

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Twelfth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 5, 1984 - June 20, 1985

STATE OF MAINE
 One Hundred and Twelfth Legislature
 First Regular Session
 JOURNAL OF THE SENATE
 In Senate Chamber
 Wednesday
 January 9, 1985
 Senate called to Order by the President.

Prayer by the Reverend Reginald Dunlap of the Evangelism for Christ Association in Elliot.
 REVEREND DUNLAP: Let us pray! Almighty and everlasting God whom the heavens cannot contain, much less the temples which our hands have built.

We thank Thee that thou hast made Thyself known to us, not only through Thy acts of love. Grant unto us we beseech Thee: purity of heart, strength of purpose and the courage to do what is right, and not what is popular, so that no selfish motive may hinder us from knowing Thy will, and no weakness may keep us from doing what we know to be best.

We pray that thou wilt deliver us from coldness of heart and wanderings of mind, that with steadfast thought we may come to grips with those actions which will be deliberated in this place.

We pray Thee to look upon us gathered here now and to shed upon each and everyone of us individually, Thy helpful spirit for the decisions to be made. Teach these leaders of this State the sacredness of their responsibilities and the sureness of their accountability one day before Thee.

May they so walk before Thee that the welfare of this State will never be neglected. Give them patience, wisdom, courage and heavenly discernment in the sacred tasks of leading and guiding this State in the moral way it should go.

Remove from our lives the sins and shadows that hide Thee from us; and at the convening of this Senate session, help each and everyone of us to be an example in word and act—ever realizing the trust that Thou hast given to us.

In closing, grant each member of this Chamber the vision to realize that no state and no country can make progress in a downward direction that, "righteousness alone exalteth a nation, and that sin is a reproach to any people."

May we as a State and we as a people move forward as we trust together in Thy great promises to us and enjoy Thy great blessings for us, Amen.

Reading of the Journal of Monday, January 7, 1985.

PAPERS FROM THE HOUSE
House Papers

Bill "An Act to Provide for the Recovery of Civil Damages from Shoplifters" H.P. 16 L.D. 14

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 Extend the Maximum Length of Agreements in the University of Maine Labor Relations Act from 2 Years to 4 Years" H.P. 17 L.D. 15

Comes from the House referred to the Committee on LABOR and ORDERED PRINTED.

Which was referred to the Committee on LABOR and ORDERED PRINTED, in concurrence.

Bill "An Act to Further Competition with New Hampshire in the Liquor Trade" H.P. 19 L.D. 17

Comes from the House referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED.

On motion by Senator VIOLETTE of Aroostook,

took, Tabled until later in today's session, pending REFERENCE.

Bill "An Act to Amend the Laws Concerning Fire Prevention and Protection" H.P. 20 L.D. 18

Bill "An Act to Provide for Toxicological Tests in the Event of a Recreational Boating Fatality" H.P. 21 L.D. 19

Comes from the House referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED.

Which were referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED, in concurrence.

Bill "An Act to Clarify Taxpayer Information on Local Property Tax Bills" H.P. 22 L.D. 20

Comes from the House referred to the Committee on LOCAL AND COUNTY GOVERNMENT and ORDERED PRINTED.

On motion by Senator TWITCHELL of Oxford referred to the Committee on TAXATION and ORDERED PRINTED, in NON-CONCURRENCE.

Bill "An Act to Amend the Weir Licensing Laws" H.P. 23 L.D. 21

Comes from the House referred to the Committee on MARINE RESOURCES and ORDERED PRINTED.

Which was referred to the Committee on MARINE RESOURCES and ORDERED PRINTED, in concurrence.

Bill "An Act to Change the Sales Tax Exemption for Property Purchased Outside the State" H.P. 24 L.D. 22

Bill "An Act to Permit the Interstate Commerce Exemption on Sales Tax to Apply to Persons who Lease Vehicles which are Placed in Interstate Commerce" H.P. 25 L.D. 23

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.

Joint Resolution

A Joint Resolution In Memoriam: WHEREAS, the Legislature has learned with deep regret of the death of John H. Rollins, of East Dixfield, a member of the Maine House of Representatives from 1971 to 1980;

Comes from the House READ and ADOPTED.

Which was READ. On motion by Senator WEBSTER of Franklin, Tabled until later in today's session, pending ADOPTION.

COMMUNICATIONS

The Following Communication: S.P. 31
 STATE OF MAINE
 112th LEGISLATURE
 January 8, 1985

The Honorable Georgette Berube
 The Honorable Merle Nelson
 Chairpersons, Committee on Human Resources
 112th Legislature
 Augusta, Maine 04333
 Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Paul G. Poulin of Augusta for appointment to the Health Care Finance Commission.

Pursuant to P L Chapter 579, this nomination will require review by the Joint Standing Committee on Human Resources and confirmation by the Senate.

Sincerely,
 S/Charles P. Pray
 President of the Senate
 S/John L. Martin
 Speaker of the House
 Which was READ and referred to the Committee on HUMAN RESOURCES.
 Sent down for concurrence.

SENATE PAPERS

Bill "An Act Relating to Absentee Voting" S.P. 32 L.D. 33

Presented by Senator KANY of Kennebec Cosponsored by: Senator BERUBE of Androscoggin, Representative CHONKO of Topsham, Representative MELENDY of Rockland

Which was referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED. Sent down forthwith for concurrence.

ORDERS OF THE DAY

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

Bill "An Act to Clarify the Term "Authorized Person" Under the Law Relating to Deaths and Burials" S.P. 22 L.D. 26

Tabled—January 7, 1985, by Senator VIOLETTE of Aroostook

Pending—REFERENCE (Committee on HUMAN RESOURCES suggested and ORDERED PRINTED)

On motion by Senator VIOLETTE of Aroostook referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED.

Sent down for concurrence.

Senate at Ease

Senate called to order by the President.

Senator PERKINS of Hancock was granted unanimous consent to address the Senate Off the Record.

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

On motion by Senator VIOLETTE of Aroostook, RECESSED until the sound of the Bell.

RECESS AFTER RECESS

The Senate called to order by the President.

Off Record Remarks

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

PAPERS FROM THE HOUSE
House Papers

Bill "An Act to Create a Nonresident Property Owner Fishing License" H.P. 27 L.D. 28

Comes from the House referred to the Committee on FISHERIES AND WILDLIFE and ORDERED PRINTED.

Which was referred to the Committee on FISHERIES AND WILDLIFE and ORDERED PRINTED, in concurrence.

Bill "An Act Concerning the Possession of Fireworks" H.P. 28 L.D. 29

Comes from the House referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED.

Which was referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED, in concurrence.

Bill "An Act Concerning Nonpartisan Offices Held by Members of the State Police" (Emergency) H.P. 31 L.D. 32

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 to Increase the Tax Exemption for Parsonages"

H.P. 29 L.D. 30

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.

COMMUNICATION

The Following Communication: H.P. 26

**STATE OF MAINE
LEGISLATIVE COUNCIL
STATE HOUSE
AUGUSTA, MAINE 04333**

January 7, 1985

Hon. Edwin H. Pert
Clerk of the House
House of Representatives
Augusta, Maine 04333
Dear Clerk Pert:

This is to notify you that the members of the Legislative Council pursuant to Joint Rule 38 have selected Kathleen Watson Goodwin and May M. Ross to serve as the Partisan Staff Assistants for gubernatorial nominations.

Each of these Assistants shall serve at the pleasure of the appointing authority during the present biennium and shall provide assistance to the Joint Standing Committees required by law to recommend action on a gubernatorial nomination.

Sincerely
S/John N. Diamond, Chairman
Legislative Council

Comes from the House **READ** and **ORDERED PLACED ON FILE**.

Which was **READ** and **ORDERED PLACED ON FILE**, in concurrence.

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

**PAPERS FROM THE HOUSE
House Papers**

Bill "An Act Relating to the Registration of Soil Amendments"

H.P. 15 L.D. 13

Committee on **ENERGY AND NATURAL RESOURCES** suggested and **ORDERED PRINTED**.

Comes from the House referred to the Committee on **AGRICULTURE** and **ORDERED PRINTED**.

On motion by Senator **VIOLETTE** of Aroostook, Tabled for 1 Legislative Day pending **REFERENCE**.

Bill "An Act to Fund a Marketing Study on the Effects of Lowering Liquor Prices Throughout the State"

H.P. 18 L.D. 16

Committee on **LEGAL AFFAIRS** suggested and **ORDERED PRINTED**.

Comes from the House referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and **ORDERED PRINTED**.

On motion by Senator **VIOLETTE** of Aroostook, Tabled for 1 Legislative Day, pending **REFERENCE**.

Senate at Ease

The Senate called to order by the President

ORDERS OF THE DAY

On motion by Senator **VIOLETTE** of Aroostook, the Senate removed from the Table:

Bill "An Act to Further Competition with New Hampshire in the Liquor Trade"

H.P. 19 L.D. 17

Tabled—January 9, 1985, by Senator **VIOLETTE** of Aroostook

Pending—**REFERENCE**

(Committee on **LEGAL AFFAIRS** suggested and **ORDERED PRINTED**.)

(In House January 7, 1985, referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**.)

Which was referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**, in concurrence.

The President laid before the Senate:

A Joint Resolution In Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of:

John H. Rollins, of East Dixfield, a member of the Maine House of Representatives from 1971 to 1980;

HLS 24

Tabled—January 9, 1985, by Senator **WEBSTER** of Franklin

Pending—**ADOPTION**

(In House January 7, 1985, **READ** and **ADOPTED**.)

Which was **ADOPTED**, in concurrence.

Senator **HICHENS** of York was granted unanimous consent to address the Senate On the Record.

Senator HICHENS: It is a well-known fact since I've been in the Legislature that I've always supported the Maine Milk Commission. I've been criticized sometimes and have worked sometimes against the Governor's recommendations to eliminate this Commission. I always felt that it had a very important part in our State function.

I was very dismayed this morning to read in the papers of action taken by that Commission yesterday, where they placed a price differential in the milk delivered to supermarkets, and milk delivered to small family stores. I do not know just why this action was taken. I have asked for some information on it and was not furnished that information; but I think this is a very discriminatory move by the Commission against these small "momma and papa" stores who are fighting to keep alive, so of speak, against the supermarkets; and then to have to pay six cents more a gallon for milk delivered to them, and consequently, have to raise their price in order to even break even in the price schedule nowadays, I think it is very unfair. Although, I have volunteered to cosponsor a bill to take care of this, I understand their action will become effective in February, and I don't know whether we can get that bill acted upon before that action does take place.

I think the Commission should be advised that the Legislature is not going to let things like this happen that are going to hurt our small businesses in the State of Maine, of which we were made so much aware of yesterday—the importance of them.

I would like to go on Record as being very much opposed to the action that was taken by them yesterday.

Senator HICHENS: Mr. President, may I again address the Senate On the Record, please.

THE PRESIDENT: The Senator still has the floor.

Senator HICHENS: Thank you, Mr. President. Regarding the Resolution that we are going to act on in our closing adjournment exercises today, I would just like to go on Record as telling about Mr. Rollins, Representative John Rollins, who I have had the pleasure of serving on my Agriculture Committee while I was Chairman for three terms. What a devoted Representative he was, not only to the State, but to the people he represented.

It is a great loss to our State to have John taken away from us, and we want to express our consolation to Muriel, his wife, who is also devoted in her work here in the Legislature.

Off Record Remarks

Senator **VIOLETTE** of Aroostook was granted unanimous consent to address the Senate Off the Record.

On motion by Senator **VIOLETTE** of Aroostook, **ADJOURNED** until January 10, 1985, at 11 o'clock in the morning, in memory of the Honorable John H. Rollins.