

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

Monday, May 6, 1985

The Speaker resumed the Chair.

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

Prayer by Reverend Philip Poland, Newcastle-Alna Baptist Church, Alna.

National Anthem by the Georges Valley High School Band, Thomaston.

Quorum called; was held.

The Journal of Friday, May 3, 1985, was read and approved.

Papers from the Senate

Bill "An Act to Transfer and Allocate Funds to the Judicial Department for the Fiscal Year Ending June 30, 1985" (Emergency) (S.P. 546) (L.D. 1459)

Bill "An Act Relating to a Support System in the State for Epileptics" (S.P. 548) (L.D. 1462)

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

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

Bill "An Act to Authorize a Self-liquidating Bond Issue for the County of Cumberland to Raise Funds for the Construction of a Court-house Addition, Capital Improvements to the Existing Structure and a Related Parking Facility" (S.P. 547) (L.D. 1460)

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

Was referred to the Committee on Local and County Government in concurrence.

Unanimous Ought Not to Pass

Report of the Committee on Transportation reporting "Ought Not to Pass" on Bill "An Act Concerning an Exit Sign on Interstate Route 95 for Kennebec Valley Vocational-Technical Institute" (S.P. 240) (L.D. 634)

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

Unanimous Leave to Withdraw

Report of the committee on Appropriations and Financial Affairs reporting "Leave to Withdraw" on Bill "An Act to Amend the Home Weatherization Program" (S.P. 104) (L.D. 319)

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

**Divided Report
Tabled and Assigned**

Majority Report of the Committee on Energy and Natural Resources on Bill "An Act to Prohibit the Use of Chemical Insecticides in the State Budworm Suppression Program after 1985" (S.P. 350) (L.D. 978) reporting "Ought Not to Pass"

Signed:

Senators:

USHER of Cumberland
EMERSON of Penobscot

Representatives:

MICHAUD of Medway
JACQUES of Waterville
RIDLEY of Shapleigh
HOG Lund of Portland
DEXTER of Kingfield
BROWN of Livermore Falls
HOLLOWAY of Edgecomb
LAW of Dover-Foxcroft

Minority Report of the same Committee reporting "Ought to Pass" in New Draft under new title Bill "An Act to Reduce Public Health Risks in Spruce Budworm Control Efforts" (S.P. 545) (L.D. 1458) on same bill.

Signed:

Senator:

KANY of Kennebec

Representatives:

MITCHELL of Freeport
COLES of Harpswell

Came from the Senate with the Majority "Ought Not to Pass" Report read and accepted. Reports were read.

The SPEAKER: The Chair recognizes the Representative from Medway, Representative Michaud.

Representative MICHAUD: Mr. Speaker, Members of the House: Representative Mitchell, who was going to debate this bill on the opposite side is not here today, so I move that we table this item one legislative day.

I also move the acceptance of the Majority "Ought Not to Pass" Report.

On motion of Representative Diamond of Bangor, tabled pending the motion of Representative Michaud of Medway that the House accept the Majority "Ought Not to Pass" Report and tomorrow assigned.

Divided Report

Majority Report of the Committee on Judiciary on Bill "An Act Providing for Change of Venue of Criminal Cases" (S.P. 110) (L.D. 325) reporting "Ought to Pass" in New Draft (S.P. 543) (L.D. 1452)

Signed:

Senators:

CARPENTER of Aroostook
CHALMERS of Knox
SEWALL of Lincoln

Representatives:

LEBOWITZ of Bangor
COOPER of Windham
MacBRIDE of Presque Isle
DRINKWATER of Belfast
CARRIER of Westbrook
PRIEST of Brunswick
KANE of South Portland
PARADIS of Augusta
ALLEN of Washington

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

Signed:

Representative:

STETSON of Damariscotta

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.

Whereupon, the Majority "Ought to Pass" Report was accepted, the New Draft read once and assigned for Second Reading later in today's session.

Messages and Documents

The following Communication: (S.P. 544)
112th Maine Legislature

May 2, 1985

Senator Michael E. Carpenter

Representative Edward J. Kane

Chairpersons

Committee on Judiciary

112th Legislature

Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Kermit V. Lipez of South Portland for appointment as a Superior Court Justice.

Pursuant to Maine Constitution Article V Part 1 Section 8, this nomination will require review by the Joint Standing Committee on Judiciary 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 Judiciary.

Was Read and 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:

Energy and Natural Resources

Bill "An Act to Require Refuse Receptacles to Comply with Federal Safety Standards" (H.P. 1014) (Presented by Representative REEVES of Pittston) (Cosponsors: Representatives DELLERT of Gardiner, HICKEY of Augusta, and Senator BUSTIN of Kennebec) (Ordered Printed)

Sent up for concurrence.

Human Resources

Bill "An Act to Create a Commission to Study the Availability and Coordination of Resources and Training for Child Abuse and Neglect Prevention and Treatment in Maine" (Emergency) (H.P. 1015) (Presented by Representative BRODEUR of Auburn) (Ordered Printed)

Sent up for concurrence.

Orders

On motion of Representative PARADIS of Augusta, the following Joint Resolution: (H.P. 1012) (Cosponsors: Representative VOSE of Eastport, Speaker MARTIN of Eagle Lake, and Senator BALDACCI of Penobscot)

JOINT RESOLUTION OF THE LEGISLATIVE
EXPRESSING SUPPORT OF FRENCH
PROGRAMMING AND BROADCASTS ON
CABLE TELEVISION

WHEREAS, the Legislature places the highest priority in maintaining close relations with the neighboring Canadian provinces; and
WHEREAS, the Legislature recognizes the importance of foreign languages and international studies; and

WHEREAS, federal and state educational authorities have recently stressed the need to improve these areas of study; and

WHEREAS, the State of Maine has a large population of French speaking citizens who are reaching for cultural fulfillment; and

WHEREAS, advances in cable television technology now allow for the fulfillment of such close relations and cultural needs; now therefore, be it

RESOLVED: That We, the Members of the 112th Legislature now assembled in the First Regular Session, take this opportunity to show our support and encouragement of French programming and broadcasts on cable television and express our hope that this service to the French speaking community and others not be diminished, curtailed or abandoned by cable owners and operators so long as there is a demonstrated need by subscribers.

Was read and adopted and sent up for concurrence.

Reports of Committees**Unanimous Leave to Withdraw**

Representative SOUCY from the Committee on Transportation on Bill "An Act to Protect Railroad Rights-of-way" (H.P. 414) (L.D. 581) reporting "Leave to Withdraw"

Representative SOUCY from the Committee on Transportation on Bill "An Act to Increase the Local Road Assistance Program" (H.P. 516) (L.D. 721) reporting "Leave to Withdraw"

Representative SOUCY from the Committee on Transportation on Bill "An Act to Increase the Minimum Amount of Road Assistance Under the Local Assistance Program" (H.P. 616) (L.D. 886) reporting "Leave to Withdraw"

Representative BRANNIGAN from the Committee on Business and Commerce on Bill "An Act Concerning Inclusion of Sales Tax in Payments on Insurance Claims" (H.P. 712) (L.D. 1022) reporting "Leave to Withdraw"

Representative NELSON from the Committee on Human Resources on Bill "An Act Con-

cerning Compatible Living Areas in Nursing Homes" (H.P. 879) (L.D. 1236) reporting "Leave to Withdraw"

Representative PAUL from the Committee on Legal Affairs on 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) reporting "Leave to Withdraw"

Representative PAUL from the Committee on Legal Affairs on Bill "An Act Concerning Absentee Ballots and Voting in Person" (H.P. 182) (L.D. 216) reporting "Leave to Withdraw"

Representative PAUL from the Committee on Legal Affairs on Bill "An Act to Remove the Reasons Required for Voting by Absentee Ballot" (H.P. 183) (L.D. 217) reporting "Leave to Withdraw"

Representative PAUL from the Committee on Legal Affairs on Bill "An Act Concerning Absentee Voting by Persons Who are Working During the Time the Polls are Open" (H.P. 184) (L.D. 218) reporting "Leave to Withdraw"

Representative PAUL from the Committee on Legal Affairs on Bill "An Act Relating to Absentee Voting" (H.P. 272) (L.D. 342) reporting "Leave to Withdraw"

Representative PAUL from the Committee on Legal Affairs on 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) reporting "Leave to Withdraw"

Representative PAUL from the Committee on Legal Affairs on Bill "An Act to Allow Absentee Voting in a Clerk's Presence" (H.P. 280) (L.D. 350) reporting "Leave to Withdraw"

Representative PAUL from the committee on Legal Affairs on Bill "An Act Relating to Absentee Ballots" (H.P. 600) (L.D. 870) reporting "Leave to Withdraw"

Representative PAUL from the Committee on Legal Affairs on Bill "An Act to Include Municipal Clerks and their Office Staff among those Eligible for Absentee Ballots" (H.P. 602) (L.D. 872) reporting "Leave to Withdraw"

Representative PAUL from the Committee on Legal Affairs on Bill "An Act to Prohibit Frivolous Challenges to Absentee Ballots" (H.P. 696) (L.D. 991) reporting "Leave to Withdraw"

Representative PAUL from the Committee on Legal Affairs on Bill "An Act to Amend the Absentee Ballot Law Concerning Voting by Residents of Certain Care Facilities" (H.P. 731) (L.D. 1040) reporting "Leave to Withdraw"

Representative NELSON from the Committee on Human Resources on Bill "An Act to Exempt Home-based Early Intervention and Prevention Services from Regulations Governing the Licensing and Functioning of Home Health Care Services" (Emergency) (H.P. 776) (L.D. 1097) reporting "Leave to Withdraw"

Representative GWADOSKY from the Committee on State Government on Bill "An Act to Prohibit Financing of Commercial Fishing Vessels under all Financing Programs of the Finance Authority of Maine" (H.P. 399) (L.D. 548) reporting "Leave to Withdraw"

Representative GWADOSKY from the Committee on State Government on Bill "An Act Concerning Financing of Commercial Fishing Vessels under All Financing Programs of the Finance Authority of Maine" (H.P. 537) (L.D. 764) reporting "Leave to Withdraw"

Representative GWADOSKY from the Committee on State Government on RESOLUTION, Proposing an Amendment to the Constitution of Maine Reducing the Size of the House of Representatives to 99 Members (H.P. 400) (L.D. 549) 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 PAUL from the Committee on Legal Affairs on Bill "An Act to Amend the Law Relating to the Installation of Smoke, Heat or Fire Detection Systems in Certain Hotels" (H.P.

276) (L.D. 346) reporting "Ought to Pass" in New Draft (H.P. 1013) (L.D. 1461)

Report was read and accepted, the New Draft read once and assigned for Second Reading later in today's session.

Divided Report Tabled and Assigned

Majority Report of the Committee on State Government reporting "Ought Not to Pass" on Bill "An Act to Establish the Department of Forestry" (H.P. 338) (L.D. 441)

Signed:

Senators:

KANY of Kennebec
ANDREWS of Cumberland

Representatives:

GWADOSKY of Fairfield
LaCROIX of Oakland
COTE of Auburn
DESCOTEAUX of Biddeford
NADEAU of Saco

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (H-106) on same Bill.

Signed:

Senator:

HICHENS of York

Representatives:

HICHBORN of LaGrange
SPOUL of Augusta
WENTWORTH of Wells
DILLENBACK of Cumberland
BOUTILIER of Lewiston

Reports were read.

Representative Gwadosky of Fairfield moved that the House accept the Majority "Ought Not to Pass" Report.

On further motion of the same Representative, tabled pending his motion that the House accept the Majority "Ought Not to Pass" Report and tomorrow assigned.

Consent Calendar

First Day

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

(H.P. 800) (L.D. 1130) Bill "An Act to Permit Limited Operation of Woods Vehicles on State Highways" Committee on Transportation reporting "Ought to Pass"

(H.P. 626) (L.D. 895) Bill "An Act Concerning Private School Activity Buses" Committee on Transportation reporting "Ought to Pass"

(S.P. 372) (L.D. 1006) Bill "An Act Concerning the Value of Prizes that may be Awarded on Beano" Committee on Legal Affairs reporting "Ought to Pass"

No objections having been noted, the above items were ordered to appear on the Consent Calendar under the listing of Second Day, later in today's session.

Consent Calendar

Second Day

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

(S.P. 319) (L.D. 808) Bill "An Act to Make Additional Allocations from the Highway Fund for the Fiscal Year Ending June 30, 1985" (Emergency) (C. "A" S-66)

No objections having been noted at the end of the Second Legislative Day, the Senate Paper was Passed to be engrossed in concurrence.

Passed to be Engrossed

Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1986, and June 30, 1987" (Emergency) (S.P. 539) (L.D. 1446)

Was reported by the Committee on Bills in the Second Reading and read a second time, passed to be engrossed in concurrence.

Bill "An Act Relating to Instruction in American Sign Language in Public Schools and Institutions of Higher Education" (S.P. 540) (L.D. 1447)

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

The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Foss.

Representative FOSS: Mr. Speaker, Ladies and Gentlemen of the House: I am not speaking in opposition to this bill but wish to make a statement for the record.

I do not quarrel with the merits of teaching American sign language to promote communication between the hearing impaired and those that do hear. However, I do have a problem with defining sign language as a foreign language. To me, a foreign language is a language of a foreign country. Teaching a foreign language has two goals, one to enable one to converse in the language of another country, almost a necessity in this day and age when the world is getting smaller all the time and two, to expose students to a cultural background of another country through its literature. American sign language does neither.

Architects of the reform act last September required for the first time that every secondary school offer a two year sequence of a foreign language. These schools are also encouraged to offer more than one foreign language, the category in which sign language would be placed. I am pleased that it is not a mandate and I endorse the "Ought to Pass" Report because schools are allowed to make the choice but I am not comfortable with its designation as a foreign language. I believe we should find another way to encourage schools, perhaps at the elementary level, to teach our children to communicate with the deaf.

The SPEAKER: The Chair recognizes the Representative from Caribou, Representative Matthews.

Representative MATTHEWS: Mr. Speaker, Ladies and Gentlemen of the House: I would also like to speak briefly on L.D. 1447. I want to point out that I am very supportive of the goal of helping more people to develop the skills to better communicate with hearing impaired persons. I also believe that the public schools can and should help young people achieve that goal. As a matter of fact, if this bill had simply encouraged schools to offer a course in sign language whenever there is sufficient student interest to support such a course, I could have supported it enthusiastically.

My concerns with this redraft are as follows: only last September, we passed legislation to make the high school curriculum more demanding by imposing increased graduation requirements and encouraging academic rigor including a statement urging schools to offer two or more foreign languages. Now, we are suggesting that schools can meet the two foreign language requirements by using American sign language as one of these languages. I am not convinced that ASL should be considered as equivalent to a year of Latin or any other foreign language for a youngster planning to go to college.

Two, I question whether an adequate number of teachers who would be certifiable in ASL and I doubt that there would be many school systems that would have enough students who would be interested in taking a course to make it feasible to establish teaching positions in this area.

Three, the statute that this bill amends was designed to require schools to offer at least two foreign languages or their resident students would be allowed to attend another school to get a foreign language not available in their own school. Usually, that student would be one who wants a language for higher education purposes and this bill would allow the home

school to get around obligations from such a student by offering ASL as their second language.

Finally, as I said earlier, I think this bill gives the wrong message following so closely on the heels of last September's reforms and I am not convinced that there is sufficient evidence to justify giving this admittedly valuable communication equivalent status with the demanding foreign language.

Whereupon, the Bill was passed to be engrossed in concurrence.

Bill "An Act to Exempt from Home Health Licensure Municipal Entities that Provide Only Nontherapeutic Preventive and Promotional Health Educational Services" (Emergency) (H.P. 1006) (L.D. 1453)

Bill "An Act to Revise the Salaries of Certain County Officers" (Emergency) (H.P. 1011) (L.D. 1455)

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

An Amended

Bill "An Act to Mandate Smoke Alarms in all New, Converted or Restored Single-family Dwellings" (H.P. 512) (L.D. 717) (C. "A" H-103)

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

Representative Stetson of Damariscotta offered House Amendment "A" (H-108) and moved its adoption.

House Amendment "A" (H-108) was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Damariscotta, Representative Stetson.

Representative STETSON: Mr. Speaker, Ladies and Gentlemen of the House: This bill bothers me. It bothers me for a number of reasons. One, I have often heard it said around here that we should not fix something that isn't broken. By the same token, I don't think we should mandate something that we can't make sure is working. I don't like the idea of mandating smoke detectors any more than I like the idea of mandating seat belts. I think that this is a matter for every town, municipality or unorganized territory for that matter to decide for itself as to what safety precautions it should require of the residents of each municipality or town.

I ask you to look at this bill very carefully and decide whether we want to sit here in Augusta and tell everybody in the State of Maine that you must follow this safety precaution, namely installed smoke detectors in your dwellings.

Now there is one other aspect of this bill that I think is very dangerous and that is the fact that when you mandate something without following through on it, without making sure that it is being observed and being followed through, it is almost as bad as the half truth, it is more insidious, it is more deceiving and it is more dangerous than a half truth because you are arousing false security where it doesn't exist.

I submit that we should take a very careful look at this bill and, if necessary, we should move to indefinitely postpone the whole measure.

The SPEAKER: The Chair recognizes the Representative from Pittston, Representative Reeves.

Representative REEVES: Mr. Speaker, Men and Women of the House: I hope that you will vote to defeat Representative Stetson's amendment and pass out this unanimous committee report which extends the smoke alarm law to renovated housing which adds a new bedroom. This is a unanimous committee report. Present state law requires smoke alarms in all new construction; what this bill does is extend that requirement to renovated housing which adds

new sleeping quarters. The committee heard a great deal of testimony in favor of this bill from the fire marshalls office, from fire chiefs, from town officials about the great value that smoke alarms have had and the significant impact that they have had on saving lives in the past few years.

Representative Webster and Representative Hillock also deserve credit for bringing this matter to the attention of the committee because they submitted an identical bill to us. There was no opposition to this bill and it extends present state law to require inexpensive and very valuable smoke alarms in renovated housing.

I hope you will vote to indefinitely postpone Representative Stetson's amendment and pass this bill along.

I move that this bill be indefinitely postponed.

The SPEAKER: The Chair recognizes the Representative from Damariscotta, Representative Stetson.

Representative STETSON: Mr. Speaker, Ladies and Gentlemen of the House: I take some umbrage at the Representative from Pittston, Representative Reeves, repeatedly referring to me by name but I will overlook that.

I suggest that the extension of this to renovated buildings is just another step in mandating and mandating and mandating. Next year I suppose we will mandate smoke detectors in smelt camps as well.

The SPEAKER: The Chair recognizes the Representative from Pittston, Representative Reeves.

Representative REEVES: Mr. Speaker, Ladies and Gentlemen of the House: Another point of the Representative from Damariscotta's amendment, which I think would be inappropriate for this bill, is that it adds a completely inappropriate penalty to this law. At present, not installing smoke alarms in new housing is a Class E crime, a civil infraction that has no more than a \$500 fine which may be waived if the violation is corrected within 10 days, the Representative from Damariscotta's amendment makes it a Class C crime which requires a three to five year jail sentence and a fine of \$2,500.

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

Representative MURPHY: Mr. Speaker, Ladies and Gentlemen of the House: I hope that you vote to defeat this amendment of the Representative from Damariscotta. The only thing this bill does is that when you renovate or restore an old home and add on a bedroom, you add a smoke detector. This expense is \$9.99 and it has been proven that they have saved many lives. I would like to see this bill passed.

Representative Stetson requested a roll call on indefinite postponement of House Amendment "A".

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 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 pending question before the House is the motion of the Representative from Pittston, Representative Reeves, that House Amendment "A" be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 54

YEAS:—Aliberti, Allen, Baker, H.R.; Beaulieu, Begley, Bell, Bonney, Bost, Bott, Boutilier, Bragg, Brannigan, Brodeur, Brown, A.K.; Brown, D.N.; Carroll, Cashman, Chonko, Clark, Coles, Connolly, Cooper, Cote, Crowley, Daggett, Davis, Descoteaux, Diamond, Dillenback, Drinkwater, Erwin, Farnum, Foss, Foster, Greenlaw, Gwadosky, Hale, Handy, Harper, Hayden, Hichborn, Hickey, Higgins, H.C.; Hillock, Hoglund, Holloway, Ingraham, Jackson, Lebowitz, McCollister, Nicholson, Salsbury, Scarpino, Sherburne, Sproul, Stetson, Stevenson, Tammara, Weymouth.

Drinkwater, Erwin, Farnum, Foster, Gwadosky, Hale, Handy, Harper, Hayden, Hichborn, Hickey, Higgins, H.C.; Higgins, L.M.; Hillock, Hoglund, Jacques, Jalbert, Joseph, Lacroix, Lander, Law, Lawrence, Lisnik, Lord, MacBride, Macomber, Manning, Martin, H.C.; Masterman, Matthews, Mayo, McGowan, McHenry, McPherson, McSweeney, Melendy, Michaud, Moholland, Murphy, E.M.; Murphy, T.W.; Murray, Nadeau, G.G.; Nelson, Nickerson, O'Gara, Paradis, E.J.; Paradis, P.E.; Parent, Paul, Perry, Pines, Pouliot, Racine, Randall, Reeves, Rice, Richard, Ridley, Rioux, Roberts, Rolde, Rotondi, Rhulin, Rydell, Simpson, Small, Smith, C.B.; Soucy, Stevens, A.G.; Stevens, P.; Strout, Swazey, Tardy, Taylor, Telow, Theriault, Vose, Walker, Warren, Webster, Wentworth, Whitcomb, Willey.

NAYS:—Armstrong, Baker, A.L.; Bragg, Cahill, Callahan, Carter, Conners, Dellert, Dexter, Foss, Greenlaw, Holloway, Ingraham, Jackson, Lebowitz, McCollister, Nicholson, Salsbury, Scarpino, Sherburne, Sproul, Stetson, Stevenson, Tammara, Weymouth.

ABSENT:—Carrier, Crouse, Duffy, Hepburn, Kane, Kimball, Michael, Mills, Mitchell, Nadeau, G.R.; Priest, Seavey, Smith, C.W.; Zirkilton, The Speaker.

111 having voted in the affirmative and 25 in the negative with 15 being absent, the motion did prevail.

Whereupon, the Bill was passed to be engrossed and sent up for concurrence.

Passed to Be Enacted Emergency Measure

An Act to Increase the Allocation for Personal Services Expenditures under the Maine Hazardous Waste Fund for Fiscal Year 1985 (H.P. 873) (L.D. 1230)

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. 117 voted in favor of the same and 11 against and accordingly, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act to Provide for Public Rest Rooms in Eating Establishments (H.P. 980) (L.D. 1411)

Was 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.

An Act to Shorten the Final Pay Settlement of Milk Dealers to Producers (H.P. 981) (L.D. 1412)

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

Representative McCollister of Canton requested a roll call on enactment.

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 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 pending question before the House is passage to be enacted. Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 55

YEAS:—Aliberti, Allen, Armstrong, Baker, A.L.; Baker, H.R.; Beaulieu, Begley, Bell, Bonney, Bost, Bott, Boutilier, Bragg, Brannigan, Brodeur, Brown, A.K.; Brown, D.N.; Cahill, Callahan, Carrier, Carroll, Carter, Cashman, Chonko, Clark, Coles, Conners, Cooper, Cote, Crowley, Daggett, Davis, Descoteaux, Dexter, Diamond, Dillenback, Drinkwater, Erwin, Farnum, Foss, Foster, Greenlaw, Gwadosky, Hale, Handy, Harper, Hayden, Hichborn, Hickey, Higgins, L.M.; Hillock, Hoglund, Holloway, In-

graham, Jackson, Jacques, Joseph, Lacroix, Lander, Law, Lawrence, Lebowitz, Lisnik, Lord, MacBride, Macomber, Manning, Martin, H.C.; Masterman, Matthews, Mayo, McCollister, McGowan, McHenry, McPherson, McSweeney, Melendy, Michaud, Moholland, Murphy, E.M.; Murphy, T.W.; Murray, Nadeau, G.G.; Nelson, Nicholson, Nickerson, O'Gara, Paradis, E.J.; Paradis, P.E.; Parent, Paul, Perry, Pines, Pouliot, Randall, Reeves, Rice, Richard, Ridley, Rioux, Roberts, Rolde, Rotondi, Ruhlin, Rydell, Salsbury, Scarpino, Sherburne, Simpson, Small, Smith, C.B.; Soucy, Sproul, Stetson, Stevens, A.G.; Stevens, P.; Stevenson, Strout, Swazey, Tammaro, Tardy, Taylor, Telow, Theriault, Vose, Walker, Warren, Webster, Wentworth, Weymouth, Whitcomb, Willey.

NAYS:—None.

ABSENT:—Connolly, Crouse, Dellert, Duffy, Hepburn, Higgins, H.C.; Jalbert, Kane, Kimball, Michael, Mills, Mitchell, Nadeau, G.R.; Priest, Racine, Seavey, Smith, C.W.; Zirkilton, The Speaker.

132 having voted in the affirmative and none in the negative with 19 being absent, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

Passed to Be Enacted Emergency Measure

An Act to Establish Fixed Dates for the Adjournment of the First and Second Regular Sessions of the Legislature (H.P. 928) (L.D. 1333) (H. "B" H-105)

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. 121 voted in favor of the same and 8 against and accordingly, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

On motion of Representative Reeves of Pittston, the House reconsidered its action whereby Bill "An Act to Require Refuse Receptacles to Comply with Federal Safety Standards" (H.P. 1014) was referred to the Committee on Energy and Natural Resources.

On further motion of the same Representative, the Bill was referred to the Committee on Legal Affairs, Ordered Printed, and sent up for concurrence.

Orders of the Day

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

An Act to Provide for Adequate Funding of the Chemical Substance Identification Law (Emergency) (S.P. 521) (L.D. 1405)

TABLED - May 3, 1985 by Representative MITCHELL of Freeport.

PENDING - Passage to be Enacted. (Roll Call Ordered)

The SPEAKER: The pending question before the House is passage to be enacted. Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 56

YEAS:—Aliberti, Allen, Baker, A.L.; Baker, H.R.; Beaulieu, Begley, Bost, Boutilier, Bragg, Brannigan, Brodeur, Brown, A.K.; Brown, D.N.; Carrier, Carroll, Carter, Cashman, Chonko, Clark, Coles, Connolly, Cooper, Cote, Crowley, Daggett, Davis, Descoteaux, Dexter, Diamond, Duffy, Erwin, Gwadosky, Hale, Handy, Hayden, Hichborn, Hickey, Higgins, H.C.; Higgins, L.M.; Hoglund, Holloway, Ingraham, Jacques, Jalbert, Joseph, Lacroix, Lisnik, MacBride, Macomber, Manning, Martin, H.C.; Matthews, Mayo, McCollister, McGowan, McSweeney, Melendy, Michaud, Mills, Moholland, Murphy, T.W.; Murray, Nadeau, G.G.; Nelson, Nicholson, Nickerson, O'Gara, Paradis, E.J.; Paradis, P.E.; Parent, Paul, Perry, Pouliot, Racine, Reeves, Rice, Richard, Ridley,

Rioux, Roberts, Rolde, Rotondi, Ruhlin, Rydell, Scarpino, Simpson, Small, Smith, C.B.; Soucy, Stevens, P.; Swazey, Tammaro, Tardy, Taylor, Telow, Theriault, Vose, Walker, Warren, Willey, The Speaker.

NAYS:—Armstrong, Bell, Bonney, Bott, Cahill, Callahan, Conners, Dellert, Dillenback, Drinkwater, Farnum, Foss, Foster, Greenlaw, Harper, Hillock, Jackson, Lander, Law, Lawrence, Lebowitz, Lord, Masterman, McHenry, McPherson, Murphy, E.M.; Pines, Salsbury, Sherburne, Sproul, Stetson, Stevens, A.G.; Stevenson, Strout, Webster, Wentworth, Weymouth, Whitcomb.

ABSENT:—Crouse, Hepburn, Kane, Kimball, Michael, Mitchell, Nadeau, G.R.; Priest, Randall, Seavey, Smith, C.W.; Zirkilton.

101 having voted in the affirmative and 38 in the negative with 12 being absent, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

An Act to Prohibit Open Burning at All Municipal Solid Waste Disposal Sites (H.P. 976) (L.D. 1399) (H. "A" H-99)

TABLED - May 3, 1985 by Representative SMITH of Island Falls.

PENDING - Passage to be Enacted.

Representative Smith of Island Falls moved the indefinite postponement of the bill and all accompanying papers.

On motion of the same Representative, tabled pending his motion to indefinitely postpone the bill and all accompanying papers and later today assigned.

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

Bill "An Act Relating to Solicitations and Public Office Holding by State Employees" (S.P. 533) (L.D. 1434)

TABLED - May 3, 1985 by Representative GWADOSKY of Fairfield.

PENDING - Passage to be Engrossed.

On motion of Representative Gwadosky of Fairfield, retabled pending passage to be engrossed and later today assigned.

By unanimous consent, all matters having been acted upon requiring Senate concurrence were ordered sent forthwith to the Senate.

(Off Record Remarks)

On motion of Representative Allen of Washington.

Recessed until five o'clock in the afternoon.

(After Recess)

(5:00 p.m.)

The House was called to order by the Speaker.

The following items appeared on Supplement No. 4 were taken up out of order by unanimous consent:

Passed to Be Enacted Emergency Measure

An Act Making Unified Appropriation and Allocations for Expenditures of State Government, General Fund, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1986, and June 30, 1987 (S.P. 532) (L.D. 1427)

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. 118 voted in favor of the same and 4 against and accordingly, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Make Additional Allocations from the Highway Fund for the Fiscal Year Ending June 30 1985 (S.P. 319) (L.D. 808) (C. "A" S-66)

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 none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1986, and June 30, 1987 (S.P. 539) (L.D. 1446)

Was reported by the Committee on Engrossed Bill 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, all Enactors sent forthwith to the Senate.

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

Papers from the Senate

Unanimous Leave to Withdraw

Report of the Committee on Judiciary reporting "Leave to Withdraw" on Bill "An Act Concerning the Classification of Crimes Committed with a Dangerous Weapon" (S.P. 304) (L.D. 793)

Report of the Committee on Judiciary reporting "Leave to Withdraw" on Bill "An Act Relating to Prostitution" (S.P. 325) (L.D. 814)

Report of the Committee on Legal Affairs reporting "Leave to Withdraw" on Bill "An Act Concerning the Use of Schools as Polling Places" (S.P. 278) (L.D. 736)

Report of the Committee on Legal Affairs reporting "Leave to Withdraw" on Bill "An Act to Prohibit Candidates from Securing Absentee Ballots" (S.P. 77) (L.D. 173)

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

Non-Concurrent Matter

Bill "An Act to Establish the Departmental Indirect Cost Allocation Program" (Emergency) (H.P. 998) (L.D. 1440) which was passed to be engrossed in the House on May 1, 1985.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-69) in non-concurrence.

The House voted to recede and concur.

Reports of Committees

Unanimous Leave to Withdraw

Representative REEVES from the Committee on Legal Affairs on Bill "An Act to Increase Public Safety in Homes" (H.P. 853) (L.D. 1209) reporting "Leave to Withdraw"

Representative REEVES from the Committee on Legal Affairs on Bill "An Act to Amend the Landlord-tenant Laws to Provide Stricter Heating Standards" (H.P. 744) (L.D. 1054) reporting "Leave to Withdraw"

Representative COLES from the Committee on Energy and Natural Resources on Bill "An Act Concerning the Harvesting of High-value Wood for Processing into Wood Chips for Biomass Boilers" (H.P. 850) (L.D. 1206) reporting "Leave to Withdraw"

Representative DEXTER from the Committee on Energy and Natural Resources on Bill "An Act Affecting Enforcement of Maine's Hazardous Waste Laws" (H.P. 874) (L.D. 1231) reporting "Leave to Withdraw"

Representative WARREN from the Committee on Legal Affairs on Bill "An Act to Equalize the Election Laws Concerning Party and Independent Candidates and Voters" (H.P. 115) (L.D. 140) reporting "Leave to Withdraw"

Representative BRANNIGAN from the Committee on Business and Commerce on Bill "An Act Relating to Sale of Mobile Homes by Individual Owner when Located in Mobile Home Park; Not Restricted or Prohibited by Park Owner or Operator" (H.P. 128) (L.D. 153) reporting "Leave to Withdraw"

Representative ALIBERTI from the Committee on Business and Commerce on Bill "An Act to Provide Consumers who Purchase Automobiles with Tapered Odometers with Additional Remedies" (H.P. 714) (L.D. 1024) reporting "Leave to Withdraw"

Representatives MURRAY from the Committee on Business and Commerce on Bill "An Act to License Social Workers Employed by a Hospital" (H.P. 437) (L.D. 619) reporting "Leave to Withdraw"

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

Divided Report

Majority Report of the Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-110) on Bill "An Act Concerning Good Time for Persons Convicted of Murder" (H.P. 270) (L.D. 340)

Signed:

Representatives:

ALLEN of Washington
DRINKWATER of Belfast
LEBOWITZ of Bangor
PARADIS of Augusta
COOPER of Windham
KANE of South Portland
STETSON of Damariscotta
MacBRIDE of Presque Isle

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

Senators:

CARPENTER of Aroostook
CHALMERS of Knox
SEWALL of Lincoln

Representatives:

PRIEST of Brunswick
CARRIER of Westbrook

Reports were read.

On a motion of Representative Paradis of Augusta, the House accepted the Majority "Ought to Pass" Report, the Bill read once.

Committee Amendment "A" (H-110) was read by the Clerk and adopted and the Bill 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:

(S.P. 211) (L.D. 569) RESOLVE, to Address Special Education Needs of Learning Disabled Children Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "A" (S-70)

(H.P. 603) (L.D. 873) Bill "An Act to Prohibit Marriage Between Certain Blood Relatives" Committee on Legal Affairs reporting "Ought to Pass"

(H.P. 465) (L.D. 666) Bill "An Act to Require Eye Protection for Persons Riding Motorcycles" Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-111)

(H.P. 869) (L.D. 1226) Bill "An Act Limiting the Amount of Insurance Coverage which a Mortgagee can Require a Mortgagor to Carry" Committee on Business and Commerce reporting "Ought to Pass" as amended by Committee Amendment "A" (H-112)

There being no objections, the above items were ordered to appear on the Consent Calen-

dar of Tuesday, May 7, 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:

(H.P. 800) (L.D. 1130) Bill "An Act to Permit Limited Operation of Woods Vehicles on State Highways"

No objections having been noted, the House Paper was passed to be engrossed and sent up for concurrence.

(H.P. 626) (L.D. 895) Bill "An Act Concerning Private School Activity Buses"

On motion of Representative Theriault, was removed from the Consent Calendar, Second Day.

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

Under suspension of the rules, the Bill was read a second time.

The SPEAKER: The Chair recognizes the Representative from Fort Kent, Representative Theriault.

Representative THERIAULT: I present House Amendment "A" (H-109) and move its adoption.

House Amendment "A" (H-109) was read by the Clerk and adopted.

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

(S.P. 372) (L.D. 1006) Bill "An Act Concerning the Value of Prizes that may be Awarded on Beano"

No objections having been noted at the end of the Second Legislative Day, the Senate Paper was Passed to be engrossed in concurrence.

Passed to Be Engrossed

Bill "An Act Providing for Change of Venue of Criminal Cases" (S.P. 543) (L.D. 1452)

Bill "An Act to Amend the Law Relating to the Installation of Smoke, Heat or Fire Detection Systems in Certain Hotels" (H.P. 1013) (L.D. 1461)

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

Passed to Be Enacted Emergency Measure

An Act to Clarify the Laws Requiring Certification of Seed Potatoes (S.P. 395) (L.D. 1105) (C. "A" S-63)

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. 123 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.

Emergency Measure

RESOLVE, Pertaining to a State Employee Health Promotion (H.P. 990) (L.D. 1428)

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. 123 voted in favor of the same and none against and accordingly, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

An Act to Appropriate Funds to the State Library for Support of the Information Exchange (S.P. 269) (L.D. 727)

An Act in Support of Increasing Per Capita Funds for Public Libraries (S.P. 270) (L.D. 728) (C. "A" S-65)

Was 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.

An Act to Provide that Cost-of-Living Plans for Retired Persons under the Maine State Retirement System Shall Apply to All Participating Local Districts that do not Provide Social Security Benefits for Employees (H.P. 661) (L.D. 944) (S. "A" S-68; C. "A" H-89)

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

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Higgins.

Representative HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: Before we enact this bill this evening, if we do, I would like to pose a couple of questions through the Chair regarding the effect this will have on local municipalities. I have looked at my L.D.'s and don't have either the Committee Amendment or the Senate Amendment that is on the bill in my book so perhaps different provisions of the proposal have been amended out or placed in it.

I guess my questions are: how many towns are affected by this proposal? As I understand it, the intent behind this is to mandate, I think, that local municipalities who currently do not have cost of living retirement allowance increases built into their retirement system, it will mandate that they do so. How many towns currently do not have that provision in their retirement plan? What will the cost to those towns be? Finally, in mandating this from here, as this bill at least appears to do, are we, in fact, circumventing the collective bargaining process at the local level by mandating that the municipalities provide this to all their employees rather than bargaining for it?

The SPEAKER: The Representative from Scarborough, Representative Higgins, has posed a series of questions through the Chair to anyone who may respond if they so desire.

The Chair recognizes the Representative from Augusta, Representative Hickey.

Representative HICKEY: Mr. Speaker, Ladies and Gentlemen of the House: This bill incorporates 250 towns. All but 23 of them have participated in the cost of living program and the 23 have neither cost of living increases or social security for their constituents.

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Higgins.

Representative HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: From the response that I have gotten, it appears that we are, in fact, telling local municipalities how they must deal with their employees which I feel is their own prerogative and not ours.

I am interested in the justification for us telling Scarborough, for example, that they must in fact adopt a retirement plan that has a cost of living in it. I can't argue that a cost of living plan is bad or not having one is good but what I am arguing is, should we be telling them that they ought to have that plan? Hadn't that ought to be the local decision in and of itself without us telling them why. Is there a rational reason why we need to tell my town or your town that they need to have a bigger benefit built into their retirement plan that is going to cost them money because my feeling is, that it is going to cost them money by mandating this from here.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Hickey.

Representative HICKEY: Mr. Speaker, Ladies and Gentlemen of the House: Two of the towns, Brewer and Waterville, are the only towns that have any large number of people involved. Most of them have one or two or three. Ten of the 23 have no people involved. Representative Higgins of Scarborough re-

quested a roll call.

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 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 pending question before the House is passage to be enacted.

ROLL CALL No. 57

YEAS:—Aliberti, Allen, Baker, H.R.; Bost, Boutilier, Brannigan, Brodeur, Carroll, Cashman, Chonko, Clark, Coles, Connolly, Cote, Crouse, Crowley, Dellert, Descoteaux, Diamond, Drinkwater, Duffy, Erwin, Farnum, Gwadosky, Hale, Handy, Harper, Hayden, Hichborn, Hickey, Hoglund, Jalbert, Lacroix, Lisnik, Manning, Martin, H.C.; Matthews, McCollister, McGowan, McHenry, McSweeney, Melendy, Michael, Michaud, Mills, Moholland, Murphy, T.W.; Murray, Nadeau, G.G.; Nelson, Nicholson, O'Gara, Paradis, P.E.; Paul, Perry, Pines, Racine, Randall, Reeves, Richard, Rioux, Roberts, Rolde, Rotondi, Rydell, Simpson, Smith, C.B.; Soucy, Sproul, Steven, A.G.; Stevens, P.; Stevenson, Tammaro, Tardy, Telow, Theriault, Vose, Walker, Warren.

NAYS:—Armstrong, Baker, A.L.; Begley, Bell, Bonney, Bott, Bragg, Brown, A.K.; Brown, D.N.; Cahill, Callahan, Carter, Conners, Cooper, Daggett, Dexter, Dillenback, Foss, Foster, Greenlaw, Hepburn, Higgins, L.M.; Holloway, Ingraham, Jackson, Jacques, Lander, Law, Lawrence, Lebowitz, Lord, MacBride, Macomber, Masterman, Mayo, Murphy, E.M.; Nickerson, Paradis, E.J.; Parent, Pouliot, Rice, Ridley, Ruhlin, Salisbury, Scarpino, Seavey, Sherburne, Small, Stetson, Strout, Taylor, Webster, Wentworth, Weymouth, Whitcomb, Willey.

ABSENT:—Beaulieu, Carrier, Davis, Higgins, H.C.; Hillock, Joseph, Kane, Kimball, McPherson, Mitchell, Nadeau, G.R.; Priest, Smith, C.W.; Swazey, Zirkilton, The Speaker.

79 having voted in the affirmative and 56 in the negative with 16 being absent, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act to Prevent Double Benefits for the Same Period of Service, to Provide Membership as of the Effective Date of First Contributions and to Provide that Benefits be Paid only to Members, their Dependents or Beneficiaries (H.P. 999) (L.D. 1441)

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

On motion of Representative Hickey of Augusta, tabled pending passage to be enacted and specially assigned for Wednesday, May 8, 1985.

An Act to Provide Coverage for Chiropractic Services Under Hospital Service Plans, Medical Service Plans and Insurance Policies (S.P. 518) (L.D. 1392) (S. "A" S-67)

An Act to Establish a Fire Fighter Training Facilities Grant Program (H.P. 152) (L.D. 186) (C. "A" H-100)

An Act to Amend the Law Concerning Smoke Detectors in All Multiapartment Dwellings (H.P. 279) (L.D. 349)

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.

An Act to Clarify the Definition of Spouse (H.P. 426) (L.D. 606) (C. "A" H-102)

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

On motion of Representative Hickey of Augusta, tabled pending passage to be enacted and specially assigned for Wednesday, May 8,

1985.

An Act to Encourage Early Identification and Treatment of Impaired Physicians (S.P. 534) (L.D. 1435)

Was 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.

The Chair laid before the House the following matter: An Act to Prohibit Open Burning at All Municipal Solid Waste Disposal Sites (H.P. 976) (L.D. 1399) (H. "A" H-99) which was tabled earlier in the day and later today assigned pending the motion of Representative Smith of Island Falls that the Bill and all accompanying papers be indefinitely postponed.

On motion of Representative Michaud of Medway, retabled pending the motion of Representative Smith of Island Falls that the bill and all accompanying papers be indefinitely postponed and tomorrow assigned.

The Chair laid before the House the following matter: Bill "An Act Relating to Solicitations and Public Office Holding by State Employees" (S.P. 533) (L.D. 1434) which was tabled earlier in the day and later today assigned pending passage to be engrossed.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Gwadosky.

Representative GWADOSKY: Mr. Speaker, I had intended to offer an amendment at this time; however, another problem has developed with the bill which would require me to get an additional amendment so I would appreciate it if somebody would table this for one legislative day.

On motion of Representative Diamond of Bangor, retabled pending passage to be engrossed and tomorrow assigned.

The following items appearing on Supplement No. 5 were taken up out of order by unanimous consent:

Reports of Committees

Unanimous Leave to Withdraw

Representative GWADOSKY from the Committee on State Government on Bill "An Act to Create a State Committee to Deal with Post-Secondary Vocational-technical Education" (H.P. 839) (L.D. 1204) reporting "Leave to Withdraw"

Representative GWADOSKY from the Committee on State Government on Bill "An Act Concerning the Wording of Referendum Questions" (H.P. 638) (L.D. 906) reporting "Leave to Withdraw"

Representative GWADOSKY from the Committee on State Government on RESOLVE, Establishing a Commission to Review Upper Management in State Government (H.P. 380) (L.D. 521) reporting "Leave to Withdraw"

Representative McHENRY from the Committee on Local and County Government on Bill "An Act to Establish the Boundaries between the Town of Lisbon and the City of Lewiston and between the Town of Lisbon and the Town of Sabattus" (H.P. 604) (L.D. 874) reporting "Leave to Withdraw"

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

Consent Calendar

First Day

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

(H.P. 202) (L.D. 236) Bill "An Act Prohibiting Bond Issues of Less than \$2,000,000" Committee on State Government reporting "Ought to Pass"

(H.P. 891) (L.D. 1280) Bill "An Act to Reallocate Mortgage Insurance Authority from the Mortgage Insurance Program of the

Finance Authority of Maine to the Maine Small Business Loan Program" (Emergency) Committee on State Government reporting "Ought to Pass"

(H.P. 842) (L.D. 1192) Bill "An Act Requiring Impartial Summaries of Charter Amendments" Committee on Local and County Government reporting "Ought to Pass"

(H.P. 195) (L.D. 229) Bill "An Act Regarding Official Refusal or Neglect of Duty" Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-114)

There being no objections, the above items were ordered to appear on the Consent Calendar of Tuesday, May 7, 1985 under the listing of Second Day.

(H.P. 38) (L.D. 40) Bill "An Act to Amend the Charter of the Bustin's Island Village Corporation" (Emergency) Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-115)

On motion of Representative Diamond of Bangor, was removed from the Consent Calendar, First Day.

On motion of Representative Diamond of Bangor, tabled pending acceptance of the Committee Report and tomorrow assigned.

(Off Record Remarks)

On motion of Representative Richard of Madison, Adjourned until nine o'clock tomorrow morning.