervised Release" (H. P. 1033) (L. D. 1358), Tabled earlier in today's session on motion by Senator Pray of Penobscot, pending the motion of the Senator from Androscoggin, Senator Trafton.

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

Senator TRAFTON: Mr. President, I would request leave of the Senate to Withdraw my motion to send this Bill to the Committee on Legal Affairs.

The PRESIDENT: Senator Trafton of Androscoggin now requests Leave of the Senate to Withdraw his motion to refer LD 1358 to the Committee on Legal Affairs.

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

It is a vote.

On motion by Senator Pray of Penobscot, referred to the Committee on State Government in non-concurrence.

Sent down for concurrence.

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

BILL, "An Act to Establish New Selection Procedures for the Maine Indian Tribal-State Commission Chairmanship" (S. P. 342) (L. D. 1016)

Tabled earlier in today's session, on motion by Senator Pray of Penobscot, pending Acceptance of the Committee Report.

Which Report was Accepted.

The Bill Read Once. Committee Amendment "A" (S-76) was Read.

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

Senator PEARSON: Mr. President, Men and Women of the Senate, I would like to bring your attention to this particular item. It deals with the Maine Indian Tribal State Commission Chairmanship. Originally when the Indian Land Settlement was passed, there was a mechanism to settle various problems and it was called, "The Tribal State Commission." Originally, it was suppose to have an equal number of Indians on the Commission and an equal number of non-Indian Maine citizens on the Commission and the two sides would then choose the chairman.

I tell you this because I want to build up some credibility for the future for the Indians that I represent. This particular Bill when it was first introduced said that the Governor could appoint an interim chairman and it further went on to say that it would change the law a little bit because, quite a bit. In the original law it said that you had to be a retired justice of various courts in order to be the chairman. They found that they could find no judge that was willing to do that. So, this is in an attempt to try to find a chairman from any Maine citizen.

However, this particular Bill, also, calls for an interim chairman appointed by the Governor of Maine. Not approved by both sides. It has been modified, somewhat, by this amendment which says "the Governor may appoint an interim chairman after consulting the two Tribal Governors," but does not require the approval of the Indian Tribes themselves.

The reason I tell you this is because I want you to realize that the Indian Tribes, particularly the one that I represent has gone an extra mile in trying to get the Tribal State Commission operating in an efficient manner by not requiring that they have a veto power on the

interim chairmanship. I think that it's a gracious and somewhat risky thing for them to do.

I hope that the Governor of Maine when he makes his interim chairmanship will pick somebody who is really capable and really does consult and listen to the tribes, because they have given up, temporarily, their veto power in selection of the chairmanship.

Committee Amendment "A" was Adopted.
The Bill, as amended, Tomorrow Assigned for Second Reading.

(Senate at Ease)

The Senate called to Order by the President.

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 Amend the Election Laws Concerning Signatures and Names (H. P. 196) (L. D. 240)

An Act to Strengthen the Laws Relating to the Sexual Exploitation of Minors (H. P. 320) (L. D. 379)

An Act Concerning the Qualifications of Attorneys Moving to Maine from Other Jurisdictions (H. P. 326) (L. D. 385)

An Act Relating to Nomination Petitions for Municipal Office (H. P. 387) (L. D. 470)

An Act Relating to Time Shares (H. P. 468) (L. D. 568)

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 to Promote Safe Solid Fuel Burning Practices (H. P. 521) (L. D. 646)

An Act to Amend the Termination of Parental Rights Law (H. P. 591) (L. D. 735)

An Act to Regulate Striped Bass Fishing (H. P. 636) (L. D. 787)

An Act to Amend the Law Governing Construction Permits and Examination of Plans by the Office of State Fire Marshal (H. P. 744) (L. D. 956)

An Act Relating to Deposits and Termination of Utility Service for Nonresidential Customers (H. P. 746) (L. D. 958)

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 to Provide Equity for Former Military Spouses (H. P. 554) (L. D. 705)

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

An Act to Deregulate Motor Carriers of Passengers for Hire (H. P. 781) (L. D. 1010)

An Act to Amend the Lines of Credit and Commercial Loans to Individual Borrowers (H. P. 786) (L. D. 1028)

An Act to Amend Maine's Abandoned Property Law (H. P. 816) (L. D. 1056)

An Act to Amend Certain Aspects of Post-conviction Review (H. P. 844) (L. D. 1094)

An Act Concerning a Judge Hearing a Case Where his Town or County is a Party (H. P. 890) (L. D. 1155)

An Act to Designate the Director of Area Reference and Resource Centers as Permanent, Nonvoting Members of the Maine Library Commission (H. P. 919) (L. D. 1198)

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 to Enable Law Enforcement Agencies to Dispose of Certain Property (H. P. 926)

(L. D. 1205)

An Act to Amend the Habitual Offender Law (H. P. 956) (L. D. 1237)

An Act to Establish Municipalities as Agents for Utilities within their Jurisdictions for the Purpose of Charges Assessed for Use of Railroad Crossings (H. P. 1002) (L. D. 1310)

An Act to Amend the Law Relating to Games of Chance (H. P. 1014) (L. D. 1339)

An Act to Prohibit Smoking in Jury Rooms (H. P. 1110) (L. D. 1455)

An Act to Protect the Quality of Lobsters (H. P. 1111) (L. D. 1456)

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 to Amend the Statute of Limitations for the Probate of Estates under the Maine Probate Code (H. P. 1122) (L. D. 1466)

An Act to Amend the Statutes Relating to Itinerant Sellers (H. P. 1134) (L. D. 1487)

An Act to Conform the Requirements for Construction of Generating Facilities or Transmission Lines (H. P. 860) (L. D. 1110)

An Act Requiring an Annual Report on Safety Problems by Nuclear Power Plants (H. P. 1129) (L. D. 1484)

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 to Promote Apprenticeship and Training Opportunities in State Government and to Assist Qualified Recipients of Aid to Families with Dependent Children to Compete for State Apprenticeships (H. P. 1125) (L. D. 1469)

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

An Act to Provide a Sales Tax Exemption for Certain Church Affiliated Residential Homes (H. P. 1128) (L. D. 1483)

On motion by Senator Najarian of Cumberland placed on the Special Appropriations Table, pending Enactment.

RESOLVE, to Authorize the Commissioners of Cumberland County to Reimburse the Town of Harrison \$2,368.86 for Unexpended Retirement Funds (H. P. 1065) (L. D. 1403)

Which 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 Prohibit Control of Financial Institutions as Closely Related Activities (H. P. 787) (L. D. 1029)

Emergency

An Act to Reincorporate and Amend the Charter of the North Berwick Water District (H. P. 929) (L. D. 1208)

Emergency

An Act to Revise the Salaries of Certain County Officers (H. P. 1135) (L. D. 1488)

These being emergency measures and having received the affirmative votes of 30 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.

Emergency

RESOLVE, Prohibiting the Issuance of Fish Weir Licenses for One Year (H. P. 1133) (L. D. 1486)

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.

(Off Record Remarks)

(Senate at Ease)

The Senate called to order by the President.

(Off Record Remarks)

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 Authorizing the Public Utilities Commission to Expend Revenues Collected as Filing Fees or Expense Reimbursements (S. P. 411) (L. D. 1264)

An Act to Protect the Health of Children by Prohibiting the Free Distribution of Cigarettes (H. P. 395) (L. D. 478)

An Act to Amend the Wholesale Seafood License Law (H. P. 776) (L. D. 1006)

An Act to Amend the Probate Code (H. P. 867) (L. D. 1115)

An Act to Protect Unemployed Workers from the Loss of Unemployed Benefits Without the Opportunity for a Fair Hearing (H. P. 1089) (L. D. 1416)

An Act Concerning Late Filing Under the Referendum Campaign Reporting Law (H. P. 984) (L. D. 1289)

An Act to Permit the Employment Security Commission Wider Discretion in Determining Eligibility for Unemployment Compensation Benefits (H. P. 1123) (L. D. 1467)

An Act to Fairly Apportion the Cost of Cancelled Generating Facilities (H. P. 1140) (L. D. 1496)

An Act to Authorize the Maine Criminal Justice Academy to Revoke Officer Certification (H. P. 1141) (L. D. 1505)

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 to Amend the Obscenity Laws (H. P. 477) (L. D. 1438)

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

An Act to Give the Maine Association of Retirees Proper Representation on the Board of Trustees for the Maine State Retirement System (S. P. 481) (L. D. 1447)

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

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

On motion by Senator Violette of Aroostook, Tabled for 1 Legislative Day, pending Final Passage.

RESOLVE, Approving the 1983 Draft and Arrangement of the Constitution of Maine Made by the Chief Justice of the Supreme Judicial Court and Providing for its Publication and Distribution (S. P. 180) (L. D. 547)

On motion by Senator Najarian of Cumberland, placed on the Special Appropriations Table, pending Final Passage.

Emergency

An Act Governing State Participation in the Federal Job Training Partnership Act (H. P. 1148) (L. D. 1512)

Emergency

An Act to Amend the Statutory Requirements Pertaining to Medicaid Copayments (H. P. 823) (L. D. 1063)

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 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 Provide Legislative Participation in the Allocation of Consumer Settlements and for Allocation of Funds for the Low Income Energy Assistance Program (H. P. 1136) (L. D. 1495)

On motion by Senator Najarian of Cumberland placed on the Special Appropriations Table, pending Enactment.

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

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 Revise the Laws Pertaining to Bail in Criminal Cases" (H. P. 322) (L. D. 381)

BILL "An Act to Allow Access to Financial Records of Public Assistance Recipients" (H. P. 824) (L. D. 1064)

BILL "An Act Regarding Collateral Source Payments in Medical Malpractice Cases" (H. P. 725) (L. D. 934)

BILL "An Act to Deter Assaults on Officers in Penal Institutions" (H. P. 794) (L. D. 1034)

Ought Not to Pass

The following Ought Not to Pass report shall be placed in the legislative files without further action pursuant to Rule 15 of the Joint Rules:

BILL "An Act to Increase the Exemption from Taxation of Parsonages used by Religious Societies to the Value of \$50,000" (H. P. 206) (L. D. 250)

On motion by Senator Pray of Penobscot,
Adjourned until Monday, May 2, 1983 at 9 o'clock in the morning.