

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
Monday
April 22, 1985
Senate called to Order by the President.

Prayer by Reverend H. Everett Wiswell of the United Methodist Church in Waldoboro.

REVEREND WISWELL: Let us pray. Almighty God, You who direct and inspire the hearts of all of us, including our fathers and our mothers, to set forth the independence of these United States and this State of Maine, we give You all the glory and praise — the author of our liberty and the sure defense of our safety.

We pray that by Your grace we may be enabled to build wisely on these foundations of freedom and of peace. That we may hold our liberties of the due process of law making in high esteem. In all things seek that righteousness which exalts us as a State.

Kindle in our hearts the true pure flame of Your love and care, as we seek to meet the needs of the people we serve; and grant that the fire of leadership may shine as beacon lights through these respected halls, O God, that we may point the way of all people to love and care for one another.

Be with us this day as we debate, vote, and carry out the democratic process. Bless us and use us that Your Holy Will may be done. In Jesus' Name we pray. Amen.

Reading of the Journal of Friday, April 19, 1985.

(Off Record Remarks)

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Provide for the Negotiability of Transfers, Reassignments and Promotions for Teachers" (H.P. 530) (L.D. 750)

In House, April 9, 1985, Bill and Accompanying Papers **INDEFINITELY POSTPONED**.

In Senate, April 11, 1985, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE** and the **BILL PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-61) in **NON-CONCURRENCE**.

Comes from the House, Bill and accompanying papers **RECOMMENDED** to the Committee on **LABOR** in **NON-CONCURRENCE**.

On motion by Senator **VIOLETTE** of Aroostook Tabled until Later in Today's Session, pending **FURTHER CONSIDERATION**.

House Papers

Bill "An Act Concerning the Payment of Interest on Mortgage Escrow Accounts" (H.P. 945) (L.D. 1354)

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

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

Bill "An Act to Provide the State Payment for Residential Placements for Special Education Students in the Current Year" (Emergency) (H.P. 946) (L.D. 1355)

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 to Limit the Number of Clients Assigned to Human Services Caseworkers" (H.P. 940) (L.D. 1350)

Comes from the House referred to the Com-

mittee 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 Provision of Certain Reports for Court-ordered Examinations" (Emergency) (H.P. 947) (L.D. 1356)

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 Relating to Dragging Prohibited in the Frenchboro Areas" (H.P. 941) (L.D. 1351)

Bill "An Act to Enhance the Marine Fisheries Resources of the State" (H.P. 942) (L.D. 1352)

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

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

Resolve, to Authorize Granting a Sewer Line Easement on State Land to the Town of Thomaston (Emergency) (H.P. 948) (L.D. 1357)

Bill "An Act to Provide for One-stop State Licensing and Permitting of Businesses" (H.P. 930) (L.D. 1349)

Resolution, Proposing an Amendment to the Constitution of Maine to Correct Certain Inconsistencies Relating to Civil Offices (H.P. 943) (L.D. 1353)

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 Relating to the Maine State Ferry Service" (H.P. 949) (L.D. 1358)

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.

Reported Pursuant to Resolves of 1983

The Commission to Examine the Availability, Quality and Delivery of Services Provided to Children with Special Needs Reports pursuant to Resolve 1983, Chapter 47 as amended by Resolve 1983, Chapter 86, that the accompanying Resolve, Relating to the Development of an Interagency Plan to Address the Identified Gaps in Mental Health Services for Children and Families (Emergency) (H.P. 931) (L.D. 1337)

Be referred to the Joint Standing Committee on **HUMAN RESOURCES** for Public Hearing and **ORDERED PRINTED**, pursuant to Joint Rule 18.

Comes from the House with the Report **READ** and **ACCEPTED**, and the Resolve referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**, pursuant to Joint Rule 18.

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

The Resolve referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**, pursuant to Joint Rule 18, in concurrence.

Reported Pursuant to Resolves of 1983

The Commission to Examine the Availability, Quality and Delivery of Services Provided to Children with Special Needs Reports pursuant to Resolve 1983, Chapter 47, as amended by Resolve 1983, Chapter 86, that the accompanying Resolve, Relating to Improved Delivery of Services to

Juvenile Justice Clients (Emergency) (H.P. 932) (L.D. 1338)

Be referred to the Joint Standing Committee on **HUMAN RESOURCES** for Public Hearing and **ORDERED PRINTED**, pursuant to Joint Rule 18.

Comes from the House with the Report **READ** and **ACCEPTED**, and the Resolve referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**, pursuant to Joint Rule 18.

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

The Resolve referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**, pursuant to Joint Rule 18, in concurrence.

Reported Pursuant to Resolves of 1983

The Commission to Examine the Availability, Quality and Delivery of Services Provided to Children with Special Needs Reports pursuant to Resolve 1983, Chapter 47, as amended by Resolve 1983, Chapter 86, that the accompanying Resolve, Relating to the Development of a Plan for the Provision of Court-ordered Evaluations for Juveniles (Emergency) (H.P. 933) (L.D. 1339)

Be referred to the Joint Standing Committee on **HUMAN RESOURCES** for Public Hearing and **ORDERED PRINTED**, pursuant to Joint Rule 18.

Comes from the House with the Report **READ** and **ACCEPTED**, and the Resolve referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**, pursuant to Joint Rule 18.

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

The Resolve referred to the Committee on **HUMAN RESOURCES**, and **ORDERED PRINTED**, pursuant to Joint Rule 18, in concurrence.

Reported Pursuant to Resolves of 1983

The Commission to Examine the Availability, Quality and Delivery of Services Provided to Children with Special Needs Reports pursuant to Resolve 1983, Chapter 47, as amended by Resolve 1983, Chapter 86, that the accompanying Resolve, Relating to the Development of an Interdepartmental Medicaid Review Committee (Emergency) (H.P. 934) (L.D. 1340)

Be referred to the Joint Standing Committee on **HUMAN RESOURCES** for Public Hearing and **ORDERED PRINTED**, pursuant to Joint Rule 18.

Comes from the House with the Report **READ** and **ACCEPTED**, and the Resolve referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**, pursuant to Joint Rule 18.

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

The Resolve referred to the Committee on **HUMAN RESOURCES**, and **ORDERED PRINTED**, pursuant to Joint Rule 18, in concurrence.

Reported Pursuant to Resolves of 1983

The Commission to Examine the Availability, Quality and Delivery of Services Provided to Children with Special Needs Reports pursuant to Resolve 1983, Chapter 47, as amended by Resolve 1983, Chapter 86, that the accompanying Resolve, Extending the Life of the Commission to Examine the Availability, Quality and Delivery of Services Provided to Children with Special Needs (Emergency) (H.P. 935) (L.D. 1341)

Be referred to the Joint Standing Committee on **HUMAN RESOURCES** for Public Hearing and **ORDERED PRINTED**, pursuant to Joint Rule 18.

Comes from the House with the Report **READ** and **ACCEPTED**, and the Resolve referred to the Committee on **HUMAN RE-**

SOURCES and **ORDERED PRINTED**, pursuant to Joint Rule 18.

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

The Resolve referred to the Committee on **HUMAN RESOURCES**, and **ORDERED PRINTED**, pursuant to Joint Rule 18, in concurrence.

Reported Pursuant to Resolves of 1983

The Commission to Examine the Availability, Quality and Delivery of Services Provided to Children with Special Needs Reports pursuant to Resolve 1983, Chapter 47, as amended by Resolve 1983, Chapter 86, that the accompanying Resolve, Relating to the Development of an Interdepartmental Plan to Identify Needed Resources for a Statewide Network of Out-of-home Placements and After-care, Follow-up and Transitional Services (Emergency) (H.P. 936) (L.D. 1342)

Be referred to the Joint Standing Committee on **HUMAN RESOURCES** for Public Hearing and **ORDERED PRINTED**, pursuant to Joint Rule 18.

Comes from the House with the Report **READ** and **ACCEPTED**, and the Resolve referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**, pursuant to Joint Rule 18.

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

The Resolve referred to the Committee on **HUMAN RESOURCES**, and **ORDERED PRINTED**, pursuant to Joint Rule 18, in concurrence.

Senate at Ease

The Senate called to Order by the President.

COMMUNICATIONS

The Following Communication:

112th LEGISLATURE

COMMITTEE ON STATE GOVERNMENT
April 19, 1985

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6 Section 151, and with Joint Rule 38 of the 112th Maine Legislature, the Joint Standing Committee on State Government has had under consideration the nomination of M. Kelley Matzen of Auburn, as a Commissioner of the Maine State Housing Authority.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS:	Senators	1
	Representatives	8

NAYS:		0
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ABSENT: 4 (Sen. Andrews of Cumberland, Sen. Hichens of York, Rep. Descoteaux of Biddeford and Rep. Dillenback of Cumberland)

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of M. Kelley Matzen of Auburn, as a Commissioner of the Maine State Housing Authority be confirmed.

Sincerely,
S/ JUDY C. KANY

Senate Chair

S/ DAN A. GWADOSKY
House Chair

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

THE PRESIDENT: The Joint Standing Committee on **STATE GOVERNMENT** has recommended that the nomination of M. Kelley Matzen be confirmed.

The pending question before the Senate is:

Shall the recommendation of the Committee on **STATE GOVERNMENT** be overridden.

In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 112th Legislature, the vote will be taken by the yeas and nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

Senator **TRAFTON** of Androscoggin requested and received permission to abstain from voting due to the appearance of a Conflict of Interest.

The Doorkeepers will secure the Chamber. The Secretary will call the Roll.

Roll Call

YEAS:—None

NAYS:—Senators, Andrews, Berube, Black, Brown, Bustin, Carpenter, Chalmers, Clark, Diamond, Dutremble, Emerson, Erwin, Gauvreau, Gill, Hichens, Maybury, McBreairty, Pearson, Perkins, Sewall, Shute, Tuttle, Twitchell, Usher, Violette, Webster, The President—Charles P. Pray.

ABSENT:—Senators, Baldacci, Danton, Dow, Kany, Matthews, Najarian, Stover.

No Senators having voted in the affirmative and 27 Senators having voted in the negative, with 7 Senators being absent, and 1 Senator being excused, and None being less than two-thirds of the membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of M. Kelley Matzen was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

STATE OF MAINE SENATE CHAMBER

OFFICE OF THE PRESIDENT

April 19, 1985

Hon. Joy J. O'Brien
Secretary of the Senate
State House Station #3
Augusta, ME 04333

Dear Madam Secretary:

Pursuant to my authority under P.L. 1985 Chapter 42, I have today appointed the following Senators to serve on the Joint Select Committee on Milk Pricing.

Senator Michael E. Carpenter

Senator Jerome Emerson

If you have any questions about these appointments, please let me know.

Sincerely,

S/ CHARLES P. PRAY
President of the Senate

Which was **READ**.

On motion by Senator **VIOLETTE** of Aroostook, Tabled until Later in Today's Session, pending **PLACING ON FILE**.

Joint Select Committee on ALCOHOLISM SERVICES

Senator **ANDREWS** for the Joint Select Committee on **ALCOHOLISM SERVICES** pursuant to Joint Order S.P. 65, ask leave to report that the accompanying Bill, "An Act to Make Additional Allocations from the Alcohol Premium Fund" (S.P. 505) (L.D. 1365)

Be referred to the Joint Select Committee on **ALCOHOLISM SERVICES** for Public Hearing and **ORDERED PRINTED**, pursuant to Joint Rule 19.

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

The Bill referred to the Joint Select Committee on **ALCOHOLISM SERVICES** and **ORDERED PRINTED**, pursuant to Joint Rule 19.

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 Reduce the Length of the Deer Hunting Season" (H.P. 105) (L.D. 130)

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 Establish Mandatory Energy Efficiency Building Performance Standards for the State" (H.P. 569) (L.D. 840)

Bill "An Act to Provide for a Forest Campsite Program" (H.P. 774) (L.D. 1095)

Bill "An Act to Provide for Local Administration of the Emergency Assistance Program for Needy Families with Children" (H.P. 355) (L.D. 524)

Ought To Pass

The Committee on **LOCAL AND COUNTY GOVERNMENT** on Resolve, for Laying of the County Taxes and Authorizing Expenditures of Franklin County for the Year 1985 (Emergency) (H.P. 938) (L.D. 1344)

Reported that the same **Ought To Pass** pursuant to Joint Order: (H.P. 56)

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

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

Under Suspension of the Rules, the Resolve **READ Twice** and **PASSED TO BE ENGROSSED**, in concurrence.

The Committee on **LOCAL AND COUNTY GOVERNMENT** on Resolve, for Laying of the County Taxes and Authorizing Expenditures of Lincoln County for the Year 1985 (Emergency) (H.P. 927) (L.D. 1332)

Reported that the same **Ought To Pass** pursuant to Joint Order: (H.P. 56)

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A"** (H-75).

Which Report was **READ**.

On motion by Senator **VIOLETTE** of Aroostook, Tabled until Later in Today's Session, pending **ACCEPTANCE OF COMMITTEE REPORT**.

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 Clarify Financial Eligibility Standards for Public Assistance With Respect to Hospitals and Nursing Homes and Promote Equitable and Consistent Enforcement of such Standards" (S.P. 151) (L.D. 418)

Bill "An Act Concerning the Unfunded Liability of the Maine State Retirement System" (S.P. 287) (L.D. 776)

Ought to Pass As Amended

Senator **TUTTLE** for the Committee on **LOCAL AND COUNTY GOVERNMENT** on Bill "An Act to Deorganize Plantation 14" (S.P. 90) (L.D. 270)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (S-51).

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

Committee Amendment "A" (S-51) **READ** and **ADOPTED**.

The Bill as **Amended ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION**.

Ought to Pass in New Draft

Senator **GAUVREAU** for the Committee on

EDUCATION on Bill "An Act Establishing a Pilot Project to Provide Liaison to Families of Children with Special Needs Within the Department of Educational and Cultural Services" (S.P. 131) (L.D. 371)

Reported that the same **Ought to Pass in New Draft** under same title. (S.P. 503) (L.D. 1363)

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

The Bill in **NEW DRAFT ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION**.

SECOND READERS

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

House:

Bill "An Act to Expand the Membership of the Maine Occupational Information Coordinating Committee" (H.P. 730) (L.D. 1039)

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

Senate

Bill "An Act Concerning the Administration of Public Improvements Under the Supervision of the Department of Transportation" (S.P. 57) (L.D. 76)

Bill "An Act to Amend the Department of Environmental Protection Laws" (S.P. 414) (L.D. 1144)

Bill "An Act Concerning the Requirements for Licensing Private Investigators" (S.P. 502) (L.D. 1347)

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

Sent down for concurrence.

ENACTORS

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

An Act Concerning Motor Vehicle Insurance and the Household Exclusion. (S.P. 481) (L.D. 1300)

An Act to Provide for Registration of Bottle Clubs. (H.P. 905) (L.D. 1282)

An Act to Amend the Maine Consumer Credit Code. (S.P. 482) (L.D. 1301)

An Act to Authorize the Use of Energy Service Companies and 3rd-Party Financing for Conservation Improvements at State Facilities. (H.P. 302) (L.D. 391)

An Act Relating to Septic System Permits (H.P. 910) (L.D. 1299)

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

An Act to Amend the Municipal General Assistance Law. (H.P. 576) (L.D. 847) (H. "A" H-71)

On motion by Senator **PEARSON** of Penobscot, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **ENACTMENT**.

An Act to Provide Funding for Mapping of Streams in the Jurisdiction of the Maine Land Use Regulation Commission. (H.P. 253) (L.D. 307) (C. "A" H-70)

On motion by Senator **PEARSON** of Penobscot, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **ENACTMENT**.

Resolve

Resolve, to Authorize State Funding of the Penobscot Nation Museum. (H.P. 911) (L.D. 1302)

On motion by Senator **PEARSON** of Penobscot, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **FINAL PASSAGE**.

Emergency

An Act to Make Allocations for the Public

Utilities Commission Regulatory Fund for the Fiscal Years Ending June 30, 1986, and June 30, 1987. (S.P. 170) (L.D. 493) (C. "A" S-42)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in the negative, and 28 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 **VIOLETTE** of Aroostook, Out of Order and Under Suspension of the Rules, the Senate considered the following:

Emergency Resolve

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Knox County for the Year 1985. (H.P. 914) (L.D. 1305)

THE PRESIDENT: The Chair recognizes the Senator from Knox, Senator Chalmers.

Senator **CHALMERS:** Mr. President, I rise to speak to protest the process of county government. I ask you not to vote against the Knox County Budget; it would do the citizens of Knox a disservice, but I really would like just a second of your time to protest the process.

There may have been a logic at some time to this process, but I fail to see the logic now, though some people have tried to show me what the logic is. There is no municipal involvement and no control. I, as a municipal officer, was invited to one public hearing where I was presented with the budget; I didn't have any input at all.

As a Legislator, I went to one meeting and I tried to have some input, and I was told "that's your business now; you do with it what you want—you take the heat!" I came over here and I tried to work on the budget; while it is all very nice to say that if I objected and I asked you all to vote against it, some of you would vote against it—that is not meaningful input.

Why should I vote on the Knox County Budget? Why should you vote on the Knox County Budget? Why should Senator Sewall who has some towns? Why should Senator Perkins who has forty-four residents in Knox county—why should he vote?

I object to the process. I object to the forty-nine percent increase in the budget; but this isn't the place to fight that increase. The place to fight would have been back with municipal involvement, not now.

I will vote for the budget under protest. I thank you for listening.

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with 1 Senator having voted in the negative was **FINALLY PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Amend the Maine Consumer Credit Code. (H.P. 154) (L.D. 188) (C. "A" H-69)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in the negative, and 28 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 **CLARK** of Cumberland,

RECESSED until 5 o'clock this afternoon.

After Recess

The Senate called to Order by the President.

There being no objections, all matters previously acted upon were ordered sent down

forthwith.

Senate proceeded under Orders of the Day. There being no objection, the following items were considered inclusively:

Emergency

An Act to Authorize the Sale of Frozen Lobster Tails (H.P. 231 L.D. 272) (C "A" H-68)

Emergency

An Act to Make Permanent the Special Fuel Tax Act (H.P. 316 L.D. 405) (H "A" H-72)

Emergency

An Act to Make Additional Allocations from the Federal Expenditure Fund for the Fiscal Year Ending June 30, 1985 (H.P. 742 L.D. 1052)

Emergency

An Act to Make Allocations from the Maine Nuclear Emergency Planning Fund for the Fiscal Years Ending June 30, 1986, and June 30, 1987 (H.P. 741 L.D. 1051)

Emergency

An Act to Appropriate and Allocate Oil Overcharge Money (H.P. 906 L.D. 1283)

These being Emergency Measures and having received the affirmative votes of 25 Members of the Senate, with No Senators having voted in the negative, and 25 being more than two-thirds of the entire elected membership of the Senate were **PASSED TO BE ENACTED** and having been signed by the President, were presented by the Secretary to the Governor for his approval.

Emergency

An Act to Increase the Annual Public Utilities Commission Regulatory Fund Assessment and to Clarify the Current Statutes (H.P. 417 L.D. 583) (C "A" H-67)

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

Emergency Resolve

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Aroostook County for the year 1985 (H.P. 913) (L.D. 1304)

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with No Senators having voted in negative was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Senator **TWITCHELL** of Oxford was granted unanimous consent to address the Senate Off the Record.

Out of Order and under Suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Protect Lobster Gear" (H.P. 445 L.D. 627)

In House, April 17, 1985, Minority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

In Senate, April 18, 1985, Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

Comes from the House that Body **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

On motion by Senator **VIOLETTE** of Aroostook, Tabled 1 Legislative Day, pending **FURTHER CONSIDERATION**.

SENATE PAPERS

Bill "An Act to Improve Delivery of Child Protective Services (S.P. 506)

Presented by Senator **BUSTIN** of Kennebec Cosponsored by: Senator **CHALMERS** of Knox, Representative **ROLDE** of York

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

Sent down for concurrence.

Bill "An Act Concerning Golf Course

Employees as Nonseasonal Employees Under the Employment Security Law" (S.P. 507) (Presented by Senator **DOW** of Kennebec) (Cosponsored by: Representative **WEYMOUTH** of West Gardiner.) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

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

Resolve, Authorizing Clayton, Maryann, Jeremy, and Elizabeth Huff to Bring Civil Action Against the State and Cumberland County (S.P. 508) (Presented by Senator **NAJARIAN** of Cumberland) (Cosponsored by: Senator **ANDREWS** of Cumberland, Representative **O'GARA** of Westbrook.)

Which was referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**.
Sent down for concurrence.

Senate at Ease

The Senate called to Order by the President.

COMMITTEE REPORTS

House

Ought Not To Pass

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

Bill "An Act to Prohibit Use of Motor Vehicle Mirrors that Distort the Actual Image" (H.P. 625) (L.D. 894)

Bill "An Act to Require Rear Window Defoggers or Defrosters on Automobiles" (H.P. 623) (L.D. 892)

Bill "An Act Relating to Diesels and Diesel-electric Locomotives Operating in Reverse or Backup Positions" (H.P. 117) (L.D. 142)

Bill "An Act to Change the Dates for Submission of Estimates of County Expenses" (H.P. 117) (L.D. 142)

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 Amend the Electric Rate Reform Act to Explicitly Allow Conservation Activities by Gas Utilities" (H.P. 290) (L.D. 360)

Ought to Pass As Amended

The Committee on **EDUCATION** on Bill "An Act to Amend the School Volunteer Program" (Emergency) (H.P. 454) (L.D. 655)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-76)

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-76) **AS AMENDED BY HOUSE AMENDMENT "A"** (H-80) thereto.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-76) was **READ**.

House Amendment "A" (H-80) to Committee Amendment "A" (H-76) was **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-76) as Amended by House Amendment "A" (H-80) thereto, **ADOPTED**, in concurrence.

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

Ought to Pass in New Draft

The Committee on **BUSINESS AND COMMERCE** on Bill "An Act to Amend the Fair Credit Reporting Act" (H.P. 438) (L.D. 620)

Reported that the same **Ought to Pass in New Draft** under same title (H.P. 939) (L.D. 1345)

Comes from the House, 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**.

The Committee on **EDUCATION** on Bill "An Act to Allow School Administrative Units to Provide Services to Preschool Handicapped Students" (H.P. 310) (L.D. 399)

Reported that the same **Ought to Pass in New Draft** under same title (H.P. 944) (L.D. 1346)

Comes from the House, 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**.

SECOND READERS

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

Senate

Bill "An Act Establishing a Pilot Project to Provide Liaison to Families of Children with Special Needs Within the Department of Educational and Cultural Services" (S.P. 503) (L.D. 1363)

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

Sent down for concurrence.

Senate As Amended

Bill "An Act to Deorganize Plantation 14" (S.P. 90) (L.D. 270) (C "A" S-51)

Which was **READ A 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 Liquor Laws (H.P. 904) (L.D. 1281)

An Act Confirming and Ratifying the Transfer of Real Estate by the Ogunquit Beach District to the Ogunquit Village Corporation and Confirming the Right of the Town of Ogunquit to Permit the Use of a Portion thereof for Parking (H.P. 342) (L.D. 459)

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 Provide for the Negotiability of Transfers, Reassignments and Promotions for Teachers" (H.P. 530) (L.D. 750) (C "A" H-61)

Tabled - April 22, 1985, by Senator **VIOLETTE** of Aroostook.

Pending - **FURTHER CONSIDERATION**

(In House, April 9, 1985, Bill and Accompanying Papers **INDEFINITELY POSTPONED**.)

(In Senate, April 12, 1985, Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-61) Report **READ** and **ACCEPTED** in **NON-CONCURRENCE** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-61) in **NON-CONCURRENCE**.)

(In House, April 19, 1985, Bill and Accompanying Papers **RECOMMITTED** to the Committee on **LABOR** in **NON-CONCURRENCE**.)

On motion by Senator **VIOLETTE** of Aroostook Tabled Unassigned, pending **FURTHER CONSIDERATION**.

The President laid before the Senate the sec-

ond Tabled and Specially Assigned matter:

Communication regarding the Joint Select Committee on Milk Pricing, To the Secretary of the Senate, From the President of the Senate Tabled - April 22, 1985, by Senator **VIOLETTE** of Aroostook.

Pending - **PLACING ON FILE**

(In Senate, April 22, 1985, **READ**.)

Which was **ORDERED PLACED ON FILE**.

The President laid before the Senate the Tabled and Specially Assigned matter:

HOUSE REPORT - from the Committee on **LOCAL AND COUNTY GOVERNMENT** on Resolve, for Laying of the County Taxes and Authorizing Expenditures of Lincoln County for the Year 1985 (Emergency) (H.P. 927) (L.D. 1332)

Report - **Ought to Pass** pursuant to Joint Order (H.P. 56)

Tabled - April 22, 1985, by Senator **VIOLETTE** of Aroostook

Pending - **ACCEPTANCE OF COMMITTEE REPORT**

(In House, April 19, 1985, Report **READ** and **ACCEPTED** and the Resolve, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A"** (H-75).)

(In Senate, April 22, 1985, Report **READ**.)

On motion by Senator **VIOLETTE** of Aroostook, Tabled 1 Legislative Day, pending **ACCEPTANCE OF COMMITTEE REPORT**.

Senator **TWITCHELL** of Oxford was granted unanimous consent to address the Senate Off the Record.

Off Record Remarks

On motion by Senator **TWITCHELL** of Oxford, **ADJOURNED** until 9 o'clock tomorrow morning.