

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**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  
 March 14, 1985  
 Senate called to order by the President.

Prayer by Reverend Robert Gustafson of the First Congregational Church in Blue Hill.

REVEREND GUSTAFSON: Let us pray! O God in whom resides all might and power and wisdom, who has given us the gift of this another day, help us to use it wisely and well. Spare us from wasting time on the wrong things or things which matter little. Furnish us with clear minds and committed spirits which will foster great and good people for the well being of the entire State. Amen.

Reading of the Journal of Yesterday.

**PAPERS FROM THE HOUSE**  
**Non-concurrent Matter**

Bill "An Act to Provide for Contingency Needs of Intermediate Care Facilities for the Mentally Retarded" (S.P. 346) (L.D. 941)

In Senate March 7, 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**.

Out of Order and Under Suspension of the Rules:

On motion of Senator **VIOLETTE** of Aroostook, the following Joint Order (S.P. 380)

**ORDERED**, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday March 19, 1985, at 10:00 in the morning.

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

Sent down forthwith for concurrence.

**House Papers**

Bill "An Act to Appropriate Funds for Emergency Medical Services in Maine" (H.P. 692) (L.D. 987)

Bill "An Act to Increase the Number of Revenue Agents" (H.P. 693) (L.D. 988)

Come 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 AFFAIRS** and **ORDERED PRINTED**, in concurrence.

Bill "An Act Providing for Repair, Maintenance and Operation of State-owned Dam on Dead River, Androscoggin County" (H.P. 680) (L.D. 986)

Committee on **ENERGY AND NATURAL RESOURCES** suggested.

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 to Require that the Educational School Year Consist of 175 Consecutive Days" (H.P. 694) (L.D. 989)

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 Relating to the Coordination of

Benefits under the Workers' Compensation Act" (H.P. 695) (L.D. 990)

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 Prohibit Frivolous Challenges to Absentee Ballots" (H.P. 696) (L.D. 991)

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 to Grant Municipalities the Option of Repairing Private Roads Within Subdivisions" (H.P. 702) (L.D. 996)

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

Which was referred to the Committee on **LOCAL AND COUNTY GOVERNMENT** and **ORDERED PRINTED**, in concurrence.

Resolve, Pertaining to a State Employee Health Promotion (Emergency) (H.P. 697) (L.D. 992)

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 Meals and Lodging Tax" (H.P. 698) (L.D. 993)

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 Pertaining to Actions by the Board of Directors of Transit Districts" (H.P. 699) (L.D. 994)

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

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

Bill "An Act Concerning Winter Termination of Water Utility Service" (H.P. 700) (L.D. 995)

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

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

(Off Record Remarks)

**COMMUNICATIONS**

The Following Communication:

**STATE OF MAINE**  
**DEPARTMENT OF PUBLIC SAFETY**  
**36 HOSPITAL STREET**  
**AUGUSTA, ME 04333**

March 1, 1985

The Honorable Charles P. Pray, President  
 Maine Senate  
 State House  
 Augusta, Maine 04333

Dear President Pray:

Enclosed herewith please find a report to the 112th Maine Legislature on "The Effectiveness of the Current Motorcycle Helmet Law", prepared by the Department of Public Safety, Bureau of Safety in compliance with Chapter 415 — Public Laws of 1983.

It is my pleasure to transmit this report to the Legislature and should any questions arise concerning its contents, please have your

members contact this office at any time.

Sincerely,  
 S/ ALBERT L. GODFREY, SR.

Director, Bureau of Safety  
 Which was **READ** and with accompanying papers **ORDERED PLACED ON FILE**.

The Following Communication: (S.P. 379)  
**112th LEGISLATURE**

March 13, 1985

Senator Georgette B. Berube  
 Representative Merle Nelson  
 Committee on Human Resources  
 112th Legislature  
 Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Sandra K. Prescott of Bucks Harbor for reappointment as Chair of the State Health Coordinating Council.

Pursuant to Federal Law, P.L. 96-79 Section 1524 (b) (2) of the Health and Planning and Resources Development Amendments, this renomination 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.

The Following Communication:

**STATE OF MAINE**  
**MAINE DEPARTMENT**  
**OF CONSERVATION**  
**STATE HOUSE STATION 22**  
**AUGUSTA, MAINE 04333**

March 11, 1985

TO: Senate President Charles Pray  
 FROM: Richard B. Anderson, Commissioner  
 Department of Conservation

RE: Report on the Maine Conservation Corps

The Maine Conservation Corps recently completed its first program year. As required by L.D. 1510, a report on its activities has been written for the Legislature. The attached report documents the accomplishments of what I and many others consider a very successful program.

Governor Brennan has submitted legislation which will authorize the Conservaton Corps beyond its current expiration date of June 30, 1985.

I would be pleased to provide any additional information you need about the year's activities or the proposed legislation.

Which was **READ** and with accompanying papers **ORDERED PLACED ON FILE**.

(Off Record Remarks)

**SENATE PAPERS**

Bill "An Act to Improve the Benefits under Maine's State Retirement Law" (S.P. 382) (Presented by Senator **BUSTIN** of Kennebec) (Cosponsored by: Representative **P. PARADIS** of Augusta, Senator **McBREAIRTY** of Aroostook)

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

Bill "An Act to Clarify and Improve the Laws on Education in the Unorganized Territory" (S.P. 381) (Presented by Senator **BROWN** of Washington) (Cosponsored by: Representative **CROUSE** of Caribou, Representative **ROBERTS** of Farmington, Representative **LAWRENCE** of Parsonfield) (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 Require the Use of Seat Belts in all Motor Vehicles" (S.P. 383) (Presented by Senator **VIOLETTE** of Aroostook) (Cosponsored by: Senator **DANTON** of York, Representative **MURRAY** of Bangor, Representative **PINES** of Limestone) (Submitted by the Department of Public Safety pursuant to Joint Rule 24)

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

Sent down for concurrence.

#### 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 to Increase the Veterans' Property Tax Exemption" (H.P. 123) (L.D. 148)

##### 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:

Resolve, to Name the Bridge Between Randolph and Gardiner the Philip E. Woods Bridge (H.P. 503) (L.D. 706)

##### Change of Reference

The Committee on **AGRICULTURE** on Bill "An Act to Define Farm Laborers" (H.P. 470) (L.D. 673)

Reported that the same be **REFERRED TO THE COMMITTEE ON LABOR**.

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

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

The Bill **REFERRED** to the Committee on **LABOR**, in concurrence.

##### Ought to Pass As Amended

The Committee on **AGRICULTURE** on Bill "An Act Relating to the Adulteration of Food" (H.P. 213) (L.D. 247)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-17)**.

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-17)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-17) was **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TAXATION** on Bill "An Act to Establish the Cost of the 1985 Spruce Budworm Suppression Project and to Provide Operating Funds for the Spruce Budworm Management Program" (Emergency) (H.P. 348) (L.D. 469)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-18)**.

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-18)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-18) was **READ** and **ADOPTED**, in concurrence.

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

##### Ought to Pass in New Draft

The Committee on **AGRICULTURE** on Bill "An Act Concerning Dogs Running-at-large" (H.P. 147) (L.D. 181)

Reported that the same **Ought to Pass in New Draft** under same title (H.P. 701) (L.D. 959)

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill, in **NEW DRAFT PASSED TO BE ENGROSSED**.

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

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

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

##### Divided Report

The Majority of the Committee on **MARINE RESOURCES** on Bill "An Act Regarding Notice of Municipal Shellfish Conservation Programs" (H.P. 45) (L.D. 51)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-15)**.

Signed:

Sensors:

CHALMERS of Knox  
SHUTE of Waldo  
BROWN of Washington

Representatives:

SALSBURY of Bar Harbor  
VOSE of Eastport  
MANNING of Portland  
RICE of Stonington  
CROWLEY of Stockton Springs  
CONNERS of Franklin  
MITCHELL of Freeport  
RUHLIN of Brewer  
COLES of Harpswell

The Minority of the same Committee on the same subject reported that the same **Ought Not to Pass**.

Signed:

Representative: SCARPINO of St. George  
Comes from the House with the Majority **Ought to Pass as Amended Report READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-15)**

Which Reports were **READ**.

The Majority **UGHT TO PASS AS AMENDED** Report was **ACCEPTED**, in concurrence.

The Bill **READ ONCE**.

Committee Amendment "A" (H-15) was **READ** and **ADOPTED**, in concurrence.

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

##### Senate

##### 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 an Accident and Sickness or Health Insurance Program to Retired Teachers" (S.P. 193) (L.D. 511)

Bill "An Act Permitting a Certified Tax Assessor, upon Reaching the Age of 62, to Attend School Every Other Year for 32 Hours Instead of 16 Hours Every Year" (S.P. 102) (L.D. 300)

##### SECOND READERS

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

##### House

Bill "An Act Concerning Recordation of Interment" (H.P. 130) (L.D. 155)

Bill "An Act Concerning Deliveries of Annual Estimates for County Taxes" (H.P. 190) (L.D. 224)

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

Bill "An Act to Amend the Weir Licensing Law" (Emergency) (H.P. 677) (L.D. 939)

Which was **READ A SECOND TIME**.  
On motion by Senator **BUSTIN** of Kennebec, Senate Amendment "A" (S-17) was **READ** and **ADOPTED**.

Which was **PASSED TO BE ENGROSSED, as Amended**, in **NON-CONCURRENCE**.

Sent down for concurrence.

##### House As Amended

Bill "An Act to Revise the License Suspension Penalties Relating to Marine Resources" (H.P. 47) (L.D. 53) (C. "A" H-16)

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

##### Senate As Amended

Bill "An Act Concerning the Holidays on which Courts must Close" (S.P. 48) (L.D. 64) (C "A" S-15)

Which was **READ SECOND TIME** and **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 Amend the Weights and Measures Law (H.P. 233) (L.D. 274)

An Act to Increase the Fees of Bail Commissioners (H.P. 9) (L.D. 7) (C "A" H-8)

An Act to Ensure Consistency Between 2 State Laws Concerning Personal Care Assistance Services (S.P. 35) (L.D. 43) (C "A" S-7)

An Act to Lower the Storage Temperature of Milk (H.P. 146) (L.D. 180) (C "A" H-13)

Which were **PASSED TO BE ENACTED** and having been signed by the President, were presented by the Secretary to the Governor for his approval.

##### ORDERS OF THE DAY

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

An Act to Deny Certain State Funds to Any Person Who Refuses to Register Under the United States Military Selective Services Act (H.P. 643) (L.D. 897)

Tabled—March 13, 1985, by Senator **TRAF-TON** of Androscoggin

Pending—**ENACTMENT** (Roll Call Requested)

(In House March 12, 1985, **ENACTED**.)

(In Senate March 13, 1985, Motion to **INDEFINITELY POSTPONE** Bill and accompanying papers **FAILED**.)

On motion by Senator **TRAF-TON** of Androscoggin Tabled 1 Legislative Day, pending **ENACTMENT**.

##### Senate at Ease

The Senate called to order by the President.

##### (Off Record Remarks)

The **ADJOURNMENT ORDER** having been returned from the House, **READ** and **PASSED**, in concurrence, on motion by Senator **CHALMERS** of Knox, **ADJOURNED** until Tuesday, March 19, 1985, at 10 o'clock in the morning.