

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
 May 20, 1985
 Senate called to Order by the President.

Prayer by Reverend Moses Baker of the Kennebec Valley Assembly of God in Augusta.

REVEREND BAKER: Shall we pray. Our eternal and everlasting Father, we thank You today for the privilege of being able to come to You; to be able to call upon You, Oh God, for guidance and strength and wisdom. We thank You today for Your goodness, mercy, and graces that You have extended to us.

We thank You for each lawmaker that's here today, Oh God, that are working to help the citizens of this great State. We ask, Oh God, that Your hand be upon them; that You'll help them through all their decisions today; help them through all the hard decisions they have to make; give them wisdom and guidance; help them to make the right decisions, we pray.

We just thank You for everything, Father. In Jesus' Name we pray. Amen.

Reading of the Journal of Friday, May 17, 1985.

PAPERS FROM THE HOUSE
Non-concurrent Matter

Bill "An Act to Clarify the Definition of Spouses" (H.P. 426) (L.D. 606) (C "A" H-102) In Senate, May 3, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-102)**, in concurrence.

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-102) AS AMENDED BY HOUSE AMENDMENT "B" (H-153)** thereto, in **NON-CONCURRENCE**.

The Senate **RECEDED AND CONCURRED**.

Non-concurrent Matter

Bill "An Act to Prevent Double Benefits for the Same Period of Service, to Provide Membership as of the Effective Date of First Contributions and to Provide that Benefits be Paid only to Members, their Dependents or Beneficiaries" (H.P. 999) (L.D. 1441)

In Senate, May 3, 1985, **PASSED TO BE ENGROSSED**, in concurrence.

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "B" (H-152)**, in **NON-CONCURRENCE**.

The Senate **RECEDED AND CONCURRED**.

House Papers

Bill "An Act to Limit Pari-mutuel Wagering to Agricultural Fairs" (Emergency) (H.P. 1068) (L.D. 1557)

Committee on **LEGAL AFFAIRS** suggested.

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

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

Bill "An Act to Permit the Incorporation of Subsidiary Trust Companies" (Emergency) (H.P. 1056) (L.D. 1536)

Bill "An Act to Limit the Grounds for Termination of an Insurance Agency Appointment" (Emergency) (H.P. 1057) (L.D. 1537)

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

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

Resolve, Authorizing the Exchange or Sale of

Certain Public Reserved Lands (H.P. 1060) (L.D. 1546)

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 Amend the Law Establishing a Commercial Tag for Atlantic Salmon to Exempt Indians and Persons under 16 Years of Age" (Emergency) (H.P. 1048)

Committee on **FISHERIES AND WILDLIFE** suggested.

Comes from the House with the Bill and Accompanying Papers **INDEFINITELY POSTPONED**.

Which was referred to the Committee on **FISHERIES AND WILDLIFE** and **ORDERED PRINTED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Joint Resolution

The Following Joint Resolution: H.P. 1059 **JOINT RESOLUTION MEMORIALIZING THE SECRETARY OF TRANSPORTATION, THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS OF THE UNITED STATES TO ESTABLISH A SAFETY REQUIREMENT PROVIDING FOR THE INSTALLATION OF SEAT BELTS FOR PERSONS RIDING IN OPEN-BACK VEHICLES**

WE, your Memorialists, the Senate and House of Representatives of the State of Maine in the One Hundred and Twelfth Legislature, now assembled, most respectfully present and petition the Honorable Elizabeth Dole, Secretary of Transportation; the Honorable Ronald W. Reagan, the President of the United States; and the Congress of the United States, as follows:

WHEREAS, the United States Code, Title 15, Section 1392.(d), outlines the supremacy of federal safety standards for all types of motor vehicles; and

WHEREAS, these federal standards do not require seat belts in open-back motor vehicles; and

WHEREAS, as a result, no state, or political subdivision of a state, has the authority to require safety equipment beyond the federal standard; and

WHEREAS, there is great concern over injuries and death of people being thrown from or falling out of the back of open-back vehicles and the inability of the State of Maine to correct this problem; now, therefore, be it

RESOLVED, That We, your Memorialists, do hereby respectfully urge the Secretary of Transportation, the President of the United States and the Congress of the United States to establish a safety requirement by regulation or legislation to provide for installation of seat belts for all persons riding in open-back vehicles (pickups); and be it further

RESOLVED, That a copy of this resolution, duly authenticated by the Secretary of State, be transmitted by the Secretary of State to the Secretary of Transportation, the President of the United States, the President of the Senate and the Speaker of the House of Representatives in the Congress of the United States and to each member of the Senate and House of Representatives in the Congress from this State.

Comes from the House **READ** and **ADOPTED**.

Which was **READ** and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

May 17, 1985

To the Honorable Members of the 112th Maine Legislature:

I am returning without my signature or approval L.D. 1397, "An Act to License Dietitians."

This bill would establish Maine's 42nd occupational licensing board and have it license those persons who are already recognized as competent by the American Dietetic Association. But the proposal fails to reach those most likely to harm the public.

No evidence has been put forth to demonstrate that the public health, safety or well-being are being harmed by the people to be licensed. Quite the contrary. Harm to the public is more likely to be done by those who are exempted from licensure, such as promoters and salesmen of dietary supplements. And, ironically, this bill also exempts from licensure those who serve participants in state and federally funded head start programs, and the women, infant and children's program; those who can least afford but who most need the best professional dietary guidance.

In the too little considered area of administrative remedies, the overriding questions which a state must ask before turning to licensure as a remedy are (1) whether the unlicensed practice of an occupation poses a serious risk to the consumers' life, health and safety or economic well-being; (2) whether potential users of the occupational service can be expected to possess the knowledge needed to properly evaluate the qualifications of those offering services; and (3) whether benefits to the public clearly outweigh any potential harmful effects such as a decrease in the availability of practitioners, higher costs of goods and services, and restrictions on optimum utilization of personnel.

An application of these tests to this proposal leads to the conclusion that this bill serves no public purpose. In fact, all that this bill would accomplish is the enhancement of the status of the occupational group which is, in and of itself a desirable goal, but which is, in my opinion, not adequate reason for the bill to become law.

This bill fails the fundamental "public needs" tests.

Lastly, this bill extends the police power of the state in an unwarranted manner. It would make violations of the board's rules Class E crimes, punishable by up to six months in jail with fines up to \$500. This is unnecessarily punitive and a dangerous extension of the state's police power.

For these reasons I must veto this bill.

Sincerely,
 S/ JOSEPH E. BRENNAN
 Governor

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

The Accompanying Bill:
 "An Act to License Dietitians" (S.P. 520) (L.D. 1397)

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

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 Protect Health Benefits for Divorced Spouses" (H.P. 831) (L.D. 1175)

Resolve, Reimbursing Counties which Provide Space to Superior Courts" (H.P. 554) (L.D.826)

Bill "An Act to Transfer the Power to Issue Concealed Weapon Permits to the Commissioner of Public Safety" (H.P. 187) (L.D. 221)

Bill "An Act to Provide Retailers of Malt and Vinous Beverages with a 7-Working Day Credit Period" (H.P. 443) (L.D. 625)

Bill "An Act to Provide a Uniform Waiting Period Prior to the Purchase of a Handgun" (H.P. 597) (L.D. 867)

Bill "An Act to Amend Municipal General Assistance" (H.P. 791) (L.D. 1121)

Bill "An Act Concerning Exemptions to Licensing Requirements for Tree Removal" (H.P. 1023) (L.D. 1475)

Bill "An Act Concerning the Operation of All Terrain Vehicles" (H.P. 766) (L.D. 1086)

Bill "An Act to Amend Certain Fish and Game Laws" (H.P. 756) (L.D. 1077)

Bill "An Act to Clarify the Maine Highway Transportation Reform Act" (H.P. 620) (L.D. 890)

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 Concerning the Property Tax Lien Process" (H.P. 902) (L.D. 1297)

Bill "An Act to Amend the Charter of the Portland Water District" (H.P. 652) (L.D. 922)

Bill "An Act to Establish a Maine Self-service Storage Act" (H.P. 234) (L.D. 275)

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

Bill "An Act Relating to Removal of Children from Certain Foster Homes" (H.P. 994) (L.D. 1431)

Bill "An Act Relating to a 5-year Review Period under the Retirement Laws" (H.P. 97) (L.D. 122)

Bill "An Act Allowing for Voter Registration at a Polling Place on Election Day" (H.P. 135) (L.D. 160)

Bill "An Act to Establish the Last Friday in October preceding a General Election as the Final Day for Voter Registration" (H.P. 94) (L.D. 114)

Bill "An Act Relating to Leases of Aquaculture" (H.P. 986) (L.D. 1416)

Bill "An Act to Amend the Certificate of Need Act" (H.P. 236) (L.D. 277)

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

Bill "An Act to Allow Licensed Dentists to Participate in any Prepaid Dental Group" (H.P. 555) (L.D. 827)

Resolve, Creating a Commission to Study Reduced Benefit Low-cost Health Insurance Coverage (H.P. 867) (L.D. 1224)

Bill "An Act to Contain Health Care Costs by Providing for a Study of Mandated Benefits" (H.P. 421) (L.D. 601)

Bill "An Act to Establish the Director of the Maine State Housing Authority as a Nonvoting Commissioner of the State Authority" (H.P. 198) (L.D. 232)

Bill "An Act Concerning Salaries for Cooperative Extension Service Staff" (H.P. 917) (L.D. 1323)

Bill "An Act Relating to Reimbursements to No Spray Towns" (H.P. 848) (L.D. 1197)

Bill "An Act to Permit Travel of Heavy Equipment on Posted Roads" (H.P. 888) (L.D. 1245)

Bill "An Act Relating to the Reporting of Highway Statistics" (H.P. 903) (L.D. 1298)

Ought to Pass As Amended

The Committee on **LOCAL AND COUNTY GOVERNMENT** on Bill "An Act Concerning the Allocation of Costs Incurred for Incarceration in County Jails" (H.P. 219) (L.D. 253)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-132)**.

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-132)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-132) **READ**

and **ADOPTED**, in concurrence.

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

Committee of Conference

The **Committee of Conference** on the disagreeing action between the two branches of the Legislature, on Resolve, to Name the Wiscasset Bridge the Donald E. Davey Bridge (H.P. 373) (L.D. 492)

Have had the same under consideration, and ask leave to report that the House **RECEDE** from **Passage to be Engrossed**; that Committee of Conference Amendment "A" (H-120) be **Read and Adopted** and the Resolve **Passed to be Engrossed as Amended by Conference Committee Amendment "A" (H-120)**, in **NON-CONCURRENCE**.

That the Senate **Recede and Concur** with the House.

Signed on the part of the House:
Representative MAYO of Thomaston
Representative MILLS of Bethel
Representative STROUT of Corinth

Signed on the part of the Senate:
Senator DANTON of York
Senator CHALMERS of Knox
Senator SHUTE of Waldo

Comes from the House, with the Committee of Conference Report **READ** and **REJECTED** subsequently, that Body **INSISTED** and asked for a **SECOND COMMITTEE OF CONFERENCE**.

Which Report was **READ** and **REJECTED** in concurrence.

On motion by Senator **CHALMERS** of Knox, the Senate Joined in a **SECOND COMMITTEE OF CONFERENCE** in concurrence.

Off Record Remarks

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 just want to briefly thank the President and all of you for giving me the opportunity to bring down an outstanding athlete from a school that has always been very dear to my heart, Oak Grove-Coburn School.

I had the pleasure of being a member of that school, a student at that school in its inception, when it started. I remember some turbulent years, as many of the private schools in the State are having; but I found the experience and the academic life and the extracurricular life in sports, music and other things, to be a stimulating experience, and I just thank the good Lord above, and everybody in the State, for giving me an opportunity to go there.

Today, I do want to get up and say just a couple of words about Derrick Counts who has done an amazing feat I think in the State of Maine, compiling some outstanding athletic records in basketball at the school.

The school is still a rather small school, as I remember from when I was a student, less than two-hundred students, and yet Derrick has managed to break the scoring records in the State of Maine; has managed to not only become most valuable player at the school, I think three years in a row, but also managed to be one of the most outstanding Maine athletes in sportsmanship, which I think tells you a great deal about Derrick Counts. He's recognized across the State of Maine. He's not only a super basketball player, a smart individual, a hard-working student, but also a sportsman on the court and off the court. It's very seldom that we, in this Chamber, and in the State of Maine, get the pleasure to recognize such a gifted athlete.

The other day we had a gentlemen from Van Buren, another outstanding ball player, Matt Rossignol, who has also done very well and will be forever remembered in the history books;

but it's very nice to know that the two ball players will be facing each other on the court, and I'm sure will continue their friendship off the court.

I won't belabor it any longer, but it is an honor for me just to recognize the headmaster and Derrick Counts from Oak Grove-Coburn. Thank you.

Divided Report

The Majority of the Committee on **EDUCATION** on Bill "An Act to Extend the National School Breakfast Program Availability to Maine School Children" (H.P. 563) (L.D. 834)

Reported that the same **Ought Not to Pass**.

Signed:

Senator: HICHENS of York

Representatives:

BOST of Orono
MATTHEWS of Caribou
ROBERTS of Farmington
LAWRENCE of Parsonsfield
FOSS of Yarmouth
BROWN of Gorham
CROUSE of Caribou
SMALL of Bath

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-146)**.

Signed:

Sensors:

BROWN of Washington
GAUVREAU of Androscoggin

Representatives:

HANDY of Lewiston
O'GARA of Westbrook

Comes from the House with the Bill and Accompanying Papers **RECOMMITTED** to the Committee on **EDUCATION**.

Which Reports were **READ**.

On motion by Senator **BROWN** of Washington, the Bill and accompanying papers were **RECOMMITTED** to the Committee on **EDUCATION**, in concurrence.

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 Restrict the Use of All-terrain Vehicles in Residential Areas and Along Roadways" (S.P. 541) (L.D. 1450)

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 Authorize an Arts Consultant in the Department of Educational and Cultural Services" (S.P. 223) (L.D. 586)

Ought to Pass As Amended

Senator **CARPENTER** for the Committee on **JUDICIARY** on Bill "An Act to Make Certain Housekeeping Changes to the Maine Criminal Code" (S.P. 219) (L.D. 578)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-99)**

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

Committee Amendment "A" (S-99) **READ** and **ADOPTED**.

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

Ought to Pass in New Draft

Senator **DANTON** for the Committee on **BUSINESS AND COMMERCE** on Bill "An Act to License Respiratory Care Practitioners" (S.P. 226) (L.D. 614)

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

New Draft under same title (S.P. 591)(L.D. 1554)

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**.

Ought to Pass in New Draft under New Title

Senator **PEARSON** for the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Establish a Medicaid Budget Process" (S.P. 227)(L.D. 589)

Reported the same **Ought to Pass in New Draft under New Title** Bill "An Act to Establish a Medicaid Report" (S.P. 592)(L.D. 1555)

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

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

Senator **CHALMERS** for the Committee on **JUDICIARY** on Bill "An Act Concerning Fraudulent Procurement of Fuel and Weatherization Assistance" (S.P. 302)(L.D. 791)

Reported the same **Ought to Pass in New Draft under New Title** Bill "An Act Concerning Unauthorized Transfer and Use of Fuel Obtained Through Fuel Assistance" (S.P. 590)(L.D. 1553)

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

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

Senator **BROWN** for the Committee on **MARINE RESOURCES** on Bill "An Act to Improve the Lobster Fund" (S.P. 388)(L.D. 1067)

Reported the same **Ought to Pass in New Draft under New Title** Bill "An Act to Allow the Use of Lobster Fund Money to Provide for Lobster Hatcheries"(Emergency) (S.P. 589)(L.D. 1552)

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

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

Senator **KANY** for the Committee on **STATE GOVERNMENT** on Bill "An Act to Involve the Legislature in Establishing Equal Pay for Jobs of Comparable Worth in State Government" (S.P. 435)(L.D. 1202)

Reported the same **Ought to Pass in New Draft under New Title** Bill "An Act Relating to Collective Bargaining over the Compensation System for State Employees" (S.P. 594)(L.D. 1559)

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

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

Divided Report

The Majority of the Committee on **LOCAL AND COUNTY GOVERNMENT** on Bill "An Act to Establish an Aroostook County Budget Committee" (S.P. 310)(L.D. 799)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-98)**.

Signed:

Sensors:

TUTTLE of York
STOVER of Sagadahoc
BALDACCI of Penobscot

Representatives:

MASTERMAN of Milo

SALSBURY of Bar Harbor
SMITH of Island Falls
ROTONDI of Athens
NICKERSON of Turner
MCHENRY of Madawaska
HALE of Sanford
DAGGETT of Manchester

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

Signed:

Representatives:

MURPHY of Berwick
WENTWORTH of Wells

Which Reports were **READ**.

The Majority **OUGHT TO PASS as Amended** Report was **ACCEPTED**.
The Bill **READ ONCE**.

Committee Amendment "A" (S-98) was **READ** and **ADOPTED**.

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

Divided Report

The Majority of the Committee on **STATE GOVERNMENT** on Bill "An Act to Prevent Combining more than One Bond Issue Subject in a Single Bond Issue Bill" (S.P. 116)(L.D. 331)

Reported that the same **Ought Not to Pass**.

Signed:

Sensors:

KANY of Kennebec
ANDREWS of Cumberland

Representatives:

LaCROIX of Oakland
BOUTILIER of Lewiston
DESCOTEAUX of Biddeford
COTE of Auburn
NADEAU of Saco
GWADOSKY of Fairfield

The Minority of the same Committee on the same subject reported that the same **Ought to Pass in New Draft** under same title. (S.P. 593)(L.D. 1556)

Signed:

Sensor:

HICHENS of York

Representatives:

SPROUL of Augusta
DILLENBACK of Cumberland
WENTWORTH of Wells
HICHBORN of LaGrange

Which Reports were **READ**.

The Majority **OUGHT NOT TO PASS** Report was **ACCEPTED**.

(See action later today.)

Divided Report

The Majority of the Committee on **STATE GOVERNMENT** on Resolution, Proposing an Amendment to the Constitution of Maine to Provide for Staggered 4-year Terms for Senators" (S.P. 394)(L.D. 1093)

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

Signed:

Sensors:

KANY of Kennebec
ANDREWS of Cumberland
HICHENS of York

Representatives:

NADEAU of Saco
WENTWORTH of Wells
SPROUL of Augusta
HICHBORN of LaGrange
COTE of Auburn
BOUTILIER of Lewiston
DILLENBACK of Cumberland
DESCOTEAUX of Biddeford

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

Signed:

Representatives:

LaCROIX of Oakland
GWADOSKY of Fairfield

Which Reports were **READ**.

The Majority **OUGHT TO PASS** Report **ACCEPTED**.

Bill **READ ONCE**.

The Bill **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 Regulate Fishing Derbies" (H.P. 646)(L.D. 916)

Bill "An Act Concerning the Taking of Smelts" (H.P. 734)(L.D. 1043)

Bill "An Act to Clarify the Laws of the Department of Marine Resources" (H.P. 686)(L.D. 972)

Bill "An Act Concerning the Composition of the Board of Elevator and Tramway Safety" (H.P. 1043)(L.D. 1518)

Bill "An Act Concerning Funeral and Burial Expenses of Municipal General Assistance Recipients" (H.P. 1042)(L.D. 1517)

Bill "An Act Concerning Annual Inspection Fees for Inclined Lifts and Vertical Lifts" (H.P. 1044)(L.D. 1519)

Bill "An Act to Change the Law Relating to Liens for Unpaid Property Tax Assessments" (H.P. 1041)(L.D. 1516)

Bill "An Act to Increase the Competitive Bidding Minimum for County Commissioner Purchases" (H.P. 1038)(L.D. 1512)

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

Senator **WEBSTER** of Franklin moved that the Senate **RECONSIDER** its action whereby it **ACCEPTED** the Majority **OUGHT NOT TO PASS** Report from the Committee on **STATE GOVERNMENT** on:

Bill "An Act to Prevent Combining more than One Bond Issue Subject in a Single Bond Issue" (S.P. 116)(L.D. 331)

(Majority Report—**Ought Not to Pass**)

(Minority Report—**Ought to Pass in New Draft** (S.P. 593)(L.D. 1556)

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Kany.

Senator **KANY:** Mr. President and Senators, I ask for a Division, and I hope that you vote against the pending motion.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Webster.

Senator **WEBSTER:** Mr. President, Ladies and Gentlemen of the Senate. Very briefly I want to talk about this issue. Most of you can see on the calendar that it's an issue to prevent the combining of more than one bond issue subject in a single bond issue.

I think that most of us have heard complaints from our constituents that there are too many measures lumped together, in an effort to pass something and the issue should stand on its own merits.

Many of you remember the Bath Iron Works issue where a number of subjects were put together, and the people had a choice of either voting for Bath Iron Works or voting against the whole package. There was a lot of strong concern in my area that perhaps we shouldn't be giving money to Bath Iron Works, but because of concerns about preservation of historic buildings and other things in the proposal the issue was passed.

I think that the new drafts of this measure which Representative Sproul of Augusta spent many hours working on with people in State Government is reasonable, and I would ask you to Reconsider so we could vote for the Minority Report. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Kany.

Senator **KANY:** Mr. President and Senators, I'd like to say that the Senator from Franklin County had made a lot of good points and, in fact, most people would agree that we certainly should not be combining a lot of unlike

issues, and that is absolutely true. I could not agree with him more.

The question is, really, should we statutorily have a guideline that the Senate and the Legislature can override, or should we have a Constitutional Amendment which would be perhaps too inflexible and not allow for particular Bond Issues to be grouped together in certain instances when it was deemed appropriate? Or should the Legislature, itself, just make the decision on what is appropriately grouped together?

One of the problems is who should define what is a like Bond Issue and who should not? I urge you to vote against the pending motion of Reconsideration and to go along with the Ought Not to Pass motion.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Webster.

Senator **WEBSTER:** Mr. President, I request a Roll Call.

THE PRESIDENT: The Senator from Franklin, Senator Webster requests a Roll Call.

Under the Constitution, in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

Obviously more than one-fifth having arisen a Roll Call is ordered.

The Chair recognizes the Senator from Aroostook, Senator Violette.

Senator **VIOLETTE:** Mr. President, Ladies and Gentlemen of the Senate. I would rise to concur with the Gentlelady from Kennebec, Senator Kany. I guess I would just like to go on Record as saying, there is quite frankly no reason for placing this statutory restriction in the law, because quite frankly, it does nothing; and I guess I would concur with the Gentleman from Franklin, Senator Webster and endorse his discussions and debate on innumerable other issues. Why put something in the books that really does nothing, because every time the Legislature wants to put a Bond Issue together, it can do so, whether this Legislation is standing or not.

Why take the time and the energy and expend the dollars to put another law on the statute which does nothing? So I would suggest to the good gentleman from Franklin, Senator Webster and to other Members that there is no need for this Legislation, and to vote against the motion. Thank you.

THE PRESIDENT: The pending motion is to RECONSIDER the Senate's action whereby it ACCEPTED the Majority OUGHT NOT TO PASS Report of the Committee.

A Yes vote will be in favor of Reconsideration.

A No vote will be opposed.

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

ROLL CALL

YEAS:—Senators, Black, Emerson, Gill, Hichens, Matthews, Maybury, McBreairty, Perkins, Sewall, Shute, Stover, Twitchell, Webster

NAYS:—Senators, Andrews, Berube, Brown, Bustin, Carpenter, Chalmers, Clark, Danton, Diamond, Dow, Erwin, Gauvreau, Kany, Pearson, Trafton, Usher, Violette, The President - Charles P. Pray

ABSENT:—Senators, Baldacci, Dutremble, Najarian, Tuttle

13 Senators having voted in the affirmative and 18 Senators in the negative, with 4 Senators being absent the motion of Senator **WEBSTER** of Franklin to RECONSIDER, FAILED.

Sent down for concurrence.

House As Amended

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) (H "A" H-135)

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

Bill "An Act to Amend the School Construction Law" (Emergency) (H.P. 508) (L.D. 713) (S "A" S-96 to C "A" H-128)

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

Sent down for concurrence.

Senate

Bill "An Act Relating to County Extension Work in Maine" (S.P. 584) (L.D. 1533)

Bill "An Act to Provide a Class A Lounge Liquor License (S.P. 578) (L.D. 1520)

Bill "An Act to Make Allocations from the Maine Hazardous Waste and Low-level Waste Siting Funds for the Fiscal Year Ending June 30, 1986" (Emergency) (S.P. 582) (L.D. 1531)

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

Sent down for concurrence.

Bill "An Act Appropriating Funds for Technical Assistance under the Community Development Block Grant Program" (S.P. 363) (L.D. 1000)

Which was **READ A SECOND TIME.**

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Danton.

Senator **DANTON:** I offer Senate Amendment "A" (S-100) and move its Adoption.

THE PRESIDENT: The Senator from York, Senator Danton offers Senate Amendment "A" (S-100) and moves its Adoption.

Senate Amendment "A" (S-100) was **READ** and **ADOPTED.**

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

Sent down for concurrence.

Senate As Amended

Bill "An Act To Clarify the Maine State Retirement System's Board of Trustees' Relationship with the System's Investment Managers" (S.P. 242) (L.D. 637) (C "A" S-92)

Bill "An Act Concerning Commercial Fishing and Maritime Activity Zones" (S.P. 365) (L.D. 985) (C "A" S-90)

Bill "An Act to Amend the Law Relating to Deputy Sheriffs, Appointments and Removal" (S.P. 312) (L.D. 801) (C "A" S-93)

Bill "An Act to Establish Pilot Indigency Screening Units for Court Appointed Counsel" (S.P. 336) (L.D. 899) (C "A" S-91)

Bill "An Act to Expand the Number of Elder Volunteers in the Retired Senior Volunteer Programs, Foster Grandparent Programs and the Senior Companion Program" (S.P. 387) (L.D. 1066) (C "A" S-97)

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

Sent down for concurrence.

Bill "An Act to Authorize Sagadahoc County to Raise Funds to Renovate and Expand the Present Court Facilities at Bath" (S.P. 375) (L.D. 1009) (C "A" S-94)

Which was **READ A SECOND TIME.**

On motion by Senator **DANTON** of York the Senate **SUSPENDED THE RULES.**

On further motion by Senator **DANTON** of York the Senate **RECONSIDERED** the action whereby it **ADOPTED** Committee Amendment "A" (S-94).

Senator **DANTON:** I offer Senate Amendment "A" (S-101) to Committee Amendment "A" (S-94) and move its Adoption.

THE PRESIDENT: The Senator from York, Senator **DANTON** offers Senate Amendment "A" (S-101) to Committee Amendment "A" and moves its Adoption.

Senate Amendment "A" (S-100) to Committee Amendment "A" (S-94) was **READ** and

ADOPTED.

Committee Amendment "A" (S-94) as amended by Senate Amendment "A" (S-100) thereto was **ADOPTED**, in NON-CONCURRENCE.

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

Sent down for concurrence.

HELD ITEM

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Bustin.

Senator **BUSTIN:** Mr. President. Is the Senate in possession of Senate Paper 581?

THE PRESIDENT: The Chair would answer in the affirmative.

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT AND MEMBERS OF CONGRESS OF THE UNITED STATES TO STOP MARKETING ALCOHOL ON RADIO AND TELEVISION (S.P. 581)

(In Senate, May 17, 1985, **READ** and **ADOPTED.**)

Senator **BUSTIN:** I move the Senate RECONSIDER its action whereby Senate Paper 581 was **ADOPTED.**

THE PRESIDENT: The Senator from Kennebec, Senator Bustin moves the Senate Reconsider its action whereby the Senate Paper 581 was Adopted.

On motion by Senator **VIOLETTE** of Aroostook, Tabled 1 Legislative Day, pending the motion of the Senator from Kennebec, Senator **BUSTIN** to **RECONSIDER** the **ADOPTION** of Senate Paper 581.

Senator **HICHENS** was granted unanimous consent to address the Senate On The Record.

Senator **HICHENS:** "This morning we're observative of a so-called conservative, Who votes Liberal on most issues that we face. A man who by his voting has some good friends denoting, Him as a Mr. Flip-Flop mid the pace. We were very lucky, when this young man from Kentucky, Came to make his home in Maine short years ago. And establish in Lubec -- A fine nursing home, by Heck, And soon the population came to know. So when Silverman ran for Congress against Snowe, made little progress, The Democrats persuaded this young chap, To run in the Senate District and in the minor conflict. Saw the voters give the G.O.P. the rap. Two terms now he has served here -- And beginning in his third here, As Education Chairman he's involved. Mandating what is taught -- with decisions he's distraught, In trying to get the many issues solved. He serves on Marine Resources and checks on all the sources. Before he makes decisions, some profound. And when a choice he's making -- some colleagues he's forsaking, and with Leadership most often he is found. Named once as the Senate Sweetheart -- This young man maintains a real art, In keeping up that reputation here. So with all these facts confiding -- and no facts really hiding. As this Senator begins another year, Please join one and all in greeting -- while the moments fast are fleeting, in wishing this young man at 45. The very best life offers and may riches fill his coffers, Larry Brown, we're all so glad that you're alive."

ENACTORS

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

An Act to Provide that an Unpermitted Leave from a Court Appearance shall be Classified as an Escape. (S.P. 303) (L.D. 792) (C "A" S-77)

An Act to Establish a Funding Mechanism to Make the Joint Environmental Training Program Self-supporting (S.P. 552) (L.D. 1470)

An Act to Amend Certain Aspects of Post-conviction Review (H.P. 361) (L.D. 481) (C "A" H-118)

An Act to Amend the Law Relating to Regulation of Business Practices Between Motor Vehicle Manufacturers, Distributors and

Dealers (S.P. 126) (L.D. 366) (C "A" S-80)

An Act to Amend the Maine Lemon Law (H.P. 819) (L.D. 1160) (C "A" H-124)

An Act to Protect Lobster Gear (H.P. 445) (L.D. 627) (CC "A" H-130)

An Act Concerning Striped Bass (H.P. 572) (L.D. 843)

An Act to Clarify Sentences Permissible for a Crime Committed by a Parolee (H.P. 588) (L.D. 858) (C "A" H-117)

An Act Requiring Employees Rest Breaks (H.P. 1018) (L.D. 1471)

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 Appropriate Grant Funds to the Maine State Commission on the Arts and the Humanities to Support Current Established Programs (H.P. 142) (L.D. 409) (C "A" S-78)

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

An Act to Require the Reporting of Factors Contributing to the Causation of Cancer (H.P. 1019) (L.D. 1472)

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

An Act Relating to the Affixing of Indicia of Payment of Real Estate Transfer Tax (H.P. 764) (L.D. 1084)

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

Resolve

Resolve, Creating the Commission to Study Emergency Medical Services in Maine (H.P. 341) (L.D. 458) (C "A" H-116)

On motion by Senator **PEARSON** of Penobscot Tabled 1 Legislative Day, pending **FINAL PASSAGE**.

Emergency

An Act Relating to Fishing by Net, Trap or Weir in the Waters of Union River Bay and the Lower Union River in Hancock County (S.P. 551) (L.D. 1469)

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with No Senators having voted in negative, and 30 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.

Emergency

An Act to Make Allocations for the Administrative Expenses of the Bureau of Alcoholic Beverages, the Department of Finance and Administration and the State Liquor Commission for the Fiscal Years Ending June 30, 1986, and June 30, 1987 (H.P. 374) (L.D. 515)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in negative, and 32 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.

Emergency

An Act Making Allocations for the Administrative Expenses of the State Lottery Commission for the Fiscal years Ending June 30, 1986, and June 30, 1987 (H.P. 743) (L.D. 1053) (C "A" H-122)

This being an Emergency Measure and having received the affirmative vote of 30 members of the Senate, with No Senators having voted in negative, and 30 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.

Under Suspension of the Rules, the Senate voted to take up the following items inclusively.

Emergency

An Act to Make Additional Allocations from the Federal Block Grant Fund for the Fiscal Year Ending June 30, 1985 (H.P. 405) (L.D. 558) (C "A" H-121)

Emergency

An Act Permitting Retention of Loss in Excess of Loss Fund by Group Self-insurers (H.P. 557) (L.D. 829) (C "A" H-123)

Emergency

An Act to Establish a Pilot Project to Provide for the Education of Students Residing in Long-term Drug Treatment Centers (H.P. 719) (L.D. 1029) (S "A" S-86)

These being Emergency Measures and having received the affirmative vote of 30 members of the Senate, with No Senators having voted in negative, and 30 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.

ORDERS OF THE DAY

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

Bill "An Act to Amend the Maine Community Services Act" (H.P. 266) (L.D. 336)

Tabled - May 17, 1985, by Senator **VIOLETTE** of Aroostook.

Pending - **PASSAGE TO BE ENGROSSED** (In Senate, May 13, 1985, **RECONSIDERED ENGROSSMENT**.)

(In House, May 9, 1985, **PASSED TO BE ENGROSSED**.)

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

Senator **DIAMOND:** Mr. President, I present Senate Amendment "A" to H.P. 266 - L.D. 366 under filing number (S-102) and move its Adoption and would speak to my motion.

THE PRESIDENT: The Senator from Cumberland, Senator Diamond, presents Senate Amendment "A" and moves its Adoption.

Senate Amendment "A" (S-102) **READ**.

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

Senator **DIAMOND:** Thank you, Mr. President, and Members of the Senate. This is another side of the Committee, we had planned to have the review part of the division every three years, instead it came out at two. That is the reason for this Amendment on a unanimous Committee Report. Thank you.

Senate Amendment "A" (S-102) **ADOPTED**. Which was **PASSED TO BE ENGROSSED AS AMENDED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Off Record Remarks

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

HOUSE REPORTS - from the Committee on **EDUCATION** on Bill "An Act to Mandate a Moment of Silence in Public Schools" (H.P. 724) (L.D. 1033)

Majority Report - **Ought Not to Pass**

Minority Report - **Ought to Pass**

Tabled - May 17, 1985, by Senator **HICHENS** of York.

Pending - **ACCEPTANCE OF EITHER**

REPORT

(In House, May 13, 1985, Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, May 17, 1985, Reports **READ**.) Senator **TUTTLE** of York moved that the Senate **ACCEPT** the Minority **OUGHT TO PASS** Report in **NON-CONCURRENCE**.

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Brown.

Senator **BROWN:** Mr. President, I request a Division.

THE PRESIDENT: A Division has been requested.

Will all those Senators in favor of the motion by the Senator from York, Senator Tuttle, to Accept the Minority Ought to Pass Report of the Committee.

The Chair recognizes the Senator from York, Senator Hichens.

Senator **HICHENS:** Mr. President, I request a Roll Call.

THE PRESIDENT: A Roll Call has been requested. Under the Constitution, in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

Obviously more than one-fifth having arisen a Roll Call is ordered.

The Chair recognizes the Senator from Androscoggin, Senator Gauvreau.

Senator **GAUVREAU:** Thank you Mr. President, Men and Women of the Maine Senate. I rise today as a signer of the Majority Ought Not To Pass Report, and I'll explain briefly my position on this very delicate matter.

As some of you may not be aware, we already have provisions under our law for local school boards to provide and require a so-called "moment of silence" or meditation during the course of the regular school day.

The proposal before you in the Minority Report would not add anything to the school day. If the local school boards or community feel strongly that a moment of silence should be their option. Now, we certainly should recognize that option and right.

However, it seems to me that we also have to be cognizant of the sensitive nature of the subject matter and that different communities will take substantially different positions. For example, in my community in Lewiston, there is very, very strong support for a moment of silence in the schools, however, there is nothing at all which would prohibit or prevent the City of Lewiston and the school board from adopting that policy.

I have contacted my school board in this area. I have notified the school board of the strong sentiment among my constituency for a moment of silence. I suggested that this matter be put as an agenda item on the school board calendar.

I was somewhat surprised to learn that there is no initiative, in the City of Lewiston, to have this matter considered as policy in that City. My suspicion is, based upon the evidence we heard at the hearing on this Bill, that there has been very little, if any effort, throughout the State to contact local school boards to see whether or not those boards would adopt a policy providing for a moment of silence in the public schools.

It strikes me, at this point, we're not sure if there is a problem or not. There is no evidence before our Committee to suggest that school boards are being recalcitrant or being unreasonable in rejecting requests for a moment of silence.

The truth of the matter is, there has been some inactivity in this area. I would suggest to the proponents of the moment of silence statute they first contact the local school boards and see whether or not those communities will adopt this policy.

I think this matter, at this point in time, is

premature for a State mandate. I would ask you to vote with me to Accept the Majority Ought Not To Pass Report. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Tuttle.

Senator **TUTTLE:** Mr. President and Members of the Senate. I will try to be brief. I feel that sometimes, we as a society appear to be constantly fighting against what I believe to be the moral fiber of our State.

Being Legislators, we sometimes feel (wrongly so) self-conscious about speaking in terms that relate back to the Constitution of our State and the Federal Government. We hear our National and State Leaders, even our Municipal Leaders, private citizens, parents and teachers, asking for guidance, asking for support for more guidance from the State Legislators.

More specifically I would guess, I would like to indicate that I speak to many family people throughout my District. They have indicated that they are in support of this measure. There are others who feel that this may be a Constitutional infringement upon their rights as citizens. I think in the balance of the measure, values of our society, of our State, laws, this law particularly, is reflective, not of that, but of what we should do. We have an obligation, and we have a right to speak up for what we think is best for students, and best for our society.

This Bill provides for a mandatory period of silence for reflective meditation in the public schools throughout the State. I think there is nothing wrong with that, and I hope you will agree today.

A few years ago, during the administration of then, Governor Longley, the issue of silent prayer in Maine schools was brought up. Then was address for those attending the Governor's Prayer Breakfast on March 16th, 1976. Governor Longley stated frankly "I have more questions than answers this morning. For while this prayer breakfast is time for brotherhood and sisterhood, and it is a time to count our blessings, and it is a time to renew and to challenge, it is also a time to question, for as we count our blessings and renew and challenge, we must also ask questions. Is there something wrong with the Legislature and the Executive Branches come together every day and pray? Is it wrong for our President and our Congress and our Legislature and our Governor to open their Sessions with a prayer, yet at the same time deny that right of free speech in our schools? Are we missing something? Is there a parallel in the fact that as we have taken prayer out of the public schools, even non-denominational prayer, or prayer for parents or family, or country, that we have substituted permissiveness and even disrespect for our flag? Is it more than consequential that we have substituted permissiveness for prayer, that our crime rates have increased and that our streets have become unsafe? Is there something wrong that those arrested for even obvious crimes are returned to the streets in advance of law enforcement officers still at the station house filling out forms designed to protect those who break the law, more than those who observe the law? Is there something wrong with keeping prayer out of our schools as our jails simultaneously fill to over-flowing?"

In response to the Governor's statement, the then Attorney General, now Governor Brennan, sent a letter to Governor Longley, giving his opinions, which were very affirmative to the cause.

Therefore, I would support, wholeheartedly, this Bill. I would hope that you would not feel self-conscious about doing something that is going to give the guiding light to many students and parents throughout the State. I hope you will support the Minority Report.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Hichens.

Senator **HICHENS:** Mr. President, Members of the Senate. Early in the Session, the good

Senator from York and myself, co-sponsored this Bill requiring a moment of silence or prayer in our public schools. We were later informed that this Bill was going to come along and so the good Senator graciously withdrew his Bill, in favor of this one. There was a lot of comment at the hearing on the original Bill that we were trying to push prayer into the schools, even though we gave the choice of a student in the schools, during that moment of silence, to pray or meditate or to reflect on what had happened or to contemplate on what was going to happen. Whatever their choice might be.

For this moment of silence, we have taken the word "prayer" out. Of course we do not restrict the youngsters from praying, personally I hope they do, because I think each one of us need to have a time, or a moment of silence in the morning to contemplate and fix ourselves for the day ahead.

I have found in experience, that this moment of silence has worked in various schools, in which I have had the opportunity to participate in programs. One school in Biddeford, a high school, there was a lot of confusion after the bell had rung. And then the bell rang again, and they had their moment of silence. The whole atmosphere in that room changed. The teacher told me afterwards that it had made a big difference, just that one moment of reflection and meditation had upon the whole effects of the day's activities.

Last Fall, I had the opportunity to present a flag to an Elementary school in Kittery. These youngsters, on a nice day like this, gathered outside, watched the flag raising, then pledged allegiance to the flag, and then had a moment of silence. The teachers there also asserted, it was very important that these little youngsters start that day with that moment of silence. I doubt if any of them prayed at that age, but I know that by just being quiet down for that moment changed the atmosphere for that whole day ahead of them.

As the good Senator from Androscoggin has stated, the schools have that option. A great many schools do not even realize that. Maybe education is what they need, of these facts, that they can have that moment of silence.

I think by mandating it all over the State, it will make it a reality that each school will begin their day with their students, with that moment of silence, I hope you will accept the Minority Report.

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Brown.

Senator **BROWN:** Thank you Mr. President, Men and Women of the Senate. I believe, as the good Senator has just indicated from York County, Senator Hichens, that it is a wonderful way to start the day, whether it is in school, or any place - with a moment of silence. I completely agree with that. I am also in complete agreement with the statements that were made earlier, that we now have that permissive language within the laws of this State. Any school board that so decides, can mandate it locally, that the days will start with a moment of silence.

I am kind of impressed with the past comment that the good Senator has made with regard to local control, and with the fact this is already a local control issue that is already on the books that way! He would like to mandate it and take it out of local control and say that the State demands that you start off each day with a moment of silence.

My concern over that is that if we had a religious zealot who started the home room that my kids were in, that was of a different faith than my family might practice, then there is no reason why some words of encouragement couldn't start that moment of silence in other than the way I would like my children's day to start. There is no reason in saying, that on the following day, we couldn't have a different religion, and perhaps then on Friday of the week, we could find time for meditation,

perhaps just some encouraging moments of silence in regards to Christianity.

Mr. President, Ladies and Gentlemen. This is an unnecessary Bill. It is one that is already on the books in terms of allowing locals to determine if they are going to start a school day in that fashion. I would urge that you go along with the twelve to one Committee Report of Ought Not To Pass. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Pearson.

Senator **PEARSON:** Mr. President, Men and Women of the Senate. I really don't know exactly what it is like in an elementary setting, since it has been too long for me to remember, but I have taught high school for, sixteen years. I really know how the day starts. I think I do anyway, in the minds of students.

They come in the homeroom, after being in the halls with their lockers and seeing one friend or another, and they come into their homeroom with the idea probably they are going to settle down a little more than they were in the corridor area. And Ralph says to Cathy, "Did you get your homework done?" And Cathy says "Oh gee, I forgot all about it, did you get yours done?" George says to Sam "Did you bring your car today, I need a ride home tonight." Sarah says to Debbie "Are you working the shift tonight at MacDonalds, or am I?" Three or four people say "Don't forget the "B" Club meeting today." (In Brewer that is what they call the Sports Boosters Club). Somebody says "Are you going to French Club?" Three or four people are getting ready to run out the door to get to chorus, because chorus is going to begin as soon as the bell rings, and the teacher is going to be standing there saying "Where have you been, you know you have just cut five minutes off of my time". And that is how their day begins.

Let me tell you, one of the first things that happens, as everybody get into their homerooms and the final bell is rung for attendance, is the teacher frantically takes out a chart, or whatever, and looks all over the room to see who is present and who is absent for the report that has to be submitted to the office. While he or she is doing that, as quickly as they possibly can, the students are trying to do their homework that they should have done the night before, and so you can see, the student really does not have time in the morning for a moment of silence.

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

Senator **VIOLETTE:** Mr. President and Members of the Senate. I would move the Indefinite Postponement of L.D. 1033 and all its Accompanying Papers.

Mr. President, Ladies and Gentlemen of the Senate. I would hope that you would join with me in supporting that motion today in indefinitely postponing this Legislation and listen to the elegant words of the good Senator from Washington, Senator Brown, the Gentleman from Androscoggin, Senator Gauvreau, the Senator from Penobscot, Senator Pearson, and that this doesn't necessarily mean that you're opposed to prayer in the school. It simply means that you wish to allow, On Record, when you vote to Indefinitely Postpone this Bill, that you're On Record allowing individual school districts to decide whether or not they wish to have a moment of silent prayer. Quite frankly, that's where the responsibility lies. We are already On Record as being in support generally of a moment of silent prayer when we passed Legislation in the past allowing school districts to determine that for themselves.

So, I would hope that you would join with me today in voting to Indefinitely Postpone this matter. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Tuttle.

Senator **TUTTLE:** I request a Roll Call.

THE PRESIDENT: A Roll Call has been requested.

Under the Constitution, in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

Obviously more than one-fifth having arisen a Roll Call is ordered.

Senate at Ease

The Senate Called to Order by the President.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Aroostook, Senator **VIOLETTE** that L.D. 1033 and accompanying papers be **INDEFINITELY POSTPONED**.

A Yes vote will be in favor of Indefinite Postponement.

A no vote will be opposed.

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

ROLL CALL

YEAS:—Senators, Andrews, Baldacci, Berube, Brown, Bustin, Carpenter, Chalmers, Clark, Danton, Diamond, Dow, Erwin, Gauvreau, Gill, Kany, Matthews, Maybury, Pearson, Sewall, Trafton, Twitchell, Usher, Violette, Webster, The President - Charles P. Pray

NAYS:—Senators, Black, Emerson, Hichens, McBreairty, Perkins, Shute, Stover, Tuttle

ABSENT:—Senators, Dutremble, Najarian
25 Senators having voted in the affirmative and 8 Senators in the negative, with 2 Senators being absent, the motion to **INDEFINITELY POSTPONE** the Bill and accompanying papers, **PREVAILED**.

Senate at Ease

The Senate called to Order by the President.

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

SENATE PAPERS

Bill "An Act to Clarify the Definition of Wage Within the Maine Wage Assurance Fund" (S.P. 595)

Presented by Senator **KANY** of Kennebec 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 forthwith for concurrence.

Off Record Remarks

On motion by Senator **TWITCHELL** of Oxford, **RECESSED** until 11 o'clock this morning.

After Recess

The Senate called to Order by the President.

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

ORDER

Joint Order

On motion by Senator **VIOLETTE** of Aroostook, the following Joint Order: (S.P. 596)

ORDERED, the House concurring that when the House and Senate adjourn, they adjourn to Thursday, May 23, 1985, at 5:00 in the afternoon.

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

Under suspension of the Rules, ordered sent down forthwith for concurrence.

ORDERS OF THE DAY

On motion by Senator **VIOLETTE** of Aroostook, the Senate removed from the Table: "An Act to License Dietitians" (S.P. 520) (L.D. 1397)

Tabled - May 20, 1985, by Senator **VIOLETTE** of Aroostook.

Pending - **CONSIDERATION**.

On motion by Senator **VIOLETTE** of

Aroostook, Tabled 1 Legislative Day, pending **CONSIDERATION**.

SECOND READERS

House As Amended

Bill "An Act Concerning the Allocation of Costs Incurred for Incarceration in County Jails" (H.P. 219) (L.D. 253) (C "A" H-132)

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

Senate

Bill "An Act to Establish a Medicaid Report" (S.P. 592) (L.D. 1555)

Bill "An Act to Allow the Use of Lobster Fund Money to Provide for Lobster Hatcheries" (Emergency) (S.P. 589) (L.D. 1552)

Bill "An Act Relating to Collective Bargaining over the Compensation System for State Employees" (S.P. 594) (L.D. 1559)

Resolution, Proposing an Amendment to the Constitution of Maine to Provide for Staggered 4-year Terms for Senators" (S.P. 394) (L.D. 1093)

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

Sent down for concurrence.

Bill "An Act to License Respiratory Care Practitioners" (S.P. 591) (L.D. 1554)

Which was **READ A SECOND TIME**.

On motion by Senator **VIOLETTE** of Aroostook, Tabled 1 Legislative Day, pending **PASSAGE TO BE ENGROSSED**.

Bill "An Act Concerning Unauthorized Transfer and Use of Fuel Obtained Through Fuel Assistance" (S.P. 590) (L.D. 1553)

Which was **READ A SECOND TIME**.

THE PRESIDENT: The Chair recognizes the Senator from Knox, Senator Chalmers in reference to L.D. 1553.

Senator **CHALMERS:** Mr. President, in reference to L.D. 1553, I request permission to speak On the Record briefly.

THE PRESIDENT: The Senator has the floor.

Senator **CHALMERS:** Thank you, Mr. President. Ladies and Gentlemen of the Senate. I do not propose to ask you to defeat this Bill, I would merely make a statement: That this Bill would make it a crime to sell or have unauthorized transfer of wood does not imply that there is rampant fraud going on in the welfare.

I would merely state that this is a statement that unauthorized transfer should be a crime but it is not a statement that it is going on out there, and I would move its passage.

Which was **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

Senate As Amended

Bill "An Act to Make Certain Housekeeping Changes to the Maine Criminal Code" (S.P. 219) (L.D. 578) (C "A" S-99)

Bill "An Act to Establish an Aroostook County Budget Committee" (S.P. 310) (L.D. 799) (C "A" S-98)

Which were **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 Provide Guidance to Municipal Officers in Granting and Denying Liquor Licenses for On-premise Consumption (H.P. 1039) (L.D. 1513)

An Act Authorizing State Employees to Purchase State Property Upon Retirement or Leaving Office (H.P. 1036) (L.D. 1510)

An Act to Establish Temporary Handicapped Parking Permits (H.P. 1035) (L.D. 1509)

An Act to Amend the Definition of Juvenile Crime in the Maine Juvenile Code (H.P. 587)

(L.D. 857)

An Act Amending the Maine Juvenile Code to Provide for Diagnostic Evaluation for Bind-over purposes (H.P. 585) (L.D. 855)

An Act to Amend the Laws Relating to Private Investigators (H.P. 242) (L.D. 283) (C "A" H-127)

An Act to Repeal the Minimum Size for Scallops (S.P. 393) (L.D. 1092)

An Act Concerning Installation of Service by Utilities (H.P. 1040) (L.D. 1514)

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

Emergency Resolve

Resolve, Extending the Life of the Commission to Examine the Availability, Quality and Delivery of Services Provided to Children with Special Needs (H.P. 935) (L.D. 1341)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with No Senators having voted in negative and 32 being more than two-thirds of the entire elected membership of the Senate was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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 Amend the Law Concerning the Student Incentive Scholarship Program Under the Education Law" (S.P. 68) (L.D. 119) (C "A" S-85; S "A" S-88)

In Senate, May 13, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-85) AND SENATE AMENDMENT "A" (S-88)**.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-85)**, in **NON-CONCURRENCE**.

The Senate **RECEDED** and **CONCURRED**. (See Action Later Today.)

Non-concurrent Matter

Bill "An Act Relating to Solicitations and Public Office Holding by State Employees" (S.P. 533) (L.D. 1434) (S "B" S-95 to C "A" H-125)

In House, May 10, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "C" (H-125)**, in **NON-CONCURRENCE**.

In Senate, May 17, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "C" (H-125) AS AMENDED BY SENATE AMENDMENT "B" (S-95)** thereto, in **NON-CONCURRENCE**.

Comes from the House that Body **ADHERED**.

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

Senate at Ease

The Senate called to Order by the President.

On motion by Senator **GAUVREAU** of Androscoggin, the Senate **RECONSIDERED** its action of earlier in Today's Session whereby the Senate **RECEDED** and **CONCURRED** on:

Bill "An Act to Amend the Law Concerning the Student Incentive Scholarship Program Under the Education Law" (S.P. 68) (L.D. 119)

(In Senate, May 13, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-85) AND SENATE AMENDMENT "A" (S-88)**.)

(In House, May 20, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-85)**, in **NON-CONCURRENCE**.)

On further motion by the same Senator, the Senate **ADHERED**.

Sent down for concurrence.

Non-concurrent Matter

Resolve, to Establish a Commission to Prepare a Revision of the State's Motor Vehicle Laws (Emergency) (S.P. 321) (L.D. 810)

In Senate, May 17, 1985, **PASSED TO BE ENGROSSED**.

Comes from the House, Bill and Accompany Papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

On motion by Senator **VIOLETTE** of Aroostook, the Senate **INSISTED**.

Sent down for concurrence.

Study Report

The Joint Select Committee on **FOREST PRACTICES** Reports, pursuant to Resolve 1983, Chapter 85, that the accompanying Bill "An Act Concerning the Forest Resources of Maine" (H.P. 1069) (L.D. 1550)

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

Comes from the House with the Report **READ** and **ACCEPTED**, and the Bill referred to the Committee on **ENERGY AND NATURAL RESOURCES** and **ORDERED PRINTED**.

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

The Bill referred to the Committee on **ENERGY AND NATURAL RESOURCES** and **ORDERED PRINTED**, pursuant to Joint Rule 18, in 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 Concerning Child Protective Services" (H.P. 173) (L.D. 207)

Ought to Pass

The Committee on **LOCAL AND COUNTY GOVERNMENT** on Bill "An Act to Establish a Budget Committee to Provide Local Input in the Waldo County Budget-making Process" (H.P. 685) (L.D. 971)

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 **BUSINESS AND COMMERCE** on Bill "An Act to Place the State Board of Licensure of Administrators of Medical Care Facilities other than Hospitals Within the Department of Business, Occupational and Professional Regulation" (Emergency) (H.P. 978) (L.D. 1410)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-145).

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-145).

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-145) **READ** and **ADOPTED**, in concurrence.

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

Off Record Remarks

In reference to the Action of the Senate on May 20, 1985, whereby the Senate **READ** and **REJECTED** the First Committee of Conference Report and **INSISTED** and **JOINED** in a Second Committee of Conference on Resolve, to Name the Wiscasset Bridge the Donald E. Davey Bridge (H.P. 373) (L.D. 492) the Chair appointed as Conferees on the part of the Senate:

Senator **DANTON** of York

Senator **CHALMERS** of Knox

Senator **McBREAIRTY** of Aroostook

Senate at Ease

The Senate called to Order by the President.

Senator **DANTON** of York was granted unanimous consent to address the Senate Off the Record.

Off Record Remarks

On motion by Senator **PEARSON** of Penobscot, the Senate **RECONSIDERED** its action of earlier in today's session, whereby it **FINALLY PASSED** an:

Emergency Resolve

Resolve, Extending the Life of the Commission to Examine the Availability, Quality and Delivery of Services Provided to Children with Special Needs (H.P. 935) (L.D. 1341)

On further motion by the same Senator, placed on the **SPECIAL APPROPRIATIONS TABLED**, pending **FINAL PASSAGE**.

Out of Order and under suspension of the Rules, the Senate considered the following.

COMMITTEE REPORTS

House

Ought to Pass As Amended

The Committee on **BUSINESS AND COMMERCE** on Bill "An Act to Amend Permit Procedures Relative to Final Disposition of Dead Human Bodies" (H.P. 422) (L.D. 602)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-136).

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-136).

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-136) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **BUSINESS AND COMMERCE** on Bill "An Act to Modify the Voting Procedure for the Conversion of a Mutual Financial Institution to a Stock Form of Ownership" (H.P. 972) (L.D. 1394)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-144).

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-144).

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-144) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **FISHERIES AND WILDLIFE** on Bill "An Act to Redefine the Southern Boundary to Enlarge the Moose Hunting District" (H.P. 681) (L.D. 967)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"**

(H-150).

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-150).

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-150) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **FISHERIES AND WILDLIFE** on Bill "An Act Authorizing the Department of Inland Fisheries and Wildlife to Continue to Regulate the Harvest of Antlerless Deer" (H.P. 268) (L.D. 338)

Reported that the same **Ought to Pass as amended by Committee Amendment "A"** (H-151).

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-151).

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-151) **READ** and **ADOPTED**, in concurrence.

The Bill as **AMENDED TOMORROW ASSIGNED FOR SECOND READING**, in concurrence.

The Committee on **LABOR** on Bill "An Act to Amend the Procedures of the State Board of Arbitration and Conciliation" (H.P. 957) (L.D. 1377)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-137).

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-137).

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-137) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **LABOR** on Bill "An Act to Clarify the Agricultural Exemption in the Workers' Compensation Laws" (H.P. 883) (L.D. 1240)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-156).

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-156).

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-156) **READ** and **ADOPTED**, in concurrence.

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

Senate at Ease

The Senate called to Order by the President.

The Committee on **TAXATION** on Bill "An Act Requiring Clarification of Dates Upon Which Local Property Tax Penalties Accrue" (H.P. 139) (L.D. 164)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-139).

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-139).

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-139) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TAXATION** on Bill "An Act Pertaining to Interest on Abated Property Taxes" (H.P. 497) (L.D. 700)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-147)**.

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-147)**.

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-147) **READ** and **ADOPTED**, in concurrence.

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

Ought to Pass in New Draft

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Assure Appropriate Education and Treatment of People who are Deaf or Hearing Impaired" (H.P. 522) (L.D. 742)

Reported that the same **Ought to Pass in New Draft** under same title (H.P. 1064) (L.D. 1543)

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 **BUSINESS AND COMMERCE** on Bill "An Act to Require Final Usage Labeling for all Surimi Products" (H.P. 633) (L.D. 901)

Reported that the same **Ought to Pass in New Draft** under same title (Emergency) (H.P. 1052) (L.D. 1528)

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 **LEGAL AFFAIRS** on Bill "An Act to Remove the Time Limit for Tabulating Election Returns and the Requirement for the Presence of the Municipal Officers" (H.P. 186) (L.D. 220)

Reported that the same **Ought to Pass in New Draft** under same title (H.P. 1062) (L.D. 1541)

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 **LEGAL AFFAIRS** on Bill "An Act Pertaining to Polling Times" (H.P. 86) (L.D. 106)

Reported that the same **Ought to Pass in New Draft** under same title (H.P. 1061) (L.D. 1540)

Comes from the House, the Report **READ** and **ACCEPTED** and the Bil 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.

Off Record Remarks

The Committee on **LOCAL AND COUNTY GOVERNMENT** on Bill "An Act to Increase Citizen Participation in the Municipal Charter Revision Process" (H.P. 658) (L.D. 930)

Reported that the same **Ought to Pass in New Draft** under same title (H.P. 1054) (L.D. 1530)

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 **LOCAL AND COUNTY GOVERNMENT** on Bill "An Act Pertaining to Municipal Licensing Fees" (H.P. 501) (L.D. 704)

Reported that the same **Ought to Pass in New Draft** under same title (H.P. 1058) (L.D. 1538)

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**.

Ought to Pass in New Draft under New Title

The Committee on **LEGAL AFFAIRS** on Bill "An Act Concerning Nomination Petitions for Independent Candidates" (H.P. 797) (L.D. 1127)

Reported the same **Ought to Pass in New Draft under New Title** Bill "An Act Concerning Nomination Petitions for Unenrolled Candidates" (H.P. 1063) (L.D. 1542)

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

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

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

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

Senator **TUTTLE** of York was granted unanimous consent to address the Senate Off the Record.

The **ADJOURNMENT ORDER** having been returned from the House, **READ** and **PASSED** in concurrence.

On motion by Senator **ANDREWS** Cumberland,

ADJOURNED until Thursday, May 23, 1985, at 5:00 o'clock in the afternoon.