

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Twelfth

Legislature

OF THE

STATE OF MAINE

VOLUME I

SECOND REGULAR SESSION

January 8 - April 2, 1986

STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION
JOURNAL OF THE SENATE

In Senate Chamber
Wednesday
January 8, 1986

Pursuant to the Provisions of the Constitution and the laws of the State of Maine, the Senators of the One Hundred and Twelfth Legislature convened in the Senate Chamber at 4:00 in the afternoon and are called to order by the President.

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

REVEREND BAKER: Shall we pray. Our Father up in heaven. We thank You this afternoon for the privilege of being able to stand and ask for Your wisdom and Your blessing upon this Legislative Body. We thank You, O God, for all the freedoms that You have allowed us to have. We thank You for each man and each woman that have gathered here, O God, to make the decisions for this great State of Maine. We know that this is the opening Session today. We ask God, that You not only give them wisdom and guidance for today, but God for today and for all the other days that they will sit here and make decisions.

We know that at times, they will become weary, O Lord, that there will be times when there will be pressures that will be pulling from both directions. We ask You, O God, to give them wisdom and guidance and strength, to be able to make the right decisions at all times.

We thank You, O God, that we can come to You, for Your word tells us to pray for the people in authority over us. This is what we are doing today. We ask, O God, that You help each one and be with each one. We thank You, O God, and we pray in Jesus's wonderful name, Amen.

The Roll being called, the following Senators answered to their name:

Senators, ANDREWS, BALDACCI, BERUBE, BLACK, BROWN, BUSTIN, CARPENTER, CHALMERS, CLARK, DIAMOND, DOW, DUTREMBLE, EMERSON, ERWIN, GAUVREAU, GILL, HICHENS, KANY, KERRY, MATTHEWS, MAYBURY, MCBREAIRTY, NAJARIAN, PEARSON, PERKINS, SEWALL, STOVER, TRAFTON, TUTTLE, TWITCHELL, USHER, VIOLETTE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

34 Senators having answered to the Roll, the President declared that a quorum was present.

Senate at Ease

Senate called to order by the President.

The Chair made note of the presence of the Senator from Waldo, Senate SHUTE.

Out of order and under suspension of the Rules, on motion by Senator VIOLETTE of Aroostook, the following Senate Order:

ORDERED, that a message be sent to his Excellency, Governor Joseph E. Brennan, informing him that a quorum of Senators is assembled in the Senate Chamber for the consideration of such business as may come before the Senate, and extend to him an invitation to attend and make such communication as he may be pleased to make.

Which was READ and PASSED.

The President appointed Senator VIOLETTE of Aroostook to deliver the message to the Governor. The Sergeant-At-Arms escorted the Senator to the Governor's Office.

Out of order and under suspension of the Rules, on motion by Senator CLARK of Cumberland, the following Senate Order:

ORDERED, that a message be conveyed to the House of Representatives informing that Body that a quorum of Senators is present for the consideration of such business as may come before the Senate.

Which was READ and PASSED.

The President appointed Senator CLARK of Cumberland to deliver the message to the House. The Assistant Sergeant-At-Arms escorted the Senator to the House of Representatives.

Senate at Ease

The Senate called to order by the President.

Which was READ and ORDERED PLACED ON FILE.

At this point a message was received from the House of Representatives borne by Representative DIAMOND of Bangor, informing the Senate that a quorum was present for the consideration of such business as might come before the House.

The Following Communication:

STATE OF MAINE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE 04333

December 2, 1985

Senate at Ease

Senate called to order by the President.

Ms. Valerie Mitchell
43 Winter Street
Waterville, ME 04901

Dear Valerie:

Subsequently, Senator CLARK of Cumberland reported that she had delivered the message with which she was charged.

It is with regret that I learn of your resignation.

Subsequently, Senator VIOLETTE of Aroostook reported that he had delivered the message with which he was charged, and informed the Senate that the Honorable JOSEPH E. BRENNAN, Governor of the State of Maine, would attend forthwith.

Let me take this opportunity to thank you for your many years of service to me personally, and to the Maine Senate.

We will miss you very much. I also want to wish you the very best in your new endeavor.

Please let me know whenever I may be of assistance.

Sincerely,

S/Charles P. Pray
President of the Senate

COMMUNICATIONS

The Following Communication:

Which was READ and ORDERED PLACED ON FILE.

THE SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

TO: Senators, 112th Legislature
FROM: S/Valerie Mitchell
Assistant Secretary
DATE: December 2, 1985

The Following Communication:

STATE OF MAINE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE 04333

December 2, 1985

With deep regret and sadness I feel the time has come when I must resign from my position as Assistant Secretary of the Senate, effective today, December 2, 1985.

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

I wish to thank each and every one of you for your support and friendship throughout my tenure here in the Senate.

Dear Madam Secretary:

It was truly an honor and a pleasure to serve you. I only hope throughout the past three years I have carried out the duties of my position in a satisfactory manner and thereby earned your respect.

Pursuant to my authority under Senate Rule 5 I have appointed Elizabeth Mitchell to fill the position of Assistant Secretary to the Senate. Ms. Mitchell will replace Valerie Mitchell and will serve in that capacity until the Senate convenes and chooses a new Assistant Secretary.

Please let me know if you have any questions about this appointment.

Sincerely,

S/Charles P. Pray
President of the Senate

Which was READ and ORDERED PLACED ON FILE.

It is with regret that I accept your resignation as Assistant Secretary of the Senate.

I wish you the very best in your new position and will be sorry to lose you in the Senate.

Again, best wishes.

Sincerely,

S/Charles P. Pray
President of the Senate

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
SENATE CHAMBER
AUGUSTA, MAINE 04333

December 17, 1985

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

Dear Mr. President:

It is with deep regret that I offer my resignation as Assistant Secretary. I have been offered a job by Governor Brennan; the position is very challenging and builds upon the experience I gained as a ten year legislative veteran. My resignation is effective December 20, 1985.

Thank you for your support. I look forward to working with you from the Executive Branch.

Sincerely yours,

S/Elizabeth H. Mitchell

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE 04333

December 20, 1985

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

Dear Madam Secretary:

Please be advised that I have today appointed Ms. Pamela Lovley to serve as Assistant Secretary of the Senate.

As you are aware, this appointment will require confirmation by the Senate in January.

Please let me know if you have any questions about this matter.

Sincerely,

S/Charles P. Pray
President of the Senate

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE 04333

December 20, 1985

Ms. Elizabeth Mitchell
c/o Secretary of the Senate
State House Station 3
Augusta, Me. 04333

Dear Libby:

Senator CLARK of Cumberland moved the name of PAMELA LOVLEY, of Portland, be placed in nomination for the Assistant Secretary of the Senate.

Senator VIOLETTE of Aroostook moved that nominations cease.

On motion by Senator CLARK of Cumberland, Senator VIOLETTE of Aroostook was authorized to cast one ballot on the part of the Senate in favor of PAMELA LOVLEY of Portland for Assistant Secretary of the Senate of the One Hundred and Twelfth Legislature.

This was done and PAMELA LOVLEY, of Portland, was declared duly elected Assistant Secretary of the Senate for the political year 1986.

The President requested Senator VIOLETTE of Aroostook and Senator CLARK of Cumberland escort the Assistant Secretary-elect to the Governor's Office for the purpose of taking and subscribing to the necessary oaths of office to qualify her to enter upon the discharge of the duties of the Assistant Secretary of the Senate of the One Hundred and Twelfth Legislature. The Sergeant-At-Arms escorted the party to the Governor's Office.

Senate at Ease

Senate called to order by the President.

Subsequently, Senator VIOLETTE of Aroostook and Senator CLARK of Cumberland reported that they had attended to the duty assigned and that PAMELA LOVLEY had, before the Governor, taken and subscribed to the necessary oaths of office to qualify her to enter upon the discharge of the duties of the Assistant Secretary of the Senate of the One Hundred and Twelfth Legislature.

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

The Following Communication:

THE SENATE OF MAINE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE 04333

November 7, 1985

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

Dear Madam Secretary:

Pursuant to Senate Rule 5, I have appointed Joseph Mackey as my Legal Counsel. He will be replacing Paul Zendzian, who resigned the position this month.

Please let me know if you have any questions about this appointment.

Sincerely,

S/Charles P. Pray
President of the Senate

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

112th LEGISLATURE
AUGUSTA, MAINE 04333

December 5, 1985

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

Dear Madam Secretary:

Pursuant to our authority under the Resolves of 1985, Chapter 43, we have appointed Mr. David Stockford to the Joint Select Committee on the Special Education Needs of Learning Disabled Children. Mr. Stockford will serve as the Representative of the Department of Educational and Cultural Services.

He replaces Ms. Christine Bartlett, who resigned this appointment.

Please let me know if you have any questions about this matter.

Sincerely,

S/Charles P. Pray
President of the Senate

S/John L. Martin
Speaker of the House

Which was READ and ORDERED PLACED ON FILE.

Off Record Remarks

The Following Communication:

STATE OF MAINE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE 04333

December 16, 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 M.R.S.A. 3, Section 227 I have appointed the following to serve on the Maine Canadian Legislative Advisory Committee:

Senator Paul E. Violette
Senator Georgette Berube
Mr. Roger Daigle

Please let me know if you have any questions about these appointments.

Sincerely,

S/Charles P. Pray
President of the Senate

Which was READ and ORDERED PLACED ON FILE.

The Following Communication: S.P. 653

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

December 17, 1985

The Honorable Charles P. Pray
President of the Senate
112th Legislature

The Honorable John L. Martin
Speaker of the House
112th Legislature

Dear Mr. President and Mr. Speaker:

Please be advise that today four bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees and ordered printed on December 17, 1985 as follows:

Transportation

Resolve, to Name the New Bangor and Brewer Bridge the Veterans Remembrance Bridge (S.P. 648) (L.D. 1673) (Presented by Senator ERWIN of Oxford) (Cosponsors: Senator DOW of Kennebec, Representative E. PARADIS of Old Town, Representative CLARK of Millinocket) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26)

Utilities

Bill "An Act to Make Changes in the Reserve Fund for Municipal Water Departments and Quasi-municipal Water Districts" (S.P. 649) (L.D. 1674) (Presented by Senator CLARK of Cumberland) (Cosponsors: Representative VOSE of Eastport, Representative WEYMOUTH of West Gardiner, Senator WEBSTER of Franklin) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26)

Fisheries and Wildlife

Bill "An Act to Clarify Equipment and Vehicle Use Policy" (S.P. 650) (L.D. 1675) (Presented by Senator DOW of Kennebec) (Cosponsors: Senator PERKINS of Hancock, Representative WEYMOUTH of West Gardiner, Representative ROTONDI of Athens) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26)

Marine Resources

Bill "An Act Concerning Lobster Trap Identification Tags" (S.P. 651) (L.D. 1676) (Presented by Senator CHALMERS of Knox) (Cosponsor: Representative CROWLEY of Stockton Springs) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Edwin H. Pert
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.P. 662

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

December 19, 1985

The Honorable Charles P. Pray
President of the Senate
112th Legislature

The Honorable John L. Martin
Speaker of the House
112th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today seven bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees and ordered printed on December 19, 1985 as follows:

Transportation

Bill "An Act to Amend the Access Roads to Public Ski Areas" (S.P. 652) (L.D. 1684) (Presented by Senator DOW of Kennebec) (Cosponsored by: Representative THERIAULT of Fort Kent, Representative MILLS of Bethel, Representative STROUT of Corinth) (Submitted by the Department of Transportation pursuant to Joint Rule 24)

Appropriations and Financial Affairs

Bill "An Act Making Appropriations from the General Fund Necessary for the Proper Operation of the Judicial Department for the Fiscal Years Ending June 30, 1986, and June 30, 1987." (Emergency) (S.P. 656) (L.D. 1694) (Presented by Senator CARPENTER of Aroostook) (Cosponsored by: Representative KANE of So. Portland) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act Making Supplemental Appropriations from the General Fund to the Judicial Department for the Fiscal Years Ending June 30, 1986, and June 30, 1987" (Emergency) (S.P. 659) (L.D. 1697) (Presented by Senator CARPENTER of Aroostook) (Cosponsored by: Representative KANE of So. Portland) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26.)

Judiciary

Bill "An Act to Allow Justices of the Superior Court to Act on Requests for Preliminary Child Protection Orders" (S.P. 658) (L.D. 1696) (Presented by Senator CARPENTER of Aroostook) (Cosponsored by: Representative KANE of So. Portland) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Amend Certain Judicial Divisions and Districts of the Maine District Court Statutes." (S.P. 657) (L.D. 1695) (Presented by Senator CARPENTER of Aroostook) (Cosponsored by: Representative KANE of So. Portland) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Permit the Transfer of Protection from Abuse Hearings from Superior Court to District Court" (S.P. 655) (L.D. 1693) (Presented by Senator CARPENTER of Aroostook) (Cosponsored by: Representative KANE of So. Portland) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Make Certain Technical Changes in the Law Relating to Post-conviction Review" (S.P. 654) (L.D. 1692) (Presented by Senator CARPENTER of Aroostook) (Cosponsored by: Representative KANE of So. Portland) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26.)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Edwin H. Pert
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.P. 667

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

December 20, 1985

The Honorable Charles P. Pray
President of the Senate
112th Legislature

The Honorable John L. Martin
Speaker of the House
112th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today six bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees and ordered printed on December 20, 1985 as follows:

State Government

Bill "An Act Regarding the Appointment of Harbor Masters" (S.P. 660) (L.D. 1698) (Presented by Senator PERKINS of Hancock) (Cosponsored by: Senator SHUTE of Waldo, Senator SEWALL of Lincoln, Representative LACROIX of Oakland) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26.)

Agriculture

Bill "An Act to Coordinate Board of Pesticides Control Registration" (S.P. 661) (L.D. 1699) (Presented by President PRAY of Penobscot) (Cosponsored by: Senator BLACK of Cumberland, Representative TARDY of Palmyra, Representative SHERBURNE of Dexter) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26.)

Human Resources

Bill "An Act to Continue Protection and Advocacy Services at the Current Level" (Emergency) (S.P. 663) (L.D. 1700) (Presented by Senator PERKINS of Hancock) (Cosponsored by: Representative C.W. SMITH of Mars Hill, Representative CONNOLLY of Portland, Representative BELL of Paris) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26.)

Transportation

Bill "An Act to Amend Certain Motor Vehicle Laws" (S.P. 664) (L.D. 1706) (Presented by Senator TWITCHELL of Oxford) (Cosponsored by: Representative STROUT of Corinth, Representative JACKSON of Harrison) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26.)

Business and Commerce

Bill "An Act Concerning Self-insurance Pools Among Public Agencies for Tort and Property Liability" (S.P. 666) (L.D. 1708) (Presented by President PRAY of Penobscot) (Cosponsored by: Representative BRANNIGAN of Portland, Representative MURPHY of Kennebunk, Senator KERRY of York) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26.)

Taxation

Bill "An Act to Bring Title 29 into Agreement with the Regional Fuel Tax Agreement Laws." (Emergency) (S.P. 665) (L.D. 1707) (Presented by Senator TWITCHELL of Oxford) (Cosponsored by: Representative JACKSON of Harrison) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26.)

Sincerely,
S/Joy J. O'Brien
Secretary of the Senate

S/Edwin H. Pert
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.P. 670

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

December 23, 1985

The Honorable Charles P. Pray
President of the Senate
112th Legislature

The Honorable John L. Martin
Speaker of the House
112th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today two bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees and ordered printed on December 23, 1985 as follows:

Agriculture

Bill "An Act to Improve Enforcement of the Potato Branding Law" (S.P. 668) (L.D. 1722) (Presented by Senator ERWIN of Oxford) (Cosponsored by: Representative TARDY of Palmyra, Representative AYER of Caribou, Representative C.W. SMITH of Mars Hill) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 24)

Utilities

Bill "An Act to Make Changes in the Laws Governing Public Utilities" (S.P. 669) (L.D. 1723) (Presented by Senator BALDACCI of Penobscot) (Cosponsored by: Representative RICHARD of Madison, Representative CLARK of Millinocket, Representative NICHOLSON of South Portland) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely
S/Joy J. O'Brien
Secretary of the Senate

S/Edwin H. Pert
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.P. 674

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

December 26, 1985

The Honorable Charles P. Pray
President of the Senate
112th Legislature

The Honorable John L. Martin
Speaker of the House
112th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today two bills and one resolve were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills and resolve were referred to the Joint Standing Committees and ordered printed on December 26, 1985 as follows:

Education

Bill "An Act to Clarify the Status of Vocational Education in Washington County" (S.P. 673) (L.D. 1741) (Presented by Senator BROWN of Washington) (Cosponsored by: Representative MOHOLLAND of Princeton, Representative VOSE of Eastport, Representative TAMMARO of Baileyville) (Submitted by the Department of Educational and Cultural Services pursuant to Joint Rule 24)

Taxation

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory (S.P. 671) (L.D. 1739) (Presented by Senator TWITCHELL of Oxford) (Cosponsored by: Representative CASHMAN of Old Town) (Submitted by the Department of Finance and Administration pursuant to Joint Rule 24)

Transportation

Bill "An Act Relating to Financing the Capital Improvement of Local Bridges" (S.P. 672) (L.D. 1740) (Presented by Senator DOW of Kennebec) (Cosponsored by: Representative MOHOLLAND of Princeton, Representative SOUCY of Kittery, Representative MILLS of Bethel) (Submitted by the Department of Transportation pursuant to Joint Rule 24)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Edwin H. Pert
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.P. 677

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

December 27, 1985

The Honorable Charles P. Pray
President of the Senate
112th Legislature

The Honorable John L. Martin
Speaker of the House
112th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today two bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committee and ordered printed on December 27, 1985 as follows:

State Government

Bill "An Act to Allow Administrative Agencies to Continue to Adopt Emergency Rules Where Necessary" (S.P. 675) (L.D. 1748) (Presented by Senator CHALMERS of Knox) (Cosponsored by: Representative MICHAEL of Auburn, Senator DUTREMBLE of York, Representative CROWLEY of Stockton Springs)

Business and Commerce

Bill "An Act Pertaining to Product Liability Risk Retention Groups" (S.P. 676) (L.D. 1749) (Presented by Senator BUSTIN of Kennebec) (Cosponsored by: Representative RYDELL of Brunswick, Representative ARMSTRONG of Wilton, Senator SEWALL of Lincoln) (Submitted by the Department of Business, Occupational and Professional Regulation pursuant to Joint Rule 24)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Edwin H. Pert
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.P. 679

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

December 31, 1985

The Honorable Charles P. Pray
President of the Senate
112th Legislature

The Honorable John L. Martin
Speaker of the House
112th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today one bill was received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, this bill was referred to the Joint Standing Committee and ordered printed on January 2, 1985 as follows:

Fisheries and Wildlife

Bill "An Act to Modify and Update Certain Laws Pertaining to Inland Fisheries and Wildlife" (S.P. 678) (L.D.1759) (Presented by Senator MATTHEWS of Kennebec) (Cosponsored by: Representative CLARK of Millinocket, Representative C.W. SMITH of Mars Hill, Representative DUFFY of Bangor) (Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 24)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Edwin H. Pert
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.P. 681

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

January 2, 1986

The Honorable Charles P. Pray
President of the Senate
112th Legislature

The Honorable John L. Martin
Speaker of the House
112th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today one bill was received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, this bill was referred to the Joint Standing Committee and ordered printed on January 2, 1986 as follows:

Human Resources

Bill "An Act to Expedite Litigation in Cases involving Judicial Review of Certificate of Need Decisions of the Department of Human Services" (S.P. 680) (L.D. 1760) (Presented by Senator BROWN of Washington) (Cosponsored by: Senator GILL of Cumberland, Representative MELENDY of Rockland, Representative BOUTILIER of Lewiston) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

S/Edwin H. Pert
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.P. 683

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

January 3, 1986

The Honorable Charles P. Pray
President of the Senate
112th Legislature

The Honorable John L. Martin
Speaker of the House
112th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today one bill was received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, this bill was referred to the Joint Standing Committee and ordered printed on January 3, 1986 as follows:

Fisheries and Wildlife

Bill "AN Act to Revise the Statutes Pertaining to Use and Sale of Live Fish as Bait" (S.P. 682) (L.D. 1767) (Presented by Senator MATTHEWS of Kennebec) (Cosponsored by: Representative WALKER of Norway, Representative CLARK of Millinocket, Representative DUFFY of Bangor) (Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 24.)

Sincerely,
S/Joy J. O'Brien
Secretary of the Senate
S/Edwin H. Pert
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.P. 685

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

January 6, 1986

The Honorable Charles P. Pray
President of the Senate
112th Legislature

The Honorable John L. Martin
Speaker of the House
112th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today one bill was received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, this bill was referred to the Joint Standing Committee and ordered printed on January 6, 1986 as follows:

Energy and Natural Resources

Bill "An Act to Increase the Resources of the Advisory Commission on Radioactive Waste and Allocate Funds from the Radioactive Waste Fund" (Emergency) (S.P. 684) (L.D. 1772) (Presented by Senator KANY of Kennebec) (Cosponsored by: Representative MITCHELL of Freeport, Representative COLES of Harpswell, Representative HOLLOWAY of Edgecomb) (Approved for Introduction by a Majority of the of the Legislative Council pursuant to Joint Rule 27)

Sincerely,
S/Joy J. O'Brien
Secretary of the Senate
S/Edwin H. Pert
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.

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

The Following Communication:

STATE OF MAINE
DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES
STATE HOUSE STATION 23
AUGUSTA, MAINE 04333

November 29, 1985

TO: Members of the 112th Legislature
Bureau of the Budget
FROM: S/Robert Eugene Boose, Commissioner
SUBJECT: Actual Education Costs for Base Year
1984-85

Pursuant to the provisions of 20-A MRSA Section 15604, I forward herewith notification of the "actual education costs" as defined in subsection 1 of 20-A MRSA Section 15604 for the base year 1984-85.

- A. Operating costs
 - (1) Elementary \$246,354,829
 - (2) Secondary \$153,965,364
- B. Special education costs for programs operated by administrative units 31,897,732
- C. Special education tuition and board, excluding medical costs 9,501,716
 - (1) Tuition and board for pupils placed by administrative units \$7,381,449

(2) Tuition and board for State Wards and direct State placements \$1,720,267

(3) Adjustments under section 15612, subsection 6 \$400,000

D. Vocational education costs 13,790,588

E. Transportation operating costs 34,843,556

F. Purchase of buses 3,999,768

G. Debt Service Costs

- (1) Principal and Interest 29,351,086
(2) Insured Value Factor 594,912
(3) Leases 782,470
(4) Construction-Current Year Const. Funding 791,635
Other major capital cost 1,688,529

H. Cost of reimbursement for private school service 267,299

I. Cost of state exp. for teacher retirement benefits 58,631,640

J. Early childhood educational programs 210,743

The above figures include all adjustments in expenditure reports through November 29, 1985. These expenditures are from state and local monies only, except that Federal P.L. 874 funds are included.

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
DEPARTMENT OF
EDUCATIONAL AND CULTURAL SERVICES
STATE HOUSE STATION 23
AUGUSTA, MAINE 04333

The Honorable Charles P. Pray
President of the Senate
State House Station #3
Augusta, Maine 04333

The Honorable John L. Martin
Speaker of the House
State House Station #2
Augusta, Maine 04333

Dear President Pray and Speaker Martin:

Please be advised that I am prepared, pursuant to provisions of the Education Reform Act of 1984 (20-A M.R.S.A. Subsection 256, sub- 1), to deliver the first annual report on the status of education in the State to a Joint Session of the 112th Legislature.

I await your invitation and further instruction on the time and procedures for this report.

Sincerely,

S/Robert Eugene Boose
Commissioner

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
112th LEGISLATURE
AUGUSTA, MAINE 04333

December 11, 1985

Robert E. Boose, Commissioner
Dept. of Educational and Cultural Services
State House Station #23
Augusta, Maine 04333

Dear Commissioner Boose:

This is to acknowledge your letter of December 10 and to invite you to deliver the first annual report on the status of education in Maine to a Joint Session of the 112th Legislature on Wednesday, January 15, at 11:00 a.m.

We look forward to hearing from you at that time.

Sincerely,

S/Charles P. Pray S/John L. Martin
President of the Senate Speaker of the House

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

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

December 13, 1985

The Honorable Charles P. Pray
President of the Senate
112th Maine Legislature
State House
Augusta, Maine 04333

Dear President Pray:

A copy of the 1985 Forest Insect Managers Report (as required by 12 MRSA Section 8429 (3)) is enclosed for your information.

Budworm populations continue their statewide decline, and no state spray program is planned for 1986. Plans are being made to continue statewide budworm survey and budworm research activities. Ken Stratton, Director of the Maine Forest Service, will report to the 112th Legislature by January 1, 1986 on program plans for 1986.

Legislation has been prepared by the Department of Conservation, for consideration by the Second Regular Session of the 112th Legislature, to eliminate the Office of the Forest Insect Manager and incorporate the duties of the Forest Insect Manager under the Director, Maine Forest Service.

If you have any questions about the enclosed report, I would be pleased to respond to them.

Sincerely,

S/Thomas Rumpf
Forest Insect Manager
Maine Forest Service

Which was READ and with Accompanying Papers
ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
EXECUTIVE DEPARTMENT
STATE PLANNING OFFICE

The Honorable Charles P. Pray
Senate President
Maine State House
State House Station 3
Augusta, Maine 04333

Dear Mr. President:

Enclosed you will find a copy of the report of the Land & Water Resources Council to the Governor and the 112th Legislature on the implementation to date of the Maine Rivers Policy. The report received the unanimous endorsement of the Council at its meeting on December 9.

The report strives to do two things in particular: 1) to place the highly visible controversy over the Big "A" in context, by citing the many, noncontroversial accomplishments under the Rivers Policy that have not received publicity; and 2) to assist the public in understanding the fundamental distinction between traditional environmental regulations, which seek only to control the adverse side effects of private development activity, and the Maine Rivers Act, which provides in addition a careful method for fulfilling the public trust in allocating Maine's valuable river resources.

Of particular interest to you will be our recommendations that:

- 1) no amendments to the Maine Rivers Act are needed at this time;
- 2) consideration of alternative energy sources to hydropower development is appropriate for new dams that will result in significant public economic costs or significant environmental harms;
- 3) procedural matters such as attendance at hearings by board members and opportunities for intervention or public participation in permitting proceedings, should be resolved by LURC and the BEP through general administrative regulations pursuant to the Maine Administrative Procedures Act; and
- 4) the Governor by Executive Order formally designate LURC as the certifying agency for water quality classification for hydropower projects in the unorganized territory, with the DEP providing needed evidence.

I look forward to sitting down with you to discuss this report.

Meanwhile very best wishes for the holiday season!

Sincerely,

S/Richard E. Barringer

Which was READ and with Accompanying Papers
ORDERED PLACED ON FILE.

The Following Communication:

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

December 16, 1985

Charles P. Pray, President
The Senate of Maine
and
Representative John L. Martin, Speaker
The Maine House of Representatives
Augusta, Maine 04333

Dear Senator Pray and Representative Martin:

We are please to submit Commercial Whitewater Rafting: A Review of Recreational Use Limit and Allocation System, Final Report. This report to the Legislature was required by PL 1983, Chapter 502, An Act to Regulate Commercial Whitewater Rafting, and has been jointly prepared by the Bureau of Parks and Recreation and the Department of Inland Fisheries and Wildlife.

As you may recall, a Preliminary Report was submitted to the Legislature on October 15, 1985 in accordance with the submittal date specified in the law. That report did not contain 1985 use data, results of a survey of commercial Whitewater outfitters about regulations affecting them, or public comments on the impact of rafting since the law was passed. The Final Report includes this important information, as well as complete findings and recommendations.

The two reports are companion documents, and together provide, in our opinion, a complete and current review of the recreational use limit and allocation system established to regulate commercial rafting.

This Final Report includes recommendations for amendments to the rafting legislation (12 MRSA Sections 7361-7370-A), as well as recommendations for actions to be taken by the Bureau, the Department, the Whitewater Advisory Committee and commercial rafting outfitters. These recommendations have been reviewed and are supported by the Whitewater Advisory Committee.

If you have any questions or comments about the report, please do not hesitate to call me at 289-3821, or Chief Warden John Marsh, 289-2766.

Sincerely,

S/Herbert Hartman
Director

Which was READ and with Accompanying Papers ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE 04333

December 18, 1985

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

Dear Madam Secretary:

I am pleased to transmit to you the report from the National Transportation Safety Board issued on December 6, 1985 regarding safety Recommendations H-85-49 and -50.

Sincerely,

S/Charles P. Pray
President of the Senate

Which was READ and with Accompanying Papers ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
EXECUTIVE DEPARTMENT
PUBLIC ADVOCATE
STATE HOUSE STATION 112
AUGUSTA, MAINE 04333

December 18, 1985

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

Edwin H. Pert
Clerk of the House
State House Station #2
Augusta, ME 04333

Dear Ms. O'Brien and Mr. Pert:

Enclosed is the report of the Commission on Industrial Stability required by Chapter 433 of the 1985 Public Laws. A copy has been provided to each member of the Legislative Council and the Chairmen of the Utilities and Taxation Committee.

Sincerely,

S/Paul A. Fritzsche

Which was READ and with Accompanying Papers ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
MAINE POTATO COMMISSION
AGRICULTURAL CENTER
744 MAIN STREET, ROOM 9
PRESQUE ISLE, MAINE 04769

December 20, 1985

The Honorable Charles P. Pray
President of the Senate
State House Station 3
Augusta, Maine 04333

Dear Senator Pray:

In accordance with PL 1983, Chapter 766, Section 3, I have enclosed two copies of an evaluation of the organizations currently representing the Maine potato industry and recommendations for consolidating these organizations.

Legislation is now being prepared for the 112th session in accordance with the responsibilities charged to the Maine Potato Commission and other potato organizations by the Legislature.

Sincerely,

S/Richard Kneeland
Chairman

Which was READ and with Accompanying Papers
ORDERED PLACED ON FILE.

The Following Communication:

DEPARTMENT OF ENERGY
CHICAGO OPERATIONS OFFICE
CRYSTALLINE REPOSITORY PROJECT OFFICE (CPO)
9800 South Cass Avenue
Argonne, Illinois 60439

December 18, 1985

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

Dear Mr. Pray:

SUBJECT: RELEASE OF THE DRAFT AREA RECOMMENDATION
REPORT (DARR)

The draft Area Recommendation Report for the Crystalline Repository Project is scheduled for release on January 16, 1986, for a 90-day public review and comment period. This draft document will contain the results of the Department of Energy's (DOE) region-to-area screening of 235 rock bodies in 17 States and will propose candidate areas for further investigation during the next phase of study.

This letter is to notify you in advance of our planned inter-governmental and public liaison activities for the release of this draft decision document.

Our planned activities for release day include:

-Calls by senior DOE officials to Governors of the 17 States currently involved in the Crystalline Program;

-Calls to Indian Tribes with identified interests in the candidate areas;

-Briefings in State capitals for Governor's offices and State legislators, if requested;

-A Congressional briefing in Washington, D.C.; and

-A press conference in Washington, D.C., to announce release of the draft ARR.

During the days and weeks following the announcement, DOE briefing teams will be conducting briefings for legislators (upon request), Indian Tribes, and the general public in each of the State capitals and at other locations, as arranged. The purpose of the briefings is to facilitate review and comment on the draft ARR and respond to questions. DOE will also be conducting public hearings beginning approximately 45 days after release of the draft ARR in the 17 State capitals and at other locations, as arranged. The purpose of the hearings is to receive comments from the public on the draft ARR.

Should you have any questions, please contact Mr. Hunter Weiler on (312) 972-2957.

Sincerely,

S/Sally A. Mann, Manager
Crystalline Repository Project Office

Which was READ and ORDERED PLACED ON FILE.

At this time, His Excellency, Governor JOSEPH E. BRENNAN, entered the Senate Chamber amid applause, the Members rising.

GOVERNOR JOSEPH E. BRENNAN: President Pray, Majority Leader Paul Violette, Minority Leader Tom Perkins, and Members of the Senate. I am happy to see all of you here, in Augusta, for the Second Session of the 112th Legislature. A Second Session can give you a certain feeling of de'ja'vu, a feeling of repetition, a feeling that what you have said and done these things before.

That feeling reminds me of a story I just told down in the House about a former Governor. One morning, that Governor was entertaining at the Blaine House and an old friend came through the reception line to say hello and the Governor asked him how his father was doing. The friends' face fell as he said: "My father just died last week." The Governor expressed his regrets and moved along with the rest of the line.

Later that afternoon, there was another function at the Blaine House and his old friend returned and again went through the receiving line. When the Governor saw him, the Governor sort of spoke, without thinking, and asked him a second time: "How's your father doing?" The friend looked sad and said: "He's still dead Governor."

Some issues, this Session may give you that very same feeling. If fact, just before I got up here to the podium, I asked Senator Pray how the Seat Belt Bill was doing. Senator Pray sort of shook his head and said: "It's still dead, Governor."

However, one of the great wonders of the Legislative process is that a bill which is dead one Session can be alive and kicking, and indeed be enacted in the next Session.

There is a long tradition of something like this taking place in the Maine Legislature. Yes, I believe in the resurrection of old bills. In this Session, I will resurrect some bills for your reconsideration - the most important of which is the Seat Belt Bill. I will also have a number of new proposals in the area of Corrections, the environment and with State Government reorganization, just to name a few.

These proposals will be presented in much more detail in my State of the State Address on the evening of January 21st. The issues will be tough, and they must be faced in a tough political year. For 1986 is clearly an election year, and the overwhelming temptation during this Session, maybe to avoid difficult issues; to postpone hard decisions until the elections are over.

Our tight budget situation will certainly aggravate that tendency. I want to urge you today, not to give in to that temptation and instead, do what has to be done for the good of the people of Maine and to do it when it has to be done and that is this year.

Last Session, this 112th Legislature showed the courage to take on one of the toughest issues of all - the Workers' Compensation Reform. I think you did it in a fair and in a balanced way. This year you will need that same courage, once again, to face the critical needs in our prisons; to take effective action dealing with highway deaths; and to deal with the complex task of reorganizing State Government.

In each of these areas, the people of Maine can not afford to wait another year for action. We must act together in the next fifty Legislative days. To all of you, I want to let you know that my door is always open to discuss any concerns that you may have, if I may be of some help.

I am extremely proud, this year, of the staff who will be working with me and with the Legislature: Dick Davies, Andy Jannell, Nancy Brenerman, and a few new additions, some of whom you have met on many occasions. We're certainly delighted that former Senator Peter Danton decided to join the Executive Branch of Government, after all of these years, and we are going to hold him to a very high standard, and that is always very high when he is dealing with Maine Senate. Of course, we are just delighted to have the former House Majority Leader, Libby Mitchell, who I know will do an outstanding job. I think it will be easy for the Legislature to work with all of the people. So many of these people have so much Legislative experience.

I believe it is a very able and a very talented group and I am sure you will find them helpful. I respectively suggest that you take whatever directions and orders and advice that they may give you. That is what I do and it works out well for me. So, I am not asking any more from you.

I am looking forward to working with you. I think we have a very meaningful program. I think we have an important responsibility to meet together and I have a feeling that this is going to be an extremely successful Legislative Session. I think it is starting off very well and I look forward to working with you for the next fifty Legislative days. Thank you very, very much.

Whereupon, the Governor retired from the Senate Chamber, amid applause, the Members rising.

The Following Communication:

UNIVERSITY OF MAINE AT ORONO
BUREAU OF PUBLIC ADMINISTRATION
CHAUBOURNE HALL
ORONO, MAINE 04469-0113

December 30, 1985

Ms. Joy O'Brien
Secretary of the Senate
State House Station 3
Augusta, Me. 04333

Dear Ms. O'Brien:

I am delivering to you under separate cover 40 copies of the annual report on the administration of the State Government Internship Program as required by the Maine State Statute, Chapter 14, paragraph 294, for distribution to the Senators.

Sincerely,

S/Kathryn H. Godwin, Director
Bureau of Public Administration

Which was READ and with Accompanying Papers ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
EXECUTIVE DEPARTMENT
STATE PLANNING OFFICE

The Following Communication:

January 2, 1986

STATE OF MAINE
EMPLOYEE ASSISTANCE PROGRAM
AND
DEPARTMENT OF FINANCE AND ADMINISTRATION

The Honorable Charles P. Pray
State House Station #3
Augusta, Maine 04333

Dear President Pray:

December 31, 1985

To the President of the Senate and the Speaker of the House of Representatives

Enclosed for your information is a copy of an Executive Order "Designating the State Agencies Responsible for Water Quality Certification," signed by Governor Joseph E. Brennan on December 24, 1985, and a copy of the accompanying press release.

In accordance with the Public Laws of 1985, Chapter 373, Section 2, AN ACT to Establish the State Employee Assistance Program, we have conducted a study of the Employee Assistance Program and submit the attached report with regard to the following areas:

The Executive Order responds to a recommendation made by the Land and Water Resources Council in its report, The Maine Rivers Policy, 1983-1985, A Progress Report to the Governor and Legislature, issued on December 15, and sent to you under separate cover. It specifically designates the Land Use Regulation Commission as the certifying agency for hydropower development projects in the Unorganized Territory, for which it issues permits under the Maine Rivers Act. The Executive Order preserves the intent of the Rivers Act that hydropower permitting shall be one-stop, avoiding the need for applicants with projects in LURC jurisdiction to go to the Board of Environmental Protection for water quality certification. It takes effect January 15, 1986, and does not affect any projects for which an application for hydropower permit or a request for water quality certification was accepted before that date.

1. Total number of users of the program (January 1, 1985 through November 30, 1985).
2. Number of users by departments or agencies of State Government (July 1, 1985 through November 30, 1985).
3. Methods by which the users learned about the program or came into contact with the program (July 1, 1985 through November 30, 1985).
4. Alternative funding proposals for implementing the program.

The staff of the Department of Environmental Protection will serve both LURC and the BEP on these matters, to avoid duplication of effort. The joint regulations of the two agencies, now undergoing APA review, will clarify how these proceedings will be incorporated into the hydropower permitting process to assure that all applicable water quality standards are met.

Each of the above areas has been covered as concisely as possible. In addition, under separate cover, we have supplied the members of the Joint Standing Committee on State Government with copies of the Employee Assistance Labor - Management Committee Report which was submitted to the Governor on February 1, 1983.

If you have any questions concerning the Executive Order, or any other matters relating to implementation of the Maine Rivers Policy, please do not hesitate to contact me or Karen Massey, Director of the Land and Water Resources Council.

Should you require additional information, we would be willing to provide whatever is requested.

With best wishes for the new year.

S/Rodney L. Scribner, Commissioner
Department of Finance and Administration

Sincerely,

S/Kevin M. Parker, Director
Employee Assistance Program

S/Richard E. Barringer, Chairman
Land & Water Resources Council

Which was READ and with Accompanying Papers ORDERED PLACED ON FILE.

Which was READ and with Accompanying Papers ORDERED PLACED ON FILE.

SENATE PAPERS

Bill "An Act to Amend the State Subsurface Waste Water Disposal Laws"

S.P. 686

Presented by Senator KANY of Kennebec
Cosponsored by: Senator BROWN of Washington,
Senator TRAFTON of Androscoggin
Approved for Introduction by a Majority of the
Legislative Council pursuant to Joint Rule 26

Which was referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED.

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

Senator KANY: Thank you, Mr. President. May the Record show that it was the intent of the Sponsor to ask Representative Darryl Brown to Cosponsor this measure. As happy as I am and as delighted as I am to have Senator Larry Brown as a Cosponsor, the directions I thought I gave to Legislative Research were to ask Representative Brown, because Senator Trafton, Representative Brown and I served on a Committee, which met eight or ten times, over a period of several months, to develop this legislation. There certainly would have been room for a fourth Cosponsor and I am pleased that it is Senator Brown. I am sorry that Representative Brown's name was left off the Bill. I understand, after inquiring, that it would cost an additional six hundred dollars to have the Bill reprinted with Representative Brown's name on it. So, the President of the Senate has suggested that I just get up and make note of the original intent.

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

Senator BROWN: Thank you, Mr. President. Please let the Record show that I reluctantly will remain on that Bill for the good Senator.

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

Bill "An Act to Protect Homeowners Against Workers' Compensation Exposures"

S.P. 688

Presented by Senator DUTREMBLE of York
Cosponsored by: Representative RYDELL of Brunswick, Representative ALIBERTI of Lewiston, Representative TELOW of Lewiston
Submitted by Department of Business, Occupational and Professional Regulation pursuant to Joint Rule 24

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

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

ORDERS

Joint Orders

On motion by Senator TWITCHELL of Oxford, the following Joint Order: S.P. 687

ORDERED, the House concurring, that there be prepared, after adjournment of the present session, by the Legislative Information Officer, a Register of all the Bills and Resolves considered by both branches of the Legislature, showing the history and final disposition of each Bill and Resolve and that there be printed 400 copies of the same. The Legislative Information Officer shall mail a copy of the Register to each member and Officer of the Legislature and the State Law and Legislative Reference Library shall receive such number of copies as may be required.

Which was READ and PASSED.

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

On motion by Senator VIOLETTE of Aroostook, the following Senate Order:

ORDERED, that the Secretary of the Senate be directed to furnish each member of the Senate, during the present session, with two daily newspapers printed in the State, as each member may direct.

Which was READ and PASSED.

On motion by Senator CLARK of Cumberland, the following Senate Order:

ORDERED, that the Secretary of the Senate be authorized to furnish 100 22-cent stamps for each member of the Senate for the purpose of distributing various reports of the Departments of State and other public documents such as they may desire to mail to the citizens of the State.

Which was READ and PASSED.

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order: H.P. 1267

ORDERED, the Senate concurring, that the Executive Director of the Legislative Council be authorized and directed to pay each member of the Legislature prior to January 10, 1986, a \$330 allowance for constituent services as authorized in the Maine Revised Statutes, Title 3, section 2.

Comes from the House, READ and PASSED.

Which was READ and PASSED, in concurrence.

COMMUNICATIONS

The Following Communication: H.P. 1178

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333

December 17, 1985

John L. Martin
Speaker of the House
112th Legislature

Charles P. Pray
President of the Senate
112th Legislature

Dear Mr. Speaker and Mr. President:

On December 17, 1985, three Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on December 17, 1985, as follows:

Transportation

Bill "An Act to Provide Vanity Plates for Trailers" (H.P. 1175) (L.D. 1670) (Presented by Representative DAGGETT of Manchester) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Utilities

Bill "An Act to Clarify the Referendum Provision to Revise and Modernize the Charter of the York Sewer District" (Emergency) (H.P. 1176) (L.D. 1671) (Presented by Representative VOSE of Eastport) (Cosponsor: Representative ROLDE of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act Increasing the Indebtedness of the Dover and Foxcroft Water District" (Emergency) (H.P. 1177) (L.D. 1672) (Presented by Representative LAW of Dover-Foxcroft) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,

S/Edwin H. Pert
Clerk of the House

S/Joy J. O'Brien
Secretary of the Senate

Comes from the House READ and ORDERED PLACED ON FILE.

Which was READ and ORDERED PLACED ON FILE, in concurrence.

The Following Communication: H.P. 1180

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333

December 17, 1985

John L. Martin
Speaker of the House
112th Legislature

Charles P. Pray
President of the Senate
112th Legislature

Dear Mr. Speaker and Mr. President:

On December 17, 1985, one Bill was received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, this bill was referred to the Joint Standing Committee on December 17, 1985 as follows:

The Following Communication: H.P. 1195

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333

December 19, 1985

John L. Martin
Speaker of the House
112th Legislature

Charles P. Pray
President of the Senate
112th Legislature

Dear Mr. Speaker and Mr. President:

On December 19, 1985, seven Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on December 19, 1985 as follows:

Business and Commerce

Bill "An Act Establishing State Regulation of Employment Agencies" (H.P. 1191) (L.D. 1688) (Presented by Representative BRANNIGAN of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Amend Maine's Abandoned Property Law" (H.P. 1192) (L.D. 1689) (Presented by Representative BRANNIGAN of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Human Resources

Bill "An Act to Require Notice of the Smoking Policy in Restaurants" (H.P. 1193) (L.D. 1690) (Presented by Representative MANNING of Portland) (Cosponsor: Representative PINES of Limestone) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Judiciary

Bill "An Act Concerning Substance Abuse Education" (H.P. 1188) (L.D. 1685) (Presented by Representative ALLEN of Washington) (Cosponsor: Senator CHALMERS of Knox) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act Relating to Penobscot Nation Game Wardens" (H.P. 1194) (L.D. 1691) (Presented by Representative CASHMAN of Old Town) (Cosponsor: Senator PEARSON of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Legal Affairs

Bill "An Act to Allow Municipal Officers to Delegate their Authority to License Catered Off-premise Functions" (H.P. 1189) (L.D. 1686) (Presented by Representative REEVES of Pittston) (Cosponsors: Representatives MACOMBER of South Portland, DILLENBACK of Cumberland, and RIOUX of Biddeford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Transportation

RESOLVE, to Name the New Bridge Between the Cities of Bangor and Brewer the "POW-MIA Memorial Bridge" (H.P. 1190) (L.D. 1687) (Presented by Representative CLARK of Millinocket) (Cosponsors: Representative THERIAULT of Fort Kent and Senator ERWIN of Oxford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,

S/Edwin H. Pert
Clerk of the House

S/Joy J. O'Brien
Secretary of the Senate

Comes from the House READ and ORDERED PLACED ON FILE.

Which was READ and ORDERED PLACED ON FILE, in concurrence.

The Following Communication: H.P. 1201

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333

December 20, 1985

John L. Martin
Speaker of the House
112th Legislature

Charles P. Pray
President of the Senate
112th Legislature

Dear Mr. Speaker and Mr. President:

On December 20, 1985, five Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on December 20, 1985 as follows:

Aging, Retirement and Veterans

Bill "An Act to Correct Inequities in the Laws of the Maine State Retirement System" (H.P. 1196) (L.D. 1701) (Presented by Representative HICKEY of Augusta) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Authorize the Establishment of Veterans' Homes in Northern and Southern Maine" (H.P. 1198) (L.D. 1703) (Presented by Speaker Martin of Eagle Lake) (Cosponsors: Senators ERWIN of Oxford, DUTREMBLE of York, and Representative PAUL of Sanford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Labor

Bill "An Act to Require that State Programs Recognize the Impact of Minimum Wage Increases" (H.P. 1197) (L.D. 1702) (Presented by Representative BEAULIEU of Portland) (Cosponsors: Representative McCOLLISTER of Canton, Senator ERWIN of Oxford, and Speaker MARTIN of Eagle Lake) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Reauthorize the Dislocated Workers Fund" (Emergency) (H.P. 1199) (L.D. 1704) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsors: Senator DUTREMBLE of York, Representatives ERWIN of Rumford, and WILLEY of Hampden) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Taxation

Bill "An Act Relating to the Enforcement of the United States Heavy Vehicle Use Tax" (Emergency) (H.P. 1200) (L.D. 1705) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsors: Senator DOW of Kennebec, Representatives MOHOLLAND of Princeton, and McPHERSON of Eliot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,

S/Edwin H. Pert
Clerk of the House

S/Joy J. O'Brien
Secretary of the Senate

Comes from the House READ and ORDERED PLACED ON FILE.

Which was READ and ORDERED PLACED ON FILE, in concurrence.

The Following Communication: H.P. 1215

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333

December 23, 1985

John L. Martin
Speaker of the House
112th Legislature

Charles P. Pray
President of the Senate
112th Legislature

Dear Mr. Speaker and Mr. President:

On December 23, 1985, thirteen Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on December 23, 1985 as follows:

Agriculture

Bill "An Act to Increase the Registration Fee Charged to Pesticide Manufacturers and Other Registrants" (H.P. 1208) (L.D. 1715) (Presented by Representative MICHAEL of Auburn) (Cosponsors: Representatives McCOLLISTER of Canton, PARENT of Benton, and Senator ERWIN of Oxford) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 24)

Business and Commerce

Bill "An Act to Amend the Postgraduate Training Requirement for Licensure of Physicians" (H.P. 1209) (L.D. 1716) (Presented by Representative DAGGETT of Manchester) (Cosponsors: Representatives CARROLL of Gray, NELSON of Portland, and Senator BUSTIN of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Judiciary

Bill "An Act Relating to the Passamaquoddy Indian Reservation" (H.P. 1210) (L.D. 1717) (Presented by Representative VOSE of Eastport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Legal Affairs

Bill "An Act to Amend the Date on Which Quarterly Campaign Reports are Due" (H.P. 1206) (L.D. 1713) (Presented by Representative MAYO of Thomaston) (Cosponsors: Senator CHALMERS of Knox, Representatives HANDY of Lewiston, and WARREN of Scarborough) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Marine Resources

Bill "An Act Relating to Lease Fees Under the Bureau of Public Lands" (H.P. 1207) (L.D. 1714) (Presented by Representative SCARPINO of St. George) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Conserve Striped Bass" (H.P. 1213) (L.D. 1720) (Presented by Representative CARTER of Winslow) (Cosponsor: Representative CROWLEY of Stockton Springs) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

State Government

Bill "An Act to Adjust the Rate of Compensation of the Members of the Maine Health Care Finance Commission" (H.P. 1211) (L.D. 1718) (Presented by Representative GWADOSKY of Fairfield) (Cosponsors: Representative BRANNIGAN of Portland, Senators NAJARIAN of Cumberland, and BUSTIN of Kennebec)

Taxation

Bill "An Act Relating to Place of Payment of Motor Vehicle Excise Tax on Leased Vehicles" (H.P. 1202) (L.D. 1709) (Presented by Representative LACROIX of Oakland) (Cosponsors: Representatives CASHMAN of Old Town, THERIAULT of Fort Kent and JACKSON of Harrison) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Reduce the Burden of Property Taxes on Persons who are Elderly" (H.P. 1212) (L.D. 1719) (Presented by Representative VOSE of Eastport) (Cosponsors: Senator TWITCHELL of Oxford, Representatives ERWIN of Rumford, and WALKER of Norway) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Transportation

Bill "An Act to Clarify the Authority of Municipal Officers to Temporarily Restrict Vehicle Passage over Certain Highways" (H.P. 1203) (L.D. 1710) (Presented by Representative STROUT of Corinth) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Utilities

Bill "An Act Relating to Public Utility Service Charge Liens" (H.P. 1204) (L.D. 1711) (Presented by Representative DAVIS of Monmouth) (Cosponsors: Representatives RICHARD of Madison, PARADIS of Old Town, and Senator BALDACCI of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act Regarding Utility Assessments" (H.P. 1205) (L.D. 1712) (Presented by Representative PARADIS of Old Town) (Cosponsors: Senators BALDACCI of Penobscot, WEBSTER of Franklin, and Representative VOSE of Eastport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Amend the Charter of the York Water District" (Emergency) (H.P. 1214) (L.D. 1721) (Presented by Representative ROLDE of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,

S/Edwin H. Pert
Clerk of the House

S/Joy J. O'Brien
Secretary of the Senate

Comes from the House READ and ORDERED PLACED ON FILE.

Which was READ and ORDERED PLACED ON FILE, in concurrence.

The Following Communication: H.P. 1222

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333

December 24, 1985

John L. Martin
Speaker of the House
112th Legislature

Charles P. Pray
President of the Senate
112th Legislature

Dear Mr. Speaker and Mr. President:

On December 24, 1985, six Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on December 24, 1985 as follows:

Agriculture

Bill "An Act to Establish a Research Program on the Agricultural Utilization of Industrial Waste Products" (H.P. 1217) (L.D. 1725) (Presented by Representative AYER of Caribou) (Cosponsors: Representatives MITCHELL of Freeport, McGOWAN of Canaan, and Senator BLACK of Cumberland) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 24)

Bill "An Act Revising the Mandatory Vaccination Requirement for Livestock" (H.P. 1218) (L.D. 1726) (Presented by Representative DAGGETT of Manchester) (Cosponsors: Representatives MICHAEL of Auburn, TARDY of Palmyra, and Senator BLACK of Cumberland) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 24)

Business and Commerce

Bill "An Act to Permit Mobile Banking in Rural Maine" (H.P. 1219) (L.D. 1727) (Presented by Representative MARTIN of Van Buren) (Cosponsors: Representatives SIMPSON of Casco, ROTONDI of Athens, and Senator MATTHEWS of Kennebec) (Submitted by the Department of Business, Occupational and Professional Regulation pursuant to Joint Rule 24)

Bill "An Act to Expand Investment Opportunities for State-chartered Credit Unions" (H.P. 1220) (L.D. 1728) (Presented by Representative RYDELL of Brunswick) (Cosponsors: Representatives MARTIN of Van Buren, TELOW of Lewiston, and Senator BUSTIN of Kennebec) (Submitted by the Department of Business, Occupational and Professional Regulation pursuant to Joint Rule 24)

Energy and Natural Resources

Bill "An Act to Clarify the Sand Dunes Law" (H.P. 1221) (L.D. 1729) (Presented by Representative WARREN of Scarborough) (Cosponsors: Senator KERRY of York and Representative HIGGINS of Scarborough) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Fisheries and Wildlife

Bill "An Act Pertaining to Local Registration of Watercraft" (H.P. 1216) (L.D. 1724) (Presented by Representative JACQUES of Waterville) (Cosponsors: Senator MATTHEWS of Kennebec and Representative WALKER of Norway) (Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 24)

Sincerely,

S/Edwin H. Pert
Clerk of the House

S/Joy J. O'Brien
Secretary of the Senate

Comes from the House READ and ORDERED PLACED ON FILE.

Which was READ and ORDERED PLACED ON FILE, in concurrence.

The Following Communication: H.P. 1232

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333

December 26, 1985

John L. Martin
Speaker of the House
112th Legislature

Charles P. Pray
President of the Senate
112th Legislature

Dear Mr. Speaker and Mr. President:

On December 26, 1985, nine Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on December 26, 1985 as follows:

Agriculture

Bill "An Act to Revise the Maine Apiary Laws" (H.P. 1223) (L.D. 1730) (Presented by Representative DAGGETT of Manchester) (Cosponsors: Senator ERWIN of Oxford, Representatives MICHAEL of Auburn, and LORD of Waterboro) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 24)

Business and Commerce

Bill "An Act to Clarify the Confidentiality Provisions of the Maine Banking Code" (H.P. 1224) (L.D. 1731) (Presented by Representative ALIBERTI of Lewiston) (Cosponsors: Representatives STEVENS of Bangor, MURRAY of Bangor, and Senator SEWALL of Lincoln) (Submitted by the Department of Business, Occupational and Professional Regulation pursuant to Joint Rule 24)

Bill "An Act to Authorize the Superintendent of Insurance to Promulgate Rules Relating to Coordination of Group Health Insurance Benefits" (H.P. 1225) (L.D. 1732) (Presented by Representative MURRAY of Bangor) (Cosponsors: Senator KERRY of York, Representatives BRANNIGAN of Portland, and RYDELL of Brunswick) (Submitted by the Department of Business, Occupational and Professional Regulation pursuant to Joint Rule 24)

Bill "An Act Relating to the Surplus Lines Insurance Law" (H.P. 1226) (L.D. 1733) (Presented by Representative MURRAY of Bangor) (Cosponsors: Senator BUSTIN of Kennebec, Representatives STEVENS of Bangor, and ARMSTRONG of Wilton) (Submitted by the Department of Business, Occupational and Professional Regulation pursuant to Joint Rule 24)

Bill "An Act Relating to Dividends on Insurance Policies" (H.P. 1227) (L.D. 1734) (Presented by Representative BRANNIGAN of Portland) (Cosponsors: Senator KERRY of York, Representatives STEVENS of Bangor, and ALIBERTI of Lewiston) (Submitted by the Department of Business, Occupational and Professional Regulation pursuant to Joint Rule 24)

Judiciary

Bill "An Act Relating to Settlement Negotiations and Investigation of Facts by the Maine Human Rights Commission" (H.P. 1228) (L.D. 1735) (Presented by Representative PRIEST of Brunswick) (Cosponsors: Senators TRAFTON of Androscoggin, CARPENTER of Aroostook, and Representative DILLENBACK of Cumberland) (Submitted by the Human Rights Commission pursuant to Joint Rule 24)

Labor

Bill "An Act to Amend the Employment Security Law" (H.P. 1229) (L.D. 1736) (Presented by Representative HALE of Sanford) (Cosponsors: Representatives RUHLIN of Brewer, BONNEY of Falmouth, and Senator TUTTLE of York) (Submitted by the Department of Labor pursuant to Joint Rule 24)

Utilities

Bill "An Act to Clarify the Confidentiality of Accident Reports" (H.P. 1230) (L.D. 1737) (Presented by Representative VOSE of Eastport) (Cosponsors: Representatives CLARK of Millinocket, PARADIS of Old Town, and NICHOLSON of South Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Amend the Charter of the Brunswick Sewer District" (Emergency) (H.P. 1231) (L.D. 1738) (Presented by Representative PRIEST of Brunswick) (Cosponsors: Senator CLARK of Cumberland, Representatives HAYDEN of Brunswick, and RYDELL of Brunswick) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,

S/Edwin H. Pert
Clerk of the House

S/Joy J. O'Brien
Secretary of the Senate

Comes from the House READ and ORDERED PLACED ON FILE.

Which was READ and ORDERED PLACED ON FILE, in concurrence.

The Following Communication: H.P. 1239

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333

December 27, 1985

John L. Martin
Speaker of the House
112th Legislature

Charles P. Pray
President of the Senate
112th Legislature

Dear Mr. Speaker and Mr. President:

On December 27, 1985, six Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on December 27, 1985 as follows:

Appropriations and Financial Affairs

Bill "An Act to Fund Elderly Legal Services in Northern and Eastern Maine Communities" (H.P. 1233) (L.D. 1742) (Presented by Representative LISNIK of Presque Isle) (Cosponsors: Speaker MARTIN of Eagle Lake, Senators CARPENTER of Aroostook, and McBREAIRTY of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

State Government

Bill "An Act to Amend the Maine Community Services Act" (H.P. 1234) (L.D. 1743) (Presented by Representative SIMPSON of Casco) (Cosponsors: Representatives JOSEPH of Waterville and RANDALL of East Machias) (Submitted by the Executive Department, Division of Community Services pursuant to Joint Rule 24)

Taxation

Bill "An Act Providing Conformity with the United States Internal Revenue Code under the Maine Income Tax Law" (Emergency) (H.P. 1235) (L.D. 1744) (Presented by Representative MAYO of Thomaston) (Cosponsors: Representatives NELSON of Portland, JACKSON of Harrison, and Senator TWITCHELL of Oxford) (Submitted by the Department of Finance and Administration pursuant to Joint Rule 24)

Utilities

Bill "An Act to Fairly Apportion the Cost of New Water Utility Services" (Emergency) (H.P. 1236) (L.D. 1745) (Presented by Representative MURPHY of Kennebunk) (Cosponsors: Representative ROLDE of York, Senators MAYBURY of Penobscot, and CLARK of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Amend the Charter of the Kennebunk, Kennebunkport and Wells Water District" (Emergency) (H.P. 1237) (L.D. 1746) (Presented by Representative MURPHY of Kennebunk) (Cosponsors: Senator DUTREMBLE of York, Representatives SEAVEY of Kennebunkport, and WENTWORTH of Wells) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Fairly Apportion the Cost of Water System Extensions and Expansions" (Emergency) (H.P. 1238) (L.D. 1747) (Presented by Representative ROLDE of York) (Cosponsors: Representative MURPHY of Kennebunk and Senator CLARK of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,

S/Edwin H. Pert
Clerk of the House

S/Joy J. O'Brien
Secretary of the Senate

Comes from the House READ and ORDERED PLACED ON FILE.

Which was READ and ORDERED PLACED ON FILE, in concurrence.

The Following Communication: H.P. 1249

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333

December 30, 1985

John L. Martin
Speaker of the House
112th Legislature

Charles P. Pray
President of the Senate
112th Legislature

Dear Mr. Speaker and Mr. President:

On December 30, 1985, nine Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on December 30, 1985 as follows:

Agriculture

Bill "An Act to Increase the Penalty for Violation of the Provisions of the Pesticide Control Laws" (H.P. 1244) (L.D. 1754) (Presented by Representative MICHAEL of Auburn) (Cosponsors: Representative McCOLLISTER of Canton, Senators ERWIN of Oxford, and BLACK of Cumberland) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 24)

Business and Commerce

Bill "An Act to Insure Fair Practices in the Sale of Health Insurance Policies to Elderly Consumers" (H.P. 1245) (L.D. 1755) (Presented by Representative BRANNIGAN of Portland) (Cosponsor: Senator CLARK of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Education

Bill "An Act to Amend the School Construction Law" (H.P. 1246) (L.D. 1756) (Presented by Representative BOST of Orono) (Cosponsors: Representatives O'GARA of Westbrook, ROBERTS of Farmington, and MATTHEWS of Caribou) (Submitted by the Department of Educational and Cultural Services pursuant to Joint Rule 24)

Bill "An Act to Strengthen Provisions Relating to the Delivery of the Publications of State Agencies to the Maine State Library for Reliable Public Access" (H.P. 1247) (L.D. 1757) (Presented by Representative LACROIX of Oakland) (Cosponsors: Representatives DUFFY of Bangor, WALKER of Norway, and Senator MATTHEWS of Kennebec) (Submitted by the Department of Educational and Cultural Services pursuant to Joint Rule 24)

Energy and Natural Resources

Bill "An Act to Adjust and Allocate Various Dedicated Revenue Accounts of the Department of Environmental Protection for Fiscal Years Ending June 30, 1986, and June 30, 1987" (Emergency) (H.P. 1240) (L.D. 1750) (Presented by Representative McGOWAN of Canaan) (Cosponsors: Representatives RACINE of Biddeford, SIMPSON of Casco, and HOGLUND of Portland) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 24)

Bill "An Act Concerning Fees Imposed on the Generation of Hazardous Waste" (H.P. 1241) (L.D. 1751) (Presented by Representative COLES of Harpswell) (Cosponsors: Senator KANY of Kennebec, Representatives HOGLUND of Portland, and HOLLOWAY of Edgecomb) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 24)

Human Resources

Bill "An Act Regarding Smokeless Tobacco" (H.P. 1242) (L.D. 1752) (Presented by Representative MELENDY of Rockland) (Cosponsors: Representatives CARROLL of Gray, PINES of Limestone, and Senator KERRY of York) (Submitted by the Department of Human Services pursuant to Joint Rule 24)

State Government

Bill "An Act to Clarify Sales of Surplus Vehicles at State Auction" (H.P. 1248) (L.D. 1758) (Presented by Representative COTE of Auburn) (Cosponsors: Representatives NADEAU of Saco and LACROIX of Oakland) (Submitted by the Department of Finance and Administration pursuant to Joint Rule 24)

Taxation

Bill "An Act Amending the Excise Tax Law as it Relates to Car Leasing" (H.P. 1243) (L.D. 1753) (Presented by Representative MURPHY of Kennebec) (Cosponsors: Senator TWITCHELL of Oxford, Representatives JACKSON of Harrison, and FOSTER of Ellsworth) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,

S/Edwin H. Pert
Clerk of the House

S/Joy J. O'Brien
Secretary of the Senate

Comes from the House READ and ORDERED PLACED ON FILE.

Which was READ and ORDERED PLACED ON FILE, in concurrence.

The Following Communication: H.P. 1257

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333

January 2, 1986

John L. Martin
Speaker of the House
112th Legislature

Charles P. Pray
President of the Senate
112th Legislature

Dear Mr. Speaker and Mr. President:

On January 2, 1986, six Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on January 2, 1986 as follows:

Appropriations and Financial Affairs

Bill "An Act to Expand the Maine Conservation Corps" (Emergency) (H.P. 1251) (L.D. 1761) (Presented by Representative CHONKO of Topsham) (Cosponsors: Representatives MICHAUD of Medway, FOSTER of Ellsworth, and Senator PEARSON of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Business and Commerce

Bill "An Act to Permit the Electricians' Examining Board to Renew Certain Master, Journeyman and Limited Electricians' Licenses" (Emergency) (H.P. 1252) (L.D. 1762) (Presented by Representative VOSE of Eastport) (Cosponsors: Representative RYDELL of Brunswick and Senator KERRY of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Provide for the Use of the So-called 'Interim Bank Approach' to Facilitate the Formation of a Financial Institution Holding Company" (Emergency) (H.P. 1255) (L.D. 1765) (Presented by Representative BRANNIGAN of Portland) (Cosponsors: Representatives MURRAY of Bangor, STEVENS of Bangor, and Senator KERRY of York) (Submitted by the Department of Business, Occupational and Professional Regulation pursuant to Joint Rule 24)

Energy and Natural Resources

Bill "An Act to Clarify the Membership of the Maine Land Use Regulation Commission" (Emergency) (H.P. 1256) (L.D. 1766) (Presented by Representative MICHAUD of Medway) (Cosponsors: Representatives JACQUES of Waterville, COLES of Harpswell, and Senator USHER of Cumberland) (Submitted by the Department of Conservation pursuant to Joint Rule 24)

State Government

Bill "An Act to Clarify the Surety Bonding Process for Contractors" (H.P. 1253) (L.D. 1763) (Presented by Representative LACROIX of Oakland) (Cosponsors: Representatives BOUTILIER of Lewiston, COTE of Auburn, and DESCOTEAUX of Biddeford) (Submitted by the Department of Finance and Administration pursuant to Joint Rule 24)

Taxation

Bill "An Act to Limit Preferential Taxation within a Unitary Business" (H.P. 1254) (L.D. 1764) (Presented by Representative CASHMAN of Old Town) (Cosponsors: Representatives MAYO of Thomaston, NELSON of Portland, and Senator TWITCHELL of Oxford) (Submitted by the Department of Finance and Administration pursuant to Joint Rule 24)

Sincerely,

S/Edwin H. Pert
Clerk of the House

S/Joy J. O'Brien
Secretary of the Senate

Comes from the House READ and ORDERED PLACED ON FILE.

Which was READ and ORDERED PLACED ON FILE, in concurrence.

The Following Communication: H.P. 1262

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333

January 3, 1986

John L. Martin
Speaker of the House
112th Legislature

Charles P. Pray
President of the Senate
112th Legislature

Dear Mr. Speaker and Mr. President:

On January 3, 1986, four Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on January 3, 1986 as follows:

Human Resources

Bill "An Act Concerning Emergency Medical Services Personnel" (H.P. 1258) (L.D. 1768) (Presented by Representative MILLS of Bethel) (Cosponsors: Representatives CARROLL of Gray, MELENDY of Rockland and Senator GAUVREAU of Androscoggin) (Submitted by the Department of Human Services pursuant to Joint Rule 24)

Legal Affairs

Bill "An Act to Amend the Laws Relating to Investigative Information of the State Fire Marshal's Office" (Emergency) (H.P. 1259) (L.D. 1769) (Presented by Representative PAUL of Sanford) (Cosponsors: Representatives PARADIS of Augusta, RIOUX of Biddeford and ALLEN of Washington) (Submitted by the Department of Public Safety pursuant to Joint Rule 24)

Transportation

Bill "An Act Regarding Certification Records of Minority Business Enterprises, Women's Business Enterprises and Disadvantaged Business Enterprises to be Confidential" (H.P. 1260) (L.D. 1770) (Presented by Representative ALLEN of Washington) (Cosponsors: Representatives PRIEST of Brunswick, MILLS of Bethel and WARREN of Scarborough) (Submitted by the Department of Transportation pursuant to Joint Rule 24)

RESOLVE, to Name the New Bridge Between the Cities of Bangor and Brewer the "Veterans' Memorial Bridge." (H.P. 1261) (L.D. 1771) (Presented by Representative DIAMOND of Bangor) (Cosponsors: Representatives RUHLIN of Brewer, DUFFY of Bangor and Senator MAYBURY of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,
S/Edwin H. Pert
Clerk of the House
S/Joy J. O'Brien
Secretary of the Senate

Comes from the House READ and ORDERED PLACED ON FILE.

Which was READ and ORDERED PLACED ON FILE, in concurrence.

The Following Communication: H.P. 1266

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333

January 6, 1986

John L. Martin
Speaker of the House
112th Legislature

Charles P. Pray
President of the Senate
112th Legislature

Dear Mr. Speaker and Mr. President:

On January 6, 1986, two Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on January 6, 1986 as follows:

Business and Commerce

Bill "An Act to Increase the State's Deductible or Self-insured Retention" (H.P. 1264) (L.D. 1773) (Presented by Representative COTE of Auburn) (Cosponsors: Representatives DESCOTEAUX of Biddeford, NADEAU of Saco, and BOUTILIER of Lewiston) (Submitted by the Department of Finance and Administration pursuant to Joint Rule 24)

Bill "An Act to Amend the Revised Maine Securities Act" (H.P. 1265) (L.D. 1774) (Presented by Representative MURRAY of Bangor) (Cosponsors: Representatives ALIBERTI of Lewiston, RYDELL of Brunswick, and MARTIN of Van Buren) (Submitted by the Department of Business, Occupational and Professional Regulation pursuant to Joint Rule 24)

Sincerely,
S/Edwin H. Pert
Clerk of the House
S/Joy J. O'Brien
Secretary of the Senate

Comes from the House READ and ORDERED PLACED ON FILE.

Which was READ and ORDERED PLACED ON FILE, in concurrence.

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

COMMUNICATIONS

The Following Communication: H.P. 1250

DEPARTMENT OF ENERGY
Washington, DC 20585

Dec. 26, 1985

Edwin H. Pert, Clerk
State of Maine
House of Representatives
Augusta, Maine 04333

Dear Mr. Pert:

Thank you for providing Secretary Herrington with a copy of the Resolution enacted by the State of Maine Legislature on November 13, 1985, concerning possible siting of a high-level radioactive waste repository in Maine. The resolution expresses concerns regarding the presence of environmental and geologic conflicts with repository siting in Maine.

Senator Judy C. Kany also sent a copy of the above-referenced Resolution to Secretary Herrington. Enclosed is a copy of the Department of Energy's response to Senator Kany regarding the Resolution.

Your interest in the Civilian Radioactive Waste Management Program is appreciated.

Sincerely,

S/William J. Purcell
Associate Director for
Geologic Repositories
Office of Civilian
Radioactive Waste
Management

Comes from the House READ and ORDERED PLACED ON FILE.

Which was READ and ORDERED PLACED ON FILE, in concurrence.

Off Record Remarks

Senate at Ease

Senate called to order by the President

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

ORDERS

Joint Orders

On motion by Senator BUSTIN of Kennebec, the following Joint Order: S.P. 689

ORDERED, the House concurring, that "Resolve, Authorizing Colwell Construction Company, Incorporated, to Bring a Civil Action Against the State of Maine." S.P. 550, L.D. 1467, be recalled from the Governor's desk to the Senate.

Which was READ and PASSED.

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

On motion by Senator BUSTIN of Kennebec, the following Joint Order: S.P. 690

ORDERED, the House concurring, that "Resolve, Authorizing Continued Study of Information Processing in Social Service Agencies." S.P. 527, L.D. 1422, be recalled from the Governor's desk to the Senate.

Which was READ and PASSED

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

Off Record Remarks

On motion by Senator PERKINS of Hancock, RECESSED until the sound of the Bell.

After Recess

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order: H.P. 1268

ORDERED, the Senate concurring, that Bill, "An ACT Concerning Employment of Certain Individuals in Contact with Children." H.P. 963, L.D. 1384, be recalled from the Governor's desk to the House.

Comes from the House, READ and PASSED.

Which was READ and PASSED, in concurrence.

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

PAPERS FROM THE HOUSE

Joint Orders

The following Joint Order: H.P. 1269

ORDERED, the Senate concurring that Bill, "AN ACT to Further Competition in the Liquor Trade," H.P. 1119, L.D. 1615, be recalled from the Governor's desk to the House

Comes from the House, READ and PASSED.

Which was READ and PASSED, in concurrence.

The following Joint Order: H.P. 1270

ORDERED, the Senate concurring, that "Resolve, Creating a Special Commission to Study Teacher Training in the University of Maine System," H.P. 644, L.D. 914, be recalled from the Governor's desk to the House.

Comes from the House, READ and PASSED.

Which was READ and PASSED, in concurrence.

The following Joint Order: H.P. 1271

ORDERED, the Senate concurring, that Bill, "AN ACT to Provide a Sales Tax, Trade-in Credit for Loaders and Chain Saws used to Harvest Lumber.," H.P. 72, L.D. 93; and that Bill "AN ACT Providing for Administrative Changes in Maine Tax Law", H.P. 861, L.D. 1220, be recalled from the Governor's desk to the House.

Comes from the House, READ and PASSED.

Which was READ and PASSED, in concurrence.

Off Record Remarks

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

PAPERS FROM THE HOUSE

Joint Resolution

The Following Joint Resolution: H.P. 1263

JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ADOPT LEGISLATION RELATING TO THE UNITED STATES SOCIAL SECURITY ACT

WE, your Memorialists, the House of Representatives and Senate of the State of Maine, in the Second Regular Session of the One Hundred and Twelfth Legislature now assembled, most respectfully present and petition the Congress of the United States, as follows:

WHEREAS, at the present time under the United States Social Security Act, individuals who became eligible for benefits in or after 1979 receive reduced benefit levels compared to individuals who became eligible prior to 1979, due to changes made in 1977 in the benefit computation formula; and

WHEREAS, this disparity in benefit levels has been referred to as the "notch" and has resulted in the award of reduced benefits to approximately 1.3 million persons; and

WHEREAS, any remedy for narrowing the gap in benefits is complicated because the notch has been in use since 1979; and

WHEREAS, H.R. 4093 has been introduced in the 98th session of the United States Congress by Representative Roybal, the Chairman of the House Committee on Aging, in an effort to eliminate the notch; and

WHEREAS, it is appropriate that the Legislature of the State of Maine take a stand in support of this legislation to protect the rights of the citizens of our State; now, therefore, be it

RESOLVED: That We, your Memorialists, do hereby respectfully urge the Congress of the United States to adopt H.R. 4093 or similar legislation to eliminate the disparity in benefit levels awarded under the United States Social Security Act with respect to benefits awarded prior to 1979 and in and after 1979, so as to provide equitable benefits for retirees; 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 Honorable Ronald W. Reagan, 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 Maine Congressional Delegation.

Comes from the House, READ and ADOPTED.

Which was READ and ADOPTED, in concurrence.

On motion by Senator CLARK of Cumberland, ADJOURNED until Friday, January 10, 1986, at 12 o'clock in the afternoon.