

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
Tuesday
February 25, 1986

In House, February 13, 1986, PASSED TO BE
ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"
(H-504).

In Senate, February 18, 1986, RULED NOT PROPERLY
BEFORE THE BODY, being in violation of Joint Rule
37, in NON-CONCURRENCE.

Comes from the House, that Body INSISTED.

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

Senate called to Order by the President.

House Papers

Bill "An Act to Amend the Criminal Code to
Redefine Victim"

H.P. 1459 L.D. 2056

Prayer by the Honorable Jean B. Chalmers of Knox.

Comes from the House, referred to the Committee
on JUDICIARY and ORDERED PRINTED.

SENATOR CHALMERS: May I share with you a prayer
from the Common Prayer Book. "May the time be
distant, Oh God, when Thy name shall be worshiped on
all of the earth. When unbelief shall disappear and
error be no more. Fervently, we pray that the day
may come when all men shall invoke Thy name. When
corruption and evil shall give way to purity and
goodness. When superstition shall no longer enslave
the mind, not idolatry blind the eye. When all who
dwell on earth shall know that to Thee alone every
knee must bend, every tongue give homage. That all
men are created in Thine image, recognize that they
are brethren, so that one in spirit and one in
fellowship, they may be forever united in before
Thee. Then shall Thy kingdom be established on earth
and the word be fulfilled. The Lord shall reign
forever and ever." Amen.

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

Bill "An Act to Amend the Law Relating to Group
Health Insurance"

H.P. 1460 L.D. 2057

Comes from the House, referred to the Committee
on LABOR and ORDERED PRINTED.

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

Reading of the Journal of Yesterday.

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Require Notice of the Smoking
Policy in Restaurants"

H.P. 1193 L.D. 1690

Bill "An Act to Validate Proceedings Authorizing
the Issuance of Bonds to Remodel the Waldo County
Court Building" (Emergency)

H.P. 1461 L.D. 2058

Comes from the House referred to the Committee on
LOCAL AND COUNTY GOVERNMENT and ORDERED PRINTED.

On motion by Senator VIOLETTE of Aroostook,
Tabled 2 Legislative Days, pending REFERENCE.

Bill "An Act to Validate Proceedings Authorizing the Issuance of Bonds for a Cooperative Extension Service Facility in Waldo County" (Emergency)
H.P. 1462 L.D. 2059

Comes from the House referred to the Committee on LOCAL AND COUNTY GOVERNMENT and ORDERED PRINTED.

On motion by Senator VIOLETTE of Aroostook, Tabled 2 Legislative Days, pending REFERENCE.

Bill "An Act to Establish a Sales Tax Exemption for Sales to Incorporated Nonprofit Homes for the Elderly"
H.P. 1463 L.D. 2060

Comes from the House, referred to the Committee on TAXATION and ORDERED PRINTED.

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

Study Report

Committee on BUSINESS AND COMMERCE

Report of the Committee on BUSINESS AND COMMERCE to which was referred by the Legislative Council the Study Relative to Problems Relating to Property Casualty and Liability Insurance have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill "An Act Pertaining to the Establishment of Mandatory Risk-sharing Plans"

H.P. 1456 L.D. 2053

Be referred to the Joint Standing Committee on BUSINESS AND COMMERCE for Public Hearing and printed pursuant to Joint Rule 19.

Comes from the House with the Report READ and ACCEPTED, and the Bill referred to the Committee on BUSINESS AND COMMERCE and ORDERED PRINTED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill referred to the Committee on BUSINESS AND COMMERCE and ORDERED PRINTED, in concurrence.

Study Report

Committee on BUSINESS AND COMMERCE

Report of the Committee on BUSINESS AND COMMERCE to which was referred by the Legislative Council the Study Relative to Problems Relating to Property Casualty and Liability Insurance have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill "An Act Relating to Cancellation and Nonrenewal of Property and Casualty Insurance Contracts"

H.P. 1457 L.D. 2054

Be referred to the Joint Standing Committee on BUSINESS AND COMMERCE for Public Hearing and printed pursuant to Joint Rule 19.

Comes from the House with the Report READ and ACCEPTED, and the Bill referred to the Committee on BUSINESS AND COMMERCE and ORDERED PRINTED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill referred to the Committee on BUSINESS AND COMMERCE and ORDERED PRINTED, in concurrence.

COMMITTEE REPORTS

House

Leave to Withdraw

The following Leave to Withdraw Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act to Increase the Daily Compensation of Substitute Teachers"
H.P. 375 L.D. 516

Bill "An Act to Limit the Liability of Property Owners Relative to Snowmobiles and ATVs"
H.P. 1338 L.D. 1875

Bill "An Act to Allow Minors to Enter Class A Liquor Lounges"
H.P. 1305 L.D. 1821

Ought to Pass

The Committee on TAXATION on Bill "An Act to Clarify the Provisions Relating to the Proration of Property Taxes"

H.P. 1371 L.D. 1935

Reported that the same Ought to Pass.

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

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass as Amended

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Fund Elderly Legal Services in Northern and Eastern Maine Communities"

H.P. 1233 L.D. 1742

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-517).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-517).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-517) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Expand the Maine Conservation Corps" (Emergency)

H.P. 1251 L.D. 1761

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-524).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-524).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-524) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on BUSINESS AND COMMERCE on Bill "An Act Relating to the Surplus Lines Insurance Law"

H.P. 1226 L.D. 1733

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-519).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-519).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-519) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on FISHERIES AND WILDLIFE on Bill "An Act Regarding Funds Generated by the Sales of Duck Stamps and Prints"

H.P. 1301 L.D. 1817

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-521).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-521).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-521) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on HUMAN RESOURCES on Bill "An Act to Amend the Quarterly Reporting Requirements for Municipalities not Receiving General Assistance Reimbursements"

H.P. 1333 L.D. 1870

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-518).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-518).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-518) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Bill "An Act to Amend the Date on Which Quarterly Campaign Reports are Due"

H.P. 1206 L.D. 1713

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-515).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-515).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-515) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on UTILITIES on Bill "An Act Relating to Public Utility Service Charge Liens"
H.P. 1204 L.D. 1711

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-525).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-525).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-525) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass in New Draft

The Committee on HUMAN RESOURCES on Bill "An Act Concerning Required Request for Organ Donation"
H.P. 1282 L.D. 1799

Reported that the same Ought to Pass in New Draft under same title (Emergency).
H.P. 1444 L.D. 2036

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

Which Report was READ and ACCEPTED, in concurrence.

The Bill in NEW DRAFT READ ONCE.

The Bill in NEW DRAFT TOMORROW ASSIGNED FOR SECOND READING.

The Committee on FISHERIES AND WILDLIFE on Bill "An Act to Establish a One-day Fishing License"
H.P. 1281 L.D. 1798

Reported that the same Ought to Pass in New Draft under same title.
H.P. 1449 L.D. 2042

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

Which Report was READ and ACCEPTED, in concurrence.

The Bill in NEW DRAFT READ ONCE.

The Bill in NEW DRAFT TOMORROW ASSIGNED FOR SECOND READING.

The Committee on STATE GOVERNMENT on Bill "An Act to Clarify Sales of Surplus Vehicles at State Auction"

H.P. 1248 L.D. 1758

Reported that the same Ought to Pass in New Draft under same title.

H.P. 1450 L.D. 2047

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

Which Report was READ and ACCEPTED, in concurrence.

The Bill in NEW DRAFT READ ONCE.

The Bill in NEW DRAFT TOMORROW ASSIGNED FOR SECOND READING.

Senate

Leave to Withdraw

The following Leave to Withdraw Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act to Set Standards for Care in Whitewater Rafting"

S.P. 786 L.D. 1976

Resolve, Encouraging State Policy of Independence from Foreign Sources of Energy for Electric Utilities (Emergency)

S.P. 542 L.D. 1451

SECOND READERS

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

House

Bill "An Act to Create a Rape Crisis Center in Augusta"

H.P. 1276 L.D. 1793

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Somerset County for the Year 1986 (Emergency)

H.P. 1454 L.D. 2051

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Sagadahoc County for the Year 1986 (Emergency)

H.P. 1455 L.D. 2052

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

House As Amended

Bill "An Act to Provide Vanity Plates for Trailers"

H.P. 1175 L.D. 1670
(C "A" H-513)

Resolve, to Name the New Bridge Between the Cities of Bangor and Brewer the "Veterans' Memorial Bridge"

H.P. 1261 L.D. 1771
(C "A" H-512)

Bill "An Act to Provide for Fair Treatment of Unpowered Fishing Dories Under the Boat Excise Tax Law"

H.P. 1311 L.D. 1827
(C "A" H-514)

Bill "An Act to Regulate Funds Availability for Items Deposited in an Account with a Financial Institution"

H.P. 1319 L.D. 1854
(H "A" H-520)

Bill "An Act to Provide Funds to Continue a Study of Bedrock Ground Water in Aroostook County"

H.P. 1340 L.D. 1877
(C "A" H-511)

Bill "An Act to Exempt Nonprofit Hospice Organizations from the Sales Tax"
H.P. 1438 L.D. 2029
(H "A" H-527)

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

Senate As Amended

Bill "An Act to Create an Ongoing Cooperative Association Between the Department of Marine Resources and the University of Maine."
S.P. 719 L.D. 1842
(C "A" S-381)

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

Sent down for concurrence.

ORDERS OF THE DAY

The Chair laid before the Senate the Tabled and specially assigned matter:

Bill "An Act to Establish the Maine Small Business and Job Development Program"
S.P. 810 L.D. 2038

Tabled - February 24, 1986, by Senator VIOLETTE of Aroostook.

Pending - REFERENCE

(Committee on STATE GOVERNMENT suggested and ORDERED PRINTED.)

On motion by Senator VIOLETTE of Aroostook, Tabled 1 Legislative Day, pending REFERENCE.

The Chair laid before the Senate the Tabled and specially assigned matter:

Resolve, Creating a Maine Commission to Commemorate the Bicentennial of the United States Constitution (Emergency)
S.P. 813 L.D. 2045

Tabled - February 24, 1986, by Senator VIOLETTE of Aroostook.

Pending - REFERENCE

(Committee on STATE GOVERNMENT suggested and ORDERED PRINTED.)

On motion by Senator VIOLETTE of Aroostook, Tabled 1 Legislative Day, pending REFERENCE.

Senate at Ease

Off Record Remarks

On motion by Senator CLARK of Cumberland, ADJOURNED until Wednesday, February 26, 1986 at 8:30 in the morning.