

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Twelfth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 5, 1984 - June 20, 1985

HOUSE

Tuesday, January 29, 1985

Calling of the House to Order by the Speaker.
Prayer by Reverend Paul J. Bernier, St. Joseph's Catholic Church, Old Town.
Quorum called; was held.

National Anthem by the Madison High School Band.

The Journal of Thursday, January 24, 1985, was read and approved.

Papers from the Senate

The following Communication:

The Senate of Maine
Augusta

January 24, 1985

The Honorable John L. Martin
Speaker of the House
112th Legislature
Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Human Resources, the Governor's nomination of Paul G. Poulin of Augusta for appointment to the Health Care Finance Commission.

Mr. Poulin is replacing Wallace Haselton.

Sincerely,

S/JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file.

The following Communication:

January 24, 1985

The Senate of Maine
Augusta

The Honorable John L. Martin

Speaker of the House

112th Legislature

Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Labor, the Governor's nomination of Gerard P. Conley of Portland for appointment to the Maine Unemployment Compensation Commission.

Mr. Conley is replacing Robert Pendleton.

Sincerely,

S/JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file.

The following Communication:

The Senate of Maine

Augusta

January 23, 1985

The Honorable John L. Martin

Speaker of the House

112th Legislature

Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on State Government, the Governor's nomination of Stanley O. Provus of Hallowell for appointment as the Chief Executive Officer to the Finance Authority of Maine.

Mr. Provus is replacing Sharon Lunner.

Sincerely,

S/JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file.

Messages and Documents

The following Communication:

STATE OF MAINE

HOUSE OF REPRESENTATIVES

SPEAKER'S OFFICE

AUGUSTA, MAINE 04333

January 24, 1985

Honorable Edwin H. Pert

Clerk of the House

State House

Augusta, Maine 04333

Dear Clerk Pert:

Pursuant to my authority under the House rules I have appointed the following to the House Chamber Staff:

Brian G. Germaine, Sergeant-at-Arms

Steve Driscoll, Assistant Sergeant-at-Arms

David R. Angotti, Page

Brian P. Bourgeois, Page

Kevin Kelly, Page

Bruce D. Pelletier, Page

John Michael Rogers, Page

Danford E. Plourde, House Courier

Roland E. Lessard, Doorkeeper

John E. Cunningham, Doorkeeper

Sincerely,

S/JOHN L. MARTIN

Speaker of the House

Was read and ordered placed on file.

The following Communication:

STATE OF MAINE

OFFICE OF THE GOVERNOR

AUGUSTA, ME 04333

January 28, 1985

Honorable John L. Martin

Speaker of the House

House of Representatives

Augusta, Maine 04333

Dear Speaker Martin:

In each of the past two years, I have presented a State of the State message to a joint convention of the Maine Legislature at an evening session. I believe this practice has served a useful purpose by informing the members of the Legislature and the citizens of Maine of our condition as a State and our goals for the coming year.

In keeping with this tradition, I would appreciate the opportunity to present my third State of the State address to the Legislature on January 31, 1985 at 7 p.m.

Sincerely,

S/JOSEPH E. BRENNAN

Governor

Was read and ordered placed on file.

Petitions, Bills and Resolves**Requiring Reference**

The following Bills and Resolves were received and, upon the recommendation of the Committee on Reference of Bills, were referred to the following Committees, Ordered Printed and Sent up for Concurrence:

Aging, Retirement and Veterans

Bill "An Act to Amend the Law Concerning Pension Benefits for Dependents of Sheriffs" (H.P. 149) (L.D. 183) (Presented by Representative STEVENSON of Unity) (Cosponsors: Representatives BROWN of Livermore Falls, PERRY of Mexico and SWAZEY of Bucksport)

Bill "An Act to Reduce the Requirement of State Service in Order to Apply Credit for Military Service" (H.P. 150) (L.D. 184) (Presented by Representative COTE of Auburn) (Cosponsors: Representatives STEVENS of Bangor, MAYO of Thomaston and DESCOTEAUX of Biddeford)

Bill "An Act to Prevent Discrimination Against Retired Maine Residents who have Previously been Members of the Maine State Retirement System" (H.P. 212) (L.D. 246) (Presented by Representative HICKEY of Augusta) (Cosponsors: Representatives MURPHY of Kennebunk and WILLEY of Hampden)

Bill "An Act to Clarify Accidental Death Benefits Payable to Spouses and Children of Members" (H.P. 230) (L.D. 271) (Presented by Representative HICKEY of Augusta)

(Ordered Printed)

Sent up for concurrence.

Energy and Natural Resources

Bill "An Act to Establish an Experimental Test for Control of Black Flies" (H.P. 142) (L.D. 176) (Presented by Representative CLARK of

Millinocket) (Cosponsor: Senator PRAY of Penobscot)

(Committee on Agriculture was suggested)

On motion of Representative Michael of Auburn, was referred to the Committee on Energy and Natural Resources, Ordered Printed and sent up for concurrence.

Tabled and Assigned

Bill "An Act to Shorten the Final Pay Settlement of Milk Dealers to Producers" (H.P. 143) (L.D. 177) (Presented by Representative MICHAEL of Auburn) (Cosponsors: Representative WHITCOMB of Waldo and DAGGETT of Manchester)

(Committee on Agriculture was suggested.)

On motion of Representative Michael of Auburn, tabled pending reference and tomorrow assigned.

Agriculture

Bill "An Act Concerning Cruelty to Animals" (H.P. 144) (L.D. 178) (Presented by Representative DRINKWATER of Belfast)

Bill "An Act to Improve the Quality of Milk" (H.P. 145) (L.D. 179) (Presented by Representative MICHAEL of Auburn) (Cosponsors: Representatives BRAGG of Sidney and WHITCOMB of Waldo)

Bill "An Act to Lower the Storage Temperature of Milk" (H.P. 146) (L.D. 180) (Presented by Representative MICHAEL of Auburn) (Cosponsors: Representative TARDY of Palmyra and Senator BLACK of Cumberland)

Bill "An Act Concerning Dogs Running at-large" (H.P. 147) (L.D. 181) (Presented by Representative MURPHY of Berwick) (Cosponsor: Representative FARNUM of South Berwick)

Bill "An Act Concerning the Date by Which Dogs Must be Licensed" (H.P. 148) (L.D. 182) (Presented by Representative MURPHY of Berwick) (Cosponsor: Representative FARNUM of South Berwick)

Bill "An Act Concerning Minimum Wholesale Prices under the Maine Milk Commission Law" (H.P. 211) (L.D. 245) (Presented by Representative JACQUES of Waterville) (Cosponsors: Senators HICHENS of York and TUTTLE of York)

Bill "An Act Relating to the Adulteration of Food" (H.P. 213) (L.D. 247) (Presented by Representative TARDY of Palmyra) (Cosponsors: Representatives DAGGETT of Manchester, MICHAEL of Auburn and Senator CARPENTER of Aroostook) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act to Establish a Children's Emergency Shelter in the Rockland Area" (H.P. 214) (L.D. 248) (Presented by Representative MAYO of Thomaston) (Cosponsors: Senator CHALMERS of Knox, Representatives MELENDY of Rockland and NADEAU of Lewiston)

Bill "An Act to Establish a Fire Fighter Training Facilities Grant Program" (H.P. 152) (L.D. 186) (Presented by Representative BEAULIEU of Portland)

Bill "An Act to Complete the Maine Job Start Program Revolving Loan Fund" (H.P. 153) (L.D. 187) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsors: Senator PRAY of Penobscot, Representatives FOSTER of Ellsworth and NADEAU of Lewiston)

RESOLVE, to Reimburse David James McDaniel for Damages Suffered as a Result of Wrongful Imprisonment (H.P. 151) (L.D. 185) (Presented by Speaker MARTIN of Eagle Lake)

(Ordered Printed)

Sent up for concurrence.

Business and Commerce

Bill "An Act to Amend the Maine Consumer

Credit Code" (H.P. 154) (L.D. 188) (Presented by Representative BRANNIGAN of Portland)
 Bill "An Act Relating to the Maine Self-Insurance Guarantee Association" (H.P. 215) (L.D. 249) (Presented by Representative BRANNIGAN of Portland)
 (Ordered Printed)
 Sent up for concurrence.

Education

Bill "An Act to Require the Posting of an American Flag Inside All Public School Classrooms" (H.P. 155) (L.D. 189) (Presented by Representative COTE of Auburn) (Cosponsors: Representatives HOGUND of Portland, SIMPSON of Casco and LACROIX of Oakland)

Bill "An Act to Clarify the Use of Vocational-technical Institutes' Facilities by Others" (H.P. 156) (L.D. 190) (Presented by Representative MURRAY of Bangor) (Cosponsors: Representatives LISNIK of Presque Isle, NADEAU of Lewiston, and PARADIS of Old Town)

Bill "An Act to Modify the Laws Governing Certification of Educational Personnel" (H.P. 157) (L.D. 191) (Presented by Representative CROUSE of Caribou)

Bill "An Act to Provide Teacher Professional Time During the School Day" (H.P. 158) (L.D. 192) (Presented by Representative CROUSE of Caribou) (Cosponsor: Representative BOST of Orono)

Bill "An Act Pertaining to Individual Teacher Contracts" (H.P. 159) (L.D. 193) (Presented by Representative CROUSE of Caribou)

Bill "An Act to Prohibit School Administrative Units from Discriminating Against the Spouse of an Employee" (H.P. 160) (L.D. 194) (Presented by Representative CROUSE of Caribou)

Bill "An Act to Increase Academic Learning Time" (H.P. 161) (L.D. 195) (Presented by Representative CROUSE of Caribou)

Bill "An Act to Establish the Department of Post-secondary Vocational-technical Education" (H.P. 162) (L.D. 196) (Presented by Representative CROWLEY of Stockton Springs) (Cosponsors: Representative JACQUES of Waterville and Senators PERKINS of Hancock and ANDREWS of Cumberland)

Bill "An Act to Provide Teacher Recognition Grants for Private and Parochial Teachers" (H.P. 163) (L.D. 197) (Presented by Representative BRODEUR of Auburn)

Bill "An Act Relating to Conferring Degrees by the University of New England in Biddeford" (H.P. 216) (L.D. 250) (Presented by Representative ROLDE of York) (Cosponsors: Representatives MURPHY of Kennebunk, THERIAULT of Fort Kent and Senator DANTON of York)

(Ordered Printed)

Sent up for concurrence.

Energy and Natural Resources

Bill "An Act to Amend the Subdivision Law" (H.P. 164) (L.D. 198) (Presented by Representative MITCHELL of Freeport) (Cosponsors: Senators KANY of Kennebec and McBREAIRTY of Aroostook)

Bill "An Act to Extend the Shoreland Zone in some Municipalities" (H.P. 165) (L.D. 199) (Presented by Representative MITCHELL of Freeport) (Cosponsors: Representatives HOLLOWAY of Edgecomb, NELSON of Portland and ZIRNKILTON of Mount Desert)

Bill "An Act to Streamline Review of Road Construction in Unorganized Areas" (H.P. 166) (L.D. 200) (Presented by Representative DEXTER of Kingfield) (Cosponsors: Representatives RIDLEY of Shapleigh, MASTERMAN of Milo and LANDER of Greenville)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act to Amend the Medical Radiation, Health and Safety Act" (H.P. 167) (L.D. 201) (Presented by Representative BELL of Paris)

(Cosponsors: Senator TWITCHELL of Oxford and Representative WALKER of Norway)

Committee on Energy and Natural Resources was suggested.

On motion of Representative Michaud of Medway, tabled pending reference and tomorrow assigned.

Fisheries and Wildlife

Bill "An Act Relating to Restrictions on Firearms while Hunting with Bow and Arrow" (H.P. 168) (L.D. 202) (Presented by Representative CLARK of Millinocket) (Cosponsors: Representatives JACQUES of Waterville, CONNERS of Franklin, and JACKSON of Harrison)

(Ordered Printed)

Sent up for concurrence.

Human Resources

Bill "An Act to Allow Transmittal of Certificates of Illegitimate Births to Other Municipalities" (H.P. 169) (L.D. 203) (Presented by Representative TELOW of Lewiston) (Cosponsor: Representative POULIOT of Lewiston)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act to Permit Reasonable Visitation Rights for Grandparents when a Parent is Deceased" (H.P. 170) (L.D. 204) (Presented by Representative MURPHY of Berwick) (Cosponsors: Representatives HANDY of Lewiston and FARNUM of South Berwick)

Bill "An Act to Create a Cause of Action Against the State for Wrongful Imprisonment" (H.P. 171) (L.D. 205) (Presented by Speaker MARTIN of Eagle Lake)

Bill "An Act to Redefine Deadly Force" (H.P. 172) (L.D. 206) (Presented by Representative DRINKWATER of Belfast) (Cosponsor: Representative WHITCOMB of Waldo)

Bill "An Act Concerning Child Protective Services" (H.P. 173) (L.D. 207) (Presented by Representative NELSON of Portland) (Cosponsors: Representatives HOGUND of Portland, KIMBALL of Buxton, and Senator BROWN of Washington)

Bill "An Act to Provide for Living Wills" (H.P. 174) (L.D. 208) (Presented by Representative FOSTER of Ellsworth) (Cosponsors: Senator MAYBURY of Penobscot, Representatives ARMSTRONG of Wilton and MACOMBER of South Portland)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act to Restrict the Payment of Unemployment Compensation Benefits to Workers Who are on Strike" (H.P. 175) (L.D. 209) (Presented by Representative WILLEY of Hampden) (Cosponsors: Senator TWITCHELL of Oxford, Representatives BELL of Paris and BROWN of Gorham)

Bill "An Act to Increase Fairness to Workers' Compensation Claimants" (H.P. 176) (L.D. 210) (Presented by Representative BEAULIEU of Portland)

Bill "An Act to Incorporate Last Best Offer Provisions into the Municipal Public Employees Labor Relations Law for School Employees" (H.P. 177) (L.D. 211) (Presented by Representative DIAMOND of Bangor) (Cosponsor: Representative WEYMOUTH of West Gardiner)

Bill "An Act Establishing a Cap on Workers' Compensation Increase" (H.P. 178) (L.D. 212) (Presented by Representative RIDLEY of Shapleigh) (Cosponsors: Representatives RACINE of Biddeford, POULIOT of Lewiston, and DAGGETT of Manchester)

Bill "An Act Relating to Maximum Benefits under the Workers' Compensation Act" (H.P. 179) (L.D. 213) (Presented by Representative McGOWAN of Canaan) (Cosponsor: Representative GWADOSKY of Fairfield)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act to Prohibit Notaries Whose Names are on the Ballot from Witnessing an Absentee Ballot or Registering Voters" (H.P. 180) (L.D. 214) (Presented by Representative WEYMOUTH of West Gardiner) (Cosponsors: Representatives ZIRNKILTON of Mount Desert, WENTWORTH of Wells, and BEGLEY of Waldoboro)

Bill "An Act to Remove the Requirement that Voters Outside the State Make a Written Request for an Absentee Ballot" (H.P. 181) (L.D. 215) (Presented by Representative POULIOT of Lewiston) (Cosponsors: Representative TELOW of Lewiston and Senator GAUVREAU of Androscoggin)

Bill "An Act Concerning Absentee Ballots and Voting in Person" (H.P. 182) (L.D. 216) (Presented by Representative POULIOT of Lewiston) (Cosponsor: Representative TELOW of Lewiston)

Bill "An Act to Remove the Reasons Required for Voting by Absentee Ballot" (H.P. 183) (L.D. 217) (Presented by Representative POULIOT of Lewiston) (Cosponsor: Representative TELOW of Lewiston)

Bill "An Act Concerning Absentee Voting by Persons Who are Working During the Time the Polls are Open" (H.P. 184) (L.D. 218) (Presented by Representative POULIOT of Lewiston) (Cosponsors: Representative TELOW of Lewiston and Senator GAUVREAU of Androscoggin)

Bill "An Act Concerning Absentee Voting by the Elderly" (H.P. 185) (L.D. 219) (Presented by Representative POULIOT of Lewiston) (Cosponsors: Representative TELOW of Lewiston and Senator GAUVREAU of Androscoggin)

Bill "An Act to Remove the Time Limit for Tabulating Election Returns and the Requirement for the Presence of the Municipal Officers" (H.P. 186) (L.D. 220) (Presented by Representative POULIOT of Lewiston) (Cosponsors: Representative TELOW of Lewiston and Senator GAUVREAU of Androscoggin)

Bill "An Act to Transfer the Power to Issue Concealed Weapon Permits to the Commissioner of Public Safety" (H.P. 187) (L.D. 221) (Presented by Representative MITCHELL of Freeport) (Cosponsors: Senator CLARK of Cumberland, Representatives CARROLL of Gray, and SMITH of Island Falls)

Bill "An Act to Repeal Provisions for Same Day Registration under the Election Laws" (H.P. 188) (L.D. 222) (Presented by Representative DRINKWATER of Belfast) (Cosponsor: Representative WHITCOMB of Waldo)

Bill "An Act to Provide for Licensing of Bottle Clubs" (H.P. 189) (L.D. 223) (Presented by Representative HANDY of Lewiston) (Cosponsor: Representative MURPHY of Berwick)

Bill "An Act to Require more Complete Disclosure of Campaign Contributions" (H.P. 217) (L.D. 251) (Presented by Representative HANDY of Lewiston) (Cosponsors: Senator GAUVREAU of Androscoggin and Representative MICHAEL of Auburn)

(Ordered Printed)

Sent up for concurrence.

Local and County Government

Bill "An Act Concerning Deliveries of Annual Estimates for County Taxes" (H.P. 190) (L.D. 224) (Presented by Representative RACINE of Biddeford) (Cosponsors: Representatives WENTWORTH of Wells, MURPHY of Berwick, and SOUCY of Kittery)

Bill "An Act to Eliminate the Requirement that County Tax Estimates and Notices of Public Hearings be Sent by Certified or Registered Mail" (H.P. 192) (L.D. 226) (Presented by Representative COOPER of Windham) (Cosponsors: Representatives STEVENS of Bangor and GWADOSKY of Fairfield)

Bill "An Act to Increase the Competitive Bid-

ding Minimum for County Commissioner Purchases" (H.P. 193) (L.D. 227) (Presented by Representative COOPER of Windham) (Cosponsors: Representatives STEVENS of Bangor and GWADOSKY of Fairfield)

Bill "An Act to Provide County Commissioner Districts in Washington County" (H.P. 194) (L.D. 228) (Presented by Representative CONNERS of Franklin) (Cosponsors: Representatives VOSE of Eastport, RANDALL of East Machias and Senator BROWN of Washington)

Bill "An Act Regarding Official Refusal or Neglect of Duty" (H.P. 195) (L.D. 229) (Presented by Representative DRINKWATER of Belfast) (Cosponsor: Representative STEVENSON of Unity)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act to Increase the Agent's Fee for Collection of Excise Tax in Unorganized Places" (H.P. 218) (L.D. 252) (Presented by Representative ROTONDI of Athens) (Cosponsors: Representative TARDY of Palmyra and HEPBURN of Skowhegan)

(Committee on Local and County Government was suggested.)

On motion of Representative McHenry of Madawaska, was referred to the Committee on Taxation, Ordered Printed and sent up for concurrence.

Local and County Government

Bill "An Act Concerning the Allocation of Costs Incurred for Incarceration in County Jails" (H.P. 219) (L.D. 253) (Presented by Representative BOUTILIER of Lewiston) (Cosponsors: Representatives DAGGETT of Manchester, CONNOLLY of Portland, and Senator PERKINS of Hancock)

RESOLVE, to Require the Towns of Wilton and Temple to Establish a Line Between the 2 Towns which Complies with State Law (H.P. 191) (L.D. 225) (Presented by Representative ARMSTRONG of Wilton)

(Ordered Printed)

Sent up for concurrence.

Marine Resources

Bill "An Act to Repeal the Maximum Length Lobster Measurement" (H.P. 196) (L.D. 230) (Presented by Representative CROWLEY of Stockton Springs) (Cosponsors: Representatives MCGOWAN of Canaan and RUHLIN of Brewer)

Bill "An Act to Prohibit Diving for Scallops" (H.P. 197) (L.D. 231) (Presented by Representative SCARPINO of St. George)

Bill "An Act Concerning the Sale of Lobster Measures by the State" (H.P. 220) (L.D. 254) (Presented by Representative CROWLEY of Stockton Springs) (Cosponsors: Representatives SALSBUURY of Bar Harbor and VOSE of Eastport) (Submitted by the Department of Marine Resources pursuant to Joint Rule 24)

Bill "An Act to Deputize National Marine Fisheries Service Officers and United States Coast Guard Personnel as Department of Marine Resources Marine Patrol Officers and Define Possession" (H.P. 221) (L.D. 255) (Presented by Representative CROWLEY of Stockton Springs) (Cosponsors: Representatives VOSE of Eastport, RICE of Stonington, and Senator BROWN of Washington) (Submitted by the Department of Marine Resources pursuant to Joint Rule 24)

Bill "An Act to Authorize the Sale of Frozen Lobster Tails" (H.P. 231) (L.D. 272) (Presented by Representative CROWLEY of Stockton Springs) (Cosponsor: Representative COLES of Harpswell) (Submitted by the Department of Marine Resources pursuant to Joint Rule 24) (Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act to Establish the Director of the

Maine State Housing Authority as a Nonvoting Commissioner of the State Authority" (H.P. 198) (L.D. 232) (Presented by Representative GWADOSKY of Fairfield) (Cosponsors: Representatives SPROUL of Augusta, BRANNIGAN of Portland and PARADIS of Augusta)

Bill "An Act Designating the Maine Coon Cat as the State Cat" (H.P. 199) (L.D. 233) (Presented by Representative RACINE of Biddeford) (Cosponsors: Representatives GWADOSKY of Fairfield, BROWN of Gorham and Senator USHER of Cumberland)

Bill "An Act Pertaining to the Observance of Veterans Day" (H.P. 200) (L.D. 234) (Presented by Representative JALBERT of Lisbon) (Cosponsors: Representative PARADIS of Old Town and Senator CARPENTER of Aroostook)

Bill "An Act to Designate the 3rd Week in October as Maine Business Women's Week" (H.P. 201) (L.D. 235) (Presented by Representative JOSEPH of Waterville) (Cosponsors: Representatives NELSON of Portland, STEVENS of Bangor and Senator CLARK of Cumberland)

Bill "An Act Prohibiting Bond issues of Less than \$2,000,000" (H.P. 202) (L.D. 236) (Presented by Representative SPROUL of Augusta) (Cosponsors: Representatives HICHBORN of LaGrange, WENTWORTH of Wells, and DILLENBACK of Cumberland)

Bill "An Act to Designate 'Pertica quadrifaria' the Official Fossil of the State of Maine" (H.P. 222) (L.D. 256) (Presented by Representative LISNIK of Presque Isle) (Cosponsors: Representative MASTERMAN of Milo and Senator PRAY of Penobscot) (Submitted by the Department of Conservation pursuant to Joint Rule 24)

Bill "An Act Relating to Membership on the Board of Trustees of the Criminal Justice Academy" (H.P. 223) (L.D. 257) (Presented by Representative MAYO of Thomaston) (Cosponsors: Representatives CARROLL of Gray, WEYMOUTH of West Gardiner, and Senator CHALMERS of Knox)

Bill "An Act to Establish Alcohol Awareness Week" (H.P. 232) (L.D. 273) (Presented by Representative BOTT of Orono) (Cosponsors: Senator BROWN of Washington, Representatives STEVENSON of Unity, and CROWLEY of Stockton Springs)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act Concerning Widow's Exemptions for Local Property Taxes" (H.P. 203) (L.D. 237) (Presented by Representative STEVENS of Bangor) (Cosponsors: Representatives LACROIX of Oakland, MAYO of Thomaston, and HICKEY of Augusta)

Bill "An Act Relating to an Increase in Cigarette Excise Tax" (Emergency) (H.P. 204) (L.D. 238) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsors: Senator VIOLETTE of Aroostook, Representative DIAMOND of Bangor and CASHMAN of Old Town)

Bill "An Act to Repeal the Unitary Tax" (H.P. 205) (L.D. 239) (Presented by Representative SPROUL of Augusta) (Cosponsors: Representatives JACKSON of Harrison, ZIRNKILTON of Mount Desert and WEBSTER of Cape Elizabeth)

Bill "An Act to Exempt Lobster Feed and Medication Necessary for the Lobster Pound Business from the State Sales Tax" (H.P. 206) (L.D. 240) (Presented by Representative FOSTER of Ellsworth) (Cosponsor: Representative HOLLOWAY of Edgecomb)

Bill "An Act to Repeal the Requirement that Certain Tax Information Appear on Local Property Tax Bills" (H.P. 207) (L.D. 241) (Presented by Representative WHITCOMB of Waldo) (Cosponsors: Representatives WENTWORTH of Wells, JACKSON of Harrison and SWAZEY of Bucksport)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act Relating to Legislative Plate Assignments Under the Motor Vehicle Laws" (Emergency) (H.P. 208) (L.D. 242) (Presented by Representative MACOMBER of South Portland) (Cosponsor: Senator DANTON of York)

Bill "An Act Concerning Expiration of Motor Vehicle Drivers' Licenses for Persons 65 Years of Age and Older" (H.P. 209) (L.D. 243) (Presented by Representative RACINE of Biddeford) (Cosponsors: Representatives THERIAULT of Fort Kent, STROUT of Corinth and MILLS of Bethel)

Bill "An Act to Make Administrative Changes in Truck Weight Tolerances" (H.P. 224) (L.D. 258) (Presented by Representative MOHOLLAND of Princeton) (Cosponsors: Representatives STROUT of Corinth, MILLS of Bethel, and Senator ERWIN of Oxford) (Submitted by the Department of Transportation pursuant to Joint Rule 24)

Bill "An Act to Prohibit the Tampering of Automobile Emission Controls" (H.P. 225) (L.D. 259) (Presented by Representative THERIAULT of Fort Kent) (Cosponsors: Representative MICHAEL of Auburn, Senators DANTON of York, and USHER of Cumberland) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 24)

Bill "An Act to Provide Standards for a Waiver of Set-back Requirements under the Transportation Law" (H.P. 226) (L.D. 260) (Presented by Representative SOUCY of Kittery) (Cosponsors: Representatives STROUT of Corinth, McPHERSON of Eliot, and Senator ERWIN of Oxford) (Submitted by the Department of Transportation pursuant to Joint Rule 24)

Bill "An Act Relating to Diesels and Diesel-electric Locomotives Operating in Reverse or Backup Positions" (H.P. 227) (L.D. 261) (Presented by Representative JACQUES of Waterville)

Bill "An Act Concerning the Use of Seat Belts in School Buses" (H.P. 228) (L.D. 262) (Presented by Representative BOST of Orono) (Cosponsors: Representatives CARROLL of Gray, BOUTILIER of Lewiston, and Senator BROWN of Washington)

(Ordered Printed)

Sent up for concurrence.

Utilities

Bill "An Act to Implement the Policy in Favor of Universal Telephone Service" (H.P. 210) (L.D. 244) (Presented by Representative JOSEPH of Waterville) (Cosponsors: Representatives RANDALL of East Machias, VOSE of Eastport and CLARK of Millinocket)

(Ordered Printed)

Sent up for concurrence.

Study Report —

Committee on Transportation

Representative MACOMBER from the Committee on Transportation to which was referred by the Legislative Council the Study Relative to New General Registration Plate Issues have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill "An Act Relating to a New Registration Plate Issue" (H.P. 229) (L.D. 263) be referred to this Committee for public hearing and printed pursuant to Joint Rule 19.

Report was read and accepted, and the bill referred to the Committee on Transportation, ordered printed and sent up for concurrence.

Orders

On motion of Representative MCSWEENEY of Old Orchard Beach, the following Order:

ORDERED, that Representative Allan Bonney of Falmouth be excused January 22 for the duration of his illness.

Was read and passed.

**Passed to Be Enacted
Emergency Measure**

An Act Relating to Potato Labeling (S.P. 59) (L.D. 85) (S. "A" S-1)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Carrier.

Representative CARRIER: Mr. Speaker, Ladies and Gentleman of the House: I have nothing against this bill but I am concerned about the procedure that was used in order to get it through.

For the new members here and also for the members who have been here before, in case you didn't notice, this bill was passed in the other body and it was not referred to any committee and did not have a public hearing. I think that as individual members of this House we are expected to live by the rules. I think in this particular case, because of necessity, the rules have been broken. It has not been overlooked but leadership has let the bill go through so today it is before us for enactment without having had a public hearing. I do not agree to that procedure and I don't think that most of you would agree to it either, because if you tried to do the same thing, you would not get away with it.

I think everybody should be aware today that the process used to pass this bill is not the right way to go. While I do not have objections to the bill — if you have an emergency bill — if they wanted to, they could put it through in about a week and with this type of bill, it could have been through the right way, the way it was supposed to be, and then everything would be all right. I am really concerned that, at the beginning of the session, if we allow this to go through this way, I wonder what will happen from now on. I feel very strongly and I want to leave a good message to the leaders of this House and also the other body, that they should take it very seriously to abide by the rules if they expect us to abide by the rules. We do abide by the rules so I really think that the rules have been broken and the leadership is allowing it to happen. I just hope that in the future that they see a better way to do things than the way this has been done.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Michael.

Representative MICHAEL: Mr. Speaker, Ladies and Gentlemen of the House: I appreciate the gentleman's remarks and I just want him and anyone else to know that this was a bill that we thought had sufficient agreement to just move this along rather than going through the motion and the gesture of a hearing on something which most people understood was needed and should be moved along quickly. We did suspend the rules in the House, last week I think, so that would have been the time to object to that. That did allow us to go ahead and move the bill along without a hearing.

The SPEAKER: The Chair recognizes the Representative from Presque Isle, Representative Lisnik.

Representative LISNIK: Mr. Speaker, Men and Women of the House: The original bill that was passed last year had to make it known that the country of origin on any bag or container to ensure that Canadian potatoes were not being repacked in bags that implied that they were a product of the State of Maine. The problem that we found was that some farmers had purchased large quantities of bags without proper labeling, well prior to the effective date which was October of 1983. This is not a new concept, this is merely an amendment and a clarification to the bill that we passed last year and therefore the sponsor or leadership apparently felt it was not necessary to go through a full blown hearing. I hear the gentlemen from Westbrook; I understand his concerns and cer-

tainly take them into consideration.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 140 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Orders of The Day

The Chair laid before the House the first tabled and today assigned matter:

1. Bill An Act Concerning the Price Charged for Copies of Voting List Tapes" (H.P. 134) (L.D. 159)

Committee on Local and County Government was suggested.

On motion of Representative McHENRY of Madawaska, tabled pending reference and tomorrow assigned.

2. Bill "An Act Relating to Residency Requirements under the Election Laws" (H.P. 135) (L.D. 160)

Committee on Local and County Government was suggested.

On motion of Representative McHENRY of Madawaska, tabled pending reference and tomorrow assigned.

3. Bill "An Act Requiring the Presence of a 2nd Physician when Abortions are Performed after Viability" (H.P. 109) (L.D. 134)

Committee on Human Resources was suggested.

On motion of Representative BROWN of Gorham, tabled pending reference and tomorrow assigned.

On motion of Representative Pouliot of Lewiston,

Adjourned until Wednesday, January 30, at ten o'clock in the morning.