

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
Thursday
February 7, 1985
Senate called to order by the President.

Prayer by Reverend Richard Lloyd of the Faith Baptist Church in Kittery.

REVEREND LLOYD: Shall we unite our hearts together in prayer?

Our heavenly Father we count it a privilege that as we begin this Session, we can pause and come to You, and ask for Your guidance and direction.

Lord, we would pray for these men and women as they have many difficult tasks set before them; in many cases having to iron out the technicalities on bills; on all the things that affect the lives of many here in the State of Maine.

Heavenly Father we come to You and ask for them that these decisions would be right decisions. We pray, Father, for direction, because the results of these decisions will have long lasting effects.

Thank you, heavenly Father, for our government where we may have a government such as this. Lord, we would pray that Thou would providentially lead this Senate in Session today. In Jesus Name we pray. Amen.

Reading of the Journal of Yesterday.

(Off Record Remarks)

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Restrict the Number of Advertising Signs Which May be Displayed by Licensed Retailers" (S.P. 147) (L.D. 414)

In Senate February 5, 1985, referred to the Committee on **BUSINESS AND COMMERCE** and **ORDERED PRINTED**.

Comes from the House, referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**, in **NON-CONCURRENCE**.

On motion by Senator **VIOLETTE** of Aroostook the Senate **INSISTED**.

Sent down for concurrence.

Non-concurrent Matter

Bill "An Act Relating to the Legal Blood-alcohol Level under Maine's Operating under the Influence Laws" (S.P. 153) (L.D. 420)

In Senate February 5, 1985, referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**.

Comes from the House, referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**, in **NON-CONCURRENCE**.

The Senate **RECEDED** and **CONCURRED**.

Non-concurrent Matter

Bill "An Act to Amend the Law Relating to the Installation of Smoke, Heat or Fire Detection Systems in Certain Hotels" (H.P. 276) (L.D. 346)

In House, February 1, 1985, referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**.

In Senate, February 1, 1985, referred to the Committee on **BUSINESS AND COMMERCE** and **ORDERED PRINTED**, in **NON-CONCURRENCE**.

Comes from the House, that **Body INSISTED**.

The Senate **RECEDED** and **CONCURRED**.

Non-concurrent Matter

Bill "An Act to Amend the Law Concerning Smoke Detectors in all Multiapartment Dwellings" (H.P. 279) (L.D. 349)

In House, February 1, 1985, referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**.

In Senate, February 1, 1985, referred to the Committee on **BUSINESS AND COMMERCE** and **ORDERED PRINTED**, in **NON-CONCURRENCE**.

Comes from the House, that **Body INSISTED**.

The Senate **RECEDED** and **CONCURRED**.

House Papers

Bill "An Act to Clarify Restoration to Service Provisions for Recipients of Disability Allowance and Recipients of Retirement Allowances" (H.P. 325) (L.D. 442)

Comes from the House referred to the Committee on **AGING, RETIREMENT AND VETERANS** and **ORDERED PRINTED**.

Which was referred to the Committee on **AGING, RETIREMENT AND VETERANS** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Amend the Severance Pay Law in Regard to Medical Insurance" (H.P. 327) (L.D. 443)

Bill "An Act to Amend Certain Provisions of the Sunday Closing Law" (H.P. 328) (L.D. 444)

Comes from the House referred to the Committee on **BUSINESS AND COMMERCE** and **ORDERED PRINTED**.

Which were referred to the Committee on **BUSINESS AND COMMERCE** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Clarify the Land Use Laws" (H.P. 329) (L.D. 445)

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 Establish a Coyote Snaring Season" (H.P. 330) (L.D. 446)

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

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

Bill "An Act to Reduce Workers' Compensation Rates for Unarmed Security Guards and Watchmen" (H.P. 331) (L.D. 447)

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

On motion by Senator **VIOLETTE** of Aroostook referred to the Committee on **BUSINESS AND COMMERCE** and **ORDERED PRINTED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Bill "An Act Relating to the Membership of and the Payment of Per Diem to Boards" (H.P. 333) (L.D. 448)

Bill "An Act to Provide for Appointment of the Commissioner of Inland Fisheries and Wildlife from within the Department" (H.P. 334) (L.D. 449)

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

Which were referred to the Committee on **STATE GOVERNMENT** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Impose a Sales Tax on Certain Services" (H.P. 335) (L.D. 450)

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

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

Bill "An Act Concerning the Use of Seat Belts in Motor Vehicles" (H.P. 336) (L.D. 451)

Bill "An Act to Repeal the Requirement that Fuel Use Certificate be Carried in the Vehicle

at all Times" (H.P. 337) (L.D. 452)

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

Which were referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**, in concurrence.

Joint Orders

The following Joint Order: (H.P. 306)
ORDERED, the Senate concurring, that the Joint Rules be amended by adding a new Joint Rule 13A to read:

13A. Joint select committee
There shall be a Joint Select Committee on Indian Affairs to review all legislation relating to Indians and Indian land claims after its submission to a joint standing committee but before a public hearing is held on that legislation. The committee shall consist of the representatives from House Districts 131, 137, 139 and 141, the Senators from Senate Districts 3 and 6, the member of the Penobscot Indian Tribe and the member of the Passamaquoddy Indian Tribe elected to represent the tribes at the Legislature and the executive secretary of the Tribal State Commission. The President of the Senate and the Speaker of the House of Representatives shall serve as ex officio members of the committee. The Joint Select Committee on Indian Affairs may make recommendations to the joint standing committee to which the legislation is referred. Comes from the House, **READ** and **PASSED**. Which was **READ**.

On motion by Senator **PEARSON** of Penobscot Tabled for 1 Legislative Day, pending **PASSAGE**.

COMMUNICATIONS

The Following Communication:

THE SENATE OF MAINE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE 04333

February 5, 1985

Honorable Joy J. O'Brien

Secretary of the Senate

State House Station #3

Augusta, ME 04333

Dear Madam Secretary:

Pursuant to Senate Rule 5, please be advised that I have appointed Marsha Hallett to serve as Assistant Sergeant-at-Arms effective Thursday, February 7, 1985.

Marsha will serve as Assistant Sergeant-at-Arms through the One Hundred and Twelfth session.

Sincerely,

S/CHARLES P. PRAY

President of the Senate

Which was **READ** and **ORDERED PLACED ON FILE**.

SENATE PAPERS

Bill "An Act to Make Allocations from the Public Utilities Commission Regulatory Fund for the Fiscal Years Ending June 30, 1986, and June 30, 1987" (Emergency) (S.P. 170) (Presented by Senator **BALDACCI** of Penobscot) (Cosponsored by: Representative **VOSE** of Eastport, Representative **McGOWAN** of Canaan, Representative **E. PARADIS** of Old Town) (Submitted by the Department of Finance and Administration pursuant to Joint Rule 24)

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested.

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

Bill "An Act to License Dietitians" (S.P. 171) (Presented by Senator **GILL** of Cumberland) (Cosponsored by: Senator **BUSTIN** of Kennebec, Representative **TELOW**, Representative **H. MARTIN** of Van Buren.)

Which was referred to the Committee on

BUSINESS AND COMMERCE and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act Relating to Instruction in American Sign Language in Public Schools and Institutions of Higher Education" (S.P. 172) (Presented by Senator **ANDREWS** of Cumberland) (Cosponsored by: Senator **CLARK** of Cumberland, Senator **BROWN** of Washington, Representative **CONNOLLY** of Portland) (Submitted by the Department of Educational and Cultural Services pursuant to Joint Rule 24)

Which was referred to the Committee on **EDUCATION** and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Establish a State Energy Conservation Goal" (S.P. 173) (Presented by Senator **ANDREWS** of Cumberland) (Cosponsored by: Representative **HAYDEN** of Durham, Representative **MICHAUD** of Medway, Senator **USHER** of Cumberland) (Submitted by the Office of Energy Resources pursuant to Joint Rule 24)

Which was referred to the Committee on **ENERGY AND NAURAL RESOURCES** and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Amend Certain Judicial Divisions and Districts of the Maine District Court Statutes" (S.P. 174) (Presented by Senator **CHALMERS** of Knox) (Cosponsored by: Representative **KANE** of S. Portland, Senator **SEWALL** of Lincoln)

Which was referred to the Committee on **JUDICIARY** and **ORDERED PRINTED.**

Sent down for concurrence.

(Off Record Remarks)

Resolve, Authorizing the Conveyance of a Certain Unused Building and Land Owned by the State to the Town of Wells (S.P. 175) (Presented by Senator **DANTON** of York) (Cosponsored by: Senator **HICHENS** of York, Representative **WENTWORTH** of Wells)

Which was referred to the Committee on **STATE GOVERNMENT** and **ORDERED PRINTED.**

Sent down for concurrence.

COMMITTEE REPORTS**House****Ought to Pass As Amended**

The Committee on **LABOR** on 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)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-2).**

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-2).**

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill **READ ONCE.**

Committee Amendment "A" (H-2) **READ** and **ADOPTED**, in concurrence.

The Bill as **Amended TOMORROW ASSIGNED FOR SECOND READING.**

Ought to Pass As Amended

The Committee on **UTILITIES** on Bill "An Act for the Town of Brownville to Acquire the Assets and Liabilities of the Brownville Junction Water District" (Emergency) (H.P. 51) (L.D. 57)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-3).**

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY**

COMMITTEE AMENDMENT "A" (H-3).

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill **READ ONCE.**

Committee Amendment "A" (H-3) **READ** and **ADOPTED**, in concurrence.

The Bill as **Amended TOMORROW ASSIGNED FOR SECOND READING.**

Senate**Ought to Pass**

Senator **BROWN** for the Committee on **EDUCATION** on Bill "An Act Relating to Conferring of Degrees by the Yacht Design Institute Schools" (S.P. 33) (L.D. 41)

Reported that the same **Ought to Pass.**

Which Report was **READ** and **ACCEPTED.**

The Bill **READ ONCE,**

The Bill **TOMORROW ASSIGNED FOR SECOND READING.**

Senate at Ease

The Senate called to order by the President.

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

On motion by Senator **CLARK** of Cumberland **ADJOURNED** until 10 o'clock tomorrow morning in memory of Justice Thomas E. Delahanty of Lewiston.