

# 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  
March 20, 1985  
Senate called to Order by the President.

Prayer by the Reverend Peter Bastien of the Faith Lutheran Church in North Windham.

REVEREND BASTIEN: Let us pray. Almighty ruler of us all, You have made us to be both Caesar and Caesar's subjects. You have given us wrapped in the blessing of the free this dual and difficult duty to fulfill. Give us the meekness of wisdom to know that the good laws that we make are not our laws simply to do with as we please, but have upon them Your hallowed instancy, Your inviolable majesty.

That when we make and honor bad laws we are flouting You the righteous one and You will visit on us our unfaithfulness.

Teach us to know that we who have been elected to serve the people as Your instruments with Your sword in our hands. Teach us to bow before Your majesty hidden in such deep desire. Amen.

Reading of the Journal of Yesterday.

#### PAPERS FROM THE HOUSE

##### Non-concurrent Matter

Bill "An Act to Establish a Spent Nuclear Fuel Disposal Trust Fund" (S.P. 370) (L.D. 1004)

In Senate March 13, 1985, referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED.

Comes from the House referred to the Committee on UTILITIES and ORDERED PRINTED in NON-CONCURRENCE

The Senate RECEDED and CONCURRED.

##### House Papers

Bill "An Act to Amend the Eastport Port Authority Charter" (H.P. 629)

Committee on UTILITIES suggested.

Comes from the House, Bill and accompanying papers INDEFINITELY POSTPONED.

On motion by Senator BROWN of Washington the Bill and accompanying papers were INDEFINITELY POSTPONED in concurrence.

#### SENATE PAPERS

Bill "An Act to Extend the Fine Schedule and to Make Certain Other Charges for Overweight Violations" (S.P. 389) (Presented by Senator DANTON of York) (Cosponsored by: Representative POULIOT of Lewiston, Representative SOUCY of Kittery) (Submitted by the Department of Transportation pursuant to Joint Rule 24)

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

Sent down for concurrence.

(Off Record Remarks)

#### COMMITTEE REPORTS

##### House

##### 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 Amend the Subdivision Law" (H.P. 164) (L.D. 198)

Bill "An Act to Provide Technical Assistance to Water Utilities in Developing Ground Water Source Protection Plans" (H.P. 291) (L.D. 380)

##### Ought to Pass As Amended

The Committee on AGING, RETIREMENT AND VETERANS on Bill "An Act to Clarify Accidental Death Benefits Payable to Spouses and Children of Members" (H.P. 230) (L.D. 271)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-21)

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-21)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-21) READ and ADOPTED, in concurrence.

The Bill as Amended TOMORROW ASSIGNED FOR SECOND READING.

The Committee on AGING, RETIREMENT AND VETERANS on Bill "An Act to Clarify Restoration to Service Provisions for Recipients of Disability Allowances and Recipients of Retirement Allowances (H.P. 325) (L.D. 442)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-22).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-22).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-22) 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 Extend the Shoreland Zone in some Municipalities" (H.P. 165) (L.D. 199)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-25).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-25).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-25) was 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 Assess the Impact of Agricultural Chemicals and Practices on Ground Water" (H.P. 294) (L.D. 383)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-24).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-24).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-24) READ and ADOPTED, in concurrence.

The Bill as Amended TOMORROW ASSIGNED FOR SECOND READING.

The Committee on JUDICIARY on Bill "An Act to Allow the Department of Corrections to Release Certain Information Pertaining to its Inmates which is a Matter of Public Record" (H.P. 35) (L.D. 37)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-23).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-23).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-23) READ and ADOPTED, in concurrence.

The Bill as Amended TOMORROW ASSIGNED FOR SECOND READING.

##### Ought to Pass in New Draft

The Committee on TRANSPORTATION on Bill "An Act Relating to Legislative Plate Assignments Under the Motor Vehicle Laws" (Emergency) (H.P. 208) (L.D. 242)

Reported that the same Ought to Pass in New Draft under same title (Emergency) (H.P. 740) (L.D. 998)

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.

#### 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 Require Investigations and Reports on All Accidents Involving Police Cars" (S.P. 266) (L.D. 709)

#### SECOND READERS

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

##### House

Bill "An Act to Make Additional Allocations to the Department of Inland Fisheries and Wildlife for the Fiscal Year Ending June 30, 1985" (Emergency) (H.P. 635) (L.D. 903)

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

##### House As Amended

Bill "An Act to Amend the Maine Spruce Budworm Management Act" (H.P. 267) (L.D. 337) (C "A" H-19)

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

#### Senate

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. 386) (L.D. 1056)

Which was READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

#### Senate at Ease

The Senate called to order by the President.

#### ENACTORS

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

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

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

An Act Concerning the Licensing of Victuallers, Innkeepers and Tavernkeepers (S.P. 357) (L.D. 938)

An Act Pertaining to Law Enforcement Officers and Public Office Holding (H.P. 467) (L.D. 616) (S "A" S-8)

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) (C. "A" S-11)

An Act to Revise the License Suspension

Penalties Relating to Marine Resources. (H.P. 47) (L.D. 53) (C "A" H-16)

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:

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) (C "A" H-18)

Tabled—March 19, 1985, by Senator **VIOLETTE** of Aroostook

Pending—**PASSAGE TO BE ENGROSSED AS AMENDED**

(In House March 13, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-18).**)

(In Senate March 19, 1985, **READ A SECOND TIME.**)

On motion by Senator **TWITCHELL** of Oxford the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** its action whereby it **ADOPTED** Committee Amendment "A" (H-18)

Committee Amendment "A" (H-18) as Amended by Senate Amendment "A" (S-18) thereto **ADOPTED**, in **NON-CONCURRENCE.**

On further motion of same Senator, Senate Amendment "A" (S-18) to Committee Amendment "A" (H-18) **READ** and **ADOPTED** was **PASSED TO BE ENGROSSED as Amended**, in **NON-CONCURRENCE.**

Sent down for concurrence.

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

#### ORDER

##### Joint Order

On motion by Senator **TUTTLE** of York, the following Joint Order: (S.P. 390)

**ORDERED**, the House concurring, that Joint Order, establishing a Joint Select Committee to Study the Shoe Industry, S.P. 121, be amended by striking out all of the 6th paragraph and inserting in its place the following:

'**ORDERED**, that the committee shall consist of 7 members, as follows: Four members of the House of Representatives, to be appointed by the Speaker of the House; and 3 members of the Senate, to be appointed by the President of the Senate. The President of the Senate and the Speaker of the House shall be ex officio members of the committee. The committee shall select chairmen from among its members, one of whom shall be a Senator and one of whom shall be a Representative; and be it further'

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

Sent down for concurrence.

(Off Record Remarks)

Senate at Ease

The Senate called to order by the President.

Senator **MATTHEWS** of Kennebec was granted unanimous consent to address the Senate On the Record.

Senator **MATTHEWS**: Mr. President, and Members of the Senate, I'll just be very brief, just a minute or two.

I feel very very strongly that I must rise today with some concern and feeling very, very upset or concerned that yesterday in a hearing on a bill that was presented to divest State monies in South Africa that an unfortunate situation arose which concerned me to the point of rising before this Body.

A position was taken by the Maine Christian Civic League in opposition to the Bill to Divest Monies in South Africa and I feel that that was not in keeping with the history of the Civic

League to stand very strongly behind issues of morality, ethics, and justice. Needless to say this young Senator was deeply surprised by their actions.

It seems to me that it is not in keeping with the spirit of what we believe in as liberty in this Country and justice for all of mankind. It is certainly in my estimation not in keeping with the perceptions of the Bible that I think we all strongly believe in.

I hope that today, sometime, I can get a clarification of their position. The testimony submitted by their representative yesterday stemmed in opposition to the Bill precisely because there wasn't any injustice in South Africa, there was no racial prejudice in South Africa, there was no intolerance by government in South Africa, and that just runs contrary to everything that I have been able to read in the press, everyone that I have been able to hear. I am hopeful that the representative of the Civic League stayed for the entire debate, because we had some people from South Africa, who did very, very well (better than I) in explaining the oppression that has been historically part of the development of South Africa.

One other thing that I would like to mention on the Record on this issue is an unbelievably long job in bringing these oppressions to an end by the Christian churches in South Africa. One only needs to go to the history of that country to see the development of the church in that country and the opposition by the Christian church to the government's racial policies.

I am again sorry for belaboring this point but I just felt very, very strongly that some one should mention it, not only to the Legislature, but the people of the State of Maine should know that there is a different viewpoint.

(Off Record Remarks)

On motion by Senator **MATTHEWS** of Kennebec,

**ADJOURNED** until 10 o'clock tomorrow morning.