

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, April 18, 1985

The House met according to adjournment and was called to order by the Speaker pro tem. Prayer by Reverend Richard Waddell, First Congregational United Church of Christ, Farmington.

Quorum called; was held.

The Journal of yesterday was read and approved.

Papers from the Senate

Bill "An Act to Facilitate the Collection of Child Support" (S.P. 492) (L.D. 1329)

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

Was referred to the Committee on Judiciary in concurrence.

Unanimous Leave to Withdraw

Report of the Committee on Judiciary reporting "Leave to Withdraw" on Bill "An Act to Amend the Statutes with Respect to the Judicial Department" (S.P. 239) (L.D. 633)

Report of the Committee on Human Resources reporting "Leave to Withdraw" on Bill "An Act Prohibiting Discrimination Against Medicaid Eligible Persons who Apply for Admission to Nursing Homes" (S.P. 179) (L.D. 497)

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

Ought to Pass as Amended

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as Amended by Committee Amendment "A" (S-48) on Bill "An Act to Appropriate Funds for the State Vietnam Veterans' Memorial" (S.P. 290) (L.D. 779)

Came from the Senate, with the report read and accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A" (S-48) as amended by Senate Amendment "A" (S-49) thereto.

Report was read and accepted and the Bill read once.

Committee Amendment "A" read by the Clerk.

Senate Amendment "A" (S-49) to Committee Amendment "A" (S-48) read by the Clerk and Adopted.

Committee Amendment "A" (S-48) as amended by Senate Amendment "A" (S-49) thereto was adopted and the bill assigned for Second Reading tomorrow.

Messages and Documents

The following Communication: (S.P. 488)
112th Maine Legislature

April 16, 1985

Senator Dennis Dutremble
Representative Edith Beaulieu
Chairpersons
Committee on Labor
112th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Marvin W. Ewing of South Windham for appointment to the Maine Unemployment Insurance Commission.

Pursuant to Title 26 MRSA Section 1081, this nomination will require review by the Joint Standing Committee on Labor 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 Labor.

Was Read and Referred to the Committee on Labor in concurrence.

**Petitions, Bills and Resolves
Requiring Reference
Tabled and Assigned**

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

Bill "An Act to Provide for One-stop State Licensing and Permitting of Businesses" (H.P. 930) (Presented by Representative BELL of Paris) (Cosponsors: Representatives SPROUL of Augusta, GWADOSKY of Fairfield and Senator KANY of Kennebec)

Committee on State Government suggested. On motion of the Representative Michaud of Medway, tabled pending reference and tomorrow assigned.

Orders

On motion of Representative NELSON of Portland, the following Joint Resolution: (H.P. 929) (Cosponsors: Speaker MARTIN of Eagle Lake, President PRAY of Penobscot, and Senator CHALMERS of Knox)

JOINT RESOLUTION COMMEMORATING THE "DAYS OF REMEMBRANCE" OF THE VICTIMS OF THE NAZI HOLOCAUST

WHEREAS, 40 years ago, 6 million Jews were murdered in the Nazi Holocaust as part of a systematic program of genocide, and millions of other people suffered as victims of Nazism; and

WHEREAS, the people of the State of Maine should always remember the atrocities committed by the Nazis so that such horrors must never be repeated; and

WHEREAS, the people of the State of Maine should continually rededicate themselves to the principle of equal justice for all people; and

WHEREAS, the people of the State of Maine should remain eternally vigilant against tyranny, and recognize that bigotry provides a breeding ground for tyranny to flourish; and

WHEREAS, April 18th has been designated, pursuant to an Act of Congress and internationally, as a Day of Remembrance of Victims of the Nazi Holocaust, known as Yom Hashoah; and

WHEREAS, the international community will be commemorating the week of April 14th through April 21st as the "Days of Remembrance" of the victims of the Nazi Holocaust; and

WHEREAS, it is appropriate for the people of the State of Maine to join in this international commemoration; now, therefore, be it

RESOLVED: That We, the Members of the First Regular Session of the 112th Legislature on behalf of the people of the State of Maine, in memory of the victims of the Nazi Holocaust, recommit ourselves to the lessons of the Nazi Holocaust through this international week of the commemoration and express our common desires to continually strive to overcome prejudice and inhumanity through education, vigilance and resistance; and be it further

RESOLVED: That a duly authenticated copy of this resolution be immediately submitted by the Secretary of State to the United States Holocaust Memorial Council in Washington, D.C., on behalf of the people of the State of Maine.

Was read.

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

Representative NELSON: Mr. Speaker, Men and Women of the House: As we recall the unanswered cries of the victims, we must pledge ourselves never again to be silenced in the face of tyranny and injustice. We must transform grief into compassion. We must give evidence of our remembering through acts of kindness and courage. Thus will our actions serve as monuments of the spirit of those who perished. Today, we are honored by having the

presence of a survivor. This woman, Gerta Harth, survived the horrors of the concentration camp and she is here today to honor those who have survived and those millions who did not.

Thereupon, the Joint Resolution was adopted and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

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

Representative PRIEST from the Committee on Judiciary on Bill "An Act to Provide Utility Easement by Implication" (H.P. 433) (L.D. 613) "Ought Not to Pass"

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

**Ought to Pass Pursuant
to Joint Order (H.P. 56)**

Representative MASTERMAN from the Committee on Local and County Government on RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Lincoln County for the Year 1985 (Emergency) (H.P. 927) (L.D. 1332) reporting "Ought to Pass"—Pursuant to Joint Order (H.P. 56)

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

**Consent Calendar
Second Day**

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

(S.P. 118) (L.D. 333) Bill "An Act to Preserve Affordable Telecommunications Equipment for Customers with Special Needs" (Emergency)

On objection of Representative Armstrong of Wilton, was removed from Consent Calendar, Second Day.

Thereupon, the Committee Report was read and accepted, the bill read once and assigned for second reading tomorrow.

(H.P. 730) (L.D. 1039) Bill "An Act to Expand the Membership of the Maine Occupational Information Coordinating Committee"

No objections having been noted at the end of the Second Legislative Day, the House Paper was Passed to be Engrossed 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 to Provide for the Negotiability of Transfers, Reassignments and Promotions for Teachers" (H.P. 530) (L.D. 750)

—In House, Bill and accompanying papers indefinitely postponed on April 9, 1985.

—In Senate, Majority "Ought to Pass" as amended Report of the Committee on Labor read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-61) in non-concurrence.

TABLED—April 17, 1985 by Representative HAYDEN of Durham.

PENDING—Further Consideration.

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

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

**Petitions, Bills, 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 Establish Competitive Insurance Rating Under the Maine Workers Com-

pensation System" (H.P. 937) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsors: President PRAY of Penobscot, Representative MURRY of Bangor, and Senator DUTREMBLE of York)

(Ordered Printed.)

Sent up for concurrence.

(Off Record Remarks)

On motion of Representative Foss of Yarmouth.

Adjourned until 12:00 noon Friday, April 19, 1985.
