

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
Friday
March 8, 1985

Senate called to order by the President Pro Tem.

Prayer by Pastor Evelyn Draper of the Newfield United Methodist Church in Newfield.

PASTOR DRAPER: Good morning. Let us pray. Most high and holy God, and yet our Father, we bow in awe before Your majesty and power, but still we accept and believe Your words that You are our Father and that Your kingdom is both within and among us. Therefore, we may approach Your throne with confidence, even with boldness.

We pray now, with that confidence, which is Your gift to us, that from this day forward for all time, this room where so many important decisions must be made affecting the lives of so many people, may be filled with the Holy Spirit. May all decisions made here be for the greatest good of all concerned.

We are bold enough to ask now that all who enter here may be so aware of Your Holy Spirit permeating this room, this building. That all anger and ill may disappear, all dissension of any sort quickly cease, and that peace and harmony may reign supreme in the power of Your love.

You have told us that it is because "we ask not that we have not," and we have Your promise that "all things which we ask in the name of Jesus believing will be granted." We hereby claim that promise with thanksgiving and believe that our request is already granted, because we have asked it in the name of Christ, our Lord and Master. Amen.

(Off Record Remarks)

Reading of the Journal of Yesterday.

SENATE PAPERS

Bill "An Act to Prohibit the Use of Chemical Insecticides in the State Budworm Suppression Program after 1985" (S.P. 350) (Presented by Senator BROWN of Washington) (Cosponsored by: Representative MITCHELL of Freeport, Representative WILLEY of Hampden)

Committee on AGRICULTURE suggested.
On motion by Senator BROWN of Washington Tabled until Later in Today's Session, pending REFERENCE.

Bill "An Act Relating to Medicaid Reimbursement Rates for Audiology and Speech Pathology" (Emergency) (S.P. 351) (Presented by Senator BUSTIN of Kennebec) (Cosponsored by: Representative T. MURPHY of Kennebec, Representative MELENDY of Rockland, Representative NELSON of Portland)
Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS suggested.

On motion by Senator PEARSON of Penobscot Tabled 1 Legislative Day, pending REFERENCE.

Bill "An Act Concerning Attendance in Public Schools" (S.P. 352) (Presented by Senator DUTREMBLE of York)

Which was referred to the Committee on EDUCATION and ORDERED PRINTED.
Sent down for concurrence.

Bill "An Act to Implement the Recommendations of the Maine Land and Water Resources Council Ground Water Review Policy Committee" (S.P. 353) (Presented by Senator KANY of Kennebec) (Cosponsored by: Representative MICHAUD of Medway, Senator TRAFTON of Androscoggin, Representative MITCHELL of Freeport) (Submitted by the Department of En-

vironmental Protection pursuant to Joint Rule 24)

Which was referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED.
Sent down for concurrence.

Resolve, Establishing the Maine Commission on the Role of State Government in Providing Independent Living Opportunities and Services to Disabled Persons in Maine (S.P. 355) (Presented by Senator GILL of Cumberland) (Cosponsored by: Senator ANDREWS of Cumberland, Representative LISNIK of Presque Isle, Representative TAYLOR of Camden)

Which was referred to the Committee on HUMAN RESOURCES and ORDERED PRINTED.
Sent down for concurrence.

Bill "An Act to Provide Retraining Opportunities to Persons Whose Employment Terminates as a Result of a Plant Closing" (S.P. 354) (Presented by Senator TUTTLE of York.)

Which was referred to the Committee on LABOR and ORDERED PRINTED.
Sent down for concurrence.

Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1986, and June 30, 1987" (Emergency) (S.P. 356) (Presented by Senator DANTON of York) (Cosponsored by: Representative THERIAULT of Fort Kent, Representative SOUCY of Kittery, Representative McPHERSON of Eliot) (Submitted by the Department of Finance and Administration pursuant to Joint Rule 24)

Which was referred to the Committee on TRANSPORTATION 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 Clarify the Land Use Laws" (H.P. 329) (L.D. 445)

Change of Reference

The Committee on JUDICIARY on Bill "An Act to Clarify the Definition of Spouse and to Add a Definition of Substantial Gainful Activity" (H.P. 426) (L.D. 606)

Reported that the same be REFERRED to the Committee on AGING, RETIREMENT AND VETERANS.

Comes from the House with the Report READ and ACCEPTED and the Bill REFERRED to the Committee on AGING, RETIREMENT AND VETERANS.

Which Report was READ and ACCEPTED in concurrence.

The Bill REFERRED to the Committee on AGING, RETIREMENT AND VETERANS, in concurrence.

Ought to Pass

The Committee on AGRICULTURE on Bill "An Act to Amend the Weights and Measures Law" (H.P. 233) (L.D. 274)

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 Bill TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

The Committee on AGRICULTURE on Bill "An Act to Lower the Storage Temperature of Milk" (H.P. 146) (L.D. 180)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-13).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-13).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.
Committee Amendment "A" (H-13) READ and ADOPTED, in concurrence.

The Bill as Amended TOMORROW ASSIGNED FOR SECOND READING.

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Establish a Maine Rivers Grant Program" (Emergency) (H.P. 100) (L.D. 125)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-12).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-12).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.
Committee Amendment "A" (H-12) was READ and ADOPTED, in concurrence.

The Bill as Amended TOMORROW ASSIGNED FOR SECOND READING.

The Committee on JUDICIARY on Bill "An Act to Increase the Fees of Bail Commissioners" (H.P. 9) (L.D. 7)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-8).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-8).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.
Committee Amendment "A" (H-8) READ and ADOPTED, in concurrence.

The Bill as Amended TOMORROW ASSIGNED FOR SECOND READING.

Senate

Ought Not To Pass

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

Bill "An Act to Increase the Salary for the Judge of Probate for Cumberland County" (S.P. 103) (L.D. 301)

Ought to Pass As Amended

Senator TUTTLE for the Committee on LABOR on Bill "An Act Amending the Municipal Public Employees Labor Relations Act to Provide for Newly Recognized or Certified Bargaining Agent to Bargain Fiscal Matters within 120 Days of Conclusion of Current Fiscal Operating Budget" (S.P. 164) (L.D. 433)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-11)

Which Report was READ and ACCEPTED. The Bill READ ONCE.

Committee Amendment "A" (S-11) READ and ADOPTED.

The Bill as Amended TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass in New Draft

Senator TUTTLE for the Committee on LOCAL AND COUNTY GOVERNMENT on Bill "An Act Concerning the Licensing of

Victuallers, Innkeepers and Tavernkeepers" (S.P. 42) (L.D. 59)

Reported that the same **Ought to Pass in New Draft** under same title (S.P. 357) (L.D. 938)

Which Report was **READ** and **ACCEPTED**. The Bill in **NEW DRAFT READ ONCE**.

The Bill in **NEW DRAFT TOMORROW ASSIGNED FOR SECOND READING**.

Ought to Pass in New Draft under New Title

Senator **PEARSON** for the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Make Additional Appropriations from the General Fund for the Fiscal Year Ending June 30, 1985" (Emergency) (S.P. 177) (L.D. 495)

Reported the same **Ought to Pass in New Draft under New Title** Bill "An Act Making Appropriations from the General Fund and Changing Certain Provisions of the Law Necessary for the Proper Operation of State Government for the Fiscal Years Ending June 30, 1985, and June 30, 1986 (Emergency) (S.P. 349) (L.D. 937)

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

The Bill in **NEW DRAFT under NEW TITLE READ ONCE**.

The Bill in **NEW DRAFT under NEW TITLE TOMORROW ASSIGNED FOR SECOND READING**.

SECOND READERS

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

House

Bill "An Act for the Repeal of Obsolete Provisions Providing Accidental Death Benefits" (H.P. 248) (L.D. 302)

Bill "An Act to Establish a Uniform Fee for Whitewater Guides Licenses" (Emergency) (H.P. 91) (L.D. 111)

Bill "An Act to Allow Municipal Officers to Appoint Deputy Treasurers and Deputy Tax Collectors" (H.P. 8) (L.D. 6)

Bill "An Act to Clarify the Procedure for Preparing Ballots for Municipal Elections" (H.P. 64) (L.D. 82)

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

House As Amended

Bill "An Act to Designate the 3rd Week in October as Maine Business Women's Week" (H.P. 201) (L.D. 235) (C "A" H-10)

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

Senate As Amended

Bill "An Act to Allow the Secretary of State to Issue License Plates for Former Prisoners of War" (S.P. 46) (L.D. 63) (C "A" S-10)

Which were **READ A SECOND TIME** and **PASSED TO BE ENGROSSED, as Amended**. Sent down for concurrence.

On motion by Senator **BROWN** of Washington the Senate removed from the Table and Later Today assigned matter:

Bill "An Act to Prohibit the Use of Chemical Insecticides in the State Budworm Suppression Program after 1985" (S.P. 350)

Tabled—March 8, 1985, by Senator **BROWN** of Washington

Pending—**REFERENCE** (Committee on **AGRICULTURE** suggested.)

On motion by same Senator Tabled 1 Legislative Day, pending **REFERENCE**.

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

Senator **PERKINS**: Thank you, Madam President. Ladies and Gentlemen of the Senate:

"Throughout the year at each event The Senator from York speaks to this Body

under unanimous consent.

His pleasant words are made to rhyme Committees of Education and State Government take up his time.

As you can see at poetry I'm really not able but please join me in turning the tables in a pleasant way on Senator Walter Hichens on his birthday."

On motion by Senator **NAJARIAN** of Cumberland

ADJOURNED until Tuesday, March 12, 1985 at 10:00 o'clock in the morning.