

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eleventh
Legislature***

OF THE

STATE OF MAINE

Volume II

FIRST REGULAR SESSION

May 16, 1983 to June 24, 1983

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STATE OF MAINE
 One Hundred and Eleventh Legislature
 First Regular Session
 JOURNAL OF THE SENATE
 Augusta, Maine
 May 26, 1983
 Senate called to order by the President.

Prayer by the Reverend John Mallin of Grace Presbyterian Church of Augusta.

REVEREND MALLIN: Hear the Word of God as it is written in the Epistle of the Apostle Paul to the Romans. Thirteenth chapter, beginning at the first verse.

"Everyone must submit himself to the governing authorities, for there is no authority except that which God has established. The authorities that exist have been established by God. Consequently, he who rebels against the authority is rebelling against what God has instituted, and those who do so will bring judgment on themselves. For rulers hold no terror for those who do right, but for those who do wrong. Do you want to be free from fear of the one in authority? Then do what is right and he will commend you. For he is God's servant to do you good. But if you do wrong, be afraid, for he does not bear the sword for nothing. He is God's servant, an agent of wrath to bring punishment on the wrongdoer."

Let's pray! Most gracious God, we know that we live in a world broken and torn by sin, and we know that if you did not put some restraint upon sinners and the affects of sin, we would all destroy ourselves and that we would do quickly. For we are, everyone of us, sinners and deserving of the full measure of Your wrath. Yet, in Your mercy, You have restrained sinners; by Your gracious hand, You have kept sin from running rampant; You've provided the means whereby we may live peaceful and quiet lives that those who seek to serve You may do so in godliness and holiness.

I thank You that You have not only established a way of salvation from sin by the sending of Your Son, the Lord Jesus Christ, but that You, also, have established lawful government to keep order in the land.

I thank You for these men and women, each one of whom is Your servant to do good; sent to punish those who do wrong and commend those who do right. Grant to each one I pray a proper sense of their duty as Your servant that they may exercise their duty in righteousness, and justice and in fear of God. Grant them the perception to know what they ought and ought not to do in order that in all things they might bring honor and glory to You and to the Name of the Lord Jesus Christ. Grant them wisdom from above and direct and prosper all their consolations to the advancement of Your glory, the good of Your church, the safety, honor and welfare of the people that all things may be so ordered and settled by their labor upon the best and surest foundation that peace and happiness, truth and justice, virtue and piety, may be established.

I pray for the health of each one here; protect and preserve them and move men to render them the honor which is due them. These things and whatever else is necessary which You know better than we, I pray in the Name of the authority which is above all earthly powers, the King of Kings, the Lord of Lords, even Jesus Christ. Amen.

Reading of the Journal of yesterday.

(Off Record Remarks)

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

BILL, "An Act Relating to Bail Commissioners." (H. P. 701) (L. D. 890)

(In Senate May 20, 1983 Passed to be Engrossed as Amended by Committee Amendment "A" (H-252).)

(Comes from the House, Passed to be En-

grossed as Amended by Committee Amendment "A" (H-252) as Amended by House Amendment "A" (H-289) thereto in non-concurrence.)

The PRESIDENT: Is it the pleasure of the Senate to Recede and Concur with the House? It is a vote.

Study Report — Committee on Education

The Committee on Education to which was referred by the Legislative Council the study relative to School Finance have had the same under consideration and ask leave to submit its findings and to report that the accompanying BILL, "An Act to Revise the School Finance Act" (H. P. 1275) (L. D. 1688) be referred to the Joint Standing Committee on Education for public hearing and printed pursuant to Joint Rule 18.

Comes from the House with the Report Read and Accepted and the Bill referred to the Committee on Education.

Which Report was Read and Accepted in concurrence and the Bill referred to the Committee on Education in concurrence.

Communications

The Following Communication:

**State of Maine
 House of Representatives
 Augusta 04333**

May 25, 1983

Honorable Joy J. O'Brien
 Secretary of the Senate
 111th Legislature
 Augusta, Maine 04333
 Dear Madam Secretary:

The Speaker appointed the following conferees to the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Drinking in Public" (S. P. 420) (L. D. 1273)

Representative HOBBS of Saco
 Representative MacEACHERN of Lincoln
 Representative BOTT of Orono

Sincerely,
 S/ EDWIN H. PERT
 Clerk of the House

Which was Read and Ordered Placed on File.

The Following Communication:

**State of Maine
 House of Representatives
 Augusta 04333**

May 25, 1983

Honorable Joy J. O'Brien
 Secretary of the Senate
 111th Legislature
 Augusta, Maine 04333
 Dear Madam Secretary:

The Speaker appointed the following conferees to the Committee of Conference on the disagreeing action of the two branches of the Legislature on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide that Senators shall Serve Four-Year Terms Commencing in 1986 (S. P. 62) (L. D. 168)

Representative GWADOSKY of Fairfield
 Representative KELLEHER of Bangor
 Representative STROUT of Corinth

Sincerely,
 S/ EDWIN H. PERT
 Clerk of the House

Which was Read and Ordered Placed on File.

The Following Communication: (H. P. 1274)

**Department of Energy
 Chicago Operations Office
 9800 South Cass Avenue
 Argonne, Illinois 60439**

May 13, 1983

Honorable John L. Martin
 Speaker of the House of
 Representatives of
 the State of Maine
 Augusta, Maine 04333
 Dear Mr. Martin:

SUBJECT: CRYSTALLINE ROCK NUCLEAR WASTE REPOSITORY PROJECT

On April 22, 1983, Mr. Robert Morgan, Director, Nuclear Waste Policy Act Project Office, Department of Energy (DOE), wrote to you concerning DOE's Crystalline Rock Project. At that time, he advised you that DOE would be initiating contact with state legislators concerning DOE's plans for the Crystalline Rock Project in your state and the other sixteen states currently under study. For your information, the Department conducted a briefing, on April 14, for the Members of the Energy Committee of the National Conference of State Legislatures on DOE's overall National Waste Terminal Storage Program and on the current status and plans for the Crystalline Rock Project.

The Nuclear Waste Policy Act of 1982 (Act) requires DOE to identify sites for two deep-minded geologic repositories for disposal of high-level radioactive waste and/or spent fuel. The Act requires that the President recommend a site for the first repository to Congress by March 1987. Potentially acceptable sites for the first repository have been identified in basalt formations at the Hanford Site in Washington, tuff formations at the Nevada Test Site and salt formations in Louisiana, Mississippi, Texas and Utah. Crystalline rock formations are being considered as potential sites for the second repository. The Act requires that the President recommend a second repository site to Congress by March 1990. To date, no potentially acceptable site in crystalline rock has been identified, and DOE does not expect to make this determination before February 1984 at the earliest.

"Crystalline rock" is a general term that includes granite and other igneous and high-grade metamorphic rocks. The seventeen crystalline states currently under investigation are grouped into three Regions-North Central (Michigan, Minnesota, and Wisconsin), Northeastern (Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont), and Southeastern (Georgia, Maryland, North Carolina, South Carolina, and Virginia) for the Regional Phase of the Crystalline Rock Project. The Regional Phase consists of a literature-based compilation of geologic and environmental data for each of the seventeen states being studied and this phase is nearing completion. This geologic and environmental data base is contained in draft Regional Geologic and Environmental Characterization Reports which have been prepared for each of the three regions under investigation. These draft reports (copies enclosed) characterize the geology and environment of crystalline formations in the North Central, Northeastern, and Southeastern regions and have just been transmitted to the state contact, designated by your Governor, for review and comment.

State review of these draft reports is an integral part of DOE's process for involving the states in this national program. The data base contained in these draft reports will be used in conjunction with screening criteria, based on the siting guidelines being developed by the Department pursuant to the Act, to select crystalline formations in the three regions for more intensive study in the next phase (Area Phase) of the Crystalline Rock Project. Therefore, it is important that they contain accurate and current information about your state. In order that any comments on the information on your state are integrated into our considerations, we request that state comments be forwarded to us by August 1, 1983.

After state comments have been received and evaluated, the Regional Geologic and Environmental Characterization reports will be revised and issued in final form in October, 1983.

A second set of draft documents, the Area Recommendation Report and the draft Area

Characterization Reports, these draft documents will be undergoing simultaneous review by DOE. To ensure that state concerns can be adequately addressed in the final issuance of the Area reports in February 1984, we request that state comments on these draft reports be forwarded to us by December 1, 1983. Actual field work will not be initiated before February 1984.

DOE currently plans to identify to state officials those geologic formations which appear appropriate for further study, based on the draft Area Recommendation Report, at the time of the transmittal of the draft report for state review. Notification to your Governor and state legislature of any potentially acceptable site within your state will not take place until the Area Recommendation Report is completed.

In order to assist the states in their review effort, I have previously offered to provide limited financial assistance (grants) to each of the seventeen states. Enclosed, for your information, is a copy of my letter on this matter.

Also enclosed is a copy of the briefing book used at the presentation to the National Conference of State Legislatures on April 14, 1983. It includes the material presented as well as some additional background information. Also enclosed is a copy of a final report entitled "A National Survey of Crystalline Rocks and Recommendations of Regions to be Explored for High-Level Radioactive Waste Repository Sites" (OCRD-1). This report describes the geologic reconnaissance that was completed during the national survey of crystalline rocks and the decision process which resulted in recommending the North Central, Northeastern, and Southeastern regions for further study.

I recognize that the enclosed materials represent a large volume of information to be provided at one time, however, I wanted to make every effort to provide you with the information which has been given to the key state contacts to date.

The Crystalline Rock Project Office in the DOE's Chicago Operations Office is responsible for crystalline studies. Please don't hesitate to contact me (312-972-2257) or Dr. Gary C. Marshall (312-972-2241) of my staff if you wish to discuss any aspects of the project or the information provided, or if you have questions regarding our current or planned activities. I am looking forward to working with you to ensure that effective Federal-State interactions are established and maintained for this important national program.

Sincerely,
S/SALLY A. MANN, Manager
Crystalline Rock Project Office

Comes from the House Read and Ordered Placed on File.

Which was Read and Ordered Placed on File in concurrence.

Senate Papers

BILL, "An Act to Clarify State Authority Regarding Higher Education Student Loan Secondary Markets." (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27) (Emergency) (S. P. 585) (L. D. 1702) (Presented by Senator PRAY of Penobscot) (Cosponsor: Senator HAYES of Penobscot)

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

Sent down for concurrence.

BILL, "An Act Relating to Exceptional Children." (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27) (Emergency) (S. P. 586) (L. D. 1703) (Presented by Senator PRAY of Penobscot) (Cosponsors: Senator HAYES of Penobscot, Representative E. MITCHELL of Vassalboro)

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

Sent down for concurrence.

BILL, "An Act Relating to the Period of License Suspension for Drivers Convicted or Adjudicated of Operating Under the Influence." (S. P. 587) (L. D. 1706) (Presented by Senator TRAFON of Androscoggin) (Cosponsor: Representative Drinkwater of Belfast)

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

Sent down for concurrence.

Committee Reports House Leave to Withdraw

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

BILL, "An Act to Repeal the Sales Tax Exemption for New Machinery and Equipment" (H. P. 496) (L. D. 593)

Ought to Pass in New Draft

The Committee on Transportation on BILL, "An Act to Amend Certain Motor Vehicle Laws" (H. P. 909) (L. D. 1188) Reported that the same Ought to Pass in New Draft under same title (Emergency) (H. P. 1272) (L. D. 1686)

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

Which Report was Read and Accepted in concurrence. The Bill in New Draft Read Once and Assigned for Second Reading later in today's session.

The Committee on State Government on BILL, "An Act to Clarify the Types of Property Which Pass by Deed" (Emergency) (H. P. 1176) (L. D. 1570) Reported that the same Ought to Pass in New Draft under same title (Emergency) (H. P. 1273) (L. D. 1687)

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

Which Report was Read and Accepted in concurrence. The Bill in New Draft Read Once and Assigned for Second Reading later in today's session.

Divided Report

The Majority of the Committee on Agriculture on BILL, "An Act to Provide for Consumer Representation before the Maine Milk Commission" (Emergency) (H. P. 1137) (L. D. 1499) Reported that the same Ought Not to Pass.

Signed:

Senator:

HICHENS of York

Representatives:

SHERBURNE of Dexter

LOCKE of Sebec

PARENT of Benton

ANDERSON of Stockholm

CROUSE of Washburn

SMITH of Island Falls

The Minority of the same Committee on the same subject matter.

Reported that the same Ought to Pass.

Signed:

Sensors:

ERWIN of Oxford

WOOD of York

Representatives:

STOVER of West Bath

MCCOLLISTER of Canton

MICHAEL of Auburn

Comes from the House with the Majority Report Read and Accepted.

Which Reports were Read.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Erwin.

Senator ERWIN: Mr. President, I move the Minority Ought to Pass Report be Accepted and request permission to speak.

The PRESIDENT: The Senator has the floor. Senator ERWIN: Mr. President, Ladies and Gentlemen of the Senate, I've been told by many people that attend the Milk Commission

hearings that the general public is not properly represented and some say, they're not represented. You will find there lawyers, lobbyist, the dairy industry people, people that have the time, the money, and perhaps what is more important, the ability to speak in public. The little man can not leave his job to come down to the Capitol on short notice or if he has proper notice, it would be difficult for him to get off from work probably. You'll find that many of the general public are bashful; they really do not have the ability to speak in public and so they won't. We really need some proper representation there to defend the rights of the little people.

At our hearing, the representative from the Public Advocate's office was questioned quite closely as to his ability and dedication to properly carry out his duties of his office. He stressed strongly that he had the dedication, the ability and would defend the rights of the general public.

I ask for your support on this measure.

The PRESIDENT: The Senator from Oxford, Senator Erwin has moved that the Senate Accept the Minority Ought to Pass Report of the Committee.

The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: I request a Division. I hope that the pending motion will be defeated so that we can Adopt the Majority Report.

Some of us who have been through Milk Commission debates before remember that the Commission is now structured so that it is strongly oriented in its membership in favor of the consumer. It seems to me this would just be adding on one more layer of expense to the proceedings and that it ought not to be needed.

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

Senator CARPENTER: Mr. President, Ladies and Gentlemen of the Senate, I rise just to make a couple of points, I guess, as somebody who has been involved in the Milk Commission Legislation more often than I care to admit or remember.

It seems to me that this Bill is not needed and it's almost ridiculous. We presently have a Public Advocate in Title 35 of our statutes. That Public Advocate has a couple of things that he/she is suppose to do and now we're going to add to that a major new function. It just seems to me that it's totally not needed. If you, sometime, Men and Women of the Senate will sometime refer to Title 7, Section 29, I believe it's 51; it will inform you of who is on the Maine Milk Commission. These terrible ogres of the dairy industry who sit there and keep prices so artificially high according to the opponents of the Milk Commission. In fact, we are all public members since 1976, I believe, we took all the dairy interests off the statute is very, very explicit. Since that time we've had a housewife, we've had the business manager of a television station, and we have had a person who has led a referendum drive to abolish the Maine Milk Commission placed on the Commission. And yet, we continue to use this State agency as one of our favorite whipping boys.

Not only is this Public Advocate not needed, but you ought to be aware that you're voting for, at least, some form of a major tax increase in terms of an increase in the tax to the dairies of one cent a hundred weight, from five to six cents. So you're asking them or you're telling them that they're going to pay for this person who then is going to beat them about the head and shoulders.

It just seems to me that the Public Advocate has enough to do. It seems to me that the public is duly represented before the Maine Milk Commission. If you look in Title 7, it tells you very explicitly what the Commission can do: it can hire staff; it can bring in witnesses; it can hire expert witnesses; it can do all the things that the Public Utilities Commission can

do and that sort of thing to bring in testimony and to take a look at exactly what kind of evidence, or what kind of statistics they should be considering.

I don't feel particularly strongly whether or not the Public Advocate goes before the Milk Commission or not. I think it is a ridiculous Bill. I think it's not needed. I, for one, quite frankly, would rather have the Public Advocate spending his time or her time before the Public Utilities Commission or some other place like that. I just think that this is a waste of that person's time, energy and resources; and therefore, I just wanted to make my feelings known.

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

Senator WOOD: Mr. President, Men and Women of the Senate, I'm pleased that the Senator from Aroostook mention the PUC, because it seems to be an appropriate analogy. If you look at the people that we put on the PUC they are not representatives from the industry; they are public members; they are confirmed by us and put on because of their public membership. We assume they will have some concern for the consumers and they can do a number of things, and yet, we think that there should be a consumer advocate with the PUC; this Public Advocate with the PUC. We think that because even though those people that we put on the PUC are supposedly neutral it is a judicial proceeding that they're going through, a quasi-judicial proceeding that they're going through, in which they take testimony, in which they cross examine, in which they do all of those things that you normally see in a judicial proceeding. So they have to divorce themselves from that consumer role they have and act as judges.

I would argue that the Maine Milk Commission is the same type of Commission. They have to take off their public consumer role when they go through that door and become judges and decide things on the merit of the arguments made. I would think it would be appropriate to have a Public Advocate give the consumer point of view to this Commission, the same way that the Public Advocate gives a consumer point of view to the PUC.

I've had the pleasure, and I'm not sure it is the pleasure, serving both on the Public Utilities Committee and on the Agriculture Committee. I have gone to a Milk Commission hearing and I can tell you that they are rather overwhelming proceedings for the average person. I was extremely confused when I was at the hearing could not figure out the process that was going on. I wanted to speak to a certain issue and did not know at what time I should speak, in what form I should speak, what was appropriate for me to say or not to say. I consider myself fairly average.

I think that if you went to a Public Utilities hearing you would have the same overwhelming feeling of not knowing how it is that you act appropriately if you want to make something known to that Commission. So it seems to me if we care about those people outside of the State house that we would want to make sure that they had someone there representing their viewpoint during these important proceedings.

I do not view the Milk Commission as ogres, as evil people. I view them as judges that have to make some very difficult decisions. I think it is only appropriate that they take into account the public point of view when they make that decision and I think that public point of view can come forth when you have a Public Advocate at the proceedings.

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

Senator MINKOWSKY: Mr. President and Members of the Senate, I guess the previous speaker might have hit the nail on the head as to what the cause and the problems of a present Maine Milk Commission are. That they

have many people on there who are representatives of the public but understood very little about the dairy industry. That is, three of those members I don't think were even farmers.

"The little people," an interesting term that's been used for many, many years. The little people I think of sometimes are those people who live on the farm because they love farming and dairying that work twelve to sixteen hours a day and get very little in return. These are the people that I am concerned with this morning, who have told me pointblank that this is not in the best interest of the industry nor the farming families in the State of Maine who are in the dairy business.

All I can see materializing from this type of Legislation is adding another layer of expensive bureaucracy. Now if they are not doing a proper job, (and I'm referring to the Maine Milk Commission.) The only solution is to refer it back to the elected representatives of the people here in the Legislature as has been customary since 1820 when Maine became a State.

There is no need to have somebody else in there representing, allegedly representing what they consider the interests of the people of the State of Maine, regardless whether it is the PUC, the Maine Milk Commission or any appointed Commission by the Governor that was designed primarily to produce a balance between the public and the industry that they are serving. I believe this has been accomplished very, very well over the years.

I would hope that the motion to Accept the Minority Report would be defeated and that we Recede and Concur with the motion that is in the House.

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

Senator WOOD: Mr. President, Men and Women of the Senate, I'll be extremely brief. I would like to point out an interesting question that was asked a member of the Maine Milk Commission regarding the little people, the farmers that work sixteen hours a day producing the milk that we're so fond of drinking. When they came in and proposed, this person proposed removing the requirement that we review the farms to see what their price should be. I said, "you mean to say that you don't think it's necessary to review the price that the farmers are making to make sure it's adequate?" When this person said, "Oh, we feel that the farmers should be making more money and our studies indicate that the farmer is not getting an adequate return, but they've told us that they don't want us to publish those findings because they're afraid that they won't be able to stay in business because the dairies won't buy the milk if they have to pay what they really should be paying."

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Oxford, Senator Erwin.

Senator ERWIN: Mr. President, Ladies and Gentlemen of the Senate, I guess this all can be summed up in one sentence. Should the average citizen have someone looking out what his interests are or not? That is the question you have to decide.

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

Senator BALDACCI: Mr. President and Members of the Senate, as a cosponsor of this Legislation, I feel it is necessary to rise for a very brief time.

Two issues that have been raised that I think have to be clear in peoples' minds when they're voting on this particular issue. That it is not a major tax increase. It is not creating another layer of bureaucracy. The Public Advocate's office is now staffed through the General Fund, approximately three hundred thousand dollars worth. The assessment on the milk industry through this particular Bill would accumulate up to thirty thousand dollars to cover the expenses for representing the using and con-

suming public before the Maine Milk Commission. You find the big dairies, Hoods, Oakhurst, Cumberland and Grants that are all very well represented on this Board in terms of the lobbying and the representation on particular issues to this Board. But when it comes to the using and consuming public, as it is with the Public Utilities Commission, and believe me, the Public Advocate can be a real pain at times but as far as representing the using and consuming public, I think it lacks that representation. They don't have the resources to draw upon to make those representations.

I would urge you to Accept the Minority Ought to Pass.

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 Oxford, Senator Erwin to Accept the Minority Ought to Pass Report of the Committee, 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 Accept the Minority Ought to Pass Report, in non-concurrence. Prevailed.

The Bill Read Once and Assigned for Second Reading later in today's session.

Divided Report

The Majority of the Committee on Health and Institutional Services on BILL, "An Act to Establish Funding for Programs of Preventive Intervention and Family Support" (H. P. 532) (L. D. 685)

Reported that the same Ought to Pass in New Draft under same title (H. P. 1268) (L. D. 1682)

Signed:

Senators:

BUSTIN of Kennebec
CARPENTER of Aroostook
GILL of Cumberland

Representatives:

RICHARD of Madison
BRODEUR of Auburn
MANNING of Portland
NELSON of Portland
CARROLL of Gray
MELENDY of Rockland
SEAVEY of Kennebunkport
MAYBURY of Brewer

The Minority of the same Committee on the same subject matter.

Reported that the same Ought to Pass in New Draft under New Title, BILL, "An Act to Appropriate Moneys for Programs of Preventive Intervention and Family Support" (H. P. 1269) (L. D. 1683)

Signed:

Representatives:

WEBSTER of Farmington
PINES of Limestone

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

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

The Bill, in New Draft, Read Once and Assigned for Second Reading later in today's session.

Senate Ought to Pass as Amended

Senator NAJARIAN for the Committee on Appropriations and Financial Affairs on BILL, "An Act Appropriating Funds for Independent Living Services for the Disabled" (S. P. 316) (L. D. 952) Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-150)

Which Report was Read and Accepted. The Bill Read Once. Committee Amendment "A" (S-150) was Read and Adopted. The Bill, as Amended, Assigned for Second Reading later in today's session.

Senator DOW for the Committee on Fisheries and Wildlife on BILL, "An Act to Clarify and Make Corrections in the Inland Fisheries and Wildlife Laws" (S. P. 548) (L. D. 1599) Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-151)

Which Report was Read and Accepted. The Bill Read Once. Committee Amendment "A" (S-151) was Read and Adopted. The Bill, as Amended, Assigned for Second Reading later in today's session.

Divided Report

The Majority of the Committee on Labor on BILL, "An Act to Open State Collective Bargaining to the Public" (S. P. 506) (L. D. 1534) Reported that the same Ought Not to Pass.

Signed:

Senators:

DUTREMBLE of York
HAYES of Penobscot

Representatives:

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

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

Which Reports were Read.

On motion by Senator Dutremble of York, the Majority Ought Not to Pass Report of the Committee was Accepted.

Sent down for concurrence.

Divided Report

The Majority of the Committee on Legal Affairs on BILL, "An Act to Provide for Licensing of Bottle Clubs" (S. P. 509) (L. D. 1535)

Reported that the same Ought to Pass in New Draft under New Title, BILL, "An Act to Provide for Local Option Voting on Bottle Clubs" (S. P. 584) (L. D. 1694)

Signed:

Senators:

CHARETTE of Androscoggin
DANTON of York

Representatives:

COX of Brewer
DUDLEY of Enfield
STOVER of West Bath
SWAZEY of Bucksport
PERRY of Mexico
McSWEENEY of Old Orchard Beach
COTE of Auburn

The Minority of the same Committee on the same subject matter.

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-155)

Signed:

Senator:

SHUTE of Waldo

Representatives:

MURPHY of Berwick
DILLENBACK of Cumberland
HANDY of Lewiston

Which Reports were Read.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Charette. Senator CHARETTE: I would move the Ma-

jority Ought to Pass Report, in New Draft under New Title, L. D. 1694.

The PRESIDENT: The Senator from Androscoggin, Senator Charette moves that the Senate Accept the Majority Ought to Pass, in New Draft under New Title, Report of the Committee.

Is this the pleasure of the Senate?

The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: Mr. President, Ladies and Gentlemen of the Senate, this is a perennial Bill we have before Legal Affairs, Licensing Bottle Clubs or Regulating Bottle Clubs in the State. The Report the good Senator from Androscoggin Senator Charette just asked you to Accept. What this Report will do is to allow a municipality to have a referendum vote, if they would like bottle clubs in that community. However, if they do vote that they will or won't, let them in the community, I don't know what they're going to do about it because they're not licensed. It's just like saying you'll take a referendum vote that you can't build a brick house in this community. What are you going to do if the people say, "No"? There's no licensing on bottle clubs. Now this same thing could be done through the town officials as an ordinance by the town. This Bill was put in for, I think, one town up in Aroostook County that had a problem and so we proposed to write two separate Reports for that one town.

Now the Report I signed, Committee Report "A" does do something. It does require a referendum vote. It requires bottle clubs to be licensed and it defines bottle clubs. From all the testimony we heard in Committee the problem with the bottle clubs was not that they were operated in communities that were dry and you can operate in communities that are dry because they are not licensed; they don't sell liquor; you bring your own liquor. So, no one is selling liquor so there is no liquor license needed.

The Committee Report "A" would require licensing, twenty-five dollar license and that would allow liquor inspectors to go into the bottle clubs and see if there were juveniles consuming liquor in the bottle clubs. At the present time, liquor enforcement officers are not allowed in bottle clubs because they are defined in the statutes as private clubs; and therefore, if you're not a member of that private club, you can not go inside.

So, if we are going to do something, let's do something that means something and not pass a Bill that says you can have a referendum on any question you want that pops into your mind, even if that question doesn't mean a thing.

(Off Record Remarks)

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

Senator CHARETTE: Thank you, Mr. President. The good remarks made by my good friend, Senator Shute, in fact, are correct.

The issue here is that, do we want to license bottle clubs or don't we? The Minority Report, Report "A" would do that. However, the Committee had reservations as to issuing a different type of liquor license to a bottle club that doesn't even sell liquor. That to us seemed to be a problem and therefore, the intent of the Bill, as it was presented at the Committee was to take care of those dry areas where towns have voted themselves dry, so that there could be another option available for them. The Majority Report addresses that for those towns that are dry. They with 15% of the last vote taken in that town, signatures be required to allow this referendum question to be placed on their ballot at their next election. It is a simple little Bill.

I've heard, also, it can be accomplished through a municipal ordinance. We hear arguments that it would be unenforceable; it will be enforceable; there's no question about it. If the

town votes through a ballot on the town voting to eliminate or to do away with bottle clubs, naturally, it can be enforced. If that town doesn't have any police protection, there is the county, the State, it certainly can be enforced. Thank you very much.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Aroostook, Senator Violette.

Senator VIOLETTE: Mr. President, Ladies and Gentlemen of the Senate, I listened with some interest to the comments by the Senator from Waldo, Senator Shute as well as the Senator from Androscoggin, Senator Charette, and I'm just concerned about the comments that the Senator from Waldo has made. I guess I just need a little bit more clarification as to how you're going to pass a municipal referendum dealing with a business that doesn't even need a license to operate, which unless I'm reading this wrong, doesn't require a license.

In this Legislation, I just don't see how you can pass a referendum that's going to, I just don't see how you can pass a referendum that's going to, I just don't see that there's any way to enforce this, in any way. I guess I, I guess I'd just like a bit more clarification, perhaps there is just something that I'm missing here. If this is a private business; it doesn't need a license to operate and they're going to pass a local referendum saying allowing the municipality to stop that business from operating. I just don't understand how you're going to enforce this, perhaps somebody can enlighten me here. Thank you.

The PRESIDENT: The Senator from Aroostook, Senator Violette has posed a question through the Chair to any Member of the Senate who may respond if they so desire.

The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Senator CARPENTER: Mr. President, Ladies and Gentlemen of the Senate, I'd be glad to respond to a couple of comments, the question of the Senator from Aroostook and also a couple comments of the Senator from Waldo.

The Senator from Aroostook asked how are you going to be able to enforce this? If you look at L. D. 1694 which is the New Draft, the bottle club definition is pretty explicit as to what is or is not a bottle club. I guess I would just use an example that we have decided in the State of Maine that except for lottery and gambling, excuse me, lottery, beano in some spots and things like that, that gambling, organized gambling in the State of Maine is illegal. That, obviously, means that we don't license illegal gambling games, illegal card games and things like that. However, it seems to me that there's been no problem enforcing that, as long as there is a definition somewhere in the statute of gambling. There is, I think, a very explicit definition of what the State has defined as a bottle club, already in statute and further contained in the referendum question here.

What this does, if you look at the Bill, it starts off number nine. Number nine. Why number nine? Because there are presently eight local options available to any municipality in the State of Maine from Portland, to Houlton, to Machias. Any community can vote rather or not to have a State Liquor Store, Sunday sales, Class "A" restaurants, take-out beer, take-out wine. I don't have the statute in front of me so I can't go through all of the eight. This adds the ninth one, since we have had in the past years fair proliferation of so-called "bottle clubs", it seemed to me to be only logical and in keeping with the spirit of the State Liquor Laws that there should be some avenue available to people in the municipalities to speak to whether or not they wanted to have a bottle club. This would not apply to the firemen's social. This would not apply to the Charity Ball and that sort of thing.

If you look at the Bill again the definition is

pretty, I think, explicit as to what is or is not a bottle club.

The option offered in the Minority Report offered by the Senator from Waldo, Senator Shute goes a lot further, and in fact, sets up an entire licensing procedure which I did not feel was necessary. I would just address myself to one more remark by the Senator from Waldo. It did come to my attention and it was a problem with one community in my area, or one problem, I'm not even sure this takes care of that, but when I got more involved in the issue, I discovered that there was this little gap in the law, whereby the municipality could not exercise its will. I decided to deal with the broader issue. I think what we possibly could have done or could have asked the Committee to do was to define things in such a way so that club in my area was put out of business automatically. That was not my intent; it's not my intent to get at any particular business or anything like that. But it seems to me to be only consistent with the existing law that these clubs be subject to the same set of standards as any other business or any other liquor establishment in the State. Granted, they are presently not licensed. I do not see where that causes a problem any more than any other business which this Legislature sets to be an illegal business as a matter of policy than the State certainly that the law enforcement officials of the community can certainly enforce that policy. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: Mr. President, Ladies and Gentlemen of the Senate, the good Senator from Aroostook, Senator Carpenter mentioned that there was a definition of bottle clubs. I would remind the Senator that under this New Draft that is supported by the Senator from Androscoggin, Senator Charette, does not make any new definition of bottle clubs. If you look in the statutes, as far as the definition of bottle clubs go, bottle clubs are considered a private club, not a public club. I don't see how a community by voting on a local liquor option question where there is no licensing required and your voting on a private club where you're going to accomplish one thing. The same thing could be done better through a town ordinance, and if you want to do something, put a stronger bill through, licensing clubs, defining them as public places, so that liquor inspectors can go into them and then have also a local option question. I think this other New Draft is just fooling the public on what we're doing here, which is nothing.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Aroostook, Senator Violette.

Senator VIOLETTE: Mr. President, Ladies and Gentlemen of the Senate, as I understand this Legislation it would not, those communities presently which allow the sale of alcoholic beverages in various forms, this Legislation here would not require all of those communities to place this issue on the ballots?

In addition to that, my other question is, how would this affect Bottle Clubs or private clubs which are in unorganized townships?

The PRESIDENT: The Senator from Aroostook, Senator Violette has posed a question through the Chair to any Member of the Senate who may respond if they so desire.

The Chair recognizes the Senator from Androscoggin Senator Charette.

Senator CHARETTE: The intent of the Bill, as was spelled out, is to allow those dry town areas to also have another option to vote on. There is already eight of them listed in the laws and this adds a ninth one.

I realize that it has been talked about that municipal ordinances can also take affect, and I can quote, the city of Auburn you can't have a bottle club they have got such a severe ordinance that it disallows bottle clubs to exist in

Auburn. In Lewiston we have had an ordinance that allows bottle clubs but only under the hours of operation of a licensee, so therefore it eliminated the after hours bottle clubs so it solved the problem that Lewiston had.

We realize that every town can come up with their own ordinances, but this Bill clearly what it does it adds another option for any municipality in the State that wants to discontinue or not allow a license either for a bottle clubs, well like we said they are not licensed, they could vote, they are all there. There are eight of them listed and I don't have them in front of me, however I know of towns were they will allow a tavern, but they will not allow Class "A" restaurants to sell liquor, it depends on those towns and options are already in the law. This one would be the ninth one.

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

Senator VIOLETTE: Mr. President the other question that I asked was how this would affect unincorporated townships that have private clubs? In addition to this, if this Legislation, if communities presently can as the good Senator seems to indicate have the capability at the municipal level to deal with this issue, I really see no need to add yet one additional item under the present law. I would request a Division and it would be my hope that you would vote against the pending motion.

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

Senator BALDACCI: Mr. President, being in the business, and seeing a lot of people in the business, and knowing how the Bureau of Alcoholic Beverages and the licensing and the discussion that has come up I would like to move that this item be tabled for 1 Legislative Day. Mr. President is that out of order?

The PRESIDENT: The Chair would answer in the affirmative, the Senator having debated his tabling motion.

A Division has been requested.

Will all those Senators in favor of the motion by the Senator from Androscoggin, Senator Charette that the Senate Accept the Majority Ought To Pass, in New Draft, Report of the Committee, please rise in their places to be counted.

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

The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Senator CARPENTER: I request the Yeas and Nays.

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 Chair recognizes the Senator from Penobscot, Senator Baldacci.

Senator BALDACCI: Mr. President, would it be in order at this time to table this?

On motion by Senator Baldacci of Penobscot Tabled for 1 Legislative Day, pending the motion by the Senator from Androscoggin, Senator Charette.

Divided Report

The Committee on Energy and Natural Resources on BILL, "An Act to Include PCB's Within the Definition of Hazardous Wastes" (Emergency) (S. P. 568) (L. D. 1643)

Reported that the same Ought Not to Pass.

Signed:

Senator:

McBREAIRTY of Aroostook

Representatives:

DEXTER of Kingfield

MICHAUD of East Millinocket
RIDLEY of Shapleigh
KIESMAN of Fryeburg
MITCHELL of Freeport
MICHAEL of Auburn
McGOWAN of Pittsford
BROWN of Livermore Falls
JACQUES of Waterville

The Minority of the same Committee on the same subject matter.

Reported that the same Ought to Pass.

Signed:

Senator:

KANY of Kennebec

Representative:

HALL of Sangerville

Which Reports were Read.

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

Senator KANY: Mr. President I move acceptance of the Minority Ought to Pass Report.

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

Senator McBREAIRTY: Mr. President I would hope that you would not accept the Minority Ought to Pass Report.

The Statement of Fact in this Bill says, "it is the intent of this Legislation that used transformers containing PCB's are to be considered hazardous waste as some as the transformers are taken out of service even if they may later be returned to service."

Believe me if this Bill went through and that applies you're going to add a tremendous expense to your light bills, because many transformers are just taken out of service because they put a new line in and in order to have that line ready to hookup immediately they put up new transformers take the old ones down, take them back to the store house and reuse them again. Now if this Bill goes through they would have to be licensed as hazardous waste transporters and a whole lot of other things. So I would hope that you would not accept the Minority Report. Thank you.

On motion by Senator Pray of Penobscot, Tabled, pending the motion by the Senator from Kennebec, Senator Kany.

Second Readers House

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

RESOLVE, Providing for Collection of Data and Promulgation of Rules Concerning Occupational Safeguards for Operators of Video Display Terminals (H. P. 1265) (L. D. 1675)

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

House — as Amended

BILL, "An Act Concerning the Stopping of Trucks at Roadside Weighing Points" (H. P. 1094) (L. D. 1440)

BILL, "An Act Relating to Voting by Citizens Overseas" (H. P. 901) (L. D. 1180)

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

BILL, "An Act to Create Boothbay Region Waterfowl Sanctuary" (H. P. 713) (L. D. 904)

Which was Read a Second Time.

On motion by Senator Pray of Penobscot, Tabled until later in today's session, pending Passage to be Engrossed.

Senate

BILL, "An Act Concerning Confidential Records and State Certification of Educational Personnel" (Emergency) (S. P. 583) (L. D. 1691)

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

Sent down for concurrence.

BILL, "An Act to Establish a Special Acquisitions Fund at the State Library" (S. P. 573) (L. D. 1651)

Which was Read a Second Time.

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

Senator VIOLETTE: Mr. President in reference to L. D. 1651 I offer Senate Amendment (S-148) and move its Adoption.

The PRESIDENT: The Senator from Aroostook, Senator Violette offers Senate Amendment "A" and moves its Adoption.

Senate Amendment "A" (S-148) was Read and Adopted.

The Bill was Passed to be Engrossed, as amended.

Sent down for concurrence.

Enactors

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

An Act to Authorize Tax Liens on Personal Property. (H. P. 1235) (L. D. 1644)

An Act to Amend the Charters of Various Sewer Districts Organized Under the Private and Special Laws, including Limerick and Jackman. (H. P. 1236) (L. D. 1645)

An Act to Clarify Independent Contractor Status Under the Workers' Compensation Act. (H. P. 1231) (L. D. 1635)

An Act to Amend the Statutes Governing the Licensing and Approval of Adult and Child Care Programs. (H. P. 791) (L. D. 1032)

An Act Relating to the Adjustment to the Penalty for Withdrawal from Current Use Tax Laws. (H. P. 676) (L. D. 859)

An Act Concerning the Posting of the Text of all Constitutional Resolutions and Statewide Referenda at the Polling Places on Election Day. (H. P. 80) (L. D. 89)

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 Appropriating Money for Research and Development of Appropriate Turbine Technology. (H. P. 1230) (L. D. 1633)

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

An Act to Extend and Amend the Statute entitled Purchase of Foodstuffs from Maine Concerns. (H. P. 710) (L. D. 901)

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

An Act Concerning the Catching of Herring for Bait. (H. P. 1172) (L. D. 1560)

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

An Act to Regulate the Season on Coyotes. (H. P. 1227) (L. D. 1621)

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

Senator DIAMOND: Thank you, Mr. President. Ladies and Gentlemen of the Senate, I have had some questions raised by my constituents. We have not debated this Bill as all in this end I just wanted to ask if the Chairman, or the sponsor, or anyone else on the Committee might explain a little bit further about this Bill, which at least from what I know about it allows night hunting with lights for coyotes.

I am sure that it is not as bad as it sounds but it seems like it might be asking for trouble, so I would like to have someone please explain that, thank you.

The PRESIDENT: The Senator from Cumberland, Senator Diamond has posed a question through the Chair to any member of the Committee who may respond if they so desire.

The Chair recognizes the Senator from Cumberland, Senator Usher.

Senator USHER: Thank you Mr. President. Mr. President and Members of the Senate, as most of you know one of the major problems

this year, and in past years, has been the coyotes they are growing and growing in Maine. There has been a lot of damage done by the coyotes.

At every meeting that we had this year I think the word "coyote" was brought up. It has been the major concern of everybody and we did have two or three pieces of legislation before us and we wanted to use one for a vehicle and put in a two year sunset which this one has, a two year sunset, to enable the people who are qualified and that want to try it to try calling coyotes. There are many people in this State who are qualified and they use a special call to call the coyotes up to them. It has worked out west and this program we think can work in this State. There is no extra fee all you have to do is get a permit from the Commissioner. That way the wardens will know what area they are in and it is only for two months, the months of January and February.

We think that this program can work to help curtail the coyote problem.

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

Senator HAYES: Mr. President I request a Division.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of Passage to be Enacted, please rise in their places to be counted.

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

20 Senators having voted in the affirmative, and 7 Senators having voted in the negative, the Bill was Passed to be Enacted and having been signed by the President was by the Secretary presented to the Governor for his approval.

Emergency

An Act to Make Allocations from the Public Utilities Commission Regulatory Fund for the Fiscal Years Ending June 30, 1984, and June 30, 1985. (H. P. 518) (L. D. 643)

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

Emergency

An Act to Expand the Tourism Promotion Program. (S. P. 451) (L. D. 1372)

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

Emergency

RESOLVE, Authorizing the State Tax Assessor to Convey Title to the Former Municipal Building of Plantation 21 to the Bureau of Public Lands and Authorizing the Bureau of Public Lands to Lease the Former Municipal Building to the Princetown Grange. (H. P. 1232) (L. D. 1636)

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

(Off Record Remarks)

Orders of the Day

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

BILL, "An Act to Amend Various Provisions of the Maine Criminal Code." (H. P. 1035) (L. D. 1360)

Tabled—May 24, 1983 by Senator CARPENTER of Aroostook

Pending—Motion of Senator NAJARIAN of Cumberland to reconsider Passage to be Engrossed.

(In House, May 23, 1983, Passed to be En-

grossed as Amended by Committee Amendment "A" (H-275))

(In Senate, May 23, 1983 Passed to be Engrossed as Amended by Committee Amendment "A" (H-275) in concurrence)

On motion by Senator Carpenter of Aroostook, Retabled for 1 Legislative Day.

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

BILL, "An Act to Establish Standards of Accessibility for Handicapped Persons in Public Housing and Places of Public Accommodation" (H. P. 1261) (L. D. 1671)

Tabled—May 25, 1983 by Senator CARPENTER of Aroostook

Pending—Passage to be Engrossed

(In House May 24, 1983 Passed to be Engrossed)

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

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

BILL, "An Act to Ban Metal-piercing Ammunition" (H. P. 1245) (L. D. 1659)

Tabled—May 25, 1983 by Senator CARPENTER of Aroostook

Pending—Passage to be Engrossed

(In House, May 23, 1983 Passed to be Engrossed)

Which was Passed to be Engrossed, in concurrence.

Senator Pray of Penobscot was granted unanimous consent to address the Senate, Off the Record.

(Off Record Remarks)

On motion by Senator Carpenter of Aroostook Recessed until 4 o'clock this afternoon.

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:

Communications

The following Communication: (S. P. 591)

111th Maine Legislature

May 26, 1983

Honorable Ronald Usher
Honorable Robert MacEachern
Chairmen
Joint Standing Committee on
Fisheries and Wildlife
State House
Augusta, Maine 04333

Dear Chairmen Usher and MacEachern:

Please be advised that Governor Joseph E. Brennan today nominated Francis D. Dunn of Patten for reappointment to the Inland Fisheries and Wildlife Advisory Council.

Pursuant to Title 12 MRSA Section 7033, this nomination will require review by the Joint Standing Committee on Fisheries and Wildlife 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 Fisheries and Wildlife.

Sent down for concurrence.

Enactors

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

An Act to Clarify the Tax Status of Time-sharing Condominiums (S. P. 292) (L. D. 880)

An Act Concerning Fishways in Dams and Other Artificial Obstructions in Coastal Wa-

ters (S. P. 359) (L. D. 1080)

An Act to Clarify the Authority of the Superintendent of the Bureau of Consumer Credit Protection (S. P. 502) (L. D. 1518)

An Act to Establish the Third-party Prescription Program Act (S. P. 518) (L. D. 1539)

An Act to Increase the Number of Voting Booths Required in Maine Elections (S. P. 566) (L. D. 1639)

An Act Regarding Multiple Sentences of Imprisonment (H. P. 483) (L. D. 580)

An Act to Permit the Use of State Funds for Rail Rehabilitation Projects and Townway Crossing Improvements (H. P. 835) (L. D. 1087)

An Act to Amend Provisions of the Maine Insurance Code Relating to Tender Offers and to Unfair Trade Practices (H. P. 838) (L. D. 1088)

An Act to Require Annual Disclosure of Interest in Agricultural Land in Maine (H. P. 871) (L. D. 1125)

An Act to Improve Remedies for Substandard Housing (H. P. 923) (L. D. 1202)

An Act Relating to the Replacement of Existing Buildings within 33 feet of the Center Line of a State or State Aid Highway (H. P. 982) (L. D. 1283)

An Act Concerning the Admissibility in Criminal Proceedings of Statements by Minors Describing Sexual Contact (H. P. 1201) (L. D. 1595)

An Act to Authorize the Supreme Judicial Court to Provide for Collective Bargaining for Judicial Department Employees (H. P. 1246) (L. D. 1660)

An Act Concerning Explanations for Referenda Questions which Appear on a Ballot (H. P. 1250) (L. D. 1663)

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 Improve Access to Small Claims Court (H. P. 540) (L. D. 577)

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

Senator TRAFTON: In reference to L. D. 577, I move the Indefinite Postponement of this Bill and all of its Accompanying Papers and would speak to my motion.

The PRESIDENT: The Senator has the floor.

Senator TRAFTON: L. D. 577 is "An Act to Improve Access to Small Claims Court." We have debated this item previously, and I will not renew debate which we've already had. Suffices to say that I continue to oppose this Bill for the reasons that the experiment has been tried and it has failed. Second, that there is flexibility within our court system now, that on request the Chief Judge of the District Court may establish hours and to the best of my knowledge no Legislative delegation, nor Legislator has made that request to the Chief Judge of the District Court. Finally, this is an expense which the State simply can not bear at this time, and for those reasons I continue my opposition.

I would ask for a Roll Call on this motion for Indefinite Postponement. Thank you.

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

Senator KANY: Mr. President and Members of the Senate, I would ask you to vote against the motion to Indefinitely Postpone this item and allow Senator Najarian, the Chairman of the Appropriations Committee, to put that on the Appropriations Table.

We have debated as you know that it just would require that at least one hour be made available to the people, the working people of this State; those who work in offices, or plants or whatever, in the Small Claims Court once a month. We amended it to please the Senate, so that one hour, or at least one hour would have to be either in the evening or on a Saturday morning.

I just urge you to vote against the pending

motion and send this to the Appropriations Table.

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

Senator TRAFTON: Thank you, Mr. President. Mr. President and Members of the Senate, I simply to point out one basic flaw in this Bill and its accompanying papers. The Bill provides for one hour of Small Claims Court in the evening. The Bill lacks the definition of evening; That one hour could be from 4 o'clock to 5 o'clock in fact, the intent of this Bill is not carried out so that the Bill is flawed in concept and in draft and for that reason I move its Indefinite Postponement. Thank you.

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

Senator KANY: Mr. President and Members of the Senate, I'd just like to say certainly an hour after 5 p.m. is a lot better than that which is available to the people of Maine today. I just wanted to remind you of the one section in the Bill in which there is a sunset that after two years that it would have to be looked at and it would have to be reapproved by the Legislature in order to continue.

The PRESIDENT: Is the Senate ready for the question.

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 the motion by the Senator from Androscoggin, Senator Trafton that L. D. 577 and all of its Accompanying Papers be Indefinitely Postponed.

A Yes vote will be in favor of Indefinite Postponement.

A No vote will be opposed.

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

ROLL CALL

YEA—Brown, Charette, Clark, Collins, Danton, Gill, Perkins, Pray, Sewall, Teague, Trafton, Usher, Violette.

NAY—Baldacci, Bustin, Carpenter, Diamond, Dutremble, Emerson, Erwin, Kany, McBreairty, Minkowsky, Najarian, Shute, Twitchell, Wood, The President—Gerard P. Conley.

ABSENT—Dow, Hayes, Hichens, Pearson, Redmond.

A Roll Call was had.

13 Senators having voted in the affirmative and 15 Senators in the negative, with 5 Senators being absent, the motion to Indefinitely Postpone L. D. 577 Failed.

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

An Act to Rejuvenate the Fishing Industry in Maine (S. P. 575) (L. D. 1652)

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

An Act to Complete the Statewide Coordination System for Preschool Handicapped Children (H. P. 873) (L. D. 1127)

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

An Act to Control Hazardous Air Pollutants (H. P. 1080) (L. D. 1426)

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

An Act to Provide Continued Funding for the Determination of Ground Water Quality in the State's Sand and Gravel Aquifers (H. P.

1113) (L. D. 1471)

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

An Act to Create a Forest Resource Assessment and Marketing Program (H. P. 1171) (L. D. 1559)

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

Emergency

An Act to Allocate Moneys for the Administrative Expenses of the Bureau of Alcoholic Beverages, Department of Finance and Administration, and the State Liquor Commission for the Fiscal Years Ending June 30, 1984 and June 30, 1985 (S. P. 218) (L. D. 655)

Emergency

An Act Relating to Administration of Appropriations and Allocations for the Maine Human Services Council (H. P. 456) (L. D. 558)

Emergency

An Act to Make Allocations from the Maine Hazardous Waste Fund for the Fiscal Years Ending June 30, 1984, and June 30, 1985 (H. P. 479) (L. D. 576)

Emergency

An Act to Make Allocations from the Transportation Safety Fund for the Fiscal Years Ending June 30, 1984, and June 30, 1985 (H. P. 517) (L. D. 642)

Emergency

An Act Concerning the Agricultural Use of Sludge (H. P. 1248) (L. D. 1662)

(See Action Later Today)

These being emergency measures and having received the affirmative votes of 26 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 Concerning Volunteer Marine Patrol Officers (S. P. 558) (L. D. 1624)

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

Senator PRAY: Mr. President, in reference to L. D. 1624.

The PRESIDENT: The Senator has the floor.

Senator PRAY: Thank you, Mr. President, in reference to L. D. 1624, "An Act Concerning Volunteer Marine Patrol Officers," in attempting to read the Enactor, the emergency preamble and the gist of the Bill from the Statement of Fact, I wish that somebody could enlighten us to a little greater detail as to the potential, or at least, what I feel, potential affect it may have upon this account and that there would be a dollar figure that should be attached to the Bill that I don't see. In reference, particularly, to the fact that these volunteer marine patrol officers would have to complete a course at the Maine Criminal Justice Academy. Could someone explain whom will be paying that and as to whether or not these individuals while they were accompanying a marine patrol officer and if they were hurt, would they be subject to Workers' Compensation Laws or any other obligations to the State?

The PRESIDENT: The Senator from Penobscot, Senator Pray has posed a question through the Chair to any Member of the Committee who may respond if they so desire.

The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Senator MINKOWSKY: Mr. President and Members of the Senate, this was a Bill that came from the Marine Resources and had a unanimous Committee Report.

The existing funds under the Department of Marine Resources will take care of the costs to the Maine Criminal Justice Academy. In answer to the third phase of the question in-

sofar as Workers' Compensation, there was no discussion relevant to Workers' Compensation. If the Marine Patrol Officers on a volunteer basis part-time would come under Workers' Compensation, but I would assume, as long as they came under State employment receive State funds along that line they would be protected under Workers' Compensation, but there was no discussion, so I cannot be specific answering that particular point.

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

Senator PRAY: Thank you, Mr. President, Mr. President, Ladies and Gentlemen of the Senate, it seemed as if a number of years ago, I'm sure for some of you maybe too many years that I've been around, but in the past I served on the Fisheries and Wildlife Committee and I can remember at that time on one occasion, I think, since I've left that Committee they have since then had similar Legislation which would allow the Fish and Game Warden, as well to have a volunteer patrol officer. What concerns me, even though we require them to attend a training session at the Maine Criminal Justice Academy, we are taking a volunteer appointed by the Commissioner. We're allowing this individual all the powers and responsibilities and duties of the Marine Patrol Officers themselves, in this instance. To take any volunteer force and to give them the duties and the responsibilities of a State employee, I think is the wrong direction in which to go. If there is a need for more wardens, in either the Marine Patrol or in the Fisheries and Wildlife Department or any other department dealing with law enforcement, then I think we should address the issue straight up; we should appropriate more positions to carry out the needs that these departments have. I become, particularly, concerned with having a volunteer, for an example, as the statute states on line 24, "carry firearms during the performance of these duties." I just think that in this volunteer army that we're starting to create at this time that we may find ourselves paying the price at a later date.

I would ask for a Division of the Enactment of this measure.

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

Senator MINKOWSKY: Mr. President, relevant to this issue, this actually is no different than a Bill I put through four years ago which addressed Reserve Officers that work with County Government or Municipalities. This, does identically the very, very same thing as far as giving them the same powers and duties as police officers in communities. You'll notice in the past few years how that particular program has proliferated and has really served a vital purpose to the counties, as well as, to the municipalities that did not have a full-time police force.

This is a supplement to the Marine Patrol Officers during the stripped bass season, primarily, in which to address the number of people that should be checked insofar as proper licensure.

I cannot be specific if these people are authorized to carry firearms. I would almost, I can't really say for sure, there was no discussion about carrying firearms, insofar as their potential and qualifications through the Maine Criminal Justice Academy which is paid for by the Department. I don't really see any great hangup as far as this piece of Legislation is concerned, and I would hope that you would support the Enactment of this piece of Legislation.

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

Senator PRAY: Thank you, Mr. President, I'll attempt to make this my last argument on the Bill. Since the Senator from Androscoggin, Senator Minkowsky is not sure as to whether or not if they would be allowed to carry firearms, I

would just wish to point out for the last time on page 2 of the Bill, on line 23 it states and continues on line 24, "they may carry firearms during the performance of these duties." That's one issue which I think is very important to deal with a volunteer coastal warden let alone any other law enforcement agency or force that we may have. If the comments by the Senator in reference to part-time deputies that counties have as Chairman of the Piscataquis County delegation and a member of the Penobscot delegation I know our part-time deputies are paid for the time that they, serve — and most of the part-time deputies are municipal police officers, or individuals who have formally in one facture or another been employed either by the county sheriffs department or by various police departments and as they go on to other areas of employment they have in many instances been hired as part-time deputies and they are reimbursed for expenses. The only reimbursement that these people will receive as I noticed in the first part of the bill is the expense of their automobiles. Thus, I would take it these volunteers could ride around all weekend in their car and charge that off to the State, as well, or to the Marine Resources Department. I think there are other concerns that one may have about this type of approach of law enforcement.

On motion by Senator Minkowsky of Androscoggin, Tabled for 1 Legislative Day, pending Enactment.

On motion by Senator Najarian of Cumberland the Senate voted to reconsider its action of earlier in today's session whereby:

An Act Concerning the Agricultural Use of Sludge H. P. 1248 L. D. 1622 was Passed to be Enacted.

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:

Papers from the House House Papers

BILL, "An Act to Create a Maine Commission on Excellence in Education" (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27) (Emergency) (H. P. 1279) (L. D. 1696)

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.

BILL, "An Act to Establish the Maine Environmental Protection Fund" (Submitted by the Department of Environmental Protection pursuant to Joint Rule 24) (H. P. 1278) (L. D. 1695)

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

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

BILL, "An Act to Deter Drinking and Driving by Teenagers" (Emergency) (H. P. 1280) (L. D. 1697)

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 Require Dismissal of State Employees Responsible for Abuse or Neglect of Patients, Clients or Students" (Submitted by the Department of Educational and Cultural Services pursuant to Joint Rule 24) (Emergency) (H. P. 1286) (L. D. 1704)

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

On motion by Senator Pray of Penobscot, re-

ferred to the Committee on Education and Ordered Printed, in non-concurrence.

Sent down for concurrence.

Bill, "An Act Amending and Expanding the Home Winterization Program Statute" (Submitted by the Department of Community Services pursuant to Joint Rule 24) (H. P. 1281) (L. D. 1698)

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 Ethanol Production in the State" (Emergency) (H. P. 1282) (L. D. 1699)

BILL, "An Act to Provide a Sales Tax Rebate on Materials Used in the Construction of Fish Passage Facilities" (H. P. 1283) (L. D. 1700)

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

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

Committee Reports House Ought to Pass

The Joint Select Committee on Alcoholism Services on BILL, "An Act to Provide for the Development of Centralized Coordinated Planning and Evaluation Process for State Alcohol and Drug Abuse Activities" (Emergency) (H. P. 1276) (L. D. 1692) Reported that the same Ought to Pass — pursuant to Joint Order (H. P. 118)

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.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, that L. D. 1692 be given its Second Reading by Title Only?

It is a vote.

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

The Committee on Labor on BILL, "An Act to Provide Authority to the Department of Labor to Receive Federal Funds in Order to Expand the Workplace Safety Compliance Consultation Program" (Emergency) (H. P. 1225) (L. D. 1630) 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.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, that L. D. 1630 be given its Second Reading by Title Only?

It is a vote.

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

Ought to Pass as Amended

The Committee on Energy and Natural Resources on BILL, "An Act to Amend the Hazardous Waste Statutes Administered by the Department of Environmental Protection" (H. P. 477) (L. D. 574) Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-290)

Comes from the House with the Report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-290)

Which Report was Read and Accepted, in concurrence.

The Bill Read Once.

Committee Amendment "A" was Read and Adopted, in concurrence.

The PRESIDENT: Is it now the pleasure of the Senate that Under Suspension of the Rules, that L. D. 574 be given its Second Reading by Title Only?

It is a vote.

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

The Committee on Energy and Natural Resources on BILL, "An Act to Amend the Department of Environmental Protection Statutes" (H. P. 1105) (L. D. 1458) Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-291)

Comes from the House with the Report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-291)

Which Report was Read and Accepted, in concurrence.

The Bill Read Once.

Committee Amendment "A" Read and Adopted, in concurrence.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, that L. D. 1458 be given its Second Reading by Title Only?

It is a vote.

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

The Committee on Judiciary on BILL, "An Act Concerning Compensation for Witnesses" (H. P. 1021) (L. D. 1344) Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-292)

Comes from the House with the Report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-292)

Which Report was Read and Accepted, in concurrence.

The Bill Read Once.

Committee Amendment "A" was Read and Adopted, in concurrence.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, that L. D. 1344 be given its Second Reading by Title Only?

It is a vote.

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

The Committee on Judiciary on BILL, "An Act Relating to Certifying Indian Representatives" (H. P. 223) (L. D. 271) Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-293)

Comes from the House with the Report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-293)

Which Report was Read and Accepted, in concurrence.

The Bill Read Once.

Committee Amendment "A" was Read and Adopted, in concurrence.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, that L. D. 271 be given its Second Reading by Title Only?

It is a vote.

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

The Committee on Health and Institutional Services on BILL, "An Act to Provide Advocacy Services to Residents of Children's Homes" (H. P. 970) (L. D. 1265) Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-295)

Comes from the House with the Report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-295)

Which Reports were Read and Accepted, in concurrence.

The Bill Read Once.

Committee Amendment "A" was Read and Adopted, in concurrence.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, that L. D. 1265 be given its Second Reading by Title Only?

It is a vote.

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

The Committee on Business Legislation on BILL, "An Act to Amend the Maine Business Corporation Act to Permit Preferred Stock Redeemable with Property or Securities" (H. P. 1233) (L. D. 1640) Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-296).

Comes from the House with the Report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-296)

Which Reports were Read and Accepted, in concurrence.

The Bill Read Once.

Committee Amendment "A" was Read and Adopted, in concurrence.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, that L. D. 1640 be given its Second Reading by Title Only?

It is a vote.

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

Ought to Pass in New Draft Under New Title

The Committee on Judiciary on BILL, "An Act to Protect Works of Art" (H. P. 1034) (L. D. 1359) Reported that the same Ought to Pass in New Draft under New Title, RESOLVE, Authorizing and Directing the Maine State Commission on the Arts and Humanities to Prepare and Make Available to Artists a Form Contract for the Protection of Works of Art (H. P. 1277) (L. D. 1693)

Comes from the House with the Report Read and Accepted and the New Draft under New Title Passed to be Engrossed.

Which Report was Read and Accepted, in concurrence.

The Bill, in New Draft under New Title, Read Once.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, that L. D. 1693 be given its Second Reading by Title Only?

It is a vote.

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

The Committee on Judiciary on BILL, "An Act to Provide Litigation Authority for the Maine Human Rights Commission" (H. P. 1092) (L. D. 1439) Reported that the same Ought to Pass in New Draft under New Title, BILL, "An Act Relating to the Position of Counsel for the Maine Human Rights Commission" (H. P. 1287) (L. D. 1705)

Comes from the House with the Report Read and Accepted and the New Draft under New Title Passed to be Engrossed.

Which Report was Read and Accepted, in concurrence.

The Bill, in New Draft under New Title, Read Once.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, that L. D. 1705 be given its Second Reading by Title

Only?

It is a vote.

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

Divided Report

The Majority of the Committee on Judiciary on BILL, "An Act to Authorize Court Appointed Receivers" (H. P. 1165) (L. D. 1546)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-294)

Signed:

Senators:

TRAFTON of Androscoggin
COLLINS of Knox

Representatives:

JOYCE of Portland
FOSTER of Ellsworth
SOULE of Westport
HOBBINS of Saco
BENOIT of South Portland
DRINKWATER of Belfast
CARRIER of Westbrook
HAYDEN of Durham
LIVESAY of Brunswick

The Minority of the same Committee on the same subject matter.

Reported that the same Ought Not to Pass.

Signed:

Senator:

VIOLETTE of Aroostook

Representative:

REEVES of Newport

Comes from the House with the Majority Report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-294)

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

The Bill Read Once.

Committee Amendment "A" was Read and Adopted, in concurrence.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, that L. D. 1546 be given its Second Reading by Title Only?

It is a vote.

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

Senate

Leave to Withdraw

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

BILL, "An Act to Require Notification to Abutting Landowners upon Correction or Alteration of a Prior Survey" (S. P. 42) (L. D. 100)

Second Readers

House

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

BILL, "An Act to Amend Certain Motor Vehicle Laws" (Emergency) (H. P. 1272) (L. D. 1686)

BILL, "An Act to Clarify the Types of Property Which Pass by Deed" (Emergency) (H. P. 1273) (L. D. 1687)

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

BILL, "An Act to Establish Funding for Programs of Preventive Intervention and Family Support" (H. P. 1268) (L. D. 1682)

Which was Read a Second Time and Passed to be Engrossed, in non-concurrence.

Sent down for concurrence.

BILL, "An Act to Provide for Consumer Representation before the Maine Milk Commission" (Emergency) (H. P. 1137) (L. D. 1499)

Which was Read a Second Time.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Erwin.

Senator ERWIN: On L. D. 1499 I have an amendment to offer and move its Adoption and would like to request that the Bill be Tabled 1 Legislative Day.

The PRESIDENT: The Senator from Oxford, Senator Erwin offers Senate Amendment "A" and moves its Adoption.

Senate Amendment "A" (S-157) was Read.

On motion by Senator Carpenter of Aroostook, Tabled for 1 Legislative Day, pending the Adoption of Senate Amendment "A".

took, Retabled for 1 Legislative Day.

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

On motion by Senator Carpenter of Aroostook, Adjourned until 9 o'clock tomorrow morning.

Senate — as Amended

BILL, "An Act Appropriating Funds for Independent Living Services for the Disabled" (S. P. 316) (L. D. 952)

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

Sent down for concurrence.

BILL, "An Act to Clarify and Make Corrections in the Inland Fisheries and Wildlife Laws" (S. P. 548) (L. D. 1599)

Which was Read a Second Time.

On motion by Senator Pray of Penobscot, Tabled until later in today's session, pending Passage to be Engrossed.

Orders of the Day

The President laid before the Senate:

BILL, "An Act to Create Boothbay Region Waterfowl Sanctuary" (H. P. 713) (L. D. 904)

Tabled — May 26, 1983 by Senator PRAY of Penobscot

Pending — Passage to be Engrossed

(In House May 24, 1983 Passed to be Engrossed as Amended by Committee Amendment "A" (H-284).)

On motion by Senator Pray of Penobscot, Retabled for 1 Legislative Day.

The President laid before the Senate:

BILL, "An Act to Establish Standards of Accessibility for Handicapped Persons in Public Housing and Places of Public Accommodation" (H. P. 1261) (L. D. 1671)

Tabled — May 26, 1983 by Senator PRAY of Penobscot

Pending — Passage to be Engrossed

(In House May 24, 1983 Passed to be Engrossed)

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

Senator DANTON: Mr. President for the Committee on Bills in their Second Reading, I offer Senate Amendment "A" to L. D. 1671 filing number S-153 and move its Adoption.

The PRESIDENT: The Senator from York, Senator Danton, offers Senate Amendment "A" to L. D. 1671 and moves its Adoption.

Senate Amendment "A" (S-153) was Read and Adopted.

The Bill, was Passed to be Engrossed, as amended in non-concurrence.

Sent down for concurrence.

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

BILL, "An Act to Clarify and Make Corrections in the Inland Fisheries and Wildlife Laws" (S. P. 548) L. D. 1599) Tabled earlier in today's session on motion by Senator Pray of Penobscot, pending Passage to be Engrossed.

The PRESIDENT: The Senator has the floor.

Senator PRAY: Thank you Mr. President, Mr. President, Ladies and Gentlemen of the Senate, I think it is well known at this time that one of my concerns is the Fisheries and Wildlife Department and I become a little concerned when I see a bill as an errors and inconsistencies bill that has around two dozen changes in existing statutes, with a committee amendment that states that this bill deletes section 10, 11, 16, 17, & 20 the statement of fact says; "this deletes section 4, 10, 11, 16, 17, & 20."

On motion by Senator Carpenter of Aroos-