

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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, March 28, 1985

The House met according to adjournment and was called to order by the Speaker.

Prayer by Reverend Jack Perkins, First Parish Congregational Church, Gorham.

Quorum called: was held.

The Journal of Wednesday, March 27, 1985 was read and approved.

The SPEAKER: The Chair would ask the Sergeant-at-Arms to escort Randy Grover to the rostrum to sit with the Speaker. He will be the Speaker for the Model State Legislature and is from Ashland Community High School.

Whereupon, Randy Grover was escorted to the rostrum. (amid applause)

Papers from the Senate

The following Joint Order: (S.P. 410)

ORDERED, the House concurring, that Bill, "An Act to Assess the Impact of Agricultural Chemicals and Practices on Ground Water," (H.P. 294) (L.D. 383) be recalled from the Governor's desk to the Senate.

Came from the Senate, read and passed.

On motion of Representative Mitchell of Freeport, tabled pending passage and tomorrow assigned.

Bill "An Act to Improve the State of Maine's Safety Programs for Maine State Employees" (S.P. 408) (L.D. 1137)

Came from the Senate, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Was referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill "An Act to Authorize a Bond Issue in the Amount of \$5,000,000 for Constructing and Equipping Centers for Advanced Technology that Service the Economic Development Needs of Maine" (S.P. 412) (L.D. 1142)

Came from the Senate, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

(The Committee on Reference of Bills had suggested reference to the Committee on State Government.)

Was referred to the Committee on Appropriations and Financial Affairs in concurrence.

Unanimous Leave to Withdraw

Report of the Committee on Labor reporting "Leave to Withdraw" on Bill "An Act to Clarify the Status of Workfare Recipients under the Workers' Compensation Act" (S.P. 128) (L.D. 368)

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

Divided Report

Majority Report of the Committee on Human Resources on Bill "An Act to Amend the Social Services Planning and Expenditures Act" (S.P. 34) (L.D. 42) reporting "Ought to Pass" in New Draft (S.P. 409) (L.D. 1132)

Signed:

Senators:

BUSTIN of Kennebec
BERUBE of Androscoggin
GILL of Cumberland

Representatives:

TAYLOR of Camden
PINES of Limestone
NELSON of Portland
CARROLL of Gray
MELENDY of Rockland
BRODEUR of Auburn
ROLDE of York
SEAVEY of Kennebunkport
MANNING of Portland

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.
Signed:

Representative:

KIMBALL of Buxton

Came from the Senate with the Majority "Ought to Pass" in New Draft Report read and accepted and the New Draft passed to be engrossed.

Reports were read.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Nelson.

Representative NELSON: Mr. Speaker, Men and Women of the House: I move that we accept the Majority "Ought to Pass" Report.

The SPEAKER: The Chair recognizes the Representative from Buxton, Representative Kimball.

Representative KIMBALL: Mr. Speaker, Men and Women of the House: Because this measure came out 12-1, I feel that it is kind of important for me to address that issue this morning. To begin with, I would just like to say that the reason that I am on the "Ought to Pass" portion of the bill is that I thought the idea of the social services plan passed in the 112th Legislature was a good idea. I felt that whenever you have an opportunity to require when the legislature mandates to the Commissions that they work together in order to serve the public interests, it is best to do that. Once we have done it, I think we are making a statement in terms of taking that communication back. In other words, saying that they don't have to.

I am going to give you an example, ladies and gentlemen of the House. In listening and sitting on the Human Resources Committee, one thing that I have come to realize, I think, is that what I have known for a long time in clinical practice rings true. The best way to explain that is to talk about a family, I think, in Oxford County and describe a ten year old boy. For an example, let's say we have a ten year old boy who is lighting fires. Well, if the Department of Human Services goes into that home and walks through the door, they may see that that is a situation that needs to be addressed from the standpoint of sustenance and caretaking and perhaps that the parenting is not particularly adequate and maybe some kind of Human Services intervention needs to take place there.

Now, if the Department of Mental Health and Retardation walked in there and sees the same ten year old boy, they may consider him a pyromaniac and think that probably they should get involved in addressing something in the nature of counseling for this young man to deal with his quote "psychological problem."

Thirdly, if the Department of Corrections walks in there and takes a look at the same ten year old and sees what the issue is, they may say that the child is an arsonist and should take action based on what they know. My point is, ladies and gentlemen of the House, that according to who walks through the door, we may end up addressing the problem in three different ways. The only way that I can see that we can get to a larger view, a binocular view, a view that has some depth to it, is by requiring these commissions to plan together. Now, we haven't seen the plan yet, ladies and gentlemen of the House, what we were issued was a report. The planning document has never been done. Last evening, we talked about the idea of changing courses in midstream. Once again, I think that before an end product ever comes from the Social Services Plan, L.D. 42 is an act to repeal it before we have ever seen it. As a person who works in the field, I couldn't let it go by without speaking to the issue.

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

Representative BRODEUR: Mr. Speaker, Members of the House. The reason I am on the Majority Report is not because I think that is the best way to go but because I think that was

the only thing we could salvage. The Social Services Plan that this legislature passed in the 112th was the bill that I sponsored and cosponsored in the 111th as a result which led to a study which led to a Social Services Plan bill. For the most part, I agree with Representative Kimball in terms of what's happening with our Social Services planning process. There is not any joint planning on most issues. I think this will hit the legislature most clearly when we start to discuss what we ought to do about child abuse and neglect. We have at least two departments dealing with that issue and they have different perspectives on it. We are not getting any decisions made based on a consensus approach. Decisions that are being made in state government are based on who is running what department and who is seeing what person at what time. It seems to me regarding this issue, although it hasn't been addressed, is that we need to do this in some way. The bill that is being amended, or the law that is being amended, said that we would have two departments and one division working together towards making a social services plan. Well those two departments and one division cooperated very well in setting up a framework for that plan. Unfortunately, the next part of the plan was to involve legislators and the public and the two departments and one division. However, when that step of the process came up, that process, even though it was required by law, did not happen. We are left today with plans that aren't really plans. They are just appropriations amounts. For that reason, we are going to get issues such as child abuse and neglect with very divergent views with no attempt to work on a cooperative solution to them.

The SPEAKER: The Chair recognizes the Representative from Buxton, Representative Kimball.

Representative KIMBALL: Mr. Speaker, Members of the House: I would just like to reiterate what Representative Brodeur has said and say that I think that those kinds of issues that you are talking about in terms of target groups do need to be addressed. Again, the best way to address that is from that larger point of view, from my perspective.

I would request a roll call.

The SPEAKER: In order for the Chair to order a roll call, it must have the expressed desire of more than one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and, obviously, an insufficient number requesting a roll call, a roll call was not ordered.

The SPEAKER: The Chair recognizes the Representative from York, Representative Rolde.

Representative ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I would urge you to support the Majority Report. Let me just briefly try and put this issue into perspective. I think the intentions of what the legislature tried to do last time in forcing these different departments to plan together was very laudible. What we found was that it was just impossible to work. Many years ago, when we reorganized state government, one of the original ideas was to have a Department of Social Services which would have the Department of Human Services, Department of Mental Health and Corrections together. It was found that that was just too unwieldy a process. I am very well aware of the problem of trying to get departments to work together. When I was Chairman on the Special Select Committee on Alcoholism, that is precisely what we did and we were able to do it in that limited area. But what we found was that the departments were spending a great deal of money and effort trying to figure out how to make this plan work. They were not able to do it. That is why you have a 12 to 1 report. I sympathize with the feelings of the gentleman from Bux-

ton, Mr. Kimball. I think there are other ways to get at this problem. What we have done is ask them to come up with a joint budget document so that we will be able to look at all of the expenditures in the social services area at one time. I realize that he would like to go beyond that and I think there are ways to do it but the way it was originally proposed was not working. It was causing hardships for the department.

The SPEAKER: The Chair will order a vote. The pending question before the House is the motion of the Representative from Portland, Representative Nelson, that the House accept the Majority "Ought to Pass" Report. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

101 having voted in the affirmative and 28 in the negative, the Majority "Ought to Pass" Report was accepted, the Bill read once and assigned for Second Reading tomorrow.

Divided Report

Majority Report of the Committee on Judiciary reporting "Ought to Pass" on Bill "An Act to Remove the Small Business Exception Regarding Medical Benefits because of Pregnancy under the Maine Human Rights Act" (S.P. 51) (L.D. 69)

Signed:

Senators:

CARPENTER of Aroostook
CHALMERS of Knox

Representatives:

KANE of South Portland
COOPER of Windham
PARADIS of Augusta
PRIEST of Brunswick
ALLEN of Washington

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.

Signed:

Senator:

SEWALL of Lincoln

Representatives:

LEBOWITZ of Bangor
STETSON of Damariscotta
MacBRIDE of Presque Isle
CARRIER of Westbrook
DRINKWATER of Belfast

Came from the Senate with the Majority "Ought to Pass" Report read and accepted and the Bill passed to be engrossed.

Reports were read.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Kane.

Representative KANE: Mr. Speaker. I move that we accept the Majority "Ought to Pass" Report.

I have been asked by a couple of members of my Committee, one who has been very busy today with something else and one who is not going to be here, who are on the opposite side, if we would not debate this on first reading. We will debate it later for those people who are opposed to this. If we just let it have a first reading today, I think we will just save ourselves time. We will have two more cracks at it.

Whereupon, on motion of Representative Kane of South Portland, the Majority "Ought to Pass" Report was accepted, the Bill read once and assigned for Second Reading tomorrow.

Non-Concurrent Matter

Bill "An Act Relating to the Hancock County Trustees of Public Reservations" (Emergency) (H.P. 802) (L.D. 1136) which was referred to the Committee on Legal Affairs in the House on March 26, 1985.

Came from the Senate referred to the Committee on Local and County Government in non-concurrence.

Whereupon, the House voted to recede and concur.

The following Communication: (S.P. 407)
112th Maine Legislature

March 26, 1985

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

Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated M. Kelly Matzen of Auburn for appointment as a Commissioner of the Maine State Housing Authority.

Pursuant to Title 30 MRSA Section 4602, 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

Came from the Senate read and referred to the Committee on State Government.

Was read and referred to the Committee on State Government in concurrence.

The following Communication:

STATE OF MAINE
DEPARTMENT OF FINANCE AND
ADMINISTRATION
Bureau of Accounts and Control
State House Station 14
Augusta, Maine 04333

Governor Joseph E. Brennan,
Members of the Legislature,
and Other Citizens of Maine

In accordance with Title 5, Maine Revised Statutes Annotated, section 1547, the accompanying Financial Report of the State of Maine is submitted for the fiscal year ended June 30, 1984.

The first section of this report consists of the General Purpose Financial Statements for all funds reported in accordance with generally accepted accounting principles. Generally accepted accounting principles for the Governmental Funds uses the modified accrual basis of accounting. Revenues are recognized when they become measurable and available as current assets. Expenditures are generally recognized when the related fund liability is incurred. Exceptions to this general rule include accumulated unpaid vacation and sick leave and principal and interest on general long term debt which is recognized when due.

The second section is reported as it has been in the past, based upon the budgetary and legal requirements. Please refer to Note 7 of the General Notes to the financial statements for the reconciliation of the fund balances between the two sections. Comparative budgetary data and statistical information have also been included in this report to promote a better understanding of the State's finances.

Questions and comments about this report or any phase of state finances are always welcome.

Respectfully submitted,
S/SANDRA J. CROCKETT
State Controller

Was read and with accompanying report 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:

Business and Commerce

Bill "An Act to Protect Persons with Children from Discrimination in Mobile Home Rentals and Leases" (H.P. 816) (Presented by Representative STEVENS of Bangor) (Cosponsors: Representatives WARREN of Scarborough

and DIAMOND of Bangor)

Bill "An Act to Prohibit Banks from Charging an Assumption Fee for Assumable Mortgages" (H.P. 817) (Presented by Representative CASHMAN of Old Town) (Cosponsors: Representatives STEVENS of Bangor and MURRAY of Bangor)

Bill "An Act Concerning Demand Deposit Accounts" (H.P. 818) (Presented by Representative GREENLAW of Standish) (Cosponsor: Representative SMITH of Island Falls)

Bill "An Act to Amend the Maine Lemon Law" (H.P. 819) (Presented by Representative BRANNIGAN of Portland) (Cosponsor: Representative WARREN of Scarborough)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Concerning Coverage of Certain Trials by the Electronic Media" (H.P. 820) (Presented by Representative WARREN of Scarborough) (Cosponsors: Representatives STEVENS of Bangor and DIAMOND of Bangor)

Bill "An Act to Enhance Enforcement of Drug Laws at the Local Level" (H.P. 821) (Presented by Representative BELL of Paris) (Cosponsors: Representatives SMITH of Island Falls, DRINKWATER of Belfast and Senator CHALMERS of Knox)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act Concerning 'Constructive Quit' under the Employment Security Law" (H.P. 822) (Presented by Representative HEPBURN of Skowhegan) (Cosponsors: Senator DUTREMBLE of York and Representative TARDY of Palmyra)

(Ordered printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act Allowing for Voter Registration at a Polling Place on Election Day" (H.P. 823) (Presented by Representative DIAMOND of Bangor)

(Ordered Printed)

Sent up for concurrence.

Marine Resources

Bill "An Act to Limit Aquaculture Leases to a Period of 5 years" (H.P. 824) (Presented by Representative SCARPINO of St. George)

(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act to Provide for a Toll-free Number for Maine Citizens Needing Information" (H.P. 825) (Presented by Representative McHENRY of Madawaska) (Cosponsors: Senator VIOLETTE of Aroostook, Representatives MANNING of Portland and THERIAULT of Fort Kent)

(Ordered Printed)

Sent up for concurrence.

Utilities

Bill "An Act to Study the Effect of Local Measured Service" (Emergency) (H.P. 826) (Presented by Representative VOSE of Eastport)

(Ordered Printed)

Sent up for concurrence.

Orders

On motion of Representative ROLDE of York, the following Joint Resolution: (H.P. 827) (Cosponsors: Senators TRAFON of Androscoggin, GILL of Cumberland and Representative FOSTER of Ellsworth) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 35)

JOINT RESOLUTION MEMORIALIZING
THE FEDERAL TRADE COMMISSION
CONCERNING OPPOSITION OF THE MAINE

**LEGISLATURE TO PROPOSED TRADE
REGULATION RULES OF THE FEDERAL
TRADE COMMISSION WHICH WOULD
REMOVE EXISTING RESTRICTIONS IN
THE STATE OF MAINE ON COMMERCIAL
OPTOMETRIC PRACTICE**

WE, your Memorialists, the Senate and House of Representatives of the State of Maine, now assembled in the First Regular Session of the One Hundred and Twelfth Legislature, most respectfully present and petition the Federal Trade Commission as follows:

WHEREAS, the Federal Trade Commission is currently considering rules relating to the corporate practice of optometry most recently set forth in 16 Code of Federal Regulations, Part 456; and

WHEREAS, the Maine Legislature has enacted comprehensive legislation regulating the practice of optometry in Maine, set forth in the Maine Revised Statutes, Title 32, chapter 34-A; and

WHEREAS, the State has specifically addressed the issue of the corporate practice of optometry in the Maine Revised Statutes, Title 32, sections 2434 and 2435; and

WHEREAS, the State of Maine and the Legislature have historically devoted extensive consideration to the issue of the corporate practice of optometry, beginning in Maine's first corporate practice law, enacted in 1939, and in subsequent legislation in 1951 and, most recently, in 1981 and 1982, during the 110th session of the Maine Legislature; and

WHEREAS, the Maine Legislature is empowered and directed by the citizenry of Maine to enact such legislation as will protect the health, welfare and interests of the citizens of Maine, and Maine Legislatures have done so in enacting laws related to the practice of optometry in the State; and

WHEREAS, the federal rule-making process and the rules now under consideration by the Federal Trade Commission will not reflect or address the needs of the citizens of the State, as does the legislation which has been enacted by Maine Legislatures; and

WHEREAS, the authority of Maine Legislatures, and now the 112th Maine Legislature, to enact legislation which protects the health, welfare and interests of the citizenry of the State of Maine should not be usurped by the Federal rule-making process now under consideration by the Federal Trade Commission; now, therefore, be it

RESOLVED: That We, your Memorialists, do hereby respectfully urge that the Federal Trade Commission refuse to adopt the rules now under consideration which would preempt the laws of Maine regarding the commercial practice of optometry; 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 President of the Senate and the Speaker of the House of Representatives in the Congress of the United States, to each member of the Maine Congressional Delegation and to each member of the Federal Trade Commission.

Was read and adopted and sent up for concurrence.

Reports of Committees

Unanimous Ought Not to Pass

Representative GWADOSKY from the Committee on State Government on Bill "An Act Pertaining to the Observance of Veterans Day" (H.P. 200) (L.D. 234) reporting "Ought Not to Pass"

Representative POULIOT from the Committee on Transportation on Bill "An Act Concerning the Use of Seat Belts in School Buses" (H.P. 228) (L.D. 262) reporting "Ought Not to Pass"

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

Unanimous Leave to Withdraw

Representative HIGGINS from the Committee on Taxation on Bill "An Act to Change Property Tax from Highest and Best Use to Current Use" (H.P. 429) (L.D. 609) reporting "Leave to Withdraw"

Representative ROLDE from the Committee on Human Resources on Bill "An Act to Reduce Paperwork and Make Benefits More Reflective of Need in the Aid to Families with Dependent Children Program" (H.P. 580) (L.D. 911) reporting "Leave to Withdraw"

Representative MANNING from the Committee on Human Resources on Bill "An Act Concerning Work Requirements under the General Assistance Program" (H.P. 579) (L.D. 850) reporting "Leave to Withdraw"

Representative MOHOLLAND from the Committee on Transportation on Bill "An Act to Repeal the Requirement that Fuel Use Certificate be Carried in the Vehicle at all Times" (H.P. 337) (L.D. 452) reporting "Leave to Withdraw"

Representative MITCHELL from the Committee on Marine Resources on Bill "An Act to Modify the Closed Period for the Taking of Lobsters" (H.P. 65) (L.D. 83) reporting "Leave to Withdraw"

Representative MANNING from the Committee on Marine Resources on Bill "An Act to Authorize Divers to Dive for Lobsters" (H.P. 488) (L.D. 691) reporting "Leave to Withdraw"

Representative VOSE from the Committee on Marine Resources on Bill "An Act to Require the Furnishing of Lobster and Crab Fishing License Holders with Annual Copies of the Laws and Regulations" (H.P. 46) (L.D. 52) reporting "Leave to Withdraw"

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

Ought to Pass in New Draft

Representative BRANNIGAN from the Committee on Business and Commerce on Bill "An Act to Require Public Rest Rooms in all Shopping Centers" (H.P. 255) (L.D. 309) reporting "Ought to Pass" in New Draft (H.P. 814) (L.D. 1140)

Report was read and accepted, the New Draft read once and assigned for second reading tomorrow.

Ought to Pass in New Draft

Representative MURRAY from the Committee on Business and Commerce on Bill "An Act Relating to Deferred Payments and Terms and Schedules for Repayment of Loans under the Maine Consumer Credit Code" (H.P. 293) (L.D. 382) reporting "Ought to Pass" in New Draft (H.P. 815) (L.D. 1141)

Report was read and accepted, the New Draft read once and assigned for second reading tomorrow.

Divided Report

Later Today Assigned

Majority Report of the Committee on Fisheries and Wildlife reporting "Ought to Pass" as amended by Committee Amendment "A" (H-36) on Bill "An Act Concerning Eligibility to Hunt Moose" (H.P. 52) (L.D. 65)

Signed:

Senators:

MATTHEWS of Kennebec

WEBSTER of Franklin

USHER of Cumberland

Representatives:

JACQUES of Waterville

CLARK of Millinocket

ROTONDI of Athens

DUFFY of Bangor

WALKER of Norway

CONNERS of Franklin

WEYMOUTH of West Gardiner

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.

Signed:

Representatives:

ERWIN of Rumford
GREENLAW of Standish
SMITH of Island Falls

Reports were read.

On motion of Representative Jacques of Waterville, tabled pending acceptance of either report and later today assigned.

Consent Calendar

First Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the First Day:

(S.P. 198) (L.D. 532) Bill "An Act to Conform Maine Committee on Aging Legislation with the 1981 Older Americans Act Amendments" Committee on Aging, Retirement and Veterans reporting "Ought to Pass" as amended by Committee Amendment "A" (S-27)

There being no objections, the above item was ordered to appear on the Consent Calendar of Thursday, March 28, 1985 under the listing of Second Day.

(S.P. 127) (L.D. 367) Bill "An Act to Establish a Maine Wild Turkey Hunting Season" Committee on Fisheries and Wildlife reporting "Ought to Pass" as amended by Committee Amendment "A" (S-28)

On objection of Representative Jacques of Waterville, was removed from Consent Calendar, First Day.

Whereupon, the Committee Report was accepted and the Bill read once.

Committee Amendment "A" (S-28) was read by the Clerk.

Representative Jacques of Waterville offered House Amendment "A" (H-38) to Committee Amendment "A" and moved its adoption.

House Amendment "A" (H-38) to Committee Amendment "A" was read by the Clerk and adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted and the Bill assigned for Second Reading tomorrow.

(S.P. 120) (L.D. 335) Bill "An Act to Protect Tenants when Landlords Fail to Pay Utility Bills" Committee on Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (S-30)

There being no objections, the above item was ordered to appear on the Consent Calendar of Thursday, March 28, 1985 under the listing of Second Day.

Consent Calendar

Second Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the Second Day:

(S.P. 21) (L.D. 25) Bill "An Act to Equalize Trapping Rights in Unorganized Territory"

(S.P. 99) (L.D. 297) Bill "An Act Relating to the Time of Penobscot Nation Trust Land Acquisition" (C. "A" S-23)

(S.P. 70) (L.D. 121) Bill "An Act Concerning Salary Provisions for Automotive Industry Personnel" (C. "A" S-22)

(H.P. 84) (L.D. 104) Bill "An Act to Require a Trespass Reminder on Hunting and Fishing Licenses" (C. "A" H-33)

(H.P. 168) (L.D. 202) Bill "An Act Relating to Restrictions on Firearms while Hunting with Bow and Arrow" (C. "A" H-34)

(H.P. 345) (L.D. 462) Bill "An Act to Simplify the Appointment of Directors to the Maine Municipal and Rural Electrification Cooperative Agency" (C. "A" H-35)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were Passed to be Engrossed or Passed to be Engrossed as Amended in concurrence and the House Papers were Passed to be Engrossed as Amended and sent up for concurrence.

Passed to Be Engrossed

Bill "An Act Concerning Fees Charged by Municipalities for Copies of Vital Records" (S.P. 398) (L.D. 1108)

Was reported by the Committee on Bills in the Second Reading and read a second time.

On motion of Representative Murphy from Berwick, tabled pending passage to be engrossed and tomorrow assigned.

Bill "An Act to Amend the Laws Relating to Games of Chance" (H.P. 813) (L.D. 1134)

Bill "An Act to Reenact Provisions for the Court, for Good Cause, to Hear Certain Contested motions in Separation, Annulment or Divorce Proceedings Where There are Minor Children of the Parties Prior to Referring to Mediation" (Emergency) (S.P. 203) (L.D. 553) (C. "A" S-25)

Were reported by the Committee on Bills in the Second Reading, read the second time and Passed to be Engrossed as Amended in concurrence or passed to be engrossed and sent up for concurrence.

Bill "An Act to Allow the Use of Bid Bonds on State Highway Projects" (S.P. 124) (L.D. 364) (H. "A" H-39 to C. "A" S-26)

Was reported by the Committee on Bills in the Second Reading and read a second time.

On motion of Representative Theriault of Fort Kent, the House reconsidered its action whereby Committee Amendment "A" was as amended by House Amendment.

On further motion of the same Representative, the House reconsidered its action whereby House Amendment "A" was adopted to Committee Amendment "A."

On further motion of the same Representative, House Amendment "A" was indefinitely postponed.

The same Representative offered House Amendment "B" (H-40) to Committee Amendment "A" and moved its adoption.

House Amendment "B" to Committee Amendment "A" was read by the Clerk and adopted.

Committee Amendment "A" as amended by House Amendment "B" thereto was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "B" thereto and sent up for concurrence.

The following item appearing on Supplement No. 1 was taken up out of order by unanimous consent:

**Passed to Be Enacted
Emergency Measure**

An Act to Implement Procedures for Insuring the Safe Return and Proper Disposal of Restricted Pesticide Containers (H.P. 704) (L.D. 1014)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 124 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.

By unanimous consent, ordered sent forthwith to the Senate.

The following items appearing on Supplement No. 2 were taken up out of order by unanimous consent:

Emergency Measure

An Act to Require Legislative Confirmation of the Commissioners and the Director of the Maine State Lottery (H.P. 315) (L.D. 404) (C. "A" H-29)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. Pursuant to Article V, Section 8 of Part 1st of the Constitution, a two-thirds vote of the members present and voting being necessary, a total was taken. 122 voted in favor of same and 2 against

and accordingly, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith to the Senate.

An Act to Amend the Town Manager Plan Under the Municipal Law (H.P. 132) (L.D. 157)

An Act Designating the Maine Coon Cat as the State Cat (H.P. 199) (L.D. 233)

An Act to Permit the Department of Corrections to Accept Certain Categories of United States Prisoners (H.P. 296) (L.D. 385)

An Act to Shorten the Period which Members of the Maine State Retirement System Must Wait for the Refund of Accumulated Contributions (H.P. 388) (L.D. 537)

An Act to Clarify the Status of Newspaper Carriers under the Unemployment Compensation Act (H.P. 593) (L.D. 863)

An Act to Streamline Review of Road Construction in Unorganized Areas (H.P. 752) (L.D. 1058)

An Act to Establish Eligibility for Burial in the Maine Veterans' Memorial Cemetery for Members of the Maine National Guard (H.P. 769) (L.D. 1061)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Orders of the Day

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, have preference in the Orders of the Day and continue with such preference until disposed of as provided by Rule 24.

The Chair laid before the House the first matter of Unfinished Business:

Bill "An Act Regarding Workers' Compensation Commission Staffing" (Emergency) (H.P. 811)

(Committee on State Government suggested.)
TABLED—March 27, 1985 (Till Later Today) by Representative GWADOSKY of Fairfield.

PENDING — Motion of Representative CARTER of Winslow to refer Bill to Committee on Appropriations and Financial Affairs.

On motion of Representative Gwadosky of Fairfield tabled, pending the motion of the Representative Carter from Winslow that the Bill be referred to the Committee on Appropriations and Financial Affairs and tomorrow assigned.

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

Bill "An Act to Amend the Weir Licensing Law" (Emergency) (H.P. 677) (L.D. 939)

—In House, Passed to be Engrossed on March 12, 1985.

—In Senate, Passed to be Engrossed as Amended by Senate Amendment "A" (S-17) in non-concurrence.

TABLED—March 26, 1985 by Representative VOSE of Eastport.

PENDING—Further Consideration.

On motion of Representative Diamond of Bangor, tabled pending further consideration and tomorrow assigned.

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

Bill "An Act to Provide Penalties for Violations of Antitrust Statutes" (H.P. 809)

(Committee on Judiciary suggested.)

TABLED—March 27, 1985 by Representative KANE of South Portland.

PENDING—Reference.

On motion of Representative Brannigan of Portland, was referred to the Committee on Business and Commerce, Ordered Printed and sent up for concurrence.

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

SENATE REPORT — "Ought to Pass" as Amended by Committee Amendment "A" (S-19) — Committee on Agriculture on Bill "An Act Relating to Agricultural Apprenticeship and Training" (S.P. 52) (L.D. 71)

—In Senate, Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-19) as amended by Senate Amendment "A" (S-24) thereto.

TABLED—March 27, 1985 by Representative HAYDEN of Durham.

PENDING—Acceptance of Committee Report.

Whereupon, the Committee Report was accepted and the Bill read once.

Committee Amendment "A" (S-19) was read by the Clerk.

Senate Amendment "A" (S-24) to Committee Amendment "A" was read by the Clerk and adopted.

Representative Michael of Auburn offered House Amendment "A" (H-37) to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" was read by the Clerk.

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

Representative MICHAEL: Mr. Speaker. Ladies and Gentlemen of the House: This amendment makes a correction in the appropriation request. It actually reduces the request for the appropriation by \$5,000.

Whereupon, House Amendment "A" to Committee Amendment "A" was adopted.

Committee Amendment "A" as amended by House Amendment "A" and Senate Amendment "A" thereto was adopted.

The Bill was assigned for Second Reading tomorrow.

The Chair laid before the House the following matter: Majority Report of the Committee on Fisheries and Wildlife reporting "Ought to Pass" as amended by Committee Amendment "A" (H-36) on Bill "An Act Concerning Eligibility to Hunt Moose" (H.P. 52) (L.D. 65) which was tabled earlier and later today assigned pending acceptance of either report.

On motion of Representative Jacques of Waterville, the Majority "Ought to Pass" Report was accepted and the Bill read once.

Committee Amendment "A" (H-36) was read by the Clerk and adopted and the Bill assigned for Second Reading tomorrow.

(Off Record Remarks)

On motion of Representative Mitchell of Freeport.

Adjourned until 12:00 noon, Friday, March 29, 1985.