

# 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 28, 1985  
Senate called to order by the President.

Prayer by Pastor Carl L. Junker of the Wells Congregational Church in Wells.

**PASTOR JUNKER:** Let us be in the mood of prayer. Almighty God, may we begin by thanking You for the beauty of this day, and may we pause in this moment to lift our hearts up to You. We ask of You to give us some healing balm for our wounds and Your divine touch for the troubles in our minds.

We acknowledge dear God, our failure in being brothers and sisters to all those about us: we tend to think that we're better than others, when we are just equals; we take advantage when we should be giving others opportunity; we've avoided others when we should have approached them; we've ignored when we should have helped.

So God, we stand now at the door and we knock. Open it to a new day. We stand at the door and ask. We ask You for that which we cannot buy or build. We stand at the door and seek. We seek Your presence in all that we say and do in this august House of Government.

May we dear God, see once again greatness of our pilgrimage heritage. Help us to see what it is we are to do. Above all else, God, may a surge of understanding purge our hearts, and truly make us brothers and sisters together. Amen.

Reading of the Journal of Yesterday.

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

**COMMITTEE REPORTS**

**Senate**

**Ought to Pass**

Senator **CARPENTER** for the Committee on **JUDICIARY** on Bill "An Act to Repeal Sunset Provisions on Certain Amendments to the Law Regarding Mediation in Domestic Relations Cases" (Emergency) (S.P. 144) (L.D. 411)

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

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

The Bill **READ ONCE**.

**THE PRESIDENT:** Is it now the pleasure of the Senate that Under Suspension of the Rules, that the bill be given its Second Reading by Title Only?

It is a vote.

Under suspension of the rules, the Bill **READ A SECOND TIME**.

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

Senator **CARPENTER:** I offer Senate Amendment "A" (S-5) and move its Adoption, and would speak briefly to my motion.

**THE PRESIDENT:** The Senator from Aroostook, Senator Carpenter offers Senate Amendment "A" (S-5) and moves its Adoption. Senate Amendment "A" (S-5) was **READ**.

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

Senator **CARPENTER:** Mr. President, Ladies and Gentlemen of the Senate, the procedure this morning is a bit unorthodox.

We last year passed a bill which said, "in almost all cases of divorcing parties there must be mediation before you get to court."

In the Errors Bill of the September Special Session, there was another section inserted, which in special cases for good cause you could get before a judge, not to wipe out mediation or to avoid it, but before mediation. This is a situation similar to a hypothetical of a divorcing parent who says, "I'm not going to pay any support until somebody orders me to." In some parts of the State, for example where I practice in Aroostook County, scheduling media-

tion may take several weeks; so you could have a real hardship on the family, on the children, or whatever. So we said, "put this in the Law that for good cause shown you can get before a judge, then schedule mediation, and then go back to court for the final divorce."

That provision which is found in sections 48, 49 and 50 of Chapter 862 of the Third Special Session of the One-Hundred and Eleventh Legislature expires or was sunsetted automatically in March of this year. Both the Maine Trial Lawyers and the Judicial Department thought that it was a good idea to keep that in the law, so they both have brought bills before this session of the Legislature to repeal the "sunset" and in fact, to reenact that provision.

The Judicial Department, Trial Lawyers of the State of Maine, myself, our Legislative assistant's I'm spreading the blame around as best I can this morning, we all believed that the "sunset" date was March 15th. In reality the "sunset" date is tomorrow. If we do not enact this Bill today, then you are going to have potentially—assuming the Legislature reenacts that flexibility provision—you are going to have a "window" period from March 1st until whenever it was reenacted, which would cause great confusion, not only in the courts, with the lawyers, but more particularly among families of divorcing parties.

So what we did, sort of in a rush last night, was to bring this Bill out of Committee, with a unanimous Committee Report, wipe the Bill out, not reenact this provision as such, but simply move the "sunset" date from March 1st to March 31st. The Bill itself that deals with this whole issue is scheduled for hearing next Tuesday, at which time we'll hear from proponents and opponents as to whether or not we should for hearing next Tuesday, at which time we'll hear from proponents and opponents as to whether or not we should keep this provision in the Law.

In the meantime, we need to enact this Bill today. Simply, and this is all the amendment does, which is now the Bill, simply, to move the "sunset" from March 1st to March 31st. I would ask your indulgence, cooperation and help this morning, so we can get this Bill through, and hope we have it enacted in to Law by midnight tonight. Thank you.

(Off Record Remarks)

Senate Amendment "A" (S-5) was **ADOPTED**.

Which under suspension of the Rules, was **PASSED TO BE ENGROSSED, as Amended**.

Ordered sent down forthwith for concurrence.

**PAPERS FROM THE HOUSE**

**Non-concurrent Matter**

Bill "An Act to Establish a Medicaid Budget Process" (S.P. 227) (L.D. 589)

In Senate February 20, 1985, referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**.

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

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

**House Papers**

Bill "An Act to Create the Maine Rainy Day Fund" (H.P. 521) (L.D. 741)

Bill "An Act to Assure Appropriate Education and Treatment of People who are Deaf or Hearing Impaired" (H.P. 522) (L.D. 742)

Bill "An Act Concerning the Funding of Superior Courts in Maine" (H.P. 523) (L.D. 743)

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

Which were referred to the Committee on **APPROPRIATIONS AND FINANCIAL AF-**

**FAIRS** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Enhance Educational Opportunities at the University of Maine at Augusta, Lewiston-Auburn Learning Center" (Emergency) (H.P. 524) (L.D. 744)

Committee on **EDUCATION** suggested and **ORDERED PRINTED**.

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

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

Bill "An Act Establishing Educational Scholarships for Children of Firefighters and Police Officers who Die in the Performance of Their Duty" (H.P. 478) (L.D. 681)

Committee on **EDUCATION** 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 referred to the Committee on **EDUCATION** and **ORDERED PRINTED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Bill "An Act to Prevent Well Water Contamination" (H.P. 525) (L.D. 745)

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 Authorize the Exhibition of Piranha Fish" (H.P. 526) (L.D. 746)

Bill "An Act to Require Completion of an Education Program in Order to be Eligible to Purchase an Initial Trapping License" (H.P. 527) (L.D. 747)

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

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

Bill "An Act to Assure the Public Freedom of Choice of Practitioner in Obtaining Dental Services" (H.P. 532) (L.D. 752)

Committee on **LABOR** suggested and **ORDERED PRINTED**.

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

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

Bill "An Act Concerning the Courtroom Use of Videotaped Testimony of Juveniles" (H.P. 528) (L.D. 748)

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 Prohibit Consumption of Alcoholic Beverages within 15 Feet of a Public Way" (H.P. 529) (L.D. 749)

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

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

Sent down for concurrence.

Bill "An Act to Provide for the Negotiability

Of Transfers, Reassignments and Promotions for Teachers" (H.P. 530) (L.D. 750)

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 Concerning the Composition of the Board of Elevator and Tramway Safety" (H.P. 531) (L.D. 751)

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 to Require that the Lottery Commission Return Over 50% of Receipts to Lottery Participants in the Form of Prizes" (H.P. 533) (L.D. 753)

Bill "An Act Concerning Retail Sales of Beer and Wine" (H.P. 535) (L.D. 754)

Bill "An Act to Provide Equitable Fees for Nonresident Concealed Weapons Permits and to Provide for Reciprocity" (H.P. 536) (L.D. 763)

Come 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 Concerning Financing of Commercial Fishing Vessels under All Financing Programs of the Finance Authority of Maine" (H.P. 537) (L.D. 764)

Resolve, Authorizing the Sale of State-owned Land to the Crisis and Counseling Center (H.P. 538) (L.D. 765)

Come 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 Media Advertising" (H.P. 539) (L.D. 766)

Bill "An Act to Provide the Sales and Use Tax Exemption for Community Action Ministries" (H.P. 540) (L.D. 767)

Come 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.

Bill "An Act to Establish Temporary Handicapped Parking Permits" (H.P. 541) (L.D. 768)

Bill "An Act Concerning Public Access to Rest Facilities on Interstate Route 95" (H.P. 542) (L.D. 769)

Come 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.

#### COMMUNICATIONS

The Following Communication: (S.P. 285)

#### 112th MAINE LEGISLATURE AUGUSTA, MAINE 04333

February 27, 1985

Senator Zachary E. Matthews  
Representative Paul F. Jacques  
Chairpersons  
Committee on Fisheries and Wildlife  
112th Legislature  
Augusta, Maine 04333  
Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Asa Holmes of Belfast for appointment 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/ CHARLES P. PRAY  
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.

The Following Communication: (S.P. 286)  
**112th MAINE LEGISLATURE  
AUGUSTA, MAINE 04333**

February 27, 1985

Senator Zachary E. Matthews  
Representative Paul Jacques  
Chairpersons  
Committee on Fisheries and Wildlife  
112th Legislature  
Augusta, Maine 04333  
Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Marc S. Plourde of Eagle Lake 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/ CHARLES P. PRAY  
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.

#### SENATE PAPERS

Bill "An Act Concerning the Unfunded Liability of the Maine State Retirement System" (S.P. 287) (Presented by Senator **MAYBURY** of Penobscot) (Cosponsored by: Senator **GAUVREAU** of Androscoggin, Representative **STEVENSON** of Unity)

Resolve, Authorizing the Department of Defense and Veterans' Services to Study Benefits Offered by the Maine National Guard as Compared with other States" (S.P. 288) (Presented by Senator **TUTTLE** of York) (Cosponsored by: Senator **GAUVREAU** of Androscoggin)

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

Sent down for concurrence.

Bill "An Act to Make Allocations from the Alcoholism Prevention, Education, Treatment and Research Fund for the Fiscal Year Ending June 30, 1986, and June 30, 1987" (Emergency) (S.P. 289) (Presented by Senator **BUSTIN** of Kennebec) (Cosponsored by: Representative **BRÔDEUR** of Auburn, Representative **ROLDE** of York, Senator **GILL** of Cumberland) (Submitted by the Department of Finance and Administration pursuant to Joint Rule 24)

Which was referred to the Joint Select Committee on **ALCOHOLISM SERVICES** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Appropriate Funds for the State Vietnam Veterans' Memorial" (S.P. 290) (Presented by Senator **CARPENTER** of Aroostook) (Cosponsored by: Representative **PRIEST** of Brunswick, Representative **LISNIK** of Presque Isle, President **PRAY** of Penobscot)

Bill "An Act to Fund Children's Programs of the Maine Coalition for Family Crisis Services" (S.P. 291) (Presented by Senator **GILL** of

Cumberland) (Cosponsored by: Senator **BUSTIN** of Kennebec, Senator **MAYBURY** of Penobscot, Representative **MELENDY** of Rockland)

Which were referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Promote Free Enterprise in Real Estate Transactions" (S.P. 292) (Presented by Senator **CARPENTER** of Aroostook) (Cosponsored by: Representative **KANE** of S. Portland, President **PRAY** of Penobscot, Speaker **J. MARTIN** of Eagle Lake)

Bill "An Act Concerning Licenses and Permits for Eating Establishments Engaged in the Business of Serving Seafoods" (S.P. 293) (Presented by Senator **MAYBURY** of Penobscot) (Cosponsored by: Senator **SEWALL** of Lincoln, Senator **DANTON** of York)

Bill "An Act to Promote Free Enterprise in the Banking and Insurance Industries" (S.P. 294) (Presented by Senator **CARPENTER** of Aroostook) (Cosponsored by: Representative **KANE** of S. Portland, President **PRAY** of Penobscot, Speaker **J. MARTIN** of Eagle Lake)

Bill "An Act Relating to the Assessment of Storage Fees by Motor Vehicle Service Stations" (S.P. 296) (Presented by Senator **GAUVREAU** of Androscoggin) (Cosponsored by: Representative **BOST** of Orono, Representative **SCARPINO** of St. George, Representative **P. STEVENS** of Bangor)

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

Sent down for concurrence.

Bill "An Act to Encourage Early Identification and Treatment of Impaired Physicians" (S.P. 295) (Presented by Senator **CHALMERS** of Knox) (Cosponsored by: Representative **MELENDY** of Rockland, Senator **GILL** of Cumberland, Senator **BUSTIN** of Kennebec) Committee on **BUSINESS AND COMMERCE** suggested.

On motion by Senator **VIOLETTE** of Aroostook referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Clarify the General Assistance Law" (S.P. 297) (Presented by Senator **BERUBE** of Androscoggin) (Cosponsored by: Senator **CARPENTER** of Aroostook)

Bill "An Act to Establish Rights for Individuals Receiving Care from Home Health Care Providers" (S.P. 298) (Presented by Senator **GILL** of Cumberland) (Cosponsored by: Representative **MANNING** of Portland, Representative **PINES** of Limestone) (See Action Later Today)

Bill "An Act to Provide Assistance to Needy Families Facing Foreclosure" (S.P. 299) (Presented by Senator **BUSTIN** of Kennebec) (Cosponsored by: Representative **CARROLL** of Gray)

Bill "An Act to Recognize Transportation as a Basic Necessity in the Department of Human Services" (S.P. 300) (Presented by Senator **BUSTIN** of Kennebec) (Cosponsored by: Representative **CARROLL** of Gray)

Bill "An Act Making Mandatory Certain Discretionary Powers of the Commissioner of Corrections" (S.P. 301) (Presented by Senator **GAUVREAU** of Androscoggin) (Cosponsored by: Senator **GILL** of Cumberland, Representative **JOSEPH** of Waterville, Representative **REEVES** of Pittston)

Bill "An Act Concerning Fraudulent Procurement of Fuel and Weatherization Assistance" (S.P. 302) (Presented by Senator **WEBSTER** of Franklin) (Cosponsored by: Senator **BERUBE** of Androscoggin, Representative **PERRY** of Mexico, Representative **DAVIS** of Monmouth)

Which were referred to the Committee on

**HUMAN RESOURCES and ORDERED PRINTED.**

Sent down for concurrence.

Senate at Ease

The Senate called to order by the President.

Out of Order and Under Suspension of the Rules;

On Motion by Senator **VIOLETTE** of Aroostook; the following Senate Order:

**ORDERED**, that a message be sent to the House of Representatives proposing a Convention of both branches of the Legislature in the Hall of the House of Representatives at 11:00 a.m. for the purpose of extending to His Excellency, Governor Joseph E. Brennan, an invitation to attend the Convention and make such communication as pleases him.

Which was **READ** and **PASSED**.

The President appointed Senator **VIOLETTE** of Aroostook to deliver the message. The Chair requested that the Sergeant-At-Arms escort the Senator to discharge his duty.

Bill "An Act to Provide that an Unpermitted Leave from a Court Appearance shall be Classified as an Escape" (S.P. 303) (Presented by Senator **GILL** of Cumberland) (Cosponsored by: Representative **STETSON** of Damariscotta, Senator **CARPENTER** of Aroostook, Representative **MacBRIDE** of Presque Isle)

Bill "An Act Concerning the Classification of Crimes Committed with a Dangerous Weapon" (S.P. 304) (Presented by Senator **GILL** of Cumberland) (Cosponsored by: Senator **CARPENTER** of Aroostook, Representative **MACOMBER** of S. Portland, Representative **STETSON** of Damariscotta)

Bill "An Act to Require District Courts to Send Copies of all Orders and Judgments to the Parties of Record" (S.P. 323) (Presented by Senator **CHALMERS** of Knox) (Cosponsored by: Senator **CARPENTER** of Aroostook, Representative **ALLEN** of Washington, Representative **MAYO** of Thomaston)

Bill "An Act Relating to Night Court Sessions for Small Claims Court" (S.P. 324) (Presented by Senator **KANY** of Kennebec) (Cosponsored by: Speaker J. **MARTIN** of Eagle Lake, Representative **KANE** of S. Portland)

Bill "An Act Relating to Prostitution" (S.P. 325) (Presented by Senator **GILL** of Cumberland) (Cosponsored by: Senator **CARPENTER** of Aroostook, Representative **STETSON** of Damariscotta)

Bill "An Act Relating to Theft Offenses" (S.P. 326) (Presented by Senator **GILL** of Cumberland) (Cosponsored by: Representative **MACOMBER** of S. Portland, Senator **CARPENTER** of Aroostook, Representative **LEBOWITZ** of Bangor)

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

Sent down for concurrence.

Bill "An Act Relating to Sentencing for Persons Convicted of Repeated Criminal Violations of Operation under the Influence of Intoxicating Liquor or Drugs or with an Excessive Blood-alcohol Level" (S.P. 327) (Presented by Senator **GAUVREAU** of Androscoggin) (Cosponsored by: Representative **BOST** of Orono, Representative **P. PARADIS** of Augusta.)

Committee on **JUDICIARY** suggested.

On motion by Senator **CLARK** of Cumberland referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**.

Sent down for concurrence.

At this point Senator **VIOLETTE** of Aroostook reported that he had delivered the message with which he was charged.

Bill "An Act Concerning Notification Under the Workers' Compensation Laws" (S.P. 328) (Presented by Senator **MATTHEWS** of Kennebec) (Cosponsored by: Senator **GAUVREAU**

of Androscoggin, Representative **BOST** of Orono)

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

Sent down for concurrence.

At this point a message was received from the House of Representatives, through Representative **DIAMOND** of Bangor concurring in the proposition for a Joint Convention to be held in the Hall of the House at 11:00 o'clock for the purpose of extending to His Excellency, Governor Joseph E. Brennan an invitation to attend the convention and make such communication as pleases him.

Bill "An Act to Improve the Neutral Processes under Maine's State Bargaining Law" (S.P. 329) (Presented by Senator **BUSTIN** of Kennebec) (Cosponsored by: Representative **HICKEY** of Augusta)

Committee on **LABOR** suggested.

On motion by Senator **BUSTIN** of Kennebec the Bill and accompanying papers were **INDEFINITELY POSTPONED**.

Sent down for concurrence.

Bill "An Act Concerning the Price which State Agency Retail Stores may charge for Liquor" (S.P. 305) (Presented by President **PRAY** of Penobscot) (Cosponsored by: Representative **MICHAUD** of Medway)

Bill "An Act to Establish an Increase in the Allowable Profit Margin for State Agency Liquor Stores" (S.P. 306) (Presented by President **PRAY** of Penobscot) (Cosponsored by: Representative **MICHAUD** of Medway)

Bill "An Act to Clarify the Laws Relating to Landlords and Tenants" (S.P. 308) (Presented by Senator **NAJARIAN** of Cumberland)

Bill "An Act to Improve Remedies for Substandard Housing" (S.P. 309) (Presented by Senator **NAJARIAN** of Cumberland)

Bill "An Act Relating to Fireworks" (S.P. 330) (Presented by Senator **GILL** of Cumberland) (Cosponsored by: Representative **STETSON** of Damariscotta, Representative **CARRIER** of Westbrook)

Bill "An Act to Amend the Concealed Weapons Law" (S.P. 331) (Presented by Senator **TRAFTON** of Androscoggin) (Cosponsored by: Representative **GWADOSKY** of Fairfield, Senator **PEARSON** of Penobscot, Senator **NAJARIAN** of Cumberland)

Bill "An Act to Establish Age 21 Years as the Legal Age to Purchase or Consume Alcoholic Beverages and to Deter Drinking and Driving by Minors" (Emergency) (S.P. 332) (Presented by President **PRAY** of Penobscot) (Cosponsored by: Senator **USHER** of Cumberland, Representative **CROWLEY** of Stockton Springs, Representative **MASTERMAN** of Milo Submitted by the Department of Public Safety pursuant to Joint Rule 24)

Bill "An Act to Change the Date of the Primary Election" (S.P. 334) (Presented by Senator **MATTHEWS** of Kennebec) (Cosponsored by: Senator **TUTTLE** of York, Representative **BOST** of Orono)

Which were referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act Relating to Service of Process by Sheriffs, Deputies and Constables" (S.P. 307) Presented by Senator **GAUVREAU** of Androscoggin Cosponsored by: Representative **MAYO** of Thomaston, Representative **HANDY** of Lewiston, Representative **A. BAKER** of Orrington

Bill "An Act to Establish a State Uniform Law on Notarial Acts" (S.P. 333) (Presented by Senator **CHALMERS** of Knox) (Cosponsored by: Senator **MAYBURY** of Penobscot, Representative **MELENDY** of Rockland, Representative **MAYO** of Thomaston)

Committee on **LEGAL AFFAIRS** suggested.

On motion by Senator **VIOLETTE** of

Aroostook referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Establish an Aroostook County Budget Committee" (S.P. 310) (Presented by Senator **McBREAIRTY** of Aroostook) (Cosponsored by: Representative **CROUSE** of Caribou, Representative **C.W. SMITH** of Mars Hill, Senator **CARPENTER** of Aroostook)

Bill "An Act Relating to Burial Preparations for Indigent Persons" (S.P. 311) (Presented by Senator **GAUVREAU** of Androscoggin) (Cosponsored by: Representative **G.R. NADEAU** of Saco, Representative **HICKEY** of Augusta, Senator **BERUBE** of Androscoggin)

Bill "An Act to Amend the Law Relating to Deputy Sheriffs, Appointments and Removal" (S.P. 312)

(Presented by Senator **TUTTLE** of York)

Which were referred to the Committee on **LOCAL AND COUNTY GOVERNMENT** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Raise the Amount over which Contractors must Seek Municipal Bonding" (S.P. 314) (Presented by President **PRAY** of Penobscot)

Bill "An Act to Establish a Maine Commission for Men" (S.P. 315) (Presented by Senator **GILL** of Cumberland) (Cosponsored by: Representative **ROLDE** of York, Senator **BUSTIN** of Kennebec, Representative **BAKER** of Portland)

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

Sent down for concurrence.

Resolve, Authorizing and Directing the Maine State Housing Authority to Study and Report on Current Practices Relating to Enforcement of Safe and Habitable Conditions in Rental Housing" (S.P. 313) (Presented by Senator **NAJARIAN** of Cumberland) (Cosponsored by: Representative **BOST** of Orono)

Committee on **STATE GOVERNMENT** suggested.

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

Sent down for concurrence.

Bill "An Act Concerning the Administration of the Unorganized Territory Education and Services Fund" (S.P. 316) (Presented by Senator **McBREAIRTY** of Aroostook) (Cosponsored by: Senator **VIOLETTE** of Aroostook, Senator **CARPENTER** of Aroostook, Representative **McHENRY** of Madawaska)

Bill "An Act Concerning the Excise Tax on Malt Liquor Sold for Consumption on Board a Ship Headed for a Foreign Port" (S.P. 317) (Presented by Senator **DIAMOND** of Cumberland) (Cosponsored by: Representative **DILLENBACK** of Cumberland)

Which were referred to the Committee on **TAXATION** and **ORDERED PRINTED**.

Sent down for concurrence.

Resolve, Authorizing a Study Concerning the Feasibility of a Southern Maine Mass Transit System" (S.P. 318) (Presented by Senator **TUTTLE** of York)

Bill "An Act to Make Additional Allocations from the Highway Fund for the Fiscal Year Ending June 30, 1985" (S.P. 319) (Presented by Senator **DANTON** of York) (Cosponsored by: Representative **THERIAULT** of Fort Kent, Representative **CALLAHAN** of Mechanic Falls, Representative **MILLS** of Bethel)

Bill "An Act Concerning Misuse of Dealer Plates and Clarification of Dealer Plate Provisions" (S.P. 320) (Presented by Senator **MAYBURY** of Penobscot) (Cosponsored by: Senator **DANTON** of York, Representative **THERIAULT** of Fort Kent)

Resolve, to Establish a Commission to

Prepare a Revision of the State's Motor Vehicle Laws" (Emergency) (S.P. 321) (Presented by Senator **TRAFTON** of Androscoggin) (Cosponsored by: Senator **DATON** of York, Representative **POULIOT** of Lewiston, Representative **WARREN** of Scarborough)

Bill "An Act Making Supplemental Allocations from the Highway Fund for the Fiscal Year Ending June 30, 1985" (Emergency) (S.P. 322) (Presented by Senator **DANTON** of York) (Cosponsored by: Representative **THERIAULT** of Fort Kent, Representative **MACOMBER** of S. Portland, Representative **McPHERSON** of Eliot) (Submitted by the Department of Transportation pursuant to Joint Rule 24)

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

Sent down for concurrence.

(Off Record Remarks)

### COMMITTEE REPORTS

#### House

#### Ought Not To Pass

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

Bill "An Act Concerning the Open Season on Partridge" (H.P. 106) (L.D. 131)

#### Leave to Withdraw

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

Bill "An Act to Provide Presumption of Validity to Certain Collective Bargaining Provisions" (H.P. 85) (L.D. 105)

Bill "An Act to Limit the Hunting of Raccoon" (H.P. 59) (L.D. 77)

#### Change of Reference

The Committee on **TRANSPORTATION** on Bill "An Act Relating to One-way Rental Vehicles" (H.P. 140) (L.D. 165)

Reported that the same be **REFERRED** to the Committee on **TAXATION**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TAXATION**.

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

The Bill **REFERRED** to the Committee on **TAXATION**, 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 Change Urinating in Public from Public Indecency to a Lesser Crime" (S.P. 17) (L.D. 10)

### SECOND READERS

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

#### House

Bill "An Act to Authorize an Additional Brigadier General Position in the Maine Army National Guard" (H.P. 120) (L.D. 145)

Which was **READ A SECOND TIME** and **PASSED TO BE ENGROSSED**, in concurrence.

### ORDERS OF THE DAY

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

Bill "An Act to Permit Beano on Sundays after Noon" (S.P. 259) (L.D. 669)

Tabled—February 27, 1985, by Senator **TRAFTON** of Androscoggin.

Pending—**PASSAGE TO BE ENGROSSED** (In Senate February 27, 1985, **RECONSIDERED PASSAGE TO BE ENGROSSED**.)

On motion by Senator **TRAFTON** of Androscoggin, Senate Amendment "A" (S-6) was **READ** and **ADOPTED**.

Which was **PASSED TO BE ENGROSSED**, as **Amended**.

Sent down for concurrence.

Senate at Ease

The Senate called to order by the President.

At this point the Senate retired to the Hall of the House, where a Joint Convention was convened. (For Complete Text see House Record.)

### AFTER JOINT CONVENTION IN SENATE

The Senate called to order by the President

(Off Record Remarks)

On motion by Senator **CLARK** of Cumberland, **RECESSED** until 4:30 o'clock this afternoon.

AFTER RECESS

The Senate called to order by the President.

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

#### ENACTOR

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

#### Emergency

An Act to Extend Sunset Provisions on Certain Amendments to the Law Regarding Mediation in Domestic Relations Cases

(S.P. 144) (L.D. 411)

(S "A" S-5)

This being an emergency measure and having received the affirmative vote of 26 Members of the Senate, with No Senators having voted in negative, and 26 being more than two-thirds of the entire elected membership of the Senate was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

On motion by Senator **GILL** of Cumberland the Senate **RECONSIDERED** its action of earlier in today's session whereby it referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**

Bill "An Act to Establish Rights for Individuals Receiving Care from Home Health Care Providers" (S.P. 298)

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Gill.

Senator **GILL:** Mr. President, at this time I would like to move Indefinite Postponement of that Bill and I would like to explain just briefly why.

**THE PRESIDENT:** The Senator has the floor.

Senator **GILL:** Thank you. The Bill was brought to my attention and it was one of those that we inadvertently got in, I know that a lot of us are waiting for Legislation to come out, but that was one that got in by and got signed before we realized that they weren't going to take it up until next year, so we would like to move Indefinite Postponement this year.

Senate at Ease

The Senate called to order by the President.

On further motion by the same Senator the Bill and accompanying papers was **INDEFINITELY POSTPONED**.

Sent down for concurrence.

(Off Record Remarks)

On motion by Senator **CLARK** of Cumberland.

**ADJOURNED** until 11 o'clock tomorrow morning.