

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

Friday, March 29, 1985

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

Prayer by Reverend James Blanchette, Capehart Community Church, Bangor.

Quorum called; was held.

The Journal of Thursday, March 28, 1985 was read and approved.

Papers from the Senate

The following Joint Resolution: (S.P. 419)
JOINT RESOLUTION MEMORIALIZING CONGRESS TO RESTORE FUNDING FOR THE SMALL BUSINESS ADMINISTRATION

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

WHEREAS, 97% of all businesses in Maine are defined by the Small Business Administration as being small businesses; and

WHEREAS, in 1984, the Small Business Administration approved \$29.3 million in loans to 188 small businesses; maintained a portfolio of over 2,900 loans worth more than \$134 million; sponsored training programs for over 4,000 small business people; and, by establishing a revolving line of credit financing, made available working capital loans up to \$1 million to exporters; and

WHEREAS, the Small Business Development Center, whose principal source of funding is the Small Business Administration, provided counseling to more than 1,300 businesses, training programs for over 1,500 small business people and responded to more than 650 information requests through its Business Information Service; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the Congress of the United States restore the funding for the Small Business Administration, which has assisted Maine Businesses throughout the years; and be it further

RESOLVED: That a copy of this Memorial duly authenticated by the Secretary of State, be transmitted forthwith by the Secretary of State to each member of the Maine Congressional Delegation and to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States.

Came from the Senate, read and adopted.

Was read and adopted in concurrence.

Bill "An Act to Authorize a General Fund Bond Issue in the amount of \$2,500,000 for the Restoration and Preservation of Historic Buildings" (S.P. 417) (L.D. 1147)

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 Relating to the Blaine House Scholars Program" (S.P. 413) (L.D. 1143)

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

Was referred to the Committee on Education in concurrence.

Bill "An Act to Amend the Department of Environmental Protection Laws" (S.P. 414) (L.D. 1144)

Came from the Senate, referred to the Committee on Energy and Natural Resources and Ordered Printed.

Was referred to the Committee on Energy and Natural Resources in concurrence.

Bill "An Act to Protect Works of Art" (S.P. 415) (L.D. 1145)

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

Was referred to the Committee on Judiciary in concurrence.

Bill "An Act Relating to Loitering on Public Sidewalks" (S.P. 416) (L.D. 1146)

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

Was referred to the Committee on Legal Affairs in concurrence.

Bill "An Act to Provide an Exemption from the Gasoline Tax for Nonprofit Sheltered Workshops" (S.P. 418) (L.D. 1148)

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

Was referred to the Committee on Taxation 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:

Business and Commerce

Bill "An Act Amending the Billboard Law" (H.P. 829) (Presented by Representative McGOWAN of Canaan) (Cosponsors: Senator DANTON of York, Representatives PARENT of Benton and JOSEPH of Waterville)

Bill "An Act to Clarify the Determination of Fair Return Allowances for For-profit Hospitals" (H.P. 830) (Presented by Representative BRANNIGAN of Portland) (Cosponsors: Representatives GWADOSKY of Fairfield and BRODEUR of Auburn) (Submitted by the Health Care Finance Commission pursuant to Joint Rule 24)

Bill "An Act to Protect Health Benefits for Divorced Spouses" (H.P. 831) (Presented by Representative ROLDE of York)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act Relating to the Establishment of a Maine Children's Trust Fund" (H.P. 832) (Presented by Representative DIAMOND of Bangor) (Cosponsors: Senators PEARSON of Penobscot, KANY of Kennebec, and Representative MURRAY of Bangor)

The Committee on Human Resources was suggested.

(Ordered Printed)

Sent up for concurrence.

Later Today Assigned

Bill "An Act to Provide for Certain Discounts on Over-the-Counter Medication Purchased by Elderly Persons" (H.P. 833) (Presented by Representative DUFFY of Bangor) (Cosponsors: Representatives McGOWAN of Canaan, RUHLIN of Brewer, and Senator BUSTIN of Kennebec)

On motion of Representative Nelson of Portland, tabled pending reference and later today assigned.

Later Today Assigned

Bill "An Act to Establish a Vehicle Rental Agency in the Department of Conservation" (H.P. 834) (Presented by Representative NADEAU of Lewiston) (Cosponsors: Senators PEARSON of Penobscot, KANY of Kennebec, and Representative DESCOTEAUX of Biddeford) (Submitted by the Department of Conservation pursuant to Joint Rule 24)

The Committee on State Government was suggested.

On motion of Representative Carter of Winslow, tabled pending reference and later today assigned.

Orders

On motion of Representative McSWEENEY of Old Orchard Beach, the following Order:
ORDERED, that Representative Catharine K.

Lebowitz of Bangor be excused March 28 and 29 for the duration of her illness.

Was read and passed.

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

Representative BROWN from the Committee on Education on Bill "An Act to Provide for a Truth in Testing Act" (H.P. 260) (L.D. 314) reporting "Ought Not to Pass"

Representative HANDY from the Committee on Education on Bill "An Act Concerning Decisions on Student Eligibility to Participate in Interscholastic Activities" (H.P. 387) (L.D. 531) 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 MANNING from the Committee on Human Resources on Bill "An Act to Provide that Electric Service is not a Basic Necessity Under the General Assistance Laws After the Winter Period" (H.P. 575) (L.D. 846) reporting "Leave to Withdraw"

Representative WARREN from the Committee on Legal Affairs on Bill "An Act Concerning Absentee Balloting by Persons 65 Years of Age or Older" (H.P. 273) (L.D. 343) reporting "Leave to Withdraw"

Representative BOST from the Committee on Education on Bill "An Act to Clarify the Definition of a Vocational Region" (H.P. 103) (L.D. 128) reporting "Leave to Withdraw"

Representative BROWN from the Committee on Education on Bill "An Act to Provide Teacher Recognition Grants for Private and Parochial Teachers" (H.P. 163) (L.D. 197) reporting "Leave to Withdraw"

Representative BEAULIEU from the Committee on Labor on Bill "An Act Relating to Unemployment Compensation Claimants with both Seasonal and Nonseasonal Earnings" (H.P. 592) (L.D. 862) reporting "Leave to Withdraw"

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

Ought to Pass in New Draft

Representative BROWN from the Committee on Education on Bill "An Act to Require the Posting of an American Flag Inside All Public School Classrooms" (H.P. 155) (L.D. 189) reporting "Ought to Pass" in New Draft (H.P. 828) (L.D. 1168)

Report was read and accepted, the New Draft read once and assigned for Second Reading tomorrow.

Consent Calendar**First Day**

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

(H.P. 365) (L.D. 485) Bill "An Act to Clarify the Fire Prevention and Inspection Laws in Regard to Municipal Enforcement" (Emergency) Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-42)

(H.P. 156) (L.D. 190) Bill "An Act to Clarify the Use of Vocational-technical Institutes' Facilities by Others" Committee on Education reporting "Ought to Pass"

There being no objections, the above items were ordered to appear on the Consent Calendar of Monday, April 1, 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. 198) (L.D. 532) Bill "An Act to Conform Maine Committee on Aging Legislation with

the 1981 Older Americans Act Amendments" (C. "A" S-27)

(S.P. 120) (L.D. 335) Bill "An Act to Protect Tenants when Landlords Fail to Pay Utility Bills" (C. "A" S-30)

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

Passed to Be Engrossed

Bill "An Act To Amend the Social Services Planning and Expenditures Act" (S.P. 409) (L.D. 1132)

Was reported by the Committee on Bills in the Second Reading, read the second time and the Senate Paper was Passed to be Engrossed in concurrence.

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)

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

On motion of Representative Diamond of Bangor, tabled pending passage to be engrossed and specially assigned for Monday, April 1, 1985.

Bill "An Act to Require Public Rest Rooms in all Shopping Centers" (H.P. 814) (L.D. 1140)

Bill "An Act Relating to Deferred Payments and Terms and Schedules for Repayment of Loans Under the Maine Consumer Credit Code" (H.P. 815) (L.D. 1141)

Were reported by the Committee on Bills in the Second Reading, read the second time, the House Papers were Passed to be Engrossed and sent up for concurrence.

As Amended

Bill "An Act to Establish a Maine Wild Turkey Hunting Season" (S.P. 127) (L.D. 367) (H. "A" H-38) to C. "A" S-28)

Bill "An Act Relating to Agricultural Apprenticeship and Training" (S.P. 52) (L.D. 71) (S. "A" S-24) and H. "A" H-37 to C. "A" S-19)

Bill "An Act Concerning Eligibility to Hunt Moose" (H.P. 52) (L.D. 65) (C. "A" H-36)

Were reported by the Committee on Bills in the Second Reading, read the second time, the Senate Papers were Passed to be Engrossed as Amended in concurrence and the House Paper was Passed to be Engrossed as Amended and sent up for concurrence.

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

Passed to Be Enacted Emergency Measure

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 (S.P. 203) (L.D. 553) (C. "A" S-25)

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. 126 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.

Emergency Measure

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Androscoggin County for the Year 1985 (H.P. 812) (L.D. 1133)

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. 125 voted in favor of the same and 3 against and accordingly the Resolve was finally passed, 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:

Papers from the Senate

The following Communication:
The Senate of Maine
Augusta

March 28, 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 nominating of Sandra K. Prescott of Bucks Harbor for reappointment as Chair of the State Health Coordinating Council.

Sincerely,

S/ JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file.

Ought to Pass in New Draft

Report of the Committee on Business and Commerce on Bill "An Act to Provide Credit Unions with the Same Right to make 2nd Mortgage Loans as Exist for Financial Institutions" (S.P. 149) (L.D. 416) reporting "Ought to Pass" in New Draft (S.P. 411) (L.D. 1138)

Came from the Senate, with the report read and accepted and the New Draft passed to be engrossed.

Report was read and accepted, the New Draft read once and assigned for Second Reading, April 1, 1985.

Non-Concurrent Matter

Bill "An Act to establish the Stanwood Wildlife Sanctuary in the City of Ellsworth" (H.P. 332) (L.D. 455) which was passed to be engrossed in the House on March 27, 1985.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-33) in non-concurrence.

The House voted to recede and concur.

Orders Of The Day

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

Bill "An Act Relating to Retirement Benefits of Superior Court Employees" (H.P. 81) (L.D. 101)

TABLED—March 27, 1985 by Representative VOSE of Eastport.

PENDING—Passage to be Engrossed.

On motion of Representative Hickey of Augusta, tabled pending passage and specially assigned for Monday, April 1, 1985.

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

JOINT ORDER — Relative to recalling (L.D. 383) An Act to Assess the Impact of Agricultural Chemicals and Practices on Ground Water from the Governor's Desk (S.P. 410)

—In Senate, read and passed.

TABLED—March 28, 1985 by Representative MITCHELL of Freeport.

PENDING—Passage in concurrence.

On motion of Representative Mitchell of Freeport, the Order was passed in concurrence.

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

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

TABLED—March 28, 1985 by Representative MURPHY of Berwick.

PENDING—Passage to be Engrossed.

Representative Murphy of Berwick offered House Amendment "A" (H-43) and moved its adoption.

House Amendment "A" was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative Murphy.

Representative MURPHY: Mr. Speaker. Ladies and Gentlemen of the House: What this amendment does is it raises the copy of the vital statistics from \$2.00 to \$3.00 for the first copy and it does not change the figure of the second additional copy. I am sorry, it doesn't raise it from \$2.00 to \$3.00 it decreases it from \$5.00 to \$3.00. When the Clerks' Association asked for this increase, this was the original amount they wanted but when the state went to \$5.00 on January 1st, that is when they came and wanted the whole \$5.00. I certainly believe that a \$3.00 increase in a service provided by our towns to our people is much too high when it is 150% I don't believe that the cost of doing these copies has gone up 150% and, in our society today, we don't only have to get death certificates when someone dies or marriage certificates or birth certificates, there are many things, if we want to travel or a number of things that we have to go in and get copies of our births and certain things. So therefore, I wish you would support this amendment as being fair to our town clerks and also to our constituents.

The SPEAKER: The Chair recognizes the Representative from Milo, Representative Masterman.

Representative MASTERMAN: Mr. Speaker. I don't see the sponsor of this bill in the House and I would move this be tabled one day.

The SPEAKER: The Chair recognizes the Representative from Milo, Representative Masterman.

Representative MASTERMAN: Mr. Speaker. I understood Gregg Nadeau to say he was the sponsor of the bill. In view of the fact that he isn't sponsor of the bill, I withdraw my motion.

The SPEAKER: The Chair recognizes the Representative from Wells, Representative Wentworth.

Representative WENTWORTH: Mr. Speaker and Members of the House: I have to ask you to vote against this amendment in order to adopt the original bill. This is a request from the Maine City and Clerks' Association because there has been no increase for more than 8 years. Please remember that this is only an increase on the first copy. If we do not increase this fee, then the property taxpayers will have to subsidize any further increase in cost. Your town clerk's do all the verifying and, if necessary, the completing of vital records which are then forwarded to the state. The state merely records them.

I hope that you will pass this bill, will stay with your decision and I would ask those of you who voted against the bill to reconsider and support your municipal clerk. I request a roll call.

The SPEAKER: The Chair recognizes the Representative from Camden, Representative Taylor.

Representative TAYLOR: Mr. Speaker. Members of the House: I urge also, that you do not support the amendment that has been presented today and support this first motion that you heard yesterday.

I would just like to add two points to what perhaps what you already do know. Remember that any research around these records is done at the local level. And furthermore, that the approximately 175 clerks in the towns of less than 1,000 rely pretty heavily on the bulk of these fees for their income. The time and research and preparation particularly in those towns is even greater so I do urge your defeat

of this amendment.

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

Representative NADEAU: Mr. Speaker, Members of the House: My thanks to the Representative from Milo, Mr. Masterman for his consideration. I am a cosponsor of this bill, however. I simply want to say that I obviously concur with the two previous speakers. Currently, the case at the state level is that the statutes give the Commissioner the authority to adjust these fees at essentially his discretion. For the purpose of recouping the cost of the program, I think that is essentially what we are asking at the local level. The current \$5.00 fee at the state level doesn't even cover cost and I think that they may be considering an increase as well. All we are asking is that the fee at the local level be comparable to that at the state level to recover costs. As we stated, it is an expensive process keeping these records and the process of searching and all of that. All we are asking is that the fee be raised after a long time to cover the cost so that municipalities are not burdened and that the users of these vital records be asked to pay the cost of that program as well. I would ask you to defeat the amendment and will move to accept the Majority Report.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Hale.

Representative HALE: Mr. Speaker, Men and Women of the House: I urge you to support the amendment before you today. This is a 50% increase to your municipalities which is not necessary. The Department of Human Services may need an increase but our record keeping in each municipality certainly does not need an increase. The paper is supplied by the state to the municipalities. I don't know what else I can say other than what I said the other day. Our municipality, our people, are the taxpayers of this State of Maine. They do support the Department of Human Services. We are trying to give them a service in our municipalities and they certainly should not be penalized at the rate that the original bill requests. An increase of \$1.00 for the original document more than justifies the cost. I have checked into it very carefully. I don't know about you, but for ten minutes work, I don't expect to pay 50¢ per minute. I urge the ones that did not vote for it originally to reconsider and to adopt the amendment.

The SPEAKER: The Chair recognizes the Representative from Madawaska, Representative McHenry.

Representative MCHENRY: Mr. Speaker, Ladies and Gentlemen of the House: I would like, first of all, to set the record straight. When I debated the bill the first time, I had said that this bill was attached to the rule-making process and I was debating the original bill and not the new draft. So I apologize. That's straightened out.

I believe that the Clerks' Association when they met, were voting on \$3.00 and since then the state has gone up to \$5.00. They did not vote on the \$5.00 from what I understand. So the \$3.00 I believe is what they wanted and I have no problem with the \$3.00. 5.00 for the state — they have to go through millions, while a municipality might go through thousands or hundreds. There is a big difference when the state searches for vital statistics and when a small municipality searches or a large municipality. There are differences. It is not all \$5.00 work. In some municipality it might take them two minutes. Two minutes for \$5.00 is quite a bit of money.

The SPEAKER: The Chair recognizes the Representative from Corinth, Representative Strout.

Representative STROUT: Mr. Speaker, Members of the House: It has been mentioned this afternoon that those clerks who receive

their fees, about 175 of them, this is some of the only money that they get for doing their job. Let me remind you that when the clerk's run for their office each year, they know what the job pays and they know what they get for fees. I take you back to last October, October of 1984 at the MMA convention. At that time, this bill was discussed and it was discussed whether we should go to \$3.00 or to \$5.00. At that time, it was not unanimous either way, but it was the feeling of a lot of those town clerks that to go from \$2.00 to \$3.00 was enough this year. I speak here today, not for the town clerks, but I speak for the citizens that are going in to have certified copies. I think that it is reasonable to go at this time, from \$2.00 to \$3.00 rather than support the draft that came out increasing 150%. I would urge you to support the amendment.

The SPEAKER: The Chair recognizes the Representative from Wells, Representative Wentworth.

Representative WENTWORTH: Mr. Speaker, Members of the House: Just to clarify the request of the town and city clerks was to conform with the state fee. And let me remind you once more that the state does no research, all the verifying, all the completing, is done by the home clerk in the town who receives it. The state merely receives it and records it.

The SPEAKER: The Chair recognizes the Representative from Island Falls, Representative Smith:

Representative SMITH: Mr. Speaker, Ladies and Gentlemen of the House: This copy of record we are talking about is birth record, death certificate and marriage record. This isn't something you need every day, every month or every year. I would ask you, any of you, when was the last time you had purchased a record? How many have you purchased in a life time? Now if this was something you were purchasing every week, every month, then I would feel that \$5.00 was too much. But when you consider the number of copies that you would actually be buying, it wouldn't amount to much. You know, the clerks in all our towns are compassionate people. If there was someone they feel that couldn't afford to pay the \$5.00, I am sure they have a remedy for that. I hope you vote against the amendment.

The SPEAKER: A roll call has been requested. 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, more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The Chair recognizes the Representative from Milo, Representative Masterman.

Representative MASTERMAN: Mr. Speaker, Men and Women of the House: I hope you will recall the brevity exercised by the minister yesterday morning when he lead us to the throne of grace in such a clear and concise manner. I appreciate short invocations, like yesterday morning, and I appreciate speeches that are also to the point. Therefore, all I will say is, that if we are as concerned about the burden of the property tax that we all seem to be during our campaigns, then we will defeat this motion and get on with the bill as it was signed out by the ten members of the committee.

The SPEAKER: The pending question before the House is adoption of House Amendment "A." Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 17

YEAS:—Aliberti, Allen, Baker, A.L.; Beaulieu, Bonney, Bragg, Brown, D.N.; Callahan, Carrier, Clark, Coles, Connors, Connolly, Cooper, Crouse, Dellert, Descoteaux, Dia-

mond, Dillenback, Duffy, Farnum, Greenlaw, Hale, Handy, Hayden, Hichborn, Higgins, L.M.; Holloway, Jackson, Joseph, Lebowitz, Lord, McCollister, McHenry, McPherson, Michaud, Mitchell, Murphy, E.M.; Paradis, E.J.; Parent, Paul, Racine, Randall, Richard, Ridley, Rioux, Rydell, Scarpino, Seavey, Sherburne, Simpson, Smith, C.W.; Stetson, Strout, Tammara, Tardy, Theriault, Warren.

NAYS:—Armstrong, Begley, Bell, Bost, Bott, Boutillier, Brannigan, Brodeur, Cahill, Carroll, Carter, Cashman, Cote, Crowley, Daggett, Davis, Dexter, Drinkwater, Erwin, Foss, Foster, Harper, Hepburn, Hickey, Hillock, Hoglund, Jacques, Jalbert, Kane, LaCroix, Lander, Law, Lawrence, MacBride, Macomber, Manning, Masterman, Matthews, Mayo, McGowan, McSweeney, Melendy, Michael, Mills, Moholland, Murphy, T.W.; Murray, Nadeau, G.G.; Nelson, Nicholson, Nickerson, O'Gara, Paradis, P.E.; Perry, Pines, Pouliot, Priest, Reeves, Rice, Roberts, Rotondi, Ruhlin, Salsbury, Small, Smith, C.B.; Soucy, Sproul, Stevens, A.G.; Stevens, P.; Taylor, Telow, Vose, Walker, Webster, Wentworth, Whitcomb, Willey, Zirkilton.

ABSENT:—Baker, H.R.; Brown, A.K.; Chonko, Gwadosky, Higgins, H.C.; Ingraham, Kimball, Lisnik, Martin, H.C.; Nadeau, G.R.; Rolde, Stevenson, Swazey, Weymouth, The Speaker:

58 voted in favor and 78 against with 15 being absent, the motion did not prevail.

On motion of Representative Soucy of Kittery, tabled pending passage to be engrossed and specially assigned for Monday, April 1, 1985.

The Chair laid before the House the fourth tabled and today assigned matter.

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

(Committee on State Government suggested.)

TABLED—March 28, 1985 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 Carter of Winslow, retabled pending his motion to refer the Bill to the Committee on Appropriations and Financial Affairs and specially assigned for Monday, April 1, 1985.

The Chair laid before the House the fifth 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 28, 1985 by Representative DIAMOND of Bangor.

PENDING—Further Consideration.

On motion of Representative Crowley of Stockton Springs, the House voted to recede.

The same Representative offered House Amendment "A" (H-41) and moved its adoption.

House Amendment "A" (H-41) was read by the Clerk and adopted.

Senate Amendment "A" (S-17) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended by House Amendment "A" and Senate Amendment "A" in non-concurrence and sent up for concurrence.

The following item appearing on Supplement No. 3 was taken up out of order by unanimous consent:

Messages and Documents

The following Communication:

JOINT SELECT COMMITTEE

TO INVESTIGATE PUBLIC UTILITIES

March 28, 1985

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

Dear Speaker Martin:

Pursuant to Joint Order (S.P. 14), we are pleased to transmit the attached Final Reports and recommended Legislation of the Joint Select Committee to Investigate Public Utilities to the One Hundred and Twelfth Legislature.

Sincerely,

S/ JOHN E. BALDACCI

Senate Chair

S/ NATHANIEL J. CROWLEY, SR.

House Chair

Was read and ordered placed on file and sent up for concurrence.

The Chair laid before the House the following matter: Bill "An Act to Provide for Certain Discounts on Over-the-Counter Medication Purchased by Elderly Persons" (H.P. 833) which was tabled earlier and later today assigned pending reference.

On motion of Representative Nelson of Portland, referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence.

The Chair laid before the House the following matter: Bill "An Act to Establish a Vehicle Rental Agency in the Department of Conservation" (H.P. 834), which was tabled earlier and later today assigned pending reference.

Was referred to the Committee on State Government, ordered printed and sent up for concurrence.

The following item appearing on Supplement No. 4 was taken up out of order by unanimous consent:

**Papers from the Senate
Divided Report**

Majority Report of the Committee on Taxation on Bill "An Act to Provide a Sales Tax Exemption for Electricity used in an Electrothermal Manufacturing Process" (S.P. 62) (L.D. 88) reporting "Ought to Pass" in New Draft (Emergency) (S.P. 420) (L.D. 1139)

Signed:

Senators:

DIAMOND of Cumberland
EMERSON of Penobscot

Representatives:

MCCOLLISTER of Canton
CASHMAN of Old Town
JACKSON of Harrison
NELSON of Portland
MAYO of Thomaston
INGRAHAM of Houlton
ZIRNKILTON of Mount Desert
HIGGINS of Portland
SWAZEY of Bucksport
WEBSTER of Cape Elizabeth

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

Signed:

Senator:

TWITCHELL of Oxford

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.

On motion of Representative Higgins of Portland, the Majority "Ought to Pass" Report was accepted, the Bill read once and assigned for Second Reading, Monday, April 1, 1985.

(Off Record Remarks)

On motion of Representative Perry of Mexico.
Adjourned until 9:00 a.m., Monday, April 1, 1985