

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
Monday
January 13, 1986

Which was referred to the Committee on FISHERIES AND WILDLIFE and ORDERED PRINTED, in concurrence.

Bill "An Act Concerning the Labeling of Seafood"

H.P. 1293 L.D. 1810

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

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

(See Action Later Today)

Senate called to Order by the President.

Prayer by the Reverend Norman Shaw of the Church of the Nazarene in Millinocket.

REVEREND SHAW: Our Father in heaven. We come before You, this afternoon, recognizing Your Lordship; that You are the Creator and Sustainer of this Universe. We thank You, Lord, that You have allowed us the privilege to live within the boundaries of the great State of Maine.

At this time, our Father, we would ask that You would indeed, help us to be good stewards of that to which You have entrusted us. Help us, we pray Lord, to make clear decisions, to be concerned for all of the residents of the State of Maine.

We would ask this day also, that You would bless our Senate President, and every Senator, and all of those who work here. We will certainly praise You for it, in the name of Christ our Lord, Amen.

Reading of the Journal of Friday, January 10, 1986.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Improve Whitewater Rafting"

H.P. 1292 L.D. 1809

Comes from the House referred to the Committee on FISHERIES AND WILDLIFE and ORDERED PRINTED.

COMMUNICATIONS

The Following Communication:

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

January 3, 1986

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

Dear President Pray:

Enclosed for your information is a copy of the Integrated Resource Policies for the Public Reserved Lands, as adopted by the Commissioner, Department of Conservation, December 30, 1985.

As you know, this effort has occurred over several months and it has involved a great number of people both in and out of government. Indeed, although the Bureau of Public Lands must accept final responsibility for its content and implementation, this document is essentially a product of Maine's citizens. The several committees which worked diligently on the initial drafts and the many people who took time to attend public meetings and comment, all have contributed immeasurably to a body of policies which should serve the Public Reserved Lands System and the best interests of the people of Maine for many years to come.

I want to extend my personal gratitude for your support and cooperation -- and to invite your continued interest as we prepare now to initiate unit planning.

Sincerely,

S/Robert H. Gardiner, Jr.
Director
Bureau of Public Lands

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

The Following Communication: S.P. 705

STATE OF MAINE
112th LEGISLATURE
AUGUSTA, MAINE 04333

January 10, 1986

Senator Judy C. Kany
Representative Dan A. Gwadosky
Chairpersons
State Government Committee
112th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Wanda P. Calder of Turner for reappointment to the Finance Authority of Maine.

Pursuant to Title 10 M.R.S.A Section 110, this nomination will require review by the Joint Standing Committee on State Government and confirmation by the Senate.

Sincerely,

S/Charles P. Pray
President of the Senate

S/John L. Martin
Speaker of the House

Which was READ and referred to the Committee on STATE GOVERNMENT.

Sent down for concurrence.

The Following Communication: S.P. 706

STATE OF MAINE
112th LEGISLATURE
AUGUSTA, MAINE 04333

January 10, 1986

Senator Michael E. Carpenter
Representative Edward J. Kane
Chairpersons
Judiciary Committee
112th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Suzanne E.K. Smith of Woolwich for reappointment as Commissioner of the Workers' Compensation Commission.

Pursuant to Title 39 M.R.S.A Section 91, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,

S/Charles P. Pray
President of the Senate

S/John L. Martin
Speaker of the House

Which was READ and referred to the Committee on JUDICIARY.

Sent down for concurrence.

SENATE PAPERS

Bill "An Act to Clarify the Role of Cooperatives under the Maine Milk Pool"

S.P. 707 L.D. 1832

Presented by President PRAY of Penobscot
Cosponsored by: Representative ARMSTRONG of Wilton, Senator CARPENTER of Aroostook, Representative WHITCOMB of Waldo
Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26

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

Sent down for concurrence.

Bill "An Act to Provide an Ombudsman for Home Care for Older Citizens"

S.P. 710 L.D. 1835

Presented by Senator CLARK of Cumberland
Cosponsored by: Representative HICKEY of
Augusta, Representative NELSON of Portland,
Senator PERKINS of Hancock
Approved for Introduction by a Majority of the
Legislative Council pursuant to Joint Rule 26

Bill "An Act to Expand the Maine Job Start Pilot Program"

S.P. 709 L.D. 1834

Presented by President PRAY of Penobscot
Cosponsored by: Representative LISNIK of Presque
Isle, Senator BROWN of Washington, Representative
MILLS of Bethel
Approved for Introduction by a Majority of the
Legislative Council pursuant to Joint Rule 26

Bill "An Act to Expand the Number of Volunteers to Provide Transportation Services"

S.P. 708 L.D. 1833

Presented by Senator CLARK of Cumberland
Cosponsored by: Representative MAYO of
Thomaston, Representative HAYDEN of Brunswick
Approved for Introduction by a Majority of the
Legislative Council pursuant to Joint Rule 26

Which were referred to the Committee on
APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED
PRINTED.

Sent down for concurrence.

Bill "An Act Relating to the Stocking of Fish in Bodies of Water"

S.P. 711 L.D. 1836

Presented by Senator GAUVREAU of Androscoggin
Cosponsored by: Representative ALIBERTI of
Lewiston, Representative HANDY of Lewiston,
Representative STEVENS of Sabattus
Approved for Introduction by a Majority of the
Legislative Council pursuant to Joint Rule 26

Which was referred to the Committee on FISHERIES
AND WILDLIFE and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Increase the Cap on the Certificate of Need Development Account for Fiscal Year 1986-87"

S.P. 712 L.D. 1837

Presented by President PRAY of Penobscot
Cosponsored by: Senator PERKINS of Hancock,
Senator TUTTLE of York, Representative MURPHY of
Kennebunk
Approved for Introduction by a Majority of the
Legislative Council pursuant to Joint Rule 26

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

Sent down for concurrence.

Bill "An Act to Correct Some Inconsistencies in the Law Relating to the Financing of Services in the Unorganized Territory" (Emergency)

S.P. 713 L.D. 1838

Presented by Senator MCBREAIRTY of Aroostook
Cosponsored by: Representative HARPER of
Lincoln, Representative INGRAHAM of Houlton
Approved for Introduction by a Majority of the
Legislative Council pursuant to Joint Rule 26

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

Sent down for concurrence.

Bill "An Act to Prohibit the Use of Public Money for the Construction or Maintenance of Private Ways" (Emergency)

S.P. 714 L.D. 1839

Presented by Senator MCBREAIRTY of Aroostook
Cosponsored by: Representative C.B. SMITH of
Island Falls, Representative HARPER of Lincoln,
Senator BROWN of Washington
Approved for Introduction by a Majority of the
Legislative Council pursuant to Joint Rule 26

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

Sent down for concurrence.

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

COMMITTEE REPORTS

House

Ought to Pass

The Committee on LABOR on Bill "An Act to Reauthorize the Dislocated Workers Fund" (Emergency) H.P. 1199 L.D. 1704

Reported that the same Ought to Pass.

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

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

ORDERS OF THE DAY

The Chair laid before the Senate the following:

RECALLED FROM THE GOVERNOR'S DESK

Emergency

Bill "An Act to Require the State to Comply with Municipal Ordinances Governing the Construction of Buildings"

S.P. 185 L.D. 503 (S "B" S-227 to C "A" S-123))

(In Senate, June 13, 1985, PASSED TO BE ENACTED, in concurrence.)

(RECALLED from the Governor's Desk, pursuant to Joint Order S.P. 704.)

On motion by Senator VIOLETTE of Aroostook, Tabled Unassigned, pending RECONSIDERATION.

On motion by Senator VIOLETTE of Aroostook, the Senate RECONSIDERED whereby it referred to the Committee on MARINE RESOURCES:

Bill "An Act Concerning the Labeling of Seafood"

H.P. 1293 L.D. 1810

(In House January 10, 1986, referred to the Committee on MARINE RESOURCES and ORDERED PRINTED.)

On further motion by same Senator referred to the Committee on BUSINESS AND COMMERCE and ORDERED PRINTED in NON-CONCURRENCE.

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

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

COMMUNICATIONS

The Following Communication: S.P. 715

STATE OF MAINE
112th LEGISLATURE
AUGUSTA, MAINE 04333

January 13, 1986

Senator Thomas H. Andrews
Representative Daniel B. Hickey
Chairpersons
Aging, Retirement and Veterans Committee,
112th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Jon A. Lund of Hallowell for reappointment to the Maine State Retirement System Board of Trustees.

Pursuant to Title 5 M.R.S.A Section 1031, this nomination will require review by the Joint Standing Committee on Aging, Retirement and Veterans and confirmation by the Senate.

Sincerely,

S/Charles P. Pray
President of the Senate

S/John L. Martin
Speaker of the House

Which was READ and referred to the Committee on AGING, RETIREMENT AND VETERANS.

Sent down for concurrence.

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

COMMUNICATIONS

The Following Communication: S.P. 716

STATE OF MAINE
112th LEGISLATURE
AUGUSTA, MAINE 04333

January 13, 1986

Senator Edgar E. Erwin
Representative John M. Michael
Chairpersons
Agriculture Committee
112th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor Joseph E. Brennan
has nominated Andrew Berry of N. Whitefield for
reappointment to the Pesticides Control Board.

Pursuant to Title 22 M.R.S.A Section 1471-B, this
nomination will require review by the Joint Standing
Committee on Agriculture and confirmation by the
Senate.

Sincerely,

S/Charles P. Pray
President of the Senate

S/John L. Martin
Speaker of the House

Which was READ and referred to the Committee on
AGRICULTURE.

Sent down for concurrence.

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

Off Record Remarks

On motion by Senator CLARK of Cumberland
ADJOURNED until Wednesday, January 15, 1986, at 10
o'clock in the morning.