

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

Thursday, February 7, 1985

The House met according to adjournment and was called to order by the Speaker. Prayer by Father Valmont Gilbert, St. Augustine's Church, Augusta. Quorum called; was held. Reading of the Journal of yesterday.

Papers from the Senate

Bill "An Act to Encourage Industrial Product Development in the State" (S.P. 143) (L.D. 410)

Came from the Senate, referred to the Committee on State Government and Ordered Printed.

(The Committee on Reference of Bills had suggested reference to the Committee on Appropriations and Financial Affairs.)

Was referred to the Committee on State Government in concurrence.

Bill "An Act to Repeal the Sales Tax on Commercial and Industrial Fuel" (S.P. 169) (L.D. 440)

Came from the Senate, referred to the Committee on Taxation and Ordered Printed.

Was referred to the Committee on Taxation in concurrence.

Refer to the Committee on Judiciary

Report of the Committee on Legal Affairs on Bill "An Act to Amend the Law Relating to Mileage and Compensation of Juror" (S.P. 112) (L.D. 327) reporting that it be referred to the Committee on Judiciary.

Came from the Senate with the report read and accepted and the bill referred to the Committee on Judiciary.

Report was read and accepted and the bill referred to the Committee on Judiciary in concurrence.

**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.

Appropriations and Financial Affairs

Bill "An Act to Make Allocations from the Maine Coastal Protection Fund for the Fiscal Years Ending June 30, 1986, and June 30, 1987" (Emergency) (H.P. 339) (Presented by Representative MCGOWAN of Canaan) (Cosponsors: Senator PEARSON of Penobscot, Representative HIGGINS of Scarborough, and FOSTER of Ellsworth) (Submitted by the Department of Finance and Administration pursuant to Joint Rule 24)

(Ordered Printed.)

Sent up for concurrence.

Energy and Natural Resources

Bill "An Act to Transfer from the Bureau of Public Lands to the Baxter State Park Authority the Designation as the Agency of the State to Receive Funds Donated by Governor Percival P. Baxter" (H.P. 340) (Presented by Representative MITCHELL of Freeport) (Cosponsor: Representative HAYDEN of Durham)

(Ordered Printed.)

Sent up for concurrence.

Human Resources

RESOLVE, Creating the Commission to Study Emergency Medical Services in Maine (H.P. 341) (Presented by Representative CARROLL of Gray) (Cosponsors: Representative SWAZEY of Bucksport, FOSTER of Ellsworth, and Senator PERKINS of Hancock)

(Ordered Printed.)

Sent up for concurrence.

Local and County Government

Bill "An Act Confirming and Ratifying the

Transfer of Real Estate by the Ogunquit Beach District to the Ogunquit Village Corporation and Confirming the Right of the Town of Ogunquit to Permit the Use of a Portion thereof for Parking" (H.P. 342) (Presented by Representative WENTWORTH of Wells) (Cosponsors: Representatives McPHERSON of Eliot and ROLDE of York)

(Ordered Printed.)

Sent up for concurrence.

State Government

Bill "An Act to Establish the Department of Forestry" (H.P. 338) (L.D. 441) (Presented by Representative LORD of Waterboro) (Cosponsors: Senator McBREAIRTY of Aroostook and Representative DEXTER of Kingfield)

(Ordered printed.)

Sent up for concurrence.

Judiciary

Bill "An Act to Facilitate the Settlement of Tort Claims of \$2,000 or less" (H.P. 343) (Presented by Representative PRIEST of Brunswick) (Cosponsors: Senator CARPENTER of Aroostook, Representatives REEVES of Pittston, and COOPER of Windham) (Submitted by the Department of Transportation pursuant to Joint Rule 24.)

Committee on State Government was suggested.

On motion of Representative Gwadosky of Fairfield, referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

State Government

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Permit the Governor to Veto Items Contained in Bills Appropriating Money and Retaining the Power within the Legislature to Override such Item Vetoes (H.P. 344) (Presented by Representative JACKSON of Harrison) (Cosponsors: Senators WEBSTER of Franklin, DANTON of York, and Representative BROWN of Livermore Falls)

(Ordered Printed)

Sent up for concurrence.

Utilities

Bill "An Act to Simplify the Appointment of Directors to the Maine Municipal and Rural Electrification Cooperative Agency" (H.P. 345) (Presented by Representative RICHARD of Madison) (Cosponsors: Representative VOSE of Eastport, Senators VIOLETTE of Aroostook, and PERKINS of Hancock) (Submitted by the Office of Public Advocate pursuant to Joint Rule 24)

(Ordered printed.)

Sent up for concurrence.

Orders

On motion of Representative NADEAU of Saco, the following Joint Resolution: (H.P. 346) (Cosponsors: Representatives WARREN of Scarborough, McSWEENEY of Old Orchard Beach and Senator DANTON of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 35) JOINT RESOLUTION MEMORIALIZING THE FEDERAL GOVERNMENT CONCERNING THE AWARD OF MILITARY CONTRACTS TO FOREIGN COMPANIES INSTEAD OF UNITED STATES FIRMS

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

WHEREAS, in January of 1985, the Pentagon awarded a sizeable contract for the manufacture of a certain handgun to an Italian firm; and

WHEREAS, the Saco firm called the Saco Defense Systems, also known as the Maremont

Corporation, was in competition for this contract; and

WHEREAS, Maremont Corporation has a solid tradition of producing quality defense weapons and has always provided employment for hundreds of workers at its Saco plant; and

WHEREAS, it appears that the Pentagon gave insufficient consideration to the negative impact the awarding of this contract to the Italian firm would have on the jobs, economic conditions and daily lives of the men and women at the Saco plant now and in the future; now, therefore, be it

RESOLVED, That We, Your Memorialists, respectfully urge and petition the Congress of the United States to support legislation to require the Department of Defense to consider the economic impact that will result to a United States firm when deciding whether to contract with a foreign firm or a domestic firm and to make this consideration one of the factors in their decision-making process; and be it further

RESOLVED: That a duly authenticated copy of this Joint Resolution be immediately submitted by the Honorable Secretary of State Rodney S. Quinn to the members of the Maine Congressional Delegation and to the United States Secretary of Defense.

Was read.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Nadeau.

Representative NADEAU: Thank you Mr. Speaker. Men and Women of the House: I rise this morning to demonstrate my sincere concern and extreme disappointment in the recent award of a major defense contract to a foreign competitor over our domestic Maremont Corporation. At a time when job security and economic stability have become buzz words, it seems to me that the fate of the American worker is deserving of a much greater consideration than was apparently given. This decision will in fact cause the loss of hundreds of jobs; hundreds of dollars in my town of Saco, York County, and in the State of Maine. Resolution 4-1 urges the United States Congress to strongly consider our domestic firms when making decisions which would carry such great ramifications. Thank you very much.

The Joint Resolution was adopted and sent up for concurrence.

Reports of Committees**Unanimous Ought Not to Pass**

Representative WILLEY from the Committee on Labor on Bill "An Act to Clarify the Negotiability of Insurance Under the Municipal Public Employees Labor Relations Act" (H.P. 61) (L.D. 79) reporting "Ought Not to Pass"

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

Orders of the Day

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

Bill "An Act Regulating Transportation of Nonreturnable Beverage Containers into the State" (H.P. 326)

(Committee on Agriculture suggested.)

Tabled—February 6, 1985 by Representative MICHAEL of Auburn.

Pending—Reference.

On motion of Representative Michael of Auburn, referred to the Committee on Business and Commerce.

(Ordered Printed.)

Sent up for concurrence.

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

Bill "An Act to Establish the Stanwood Wildlife Sanctuary in the City of Ellsworth" (H.P. 332)

(Committee on Local and County Government suggested.)

Tabled—February 6, 1985 by Representative

McHENRY of Madawaska.

Pending—Reference.

On motion of Representative McHenry of Madawaska, referred to the Committee on Fisheries and Wildlife.

(Ordered Printed.)

Sent up for concurrence.

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

House Divided Report—Majority (12) "Ought to Pass" in New Draft under New Title Bill "An Act to Eliminate Volume Determined Delivery Prices of Milk" (Emergency) (H.P. 320) (L.D. 431)—Minority (1) "Ought to Pass" in New Draft under New Title RESOLVE, Modifying Maine Milk Commission Order 85-2 to Remove Volume Discount Pricing (Emergency) (H.P. 321) (L.D. 432)—Committee on Agriculture on RESOLVE, Directing the Maine Milk Commission to Delay Implementation of Pricing Order 85-2 which Establishes Different Delivery Price Schedules for Milk at Wholesale (Emergency) (H.P. 73) (L.D. 94)

Tabled—February 6, 1985 by Representative MICHAEL of Auburn.

Pending—Motion of Same Representative to Accept the Majority Report.

On motion of Representative Michael of Auburn, retabled pending further action and specially assigned for Tuesday, February 12, 1985

(Off Record Remarks)

On motion of Representative Rotondi of Athens, adjourned until 10:00 a.m., Friday, February 8, 1985.