

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Twelfth
Legislature***

OF THE

STATE OF MAINE

Volume II

FIRST REGULAR SESSION

December 5, 1984 - June 20, 1985

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HOUSE

Thursday, June 20, 1985

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

Prayer by Senator Nancy Randall Clark of Cumberland.

Quorum called; was held.

The Journal of yesterday was read and approved.

Papers from the Senate

The following Communication:
Senate of Maine
Augusta

June 19, 1985

The Honorable Edwin H. Pert
Clerk of the House
112th Legislature
Augusta, Maine 04333
Dear Clerk Pert:

Please be advised the Senate Adhered to its previous action whereby it Indefinitely Postponed Bill "An Act Relating to the Affixing of Indicia of Payment of Real Estate Transfer Tax" (H.P. 764) (L.D. 1084).

Thank you.

Sincerely,

S/ JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file.

The following Communication:
Senate of Maine
Augusta

June 19, 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 State Government, the Governor's nomination of Rose-Marie Joseph of Winslow and Wanda P. Calder of Turner for appointment to the Finance Authority of Maine.

Ms. Joseph is replacing Wanda Calder, and Wanda Calder is replacing Sarah Redfield.

Sincerely,

S/ JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file.

Ought to Pass as Amended

Report of the Committee on Judiciary reporting "Ought to Pass" as Amended by Committee Amendment "A" (S-318) on Bill "An Act to Make Corrections of Errors and Inconsistencies in the Laws of Maine" (Emergency) (S.P. 627) (L.D. 1646).

Came from the Senate, with the report read and accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A" (S-318).

Report was read and accepted and the Bill read once.

Committee Amendment "A" (S-318) was read by the Clerk and adopted.

Under suspension of the rules, the Bill was read a second time, passed to be engrossed as amended by Committee Amendment "A" in concurrence.

Non-Concurrent Matter

An Act to Authorize a General Fund Bond Issue in the Amount of \$2,750,000 for Acquisition and Development of State Parks, Historic Sites and Protective Easements for Maine Rivers (S.P. 425) (L.D. 1182) (C. "A" S-312) which failed of passage to be Enacted in the House on June 19, 1985.

Came from the Senate passed to be Enacted in non-concurrence.

The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Carter.

Representative CARTER: Mr. Speaker, Ladies and Gentlemen of the House: What we have before us is an issue I think is vital to this state if we are going to continue to try and encourage tourism and keep it as the second largest industry in the state currently producing \$600 million a year.

One of the unfortunate things about this particular bond issue is that it has a very small constituency. They are not organized like the similar bond issue that sailed through here yesterday. The organization behind the historic preservation bond issue has an organized constituency of 12,000 people. This particular issue has no constituency other than we, the legislators, who represent them. This issue is sorely needed if we are going to provide the facilities that are needed to keep luring these people back to the State of Maine.

I would hope that you would give this serious consideration this morning and do what is proper and vote accordingly so that this bond issue may be sent out to the people.

The SPEAKER: The Chair recognizes the Representative from Paris, Representative Bell.

Representative BELL: Mr. Speaker, Men and Women of the House: This particular bond issue came out of committee divided 11 to 2 and I would just like to state my reasons for voting against this coming out of the committee stage. The two areas of concern with this particular bond issue, that members may have voted against yesterday, is the Laudholm Park part of this bond. The issue at the public hearing was a particular boardwalk going across the saltmarsh and a least tern colony being adequately protected. There was concern also about the intensity or the number of people coming to this park and how they may use the area.

Another area of contention in this particular bond issue were river access sites. Testimony indicated that an inventory had been done statewide of areas that may be developed or used as river easements—there were many questions about which areas may be developed and which areas may not. It was unclear at the time how much public input may be involved in decisions, both at the Laudholm Park and also river access sites. Because of that confusion, and because I wasn't clear in my mind just how the department would implement this particular bond issue if the money became available. It was my feeling that they certainly could come back next session and answer some of those specific questions.

I would hope you would vote today against the recede and concur motion.

The SPEAKER: The pending question before the House is recede and concur. In accordance with the provisions of Section 14 of Article IX of the Constitution, a two-thirds vote of the House being necessary, a total was taken. 74 voted in favor of same and 52 against, and accordingly the Bond Issue failed passage.

Whereupon, the House voted to adhere.

Non-Concurrent Matter

An Act to Authorize a General Fund Bond Issue in the Amount of \$4,000,000 for State Facilities Energy and General Improvements (H.P. 922) (L.D. 1326) (C. "A" H-381) which Failed of Passage to be Enacted in the House on June 19, 1985.

Came from the Senate Passed to be Enacted in non-concurrence.

Representative Carter of Winslow moved that the House recede and concur.

The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Carter.

Representative CARTER: Mr. Speaker, Ladies and Gentlemen of the House: This is another issue that the majority of the Committee on Appropriations felt that it should be enacted and sent on to the people for ratification.

As I stated yesterday, \$2 million of this bond issue is designed for high energy retrofit measures in the amount of \$2 million of the

payback between two and four years. This is a very sound investment. The state buildings that would be affected, if this bond issue were passed, would be Augusta Mental Health Institute, Bangor Mental Health Institute, Pineland, Maine Correctional Center, Maine Youth Center, Northern Maine VTI, Central Maine VTI, Eastern Maine VTI, Southern Maine VTI, Maine Maritime Academy and Baxter School.

I don't think that there is anyone in this hall that can argue that these are not high priority aims or goals. The other portion of this bond issue calls for a \$1.2 million to renovate facilities at the McKown Point Laboratory in West Boothbay and the bond proceeds would be spent specifically in five areas. The first area would be to replace the second floor of an existing building which burned in 1968. The question was raised yesterday to why the state had no insurance to cover this — the reason being that the state did not own the building then, it was owned by the federal government.

The second area would be to construct a new laboratory to replace an existing one in a building that has high heating and maintenance cost.

The third area would be the construction of a facility to accommodate a satellite imagery remote sensing facility and research library, highly needed and desirable if this facility is going to continue to conduct research in the marine fisheries area.

The fourth area the funds would be spent is to replace the present fresh water supply line which crosses the bottom of the harbor and is thus vulnerable to several hazards.

In the fifth area, it would be to improve the sewage facility for the existing and proposed facilities.

Finally, this bond issue would be to build a recreational center for the patients at the Augusta Mental Health Institute. As proposed, this building would provide an area for exercises and occupational therapy. The patient load at the institute has grown tremendously during the past year and this would serve to keep them occupied while they are in institutions. I would certainly hope that you would agree with the majority of the Appropriations Committee and vote to recede and concur.

The SPEAKER: The Chair recognizes the Representative from Dover-Foxcroft, Representative Law.

Representative LAW: Mr. Speaker, I would like to pose a question through the Chair.

Several weeks ago, I think that we, after a long, lengthy debate, passed a bill that would provide for third party financing for energy conservation projects. I don't really remember but I think we did.

The SPEAKER: The Representative from Dover-Foxcroft, Representative Law, has posed a question through the Chair to anyone who may respond if they so desire.

The Chair recognizes the Representative from Fairfield, Representative Gwadosky.

Representative GWADOSKY: Mr. Speaker, Ladies and Gentlemen of the House: The Representative from Dover-Foxcroft, Representative Law, is absolutely right, we did pass a bill that would allow for third party financing with private industry.

The SPEAKER: The Chair recognizes the Representative from Paris, Representative Bell.

Representative BELL: Mr. Speaker, Ladies and Gentlemen of the House: Representative Carter has explained this particular bond issue. If you recall, this particular bond issue came out of committee 9 to 5 and I would just like to speak to a couple of points.

First of all, this particular bond issue came out with an amount of \$6.7 million. It had four unrelated points. One point was the energy conservation program, which originally was \$4 million and has been amended down to \$2 million. McKown Point, which is still the same \$1.2 million. Augusta Mental Health Institute

activity building, \$800,000. Southern Maine Vocational-Technical Institute is \$700,000. Southern Maine Vocational-Technical Institute's portion of this bond is in the VTI bond issue, which both bodies have passed to be enacted.

My concerns with this particular bond issue are several. One is that there are a number of unrelated areas in this particular package but overriding was more the total amount of bonds that were being asked to be authorized this time. This particular bond seemed to be the lowest priority.

In addition, there was confusion again at the public hearing — two people came to testify — one from Southern Maine Vocational-Technical Institute and Commissioner Apolonio from McKown Point. The administration and Bureau of Public Improvements did not appear at that particular hearing and it was some time later that we got the list of energy conservation improvements that were being suggested and it was unclear until the end what the intent of this particular bond was.

I would hope that this body would vote against the recede and concur motion today.

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

Representative PARADIS: Mr. Speaker, Ladies and Gentlemen of the House: I would hope that you would vote for the motion to recede and concur this morning because I think there is one item in this bond issue that is absolutely necessary. It was stated earlier in the debate that there is an \$800,000 appropriation to build a day room facility, gymnasium type dayroom at AMHI for the patients there. As you know, from reading the papers over the past six months, there has been an increase in the patient load at Augusta Mental Health. I ask you to look into your hearts this morning and please consider how important that this building is to the general welfare of that population. We have taken over different state buildings on that campus in the last dozen or so years thinking that the population would continue to dwindle, thinking that out-patient services would take care of our future needs — that certainly hasn't happened, we are having to put more and more patients there. For the safety of the people of the surrounding communities, for the safety and well being of the patients there at AMHI, I ask you to consider, seriously, voting for this.

We have problems in this area, problems that we are seriously looking at to find solutions for and I think that if we continue to have to provide recreation off campus, the people in my town are going to be disadvantaged. It is only fair to those patients that we provide a secure and safe place for them, a dayroom so they can have recreational activities and not stay in their rooms or in the corridor in a crowded facility that really isn't humane in any way for them. So, I ask you please, put aside partisan considerations, partisan concerns, however legitimate they may seem to us this morning, and please consider to vote for this. This is an important issue for the people of this area, whether they are Democrats or whether they are Republicans, they are people who are in need. Please don't shut them off with this vote.

Mr. Speaker, I would ask for the yeas and nays.

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

Representative BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: As co-sponsor of the previous bond issue that went down into defeat, I especially ask you to vote for this particular one. I see this bond issue as a safety bond issue. We cannot ignore the problems at AMHI or in some of our other institutions so I urge you to certainly support this particular one.

The SPEAKER: The Chair recognizes the Representative from Canton, Representative

McCollister.

Representative McCOLLISTER: Mr. Speaker, Ladies and Gentlemen of the House: Previous speakers have spoken about the safety here in Augusta — I want to address the safety in Canton. We have a boarding home there and the department is placing many of these people from AMHI in our local boarding homes. The attendants at the boarding home feel they cannot manage a patient and they call AMHI to send the person back and it may take three or four days before they can make arrangements and they keep this person in the boarding home in endangering or at least the danger they believe is there for several days beyond that time. The only recourse they have is to call AMHI and tell them that they are putting the patient into an ambulance and they better pick this person up on the other end. No, AMHI needs some space to relieve the boarding homes in our rural areas.

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

Representative HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: I am not sure that there is anything in this bond issue dealing with safety. I was not aware of anything here that dealt with that. Those particular projects, as far as I know, are in the Part I and Part II Budget. Now, this particular bond issue deals only with the construction of the facility here in Augusta, the one at McKown Point and also some energy saving work throughout the state buildings.

As I said last night, it seems to me that this is really not quite as timely as it might be. If it were to go to the people in November and were to be ratified, the work is not going to be done before another heating season anyway and I think it could be handled much better in the next session of the legislature.

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 Chair recognizes the Representative from Winslow, Representative Carter.

Representative CARTER: Mr. Speaker, Ladies and Gentlemen of the House: My good friend from Paris, Representative Bell, has indicated that the concern of the minority on the Appropriations Committee was in respect to numbers. I have done some quick addition and were we to enact or ratify all the present bonds that we have approved, we would be up to about \$48 million. Originally, it was the Governor's intention not to try to authorize more than \$50 million and this was, incidentally, way below what the 7 percent formula would call for.

The issues that we have already authorized in the environmental area of \$15 million, historic buildings not yet enacted but on its way, \$2 million; Research and Development at Orono Park, \$4.3 million; the VTI bond issue, \$2.2 million; Transportation, \$20 million; the VTI bond issue, \$2.2 million; Transportation, \$20 million; the Railroad Bond Issue for \$850,000 and were we to enact this bill, which I think is vitally necessary, we would be in the vicinity of \$52 million, way below the 7 percent formula that has been put into place by executive order.

The issue of safety has been brought up and Representative McCollister is absolutely correct — this would, if enacted, serve to correct many safety hazards now in place in some of the older state buildings. Currently, the ventilation, I am told, up in Bangor Mental Health Institute is of the type, and I am sure that all the other

buildings have the same type of ventilation facilities, they are long, narrow ducts that run the entire height of the buildings, and they are a fire hazard, no question about it. I think it behooves us this morning to do what is right and vote to recede and concur.

The SPEAKER: The pending question before the House is recede and concur. Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 224

YEAS:—Aliberti, Allen, Beaulieu, Bost, Boutilier, Brannigan, Brown, A.K.; Carrier, Carroll, Carter, Cashman, Chonko, Clark, Coles, Connolly, Cooper, Cote, Crouse, Crowley, Daggett, Descoteaux, Diamond, Duffy, Erwin, Gwadosky, Hale, Handy, Hayden, Higgins, H.C.; Hoglund, Jacques, Jalbert, Joseph, Kane, Lacroix, Lisnik, Macomber, Manning, Martin, H.C.; Mayo, McCollister, McGowan, McHenry, McSweeney, Melendy, Michael, Michaud, Mills, Mitchell, Moholland, Murray, Nadeau, G.G.; Nadeau, G.R.; O'Gara, Paradis, P.E.; Paul, Perry, Pouliot, Priest, Racine, Reeves, Richard, Ridley, Rioux, Roberts, Rolde, Rotondi, Ruhlin, Rydell, Simpson, Smith, C.B.; Soucy, Stevens, P.; Swazey, Tammara, Tardy, Theriault, Vose, Walker, Warren, The Speaker.

NAYS:—Armstrong, Baker, A.L.; Begley, Bell, Bonney, Bott, Bragg, Cahill, Callahan, Davis, Dellert, Dexter, Dillenback, Drinkwater, Farnum, Foss, Foster, Greenlaw, Harper, Hepburn, Hichborn, Higgins, L.M.; Hillock, Ingraham, Jackson, Kimball, Law, Lawrence, Lebowitz, Lord, MacBride, Masterman, Matthews, McPherson, Murphy, E.M.; Murphy, T.W.; Nicholson, Nickerson, Paradis, E.J.; Parent, Pines, Randall, Rice, Salisbury, Scarpino, Sherburne, Small, Smith, C.W.; Sproul, Stetson, Stevens, A.G.; Stevenson, Strout, Taylor, Telow, Webster, Wentworth, Weymouth, Whitcomb, Willey, Zirkilton.

ABSENT:—Baker, H.R.; Brodeur, Brown, D.N.; Connors, Hickey, Holloway, Lander, Nelson, Seavey.

81 having voted in the affirmative and 61 in the negative with 9 being absent, the motion did not prevail.

Whereupon, the House voted to adhere.

At this point, the rules were suspended for the purpose of removing jackets for the remainder of today's session.

Messages and Documents

The following Communication:

State of Maine

One Hundred and Twelfth Legislature
Committee on Transportation

June 19, 1985

The Honorable John L. Martin
Speaker of the House

112th Legislature

Dear Speaker Martin:

We are pleased to report that all business which was placed before the Committee on Transportation during the first regular session of the 112th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	94
Unanimous reports	79
Leave to Withdraw	23
Ought to Pass	13
Ought Not to Pass	21
Ought to Pass as Amended	15
Ought to Pass in New Draft	7

Divided reports 13

Carry Over Bills

(Approved by the Legislative Council) 2

Respectfully submitted,

S/ PETER W. DANTON

Senate Chair

S/ RAYNOLD THERIAULT

House Chair

Was read and ordered placed on file.

The following Communication:

State of Maine

One Hundred and Twelfth Legislature

Committee on Business and Commerce
June 19, 1985

The Honorable John L. Martin
Speaker of the House
112th Legislature
Dear Speaker Martin:

We are pleased to report that all business which was placed before the Committee on Business and Commerce during the first regular session of the 112th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	122
Unanimous reports	102
Leave to Withdraw	32
Ought to Pass	6
Ought Not to Pass	14
Ought to Pass as Amended	28
Ought to Pass in New Draft	22
Divided reports	16
Carry Over Bills	
(Approved by the Legislative Council)	4
Respectfully submitted,	
S/ BEVERLY MINER BUSTIN	
Senate Chair S/ JOSEPH C. BRANNIGAN	
House Chair	

Was read and ordered placed on file.

The following Communication:

State of Maine
One Hundred and Twelfth Legislature
Committee on Judiciary
June 19, 1985

The Honorable John L. Martin
Speaker of the House
112th Legislature
Dear Speaker Martin:

We are pleased to report that all business which was placed before the Committee on Judiciary during the first regular session of the 112th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	159
Unanimous reports	130
Leave to Withdraw	66
Ought to Pass	7
Ought Not to Pass	11
Ought to Pass as Amended	31
Ought to Pass in New Draft	4
Divided reports	29
Carry Over Bills	
(Approved by the Legislative Council)	11
Respectfully submitted,	
S/ MICHAEL E. CARPENTER	
Senate Chair S/ EDWARD J. KANE	
House Chair	

Was read and ordered placed on file.

The following Communication:

State of Maine
One Hundred and Twelfth Legislature
Committee on Appropriations
and Financial Affairs
June 19, 1985

The Honorable John L. Martin
Speaker of the House
112th Legislature
Dear Speaker Martin:

We are pleased to report that all business which was placed before the Committee on Appropriations and Financial Affairs during the first regular session of the 112th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	105
Unanimous reports	93
Leave to Withdraw	31
Ought to Pass	8
Ought Not to Pass	15
Ought to Pass as Amended	30
Ought to Pass in New Draft	9
Divided reports	12
Carry Over Bills	None
Respectfully submitted,	
S/ MICHAEL D. PEARSON	
Senate Chair S/ DONALD V. CARTER	
House Chair	

Was read and ordered placed on file.

Orders of the Day

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

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

An Act to Make Supplemental Allocations from the Federal Expenditure Fund, Special Revenue Funds and to Change 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) (H.P. 472) (L.D. 675) (H. "A" H-374 to C. "A" H-359)

TABLED—June 14, 1985 by Representative CARTER of Winslow.

PENDING—Passage to be Enacted.

This being an emergency measure, a two-thirds vote of the members present and voting being necessary, a total was taken. 119 voted in favor of same and 2 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government, and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1985, June 30, 1986, and June 30, 1987 (H.P. 453) (L.D. 654) (H. "A" H-467 to C. "A" H-464)

PENDING—Passage to be Enacted.

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

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

An Act to Provide Supplemental Appropriations to the Legislature (Emergency) (H.P. 1153) (L.D. 1659)

TABLED—June 19, 1985, (Till Later Today) By Representative DIAMOND of Bangor.

PENDING—Passage to be Enacted.

This being an emergency measure, a two-thirds vote of the members present and voting being necessary, a total was taken. 119 voted in favor of same and 7 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

On motion of Representative Diamond of Bangor, the following item was removed from the Tabled and Unassigned matter:

Bill "An Act to Provide a Sales Tax Exemption for Electricity used in an Electrothermal Manufacturing Process" (Emergency) (S.P. 420) (L.D. 1139)

TABLED—April 1, 1985 by Representative DIAMOND of Bangor.

PENDING—Passage to be Engrossed.

On motion of Representative DIAMOND of Bangor, the Bill was indefinitely postponed. Sent up for concurrence.

The following items appearing on Supplement No. 39 were taken up out of order by unanimous consent.

Passed to be Enacted

Emergency Measure

An Act Establishing Municipal Cost Components For Services to be Rendered in Fiscal Year 1985-86 and Relating to the Financing and Provision of Services in the Unorganized Territory (H.P. 672) (L.D. 955) (H. "A" H-482 to C. "A" H-475)

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. 102 voted in favor of the same and 26 against and accordingly, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Fund and Implement Certain Collective Bargaining Agreements (H.P. 1158) (L.D. 1660)

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. 122 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.

An Act to Expand the Veterans' Property Tax Exemption to Include Disabled Veterans Who did not Serve During a Federally-recognized War Period (H.P. 286) (L.D. 356) (H. "A" H-483 to C. "A" H-455)

An Act to Reimburse the Unorganized Territory Education and Services Fund for Overcharges from 1978 to 1983 (S.P. 221) (L.D. 584) (H. "A" H-481)

Were strictly 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 following items appearing on Supplement No. 40 were taken up out of order by unanimous consent:

Papers from the Senate

The following Communication:

THE SENATE OF MAINE

Augusta

June 19, 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 State Government, the Governor's nomination of Roger P. Michaud for reappointment to the Finance Authority of Maine.

Sincerely,

S/ JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file.

Orders

On motion of Representative DIAMOND of Bangor, the following Joint Order: (H.P. 1159)

ORDERED, the Senate concurring, that the following specified matters be held over to the next special or regular session of the 112th Legislature:

Human Resources	H.P. 962, L.D. 1383 — AN ACT to Fund Community Response Programs to Address Child Sexual Abuse in Maine Communities.
State Government	H.P. 1049, L.D. 1525 — AN ACT to Establish a Maine-New Hampshire Boundary Commission.
Judiciary	S.P. 569, L.D. 1505 — AN ACT to Aid Victims of Crime.

Was read and passed and sent up for concurrence.

Representative Vose of Eastport was granted unanimous consent to address the House.

Representative VOSE: Mr. Speaker, Ladies and Gentlemen of the House: This year, there was a great deal of concern for local measured service. There were a total of seven bills put

in by various sponsors concerning this issue. Our committee felt that we could handle this without legislation, at least at this time, so we requested of the commissioners to delay implementation of their order until at least February 15, 1986. On June 18, 1985, it was so done. It says, "Ordered that the implementation of local measured service shall be postponed until February 15, 1986."

I would like to read into the record a letter that was written by the committee to Chairman Peter Bradford. It is dated June 19, 1985. "Dear Chairman Bradford: The Joint Standing Committee on Utilities is pleased that the Public Utilities Commission has postponed local measured telephone service until February 15, 1986. As Legislators, we have received many expressions of concerns about this and other aspects of telephone rates. The delay will allow further study by both the PUC and this committee as well as more opportunity for public input.

"The Committee considered eight different bills which would have banned or delayed LMS or made other changes in the price of local telephone service. We did not support implementation of local measured service at this time but all these bills have been withdrawn. Instead, we will be studying local telephone service during the interim between legislative sessions and making recommendations to the second regular session of the legislature in January of 1986. These will include recommendation for legislation, if necessary.

"Meanwhile, the PUC will be holding public

hearings in Augusta and the other affected areas of the state. We will be sending our members to those hearings in order to learn the concerns of our constituents as well as the opinions of the experts. We intend to work carefully with you because those will be formal hearing on the commission rules and procedures. At the same time, they can fill an important informational need for our constituents.

"We understand that the commission is prepared to help us in two ways, inviting our members to participate as observers or witnesses at your hearings, develop and answer to questions to be included in the staff report, analyzing the issues by November of 1985.

"Enclosed is a list of 30 questions (which are very good questions) which we would like addressed in the course of this study. Our committee staff will consult with you to review your analysis and findings and help to provide a summary for the public.

"We look forward to productive cooperation in this important effort. Sincerely yours, Senator John Baldacci; Representative Harry Vose." Thank You.

Representative McHenry of Madawaska was granted unanimous consent to address the House.

Representative McHENRY: Mr. Speaker, Ladies and Gentlemen of the House: For some unknown reason, I do not know why, it was not included in the letter that we have an understanding with the utility commission that on the date of February 15th, if the majority of the committee feels they do not have sufficient information to propose legislation that we will ask the commission and we have an understanding, which I understand cannot be put in writing I suppose, with the commission that they will grant that extension.

Representative Vose of Eastport was granted unanimous consent to address the House.

Representative VOSE: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman is absolutely correct.

(Off Record Remarks)

(At Ease)

The House was called to order by the Speaker.

The following item appearing on supplement No. 50 was taken up out of order by unanimous consent.

Order

On motion of Representative DIAMOND of Bangor, the following Joint Order: (H.P. 1160)

Ordered, the Senate concurring, that Bill, "AN ACT to Create the Maine Rainy Day Fund," (H.P. 521) (L.D. 741) be recalled from the Governor's Desk to the House.

Was read and passed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

The following item appearing on Supplement No. 9 was taken up out of order by unanimous consent.

Passed to be Enacted Emergency Measure

An Act to Make Corrections of Errors and Inconsistencies in the Laws of Maine (S.P. 627) (L.D. 1646) (C. "A" S-318)

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

The following item appearing on Supplement No. 51 was taken up out of order by unanimous consent.

Paper from the Senate Non-Concurrent Matter

An Act to Authorize a General Fund Bond Issue in the Amount of \$2,000,000 for the Restoration and Preservation of Historic Buildings (S.P. 417) (L.D. 1147) (C. "A" S-309) which was Passed to be Enacted in the House on June 19, 1985.

Came from the Senate, Failing of Passage to be Enacted in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 9 was taken up out of order by unanimous consent.

Paper from the Senate Non-Concurrent Matter

An Act to Provide a Sales Tax, Trade-in Credit for Loaders and Chain Saws used to Harvest Lumber (H.P. 72) (L.D. 93) which was Passed to be Enacted in the House on June 18, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-434).)

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (H-434) as amended by Senate Amendment "A" (S-332) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 36 was taken up out of order by unanimous consent.

Paper from the Senate Non-Concurrent Matter

An Act to Provide a Sales Tax Exemption on Railroad Track Equipment and to Include Long-term Freight Car Leases in the Definition of Operation Investment for Railroad Excise Tax Purposes (H.P. 1137) (L.D. 1643) which was Passed to be Enacted in the House on June 18, 1985. (Having previously been passed by House Amendment "B" (H-445) thereto.)

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (H-432) as amended by House Amendment "B" (H-445) and Senate Amendment "A" (S-360) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 19 was taken up out of order by unanimous consent.

Paper from the Senate Non-concurrent Matter

An Act to Establish a Business Assistance Referral Program Within the State Development Office (H.P. 76) (L.D. 96) which was Passed to be Enacted in the House on April 4, 1985. (Having previously been passed to be Engrossed as Amended by Committee Amendment "A" (H-49).)

Came from the Senate, Passed to be Engrossed as Amended by Committee Amendment "A" (H-49) as amended by Senate Amendment "A" (S-343) thereto in non-concurrence.

The House voted to recede and concur.

By unanimous consent, all matters having been acted upon were ordered sent forthwith to Engrossing.

The following item appearing on Supplement No. 53 was taken up out of order by unanimous consent.

Paper from the Senate Non-Concurrent Matter

An Act to Exempt Lobster Feed and Medication Necessary for the Lobster Pound Business from the State Sales Tax (H.P. 206) (L.D. 240) which was Passed to be Enacted in the House on June 18, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-435).)

Came from the Senate, Passed to be Engrossed, as amended by Committee Amendment "A" (H-435) as amended by Senate Amendment "B" (S-341) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 20 was taken up out of order by unanimous consent.

Paper from the Senate Non-Concurrent Matter

An Act Concerning Minimum Ordinary Death Benefits (S.P. 94) (L.D. 292) which was Passed to be Enacted in the House on June 17, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (S-184).)

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (S-184) as amended by Senate Amendment "A" (S-344) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 21 was taken up out of order by unanimous consent.

Paper from the Senate Non-Concurrent Matter

An Act to Provide Funding for Mapping of Streams in the Jurisdiction of the Maine Land Use Regulation Commission (H.P. 253) (L.D. 307) which was Passed to be Enacted in the House on April 19, 1985. (Having been previously passed to be Engrossed as Amended by Committee Amendment "A" (H-70).)

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (H-70) as amended by Senate Amendment "A" (S-345) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 8 was taken up out of order by unanimous consent.

Paper from the Senate Non-Concurrent Matter

An Act to Control Acid Rain (H.P. 263) (L.D. 317) which was Passed to be Enacted in the House on June 10, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-273) as amended by House Amendment "B" (H-350))

thereto.)

Came from the Senate, Passed to be Engrossed as Amended by Committee Amendment "A" (H-273) as amended by House Amendment "B" (H-350) and Senate Amendment "A" (S-331) thereto in non-concurrence.

The House voted to recede and concur.

By unanimous consent, all matters having been acted upon were ordered sent forthwith to Engrossing.

The following item appearing on Supplement No. 22 were taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter
Bill Recalled From Governor
(Pursuant to Joint Order — Senate Paper 410)**

An Act to Assess the Impact of Agricultural Chemicals and Practices on Ground Water (H.P. 294) (L.D. 383) which was Passed to be Enacted in the House on March 22, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-24).)

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (H-24) as amended by Senate Amendment "A" (S-346) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 24 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act to Increase the Number of Superior Court Justices and District Court Judges (S.P. 197) (L.D. 523) which was Passed to be Enacted in the House on May 23, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (S-81).)

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (S-81) as amended by Senate Amendment "A" (S-348) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 23 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act to Exempt Leased Farm Equipment from Use Tax (S.P. 190) (L.D. 508) which was Passed to be Enacted in the House on June 18, 1985. (Having been previously passed to be Engrossed as amended by Committee Amendment "A" (S-298).)

Came from the Senate, Passed to be Engrossed as Amended by Committee Amendment "A" (S-298) as amended by Senate Amendment "A" (S-347) thereto in non-concurrence.

The House voted to recede and concur.

By unanimous consent, all matters having been acted upon were ordered sent forthwith to Engrossing.

The following item appearing on Supplement No. 25 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act to Provide Supported Employment for Disabled Persons (S.P. 236) (L.D. 630) which was Passed to be Enacted in the House on June 5, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (S-197).)

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (S-197) as amended by Senate

Amendment "A" (S-349) thereto in non-concurrence.

The House voted to recede and concur.

(At Ease)

The following item appearing on Supplement No. 2 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act Appropriating Funds for Technical Assistance under the Community Development Block Grant Program (S.P. 363) (L.D. 1000) which was Passed to be Enacted in the House on May 29, 1985. (Having previously been passed to be Engrossed as amended by Senate Amendment "A" (S-100).)

Came from the Senate, Passed to be Engrossed as amended by Senate Amendment "B" (S-324) and Senate Amendment "A" (S-100) in non-concurrence.

The House voted to recede and concur.

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

**Paper from the Senate
Non-Concurrent Matter**

An Act to Improve the Administration of General Assistance (H.P. 916) (L.D. 1309) which was Passed to be Enacted in the House on June 13, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-384).)

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (H-384) as amended by Senate Amendment "A" (S-326) thereto in non-concurrence.

The House voted to recede and concur.

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

**Paper from the Senate
Non-Concurrent Matter**

An Act to Provide for State Research Grants (H.P. 707) (L.D. 1017) which was Passed to be Enacted in the House on June 13, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-297) as amended by Senate Amendment "A" (S-268) thereto.)

Came from the Senate, Passed to be Engrossed as Amended by Committee Amendment "A" (H-297) as amended by Senate Amendment "A" (S-268) and "B" (S-327) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 5 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act to Expand the Number of Elder Volunteers in the Retired Senior Volunteer Programs, Foster Grandparents Programs and the Senior Companion Program (S.P.387) (L.D. 1066) which was Passed to be Enacted in the House on May 29, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (S-97).)

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (S-97) as amended by Senate Amendment "A" (S-328) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 6 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act Concerning the Forest Resources of Maine (H.P. 1069) (L.D. 1550) which was Passed to be Enacted in the House on June 10, 1985.

(Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-318) as amended by Senate Amendment "A" (S-231) thereto and Senate Amendment "B" (S-240).)

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (H-318) as amended by Senate Amendments "A" (S-231) and "B" (S-329) thereto and Senate Amendment "B" (S-240) in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 7 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act to Establish the Costs of Forest Fire Protection (Emergency) (H.P. 750) (L.D. 1073) which was Passed to be Enacted in the House on June 19, 1985 (Having Previously been Passed to be Engrossed as amended by Committee Amendment "A" (H-460).)

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (H-460) as amended by Senate Amendment "A" (S-330) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 11 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

RESOLVE, to Authorize State Funding of the Penobscot Nation Museum (H.P. 911) (L.D. 1302) which was Finally Passed in the House on April 19, 1985.

Came from the Senate, Passed to be Engrossed as Amended by Senate Amendment "A" (S-334) in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 12 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act Concerning Education Programs for Gifted and Talented Children (H.P. 1092) (L.D. 1585) which was Passed to be Enacted in the House on May 30, 1985.

Came from the Senate, Passed to be Engrossed as amended by Senate Amendment "A" (S-335) in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 13 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act to Provide for a Crisis Intervention and Continued Treatment and Support in Cases of Child Abuse and Neglect (H.P. 968) (L.D. 1403) which was Passed to be Engrossed as Amended by Committee Amendment "A" (H-463)

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (H-463) as amended by Senate Amendment "A" (S-336) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 15 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act Relating to Medicaid Reimbursement Rates for Audiology and Speech Pathology (S.P. 351) (L.D. 999) which was Passed to be Enacted in the House on June 5, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A"

(S-196).)

Came from the Senate, Passed to be Engrossed as Amended by Committee Amendment "A" (S-196) as amended by Senate Amendment "A" (S-338) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 16 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act to Establish a Fire Fighter Training Facilities Grant Program (H.P. 152) (L.D. 186) which was Passed to be Enacted in the House on May 6, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-100).)

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (H-100) and Senate Amendment "A" (S-339) in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 17 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act to Establish a Spent Nuclear Fuel Disposal Trust Fund (S.P. 370) (L.D. 1004) which was Passed to be Enacted in the House on June 17, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (S-286).)

Came from the Senate, Passed to be Engrossed, as amended by Committee Amendment "A" (S-286) as amended by Senate amendment "A" (S-340) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 18 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act to Provide a 10% Contingency in the School Construction Debt Service Limit (H.P. 423) (L.D. 603) which was Passed to be Enacted in the House on April 11, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-63).)

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (H-63) and Senate Amendment "A" (S-342) in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 26 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act to Appropriate Funds for the State Library for Support of the Information Exchange (S.P. 269) (L.D. 727) which was Passed to be Enacted in the House on May 6, 1985.

Came from the Senate, Passed to be Engrossed as amended by Senate Amendment "A" (S-350) in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 28 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act to Protect Freshwater Wet Lands (H.P. 567) (L.D. 838) which was Passed to be Enacted in the House on June 3, 1985. (Having previously been passed to be Engrossed as Amended by Committee Amendment "A" (H-191).)

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment

"A" (H-191) as amended by Senate Amendment "A" (S-352) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 29 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act to Provide for Contingency Needs of Intermediate Care Facilities for the Mentally Retarded (S.P. 346) (L.D. 941) which was Passed to be Enacted in the House on June 5, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (S-204).)

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (S-204) as amended by Senate Amendment "A" (S-353) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 30 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act Making Appropriations to the State Planning Office to Conduct Inventories of Natural Areas Worthy of Preservation for the Planning for the Fiscal Year Ending June 30, 1987 and to Authorize the State Planning Office to Charge for Publication (H.P. 739) (L.D. 997) which was Passed to be Enacted in the House on March 26, 1985. (Having previously been passed to be Engrossed as amended by House Amendment "A" (H-27).)

Came from the Senate, Passed to be Engrossed as amended by House Amendment "A" (H-27) as amended by Senate Amendment "A" (S-354) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 31 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act to Fund Community Response to Reduce Spouse Abuse in Maine Communities (S.P. 487) (L.D. 1315) which was Passed to be Enacted in the House on June 19, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (S-306).)

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (S-306) as amended by Senate Amendment "A" (S-355) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 32 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act to Allow School Administrative Units to Provide Services to Preschool Handicapped Students (H.P. 944) (L.D. 1346) which was Passed to be Enacted in the House on April 24, 1985.

Came from the Senate, Passed to be Engrossed as amended by Senate Amendment "A" (S-356) in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 33 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act to Help Improve the Quality of Child Care in Maine (S.P. 516) (L.D. 1390) which was Passed to be Enacted in the House on June 4, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment

"A" (S-170).)

Came from the Senate, Passed to be Engrossed as Amended by Committee Amendment "A" (S-170) as amended by Senate Amendment "A" (S-357) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 34 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act to Encourage the Establishment of Statewide Standards for the Identification and Management of Child Abuse and Neglect (H.P. 985) (L.D. 1415) which was Passed to be Enacted in the House on June 14, 1985. (Having been previously passed to be Engrossed as amended by Committee Amendment "A" (H-390) as amended by House Amendment "A" (H-397) thereto.)

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (S-390) as amended by House Amendment "A" (H-397) and Senate Amendment "A" (S-358) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 35 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

RESOLVE, Concerning the Establishment of a Social Services Transportation Review Committee (Emergency) (H.P. 1053) (L.D. 1529) which was Finally Passed in the House on May 28, 1985. (Having previously been passed to be Engrossed as amended by House Amendment "A" (H-160).)

Came from the Senate, Passed to be Engrossed as amended by House Amendment "A" (H-160) as amended by Senate Amendment "A" (S-359) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 37 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act to Assure Appropriate Education and Treatment of People who are Deaf or Hearing Impaired (H.P. 1064) (L.D. 1543) which was Passed to be Enacted in the House on May 28, 1985.

Came from the Senate, Passed to be Engrossed as amended by Senate Amendment "A" (S-361) in non-concurrence.

The House voted to recede and concur.

The following items appearing on Supplement No. 38 were taken up out of order by unanimous consent.

**Papers from the Senate
Non-Concurrent Matter**

An Act to Appropriate Grant Funds to the Maine State Commission on the Arts and the Humanities to Support Current Established Programs (S.P. 142) (L.D. 409) which was Passed to be Enacted in the House on May 17, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (S-78).)

Came from the Senate, the Bill and accompanying papers Indefinitely postponed in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

An Act in Support of Increasing Per Capita Funds for Public Libraries (S.P. 270) (L.D. 728) which was Passed to be Enacted in the House on May 6, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (S-65).)

Came from the Senate, the Bill and accom-

panying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

An Act to Appropriate Funds for Emergency Medical Services in Maine (H.P. 692) (L.D. 987) which was Passed to be Enacted in the House on June 11, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-349).)

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

The following items appearing on Supplement No. 42 were taken up out of order by unanimous consent.

Papers from the Senate Non-Concurrent Matter

RESOLVE, Creating the Commission to Study Emergency Medical Services in Maine (H.P. 341) (L.D. 458) which was Finally Passed in the House on May 29, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-116) as amended by Senate Amendment "A" (S-112) thereto.)

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

An Act to Increase the Limit on New School Bus Purchases (H.P. 390) (L.D. 539) which was Passed to be Enacted in the House on April 12, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-62) and House Amendment "A" (H-66).)

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

An Act to Create the Commission on Farmland Loss (H.P. 434) (L.D. 635) which was Passed to be Enacted in the House on May 30, 1985.

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

The following items appearing on Supplement No. 44 were taken up out of order by unanimous consent.

Papers from the Senate Non-Concurrent Matter

RESOLVE, Authorizing and Directing the Maine State Housing Authority to Study and Report on Current Practices Relating to Enforcement of Safe and Habitable Conditions in Rental Housing (S.P. 313) (L.D. 802) which was Finally Passed in the House on June 10, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (S-186) as amended by House Amendment "A" (H-346) thereto.)

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

An Act to Amend the Municipal General Assistance Law (H.P. 576) (L.D. 847) which was Passed to be Enacted in the House on April 19, 1985. (Having previously been passed to be Engrossed as amended by House Amendment "A" (H-71).)

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

An Act to Establish Pilot Indigency Screening Unit for Court Appointed Counsel (S.P. 336) (L.D. 899) which was Passed to be Enacted in the House on May 30, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (S-91).)

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

The following items appearing on Supplement No. 45 were taken up out of order by unanimous consent.

Papers from the Senate Non-Concurrent Matter

An Act to Improve the State of Maine's Safety Program for Maine State Employees (S.P. 408) (L.D. 1137) which was Passed to be Enacted in the House on June 19, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (S-307).)

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

An Act Relating to Disposition of State-owned Real Estate (H.P. 884) (L.D. 1241) which was Passed to be Enacted in the House on June 6, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-243) as amended by House Amendment "A" (H-328) thereto.)

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed.

The House voted to recede and concur.

Non-Concurrent Matter

An Act to Ensure Reduced Telephone Rates for Volunteers and Nonprofit Organizations Serving the Deaf, Hearing Impaired and Speech Impaired (S.P. 468) (L.D. 1271) which was Passed to be Enacted in the House on June 3, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (S-141).)

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

The following items appearing on Supplement No. 46 were taken up out of order by unanimous consent.

Paper from the Senate Non-Concurrent Matter

An Act to Define Eligibility for School Purposes and to Determine Financial Responsibility for the Education, Care and Treatment of State Agency Clients (S.P. 477) (L.D. 1284) which was Passed to be Enacted in the House on June 3, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (S-139) and Senate Amendment "A" (S-154).)

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

An Act Requiring the Department of Human Services to Provide Medicaid Funded Consumer Directed Personal Care Assistance (S.P. 485) (L.D. 1313) which was Passed to be Enacted in the House on June 7, 1985. (Having previously been passed to be Engrossed as amended by House Amendment "A" (H-337).)

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

An Act Establishing a Pilot Project to Pro-

vide Liaison to Families of Children with Special Needs Within the Department of Educational and Cultural Services (S.P. 503) (L.D. 1363) which was Passed to be Enacted in the House on April 25, 1985.

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

The following items appearing on Supplement No. 47 were taken up out of order by unanimous consent.

Papers from the Senate Non-Concurrent Matter

An Act Relating to Increased Financial Support for the University of Maine (H.P. 1002) (L.D. 1444) which was Passed to be Enacted in the House on June 19, 1985 (Having previously been passed to be engrossed as amended by Committee Amendment "A" (H-466).)

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

An Act to Require Refuse Receptacles to Comply with Federal Safety Standards (H.P. 1014) (L.D. 1463) which was Passed to be Enacted in the House on May 30, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-199).)

Came from the Senate the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

The following items appearing on Supplement No. 48 were taken up out of order by unanimous consent.

Papers from the Senate Non-concurrent Matter

An Act to Ensure Adequate Services for Head Injured Persons in Maine (S.P. 572) (L.D. 1507) which was Passed to be Enacted in the House on June 11, 1985 (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (S-246) and Senate Amendment "A" (S-252).)

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

Non-concurrent Matter

An Act Concerning Annual Inspection Fees for Inclined Lifts and Vertical Lifts (H.P. 1044) (L.D. 1519) which was Passed to be Enacted in the House on May 23, 1985.

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

An Act to Prohibit Certain Practices Which Encourage Excessive Drinking (S.P. 615) (L.D. 1614) which was Passed to be Enacted in the House on June 3, 1985.

Came from the Senate, the Bill and accompanying Papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

An Act Relating to the Authority of Medical Service Organizations and Nonprofit Hospitals to make Incidental Indemnity Payments (H.P. 1129) (L.D. 1636) which was committed to the Committee on Taxation in the House on June 13, 1985.

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

The following items appearing on Supplement No. 56 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act to Fund Community Response Programs to Address Child Sexual Abuse in Maine Communities (H.P. 962) (L.D. 1383) which was Passed to be Enacted in the House on June 14, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-388))

Came from the Senate recommitted to the Committee on Human Resources in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 52 was taken up out of order by unanimous consent.

(Pursuant to Joint Order - House Paper 1160)
An Act to Create the Maine Rainy Day Fund (H.P. 521) (L.D. 741) (C. "A" H-301; H. "A" H-442)

— In House, Passed to be Enacted on June 18, 1985.

— In Senate, Passed to be Enacted on June 19, 1985.

On motion of Representative Carter of Winslow, under suspension of the rules, the House reconsidered its action whereby L.D. 741 was passed to be enacted.

On further motion of the same Representative, under suspension of the rules, the House reconsidered its action whereby L.D. 741 was passed to be engrossed.

On further motion of the same Representative, under suspension of the rules, the House reconsidered its action whereby House Amendment "A" (H-442) was adopted.

On motion of the same Representative, House Amendment "A" was indefinitely postponed. The same Representative offered House Amendment "B" (H-485) and moved its adoption.

House Amendment "B" (H-485) was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Carter.

Representative CARTER: Mr. Speaker, Ladies and Gentlemen of the House: The amendment that we are now putting on indicates that the estimates may be revised once in each session. It further revises half of the funds that will be put into the Rainy Day Fund, half of the funds above the estimate.

Thereupon, House Amendment "B" was adopted.

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

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

The following items appearing on Supplement No. 43 were taken up out of order by unanimous consent.

**Papers from the Senate
Non-Concurrent Matter**

An Act to Allow a Tax Credit Equal to 30% of the Net Cost of Operating a Child Care Facility to be Used Primarily by the Children of the Taxpayer's Employees (H.P. 464) (L.D. 665) which was Passed to be Enacted in the House on June 19, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-453).)

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

An Act Relating to the Taxation of Trade-in

Equipment (H.P. 498) (L.D. 701) which was Passed to be Enacted in the House on June 18, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-439).)

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

(Off Records Remarks)

The following item appearing on Supplement No. 57 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act Concerning Education Programs for Gifted and Talented Children (H.P. 1092) (L.D. 1585) which was Passed to be Enacted in the House on May 30, 1985.

Came from the Senate, Passed to be Engrossed as amended by Senate Amendment "A" (S-335) in non-concurrence.

The House voted to recede and concur.

The following items appearing on Supplement No. 63 were taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Provide Supported Employment for Disabled Persons (S.P. 236) (L.D. 630) (S. "A" S-349 to C. "A" S-197)

An Act to Assess the Impact of Agricultural Chemicals and Practices on Ground Water (H.P. 294) (L.D. 383) (S. "A" S-346 to C. "A" H-24)

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.

The following items appearing on Supplement No. 64 were taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Control Acid Rain (H.P. 263) (L.D. 317) (S. "A" S-331 and H. "B" H-350 to C. "A" H-273)

An Act to Exempt Leased Farm Equipment from Use Tax (S.P. 190) (L.D. 508) (S. "A" S-347 to C. "A" S-298)

An Act to Increase the Number of Superior Court Justices and District Court Judges (S.P. 197) (L.D. 523) (S. "A" S-348 to C. "A" S-81)

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.

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

The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Carter.

Representative CARTER: Mr. Speaker, Ladies and Gentlemen of the House: Is the House in possession of L.D. 603, An Act to Provide a 10% Contingency in the School Construction Debt Service Limit?

The SPEAKER: The Chair would answer in the affirmative.

On motion of Representative Carter of Winslow, the House voted to reconsider its action whereby it voted to recede and concur.

On motion of the same Representative, the House voted to recede.

Senate Amendment "A" (S-342) was read by the Clerk.

On motion of Representative Carter of Winslow, Senate Amendment "A" was indefinitely postponed.

On further motion of the same Representative, Committee Amendment "A" (H-63) was indefinitely postponed.

The Bill was passed to be engrossed in non-concurrence and sent up for concurrence.

On motion of Representative Carter of Winslow, the House reconsidered its action whereby the House voted to recede and concur on L.D. 1147 An Act to Authorize a General Fund Bond Issue in the amount of \$2,000,000 for the Restoration and Preservation of Historic Buildings (S.P. 417) (L.D. 1147) (C. "A" S-309) which was passed to be enacted in the House on June 19, 1985.

(Came from the Senate, failing of passage to be enacted in non-concurrence.)

On motion of the same Representative, the House voted to adhere.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Diamond.

Representative DIAMOND: Mr. Speaker: Is the House in possession of, An Act to Prohibit Certain Practices Which Encourage Excessive Drinking (S.P. 615) (L.D. 1614)?

The SPEAKER: The Chair would answer in the affirmative having been held at the request of the Representative.

On motion of Representative Diamond of Bangor, the House reconsidered its action whereby it voted to recede and concur.

Representative Diamond of Bangor moved the House adhere.

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

Representative HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: Could the gentleman from Bangor explain to the House what we are doing?

The SPEAKER: Representative Higgins of Scarborough has posed a question through the Chair to the Representative from Bangor, Representative Diamond, who may respond if he so desires.

The Chair recognizes that Representative.

Representative DIAMOND: Mr. Speaker, Men and Women of the House: This is the so-called happy hour bill that was put on the appropriations table in the other body. It proved out that there was no fiscal note necessary for that bill and for that reason, it was inadvertently killed off. For that reason, we want to resuscitate it.

Thereupon, the House voted to adhere.

The following item appearing on Supplement No. 54 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Provide a Sales Tax, Trade-in Credit for Chain Saws used to Harvest Lumber (H.P. 72) (L.D. 93) (S. "A" S-332 to C. "A" H-434)

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 following item appearing on Supplement No. 55 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Establish a Business Assistance Referral Program Within the State Development Office (H.P. 76) (L.D. 96) (S. "A" S-343 to C. "A" H-49)

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 following item appearing on Supplement No. 58 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Provide a Sales Tax Exemption on Railroad Track Equipment and to Include Long-Term Freight Car Leases in the Definition of Operating Investment for Railroad Excise Tax Purposes (H.P. 1137) (L.D. 1643) (H. "B" H-445)

and S. "A" S-360 to C. "A" H-432)

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 following item appearing on Supplement No. 60 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Provide Funding for Mapping of Streams in the Jurisdiction of the Maine Land Use Regulation Commission (H.P. 253) (L.D. 307) (S. "A" S-345 to C. "A" H-70)

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 following item appearing on Supplement No. 61 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act Concerning Minimum Ordinary Death Benefits (S.P. 94) (L.D. 292) (S. "A" S-344 to C. "A" S-184)

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 following item appearing on Supplement No. 62 was taken up out of order by unanimous consent.

Paper from the Senate Non-Concurrent Matter

An Act to Establish a State Policy Relating to the Disposal of Low-level Radioactive Waste (H.P. 1141) (L.D. 1649) which was Passed to be Enacted in the House on June 14, 1985.

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

Representative MICHAUD of Medway moved the House insist.

Representative Scarpino of St. George moved to recede and concur.

The SPEAKER: The Chair will order a vote. The pending question before the House is the motion of Representative Scarpino of St. George that the House recede and concur. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

22 having voted in the affirmative and 95 in the negative, the motion to recede and concur did not prevail.

The House voted to insist. Sent up for concurrence.

The following item appearing on Supplement No. 78 was taken up out of order by unanimous consent.

Papers from the Senate Non-Concurrent Matter

RESOLUTION, Proposing an Amendment to the Constitution of Maine to extend Tenure for Sheriffs from 2 Years to 4 Years (S.P. 348) (L.D. 943) which Failed of Final Passage in the House on May 13, 1985.

Came from the Senate, Finally Passed in non-concurrence.

Representative Brodeur of Auburn requested a roll call vote.

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 recede and concur. Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 225

YEAS:—Aliberti, Allen, Armstrong, Beaulieu, Begley, Bonney, Bost, Bott, Boutilier, Brannigan, Brown, D.N.; Carroll, Chonko, Clark, Coles, Connolly, Cooper, Cote, Crouse, Daggett, Davis, Descoteaux, Dexter, Diamond, Dillenback, Drinkwater, Duffy, Farnum, Foss, Foster, Handy, Harper, Hayden, Hepburn, Hichborn, Hickey, Higgins, H.C.; Hoglund, Ingraham, Jackson, Jacques, Jalbert, Kimball, Lacroix, Lander, Law, Lawrence, Lebowitz, Lisnik, Lord, MacBride, Manning, Martin, H.C.; Masterman, Mayo, McGowan, McPherson, McSweeney, Melendy, Michael, Michaud, Mills, Moholland, Murphy, E.M.; Murphy, T.W.; Nadeau, G.G.; Nickerson, O'Gara, Paradis, E.J.; Paul, Perry, Pines, Priest, Randall, Rice, Rioux, Roberts, Rotondi, Salisbury, Simpson, Small, Smith, C.B.; Soucy, Sproul, Stetson, Stevens, A.G.; Stevenson, Strout, Tammara, Taylor, Telow, Vose, Walker, Webster, Wentworth, Weymouth, Whitcomb, Zirkilton

NAYS:—Baker, A.L.; Bell, Bragg, Brodeur, Cahill, Callahan, Carter, Cashman, Crowley, Greenlaw, Gwadosky, Hale, Higgins, L.M.; Holloway, Joseph, Macomber, Matthews, McCollister, McHenry, Mitchell, Murray, Nadeau, G.R.; Paradis, P.E.; Parent, Pouliot, Racine, Reeves, Richard, Rydell, Scarpino, Sherburne, Smith, C.W.; Swazey, Tardy, Theriault, Willey, The Speaker

ABSENT:—Baker, H.R.; Brown, A.K.; Carrier, Connors, Dellert, Erwin, Hillock, Kane, Nelson, Nicholson, Ridley, Rolde, Ruhlin, Seavey, Stevens, P.; Warren

98 having voted in the affirmative and 37 in the negative with 16 being absent, the motion did prevail.

The following item appearing on Supplement No. 41 was taken up out of order by unanimous consent.

Paper from the Senate Non-Concurrent Matter

An Act Relating to Agricultural Training and Careers (S.P. 52) (L.D. 71) which was Passed to be Enacted in the House on April 3, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (S-19) as amended by House Amendment "A" (H-37) and Senate Amendment "A" (S-24) thereto.)

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

An Act to Measure Mileage Payments to Jurors (H.P. 63) (L.D. 81) which was Passed to be Enacted in the House on April 4, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-45).)

Came from the Senate, the Bill and accompanying papers Indefinitely Postponed in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 65 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Protect Freshwater Wet Lands (H.P. 567) (L.D. 838) (S. "A" S-352 to C. "A" H-191)

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 following item appearing on Supplement No. 66 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Provide for Contingency Needs of Intermediate Care Facilities for the Mentally Retarded (S.P. 346) (L.D. 941) (S. "A" S-353 to C. "A" S-204)

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

The following item appearing on Supplement No. 67 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act Relating to Medicaid Reimbursement Rates for Audiology and Speech Pathology (S.P. 351) (L.D. 999) (S. "A" S-338 to C. "A" S-196)

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 following item appearing on Supplement No. 68 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Establish a Fire Fighter Training Facilities Grant Program (H.P. 152) (L.D. 186) (C. "A" H-100 and S. "A" S-339)

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 following item appearing on Supplement No. 71 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Appropriate Funds to the State Library for Support of the Information Exchange (S.P. 269) (L.D. 727) (S. "A" S-350)

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 following item appearing on Supplement No. 73 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Authorize the State Planning Office to Charge for Publication (H.P. 739) (L.D. 997) (S. "A" S-354 to H. "A" H-27)

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

The following item appearing on Supplement No. 73 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act Appropriating Funds for Technical Assistance under the Community Development Block Grant Program (S.P. 363) (L.D. 1000) (S. "A" S-100 and S. "A" S-324)

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 following item appearing on Supplement No. 75 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Establish a Spent Nuclear Fuel Disposal Trust Fund (S.P. 370) (L.D. 1004) (S. "A" S-340 to C. "A" S-286)

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 following item appearing on Supplement No. 76 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Provide for State Research Grants (H.P. 707) (L.D. 1017) (S. "A" S-268 and S. "B" S-327 to C. "A" H-297)

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 Senate.

The following item appearing on Supplement No. 77 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Expand the Number of Elder Volunteers in the Retired Senior Volunteer Programs, Foster Grandparent Programs and the Senior Companion Program (S.P. 387) (L.D. 1066) (S. "A" S-328 to C. "A" S-97)

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 following item appearing on Supplement No. 82 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Improve the Administration of General Assistance (H.P. 916) (L.D. 1309) (S. "A" S-326 to C. "A" H-384)

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 following item appearing on Supplement No. 83 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Fund Community Response Program to Reduce Spouse Abuse in Maine Communities (S.P. 487) (L.D. 1315) (S. "A" S-355 to C. "A" S-306)

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 following item appearing on Supplement No. 84 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Allow School Administrative Units to Provide Services to Preschool Handicapped Students (H.P. 944) (L.D. 1346) (S. "A" S-356)

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 following item appearing on Supplement No. 85 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Help Improve the Quality of Child Care in Maine (S.P. 516) (L.D. 1390) (S. "A" S-357 to C. "A" S-170)

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 following item appearing on Supplement No. 86 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Provide for a Pilot Program for Treatment and Support of Incest Victims and Survivors (H.P. 968) (L.D. 1403) (S. "A" S-336 to C. "A" H-463)

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 following item appearing on Supplement No. 87 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Encourage the Establishment of Statewide Standards for the Identification and Management of Child Abuse and Neglect (H.P. 985) (L.D. 1415) (H. "A" H-397 and S. "A" S-358 to C. "A" H-390)

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 following item appearing on Supplement No. 89 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Assure Appropriate Education and Treatment of People who are Deaf or Hearing Impaired (H.P. 1064) (L.D. 1543) (S. "A" S-361)

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 following item appearing on Supplement No. 90 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act Concerning the Forest Resources of Maine (H.P. 1069) (L.D. 1550) (S. "A" S-231 and S. "B" S-329 to C. "A" H-318; S. "B" S-240)

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 following item appearing on Supplement No. 92 was taken up out of order by unanimous consent.

Passed to be Enacted

RESOLVE, to Authorize State Funding of the Penobscot Nation Museum (H.P. 911) (L.D. 1302) (S. "A" S-334)

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

The following item appearing on Supplement No. 93 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act Concerning Education Programs for Gifted and Talented Children (H.P. 1092) (L.D. 1585) (S. "A" S-335)

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 following item appearing on Supplement No. 81 was taken up out of order by unanimous consent.

**Passed to be Enacted
Emergency Measure**

An Act to Establish the Costs of Forest Fire Protection (H.P. 750) (L.D. 1073) (S. "A" S-330 to C. "A" H-460)

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. 103 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.

The following item appearing on Supplement No. 88 was taken up out of order by unanimous consent.

**Passed to be Enacted
Finally Passed**

RESOLVE, Concerning the Establishment of a Social Services Transportation Review Committee (H.P. 1053) (L.D. 1529) (S. "A" S-359 to H. "A" H-160)

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. 107 voted in favor of the same and 2 against and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The following item appearing on Supplement

No. 10 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

An Act Relating to Retirement Options for Legislators (H.P. 703) (L.D. 1013) which was Passed to be Enacted in the House on June 19, 1985 (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-154) as amended by House Amendment "A" (H-263) thereto and House Amendment "B" (H-450) and Senate Amendment "A" (S-317).)

Came from the Senate, Passed to be Engrossed as Amended by Committee Amendment "A" (H-154) as amended by Senate Amendment "A" (S-333) thereto and House Amendment "B" (H-450) and Senate Amendment "A" (S-317) in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 14 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-concurrent Matter**

An Act to Amend the School Volunteer Program (Emergency) (H.P. 454) (L.D. 655) which was Passed to be Enacted in the House on April 24, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-76) as amended by House Amendment "A" (H-80) thereto.)

Came from the Senate, passed to be engrossed as amended by Committee Amendment "A" (H-76) as amended by Senate Amendment "A" (S-337) and House Amendment "A" (H-80) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 27 was taken up out of order by unanimous consent.

**Papers from the Senate
Non-Concurrent Matter**

An Act to Clarify the General Assistance Law (S.P. 297) (L.D. 786) which was Passed to be Enacted in the House on June 14, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (S-272).)

Came from the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (S-272) as amended by Senate Amendment "C" (S-366) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 41 was taken up out of order by unanimous consent.

Non-Concurrent Matter

An Act to Expand the Veteran's Property Tax Exemption to Include Disabled Veterans Who did not Serve During a Federally-recognized War Period (H.P. 286) (L.D. 356) which was Passed to be Enacted in the House on June 20, 1985. (Having previously been passed to be Engrossed as amended by Committee Amendment "A" (H-455) as amended by House Amendment "A" (H-483) thereto.)

The House voted to recede and concur.

The following item appearing on Supplement No. 91 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-concurrent Matter**

An Act to Clarify and Improve the Laws on Education in the Unorganized Territory (S.P. 381) (L.D. 1048) which was Passed to be Enacted in the House on June 10, 1985. (Having previously been Passed to be Engrossed as amended by Committee Amendment "A" (S-182) as amended by Senate Amendment "A" (S-234) thereto.)

Came from the Senate Passed to be Engrossed as Amended by Committee Amend-

ment "A" (S-182) as amended by Senate Amendments "A" (S-234) and "C" (S-365) thereto in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 79 was taken up out of order by unanimous consent.

**Paper from the Senate
Non-Concurrent Matter**

Expression of Legislative Sentiment recognizing Christie's Restaurant (SLS 289) which was Indefinitely Postponed in the House on June 19, 1985.

Came from the Senate with that body having adhered to its former action whereby the Sentiment was read and passed in non-concurrence.

The House voted to recede and concur.

The following item appearing on Supplement No. 59 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Exempt Lobster Feed and Medication Necessary for the Lobster Pound Business from the State Sales Tax (H.P. 206) (L.D. 240) (S. "B" S-341 to C. "A" H-435)

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.

Representative Carter of Winslow moved the House reconsider its action whereby the House voted to adhere on L.D. 1182, Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$2,750,000 for Acquisition and Development of State Parks, Historic Sites and Protective Easements for Maine Rivers (S.P. 425) (L.D. 1182) (C. "A" S-312).

On motion of Representative Rolde of York, the House voted to reconsider its action whereby it failed to recede and concur.

The SPEAKER: The pending question now is to recede and concur.

The Chair recognizes the Representative from Paris, Representative Bell.

Representative BELL: Mr. Speaker, Men and Women of the House: I would hope you would vote against the recede and concur motion tonight. Earlier today this House chose not to enact the Parks Bond Issue. Just recalling some of the concerns, there were two areas of concern, one was the Laudholm Farm aspect of that bond issue and the other was the river access site. I can tell probably that my good friend from York, Representative Rolde, will probably speak on one aspect of that particular issue.

Some of the other concerns that we had was, number one, at the public hearing there was some confusion about how some of the aspects would be implemented. I mentioned the Least Tern Colony and the boardwalk across the saltmarsh. The other concern was the total amount of bonds that we are authorizing to go out to an election. I would hope you would vote against the recede and concur motion.

I request a roll call.

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

Representative ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: The gentleness is correct I am going to speak on this. I voted against this bond issue the other day and I did so because of my concern with the proposed boardwalk down at the Laudholm Farm property in Wells. Since then I have had a chance to confer with some of the environmental groups, particularly the Audubon Society, and they feel that perhaps that situation can be worked out, which I believe it can be. That is one of the reasons for my moving to reconsider our action.

I would also like to ask anyone who might be able to answer, as to what projects are in this bond issue and what areas of the state will

be affected, if we fail to pass it?

The SPEAKER: Representative Rolde of York has posed a question through the Chair to any member who may respond if they so desire.

The Chair recognizes the Representative from Portland, Representative Beaulieu.

Representative BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: As the cosponsor of this bill, if you look at the bill, the areas are the Colonial Pemaquid area, the Laudholm State Park, Casco Bay Island, Scarborough Beach, Three Brooks Cove, an area in the Belgrade Lakes area and Bangor Region and there are some other historic site improvements and river access sites. Those are what are listed in there.

I was very pleased to cosponsor this piece of legislation. I concur with what Representative Carter has said to you that these are areas that are important, not only to our state, but they have the potential of being an added feature in our state for the tourists. I believe that the money that is being asked for is not unreasonable. If you look at the amendment that was put in by the majority of the Committee on Appropriations, they are decreasing the term of the bond issue from 20 years to 5 years. I think that is a responsible approach to take. They have made it very clear that in the area that Representative Rolde is concerned about that the area is unique, ecological, scenic, cultural and recreational resources will be preserved, I think this has been given very serious, careful consideration by the proponents of this measure and by the committee who heard it.

I ask you to go along with the motion before you. I think it is a shame if we don't do constructive preservation work on our open park land areas and what not, we stand to simply self-defeat ourselves. In the past, many of these bond issues have been buried in what we call, the melting pot of bond issues and those tended to fail. This time I am convinced that if we put this measure out to the voters, it will be approved and I would like for them to deny passage, as opposed to us.

Representative Carter of Winslow, requested the Clerk read the Committee Report on the bill.

The Report was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Carter.

Representative CARTER: Mr. Speaker, Ladies and Gentlemen of the House: As you can see from the report, it is a majority eleven to two "Ought to Pass." Like most of the bills that came through the Appropriations Committee, we operated in some cases with standard hammers and some cases with ball peen hammers and some cases with sledge hammers. We tried to hammer out a bill. Some told that that meant that both sides tried to iron out their differences and compromise. That is how we managed to, in many cases, arrive at unanimous reports and, in some cases where total agreement is not possible, we ended up with a majority.

Now, let me point out to you some of the items that we, as Democrats, were asked to compromise with and we did. The items that Representative Beaulieu mentioned included a park known as Laudholm State Park. Representative Bell was concerned about the environmental impact that this may cause in the area. She offered an amendment, we couldn't accept all of it but we did accept portions of it and it is now included in Committee Amendment "A". It reads, "Laudholm State Park shall be developed only for low intensity recreational use and in a manner that will provide for the long term preservation of the areas unique, ecological, scenic, cultural and recreational resources."

Another area where we couldn't agree on was the amount of funds for river access sites. We cut that appropriation from \$500,000 down

to \$250,000. That is where we arrive at the total figure of \$2,750,000.

Now you heard me state earlier in debates on this issue that we feel—again I can't speak for the entire committee because it is a split report—but personally, I feel that this is a very valuable piece of legislation that merits enactment by this body. It should be sent out to the voters of this state. I stated before that this piece of legislation will help to shore up the second largest industry in the state which amounts to \$600 million a year, which we call the tourist industry. If we don't provide the facilities for the tourists that either come to the state or are from our own state that go from one area to another, I think we are being short sighted especially when we are asked to contribute from the general fund thousands and thousands of dollars for promotional purposes to tell people what we have in the State of Maine and try to lure them to come to the State of Maine.

The only way that you can lure people to come to the State of Maine or any state is to provide the facilities and that is what this bond issue is designed for.

Incidentally, one of the sponsors of the L.D. has chosen, and I don't know what his reasons are, but I guess they are his own, not to support this document and I presume that he alone will have to answer for it.

I would urge you to really take a good look at this L.D. and what it can mean for the State of Maine in its second largest industry and vote it out so we may send it out to the voters of this state.

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

Representative NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: I will be very brief. I am from Lewiston. The parks bond issue isn't going to derive a great deal of direct benefit to my community, but I think we have got to take a broader view here. As Mr. Carter pointed out very clearly, tourism is very important to this state's economy. To spend hundreds of thousands of dollars promoting tourism across the country, to place on our license plates the logo "Vacationland" and not provide the infrastructure for tourism that is necessary in this state to prosper, is foolish and inconsistent.

What this bond issue attempts to do, I think has been explained very clearly. I think our debt situation is very consistently strong. I think that the fact that we have the best bond rating of all the states in the New England region says something. I think for us not to pass this bond issue today is a mistake.

If we keep putting it off, it is only going to get worse and more expensive down the road. This bond issue is necessary. I think if we don't pass it, we are being short sighted. I would encourage you to vote to recede and concur.

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 Chair recognizes the Representative from Canaan, Representative McGowan.

Representative MCGOWAN: Mr. Speaker, Ladies and Gentlemen of the House: I know it is late. I won't prolong this any longer than I have to but I am a cosponsor of this measure and one of the reasons that I cosponsored this legislation was the item on Section 6 of the bill which is a state park for the Belgrade Lakes area. That is an area which is near my legislative district but it is not in real close proximity. I think about how we sit in this body

and we would probably all like to be on one of the Belgrade Lakes, like in the movie "On Golden Pond," and sitting there watching the loons. I think of how this bill might help some of my constituents, who have no access to the Belgrade Lakes Region, as many of your constituents have access to other areas of the state. I really think that our parks are part of the jewels that we have in living in the State of Maine. I would hope that you would do for the people in Central Maine which many of your own people have an opportunity to utilize a state park. I think that if we adopt this bond and send it out to your constituents to vote on, I think we will be doing the people a great service to the state. I will ask you to picture yourself on Golden Pond and, as you vote on this, I hope that you will give the constituents in Central Maine the opportunity to go out there in the future years and utilize some of our resources such as the Belgrade Lakes and other areas of the state.

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

Representative STETSON: Mr. Speaker, Ladies and Gentlemen of the House: I am not quite ready for Golden Pond but I have been up on Belgrade Lakes. I found plenty of access up there to the lake area. It is a very beautiful area and I think that we ought to take a look, not only at the report but take a look at the roll call. I ask you to stick with me on this one.

The SPEAKER: The pending question before the House is the motion of Representative Rolde of York that the House recede and concur. Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 226

YEAS:—Aliberti, Allen, Beaulieu, Begley, Bost, Boutillier, Brannigan, Brodeur, Carroll, Carter, Cashman, Chonko, Clark, Coles, Connolly, Cooper, Cote, Crouse, Crowley, Daggett, Descoteaux, Diamond, Duffy, Gwadosky, Hale, Handy, Hayden, Hickey, Higgins, H.C.; Higgins, L.M.; Hoglund, Ingraham, Jacques, Jalbert, Joseph, Kane, Lacroix, Lisnik, Macomber, Manning, Martin, H.C.; Matthews, Mayo, McCollister, McGowan, McHenry, McSweeney, Melendy, Michael, Michaud, Mills, Mitchell, Moholland, Murray, Nadeau, G.G.; Nadeau, G.R.; O'Gara, Paradis, P.E.; Paul, Perry, Priest, Reeves, Richard, Rioux, Roberts, Rolde, Rotondi, Rydell, Simpson, Smith, C.B.; Smith, C.W.; Tammaro, Tardy, Theriault, Vose, Walker, The Speaker.

NAYS:—Armstrong, Baker, A.L.; Bell, Bott, Bragg, Brown, D.N.; Cahill, Callahan, Davis, Dexter, Dillenback, Farnum, Foss, Foster, Greenlaw, Harper, Hepburn, Holloway, Jackson, Kimball, Law, Lawrence, Lebowitz, Lord, MacBride, Masterman, McPherson, Murphy, E.M.; Murphy, T.W.; Nicholson, Nickerson, Paradis, F.J.; Parent, Pines, Rice, Salsbury, Scarpino, Sherburne, Small, Sproul, Stetson, Stevens, A.G.; Stevenson, Taylor, Telow, Webster, Wentworth, Weymouth, Whitcomb, Willey, Zirkilton.

ABSENT:—Baker, H.R.; Bonney, Brown, A.K.; Carrier, Connors, Dellert, Drinkwater, Erwin, Hichborn, Hillock, Lander, Nelson, Pouliot, Racine, Randall, Ridley, Ruhlin, Seavey, Soucy, Stevens, P.; Strout, Swazey, Warren.

77 having voted in the affirmative and 51 in the negative with 23 being absent, the motion did not prevail.

Thereupon, the House voted to adhere.

The following item appearing on Supplement No. 69 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Provide a 10% Contingency in the School Construction Debt Service Limit (H.P. 423) (L.D. 603)

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 following item appearing on Supplement No. 99 was taken up out of order by unanimous consent.

Committee of Conference

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on: Resolution, Proposing an Amendment to the Constitution of Maine to Provide for Staggered 4-year Terms for Senators" (S.P. 394) (L.D. 1093) have had the same under consideration and ask leave to report:

That they are unable to agree.

(Signed) Senator VIOLETTE of Aroostook, Senator KANY of Kennebec, and Senator PERKINS of Hancock — of the Senate.

Representative GWADOSKY of Fairfield, Representative MARTIN of Eagle Lake, and Representative MURPHY of Kennebec — of the House.

Came from the Senate with the Committee of Conference Report read and accepted.

Committee of Conference Report read and accepted in concurrence.

The following item appearing on supplement No. 97 was taken up out of order by unanimous consent.

Orders

On motion of Representative DIAMOND of Bangor, the following Joint Order: (H.P. 1161)

ORDERED, the Senate concurring, that the departments and agencies of the State are directed to use any and all available means to avoid layoffs or breaks in service of present state employees or reductions in existing programs due solely to the 90-day waiting period for Supplemental Appropriation-Allocation Acts, to become effective.

Was read.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Diamond.

Representative DIAMOND: Mr. Speaker, Men and Women of the House: The purpose of this order, is as the Clerk read, fairly self-explanatory. It is to ensure and to make it clear that it is not the intent of the legislature for any person or program to suffer due to the fact that the Part II Budget will not go into effect until 90 days from today, that is the sole purpose of this. This is simply to clarify that.

Thereupon, the order was passed and sent up for concurrence.

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

The following item appearing on Supplement No. 94 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act Concerning Liability for Injuries Caused by Drunken Persons (S.P. 598) (L.D. 1568) (H. "A" H-395 and H. "C" H-484 to C. "A" S-263)

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 following item appearing on Supplement No. 96 was taken up out of order by unanimous consent.

Emergency Measure

An Act to Create the Maine Rainy Day Fund (H.P. 521) (L.D. 741) (C. "A" H-301 and H. "B" H-485)

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. 102 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.

(Off Record Remarks)

The following item appearing on Supplement No. 70 was taken up out of order by unanimous consent.

Passed to be Enacted Emergency Measure

An Act to Amend the School Volunteer Program (H.P. 454) (L.D. 655) (S. "A" S-337 and H. "A" H-80 to C. "A" H-76)

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. 105 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.

The following item appearing on Supplement No. 72 was taken up out of order by unanimous consent.

An Act to Clarify the General Assistance Law (S.P. 297) (L.D. 786) (S. "C" S-366 to C. "A" S-272)

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 following item appearing on Supplement No. 95 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Clarify and Improve the Laws on Education in the Unorganized Territory (S.P. 381) (L.D. 1048) (S. "A" S-234 and St. "C" S-365 to C. "A" S-182)

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 following item appearing on Supplement No. 98 was taken up out of order by unanimous consent.

Passed to be Enacted

An Act Relating to Retirement Options for Legislators (H.P. 703) (L.D. 1013) (S. "A" S-333 to C. "A" H-154; H. "B" H-450; S. "A" S-317)

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

Representative Clark of Millinocket requested a division on enactment.

Representative McCollister of Canton moved the Bill and all accompanying papers be indefinitely postponed.

The SPEAKER: The Chair recognizes the Representative from Madison, Representative Richard.

Representative RICHARD: Mr. Speaker, Ladies and Gentlemen of the House: I would encourage you not to indefinitely postpone this measure. There has been a great deal of work done, which began from the beginning of the session, and it means that there are roughly about 53 to 55 — there is a little bit of a question as to what the actual number is — of present legislators who are not able to participate in the retirement system. This is set up so that all of these people will have a chance to be treated equally. I would urge you definitely not at this point to indefinitely postpone this measure.

The SPEAKER: The Chair recognizes the Representative from Lisbon, Representative Jalbert.

Representative JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I know it is late and everybody is tired and want to go home. I don't know what precipitated the motion that was made but I would say that this bill came out of committee with a unanimous report. It was amended three times after much consideration by everyone to try to take care

of the questions in people's minds. I don't know why this is done at this last moment. I will probably go down in history as being the first freshman that gave the final speech in the House, but I would like to know what precipitated this? I question the sincerity of somebody's motion. I don't think it is right —

The SPEAKER: The Chair would suggest that the Representative please be careful about what he says in terms of the intent of other people.

Representative JALBERT: I apologize, Mr. Speaker.

I would like to say that there was plenty of time, we had hearings, workshops, there were times when they could have come and asked and given us their objections to it. This was not a partisan issue. We tried to remove all the objections but even today I heard someone say they don't want to go into this. I said it the other night and repeat that everyone that is in the House now that belongs to the system is grandfathered under this. This is to take care of a bad inequity which exists where fifty or so members, who because of the fact that they are under the state retirement system, cannot get benefits which every other member of the House, who is a member of the retirement system, can get. I don't think it is right.

I don't have anything to gain by this. We did remove one of the biggest objections, which was on the credit. The committee did a lot of work, we came up with a good compromise, I would ask you to not vote to indefinitely postpone.

The SPEAKER: The Chair recognizes the Representative from Cumberland, Representative Dillenback.

Representative DILLENBACK: Mr. Speaker, Ladies and Gentlemen of the House: I will be glad to stand here and talk about this bill for another hour if that is what you would like to have me do. However, inasmuch as I am on my feet, I would just like to say a few words.

I would like to thank the Aging & Retirement Committee for the excellent work they have done and the hard work they have done. They have had meeting after meeting on this bill. It is a difficult bill because many people didn't understand the bill. We have, I think, clarified it. Also, the Maine Retirement System did a lot of work on this bill. It is a good bill, it is non-partisan as has been mentioned. It will cost the new people less money than we now presently pay. It will cost them four percent while we are paying six and a half percent. The state will contribute something like 11.85 percent where they are now contributing 15 percent.

The disagreement that we had on this bill, we had a meeting with Representative Martin and the others and the committee and we came to a compromise on this bill. The original bill had a two for one unit in it, which apparently some people didn't like. They now have arranged the bill in effect that those who go into the new unit in 1986, will serve in the Legislature, have all the benefits that they now have, for less money. They will then, at that time, get any benefit that they so wish, the same thing that we are getting right now for less money. Then if they should go to work for the state, they will start in the state program, and whatever benefits they get from the state program, they also will get. So consequently, it is possible to have two checks. You would have one from the legislative system, you would have one from the state system.

A very important factor is, if you serve ten years in the House and 15 in the state, you could carry those years over to get your 25 years service, if you wanted to have early retirement or, if you served five years in the House and five years in the state program, you could then get ten years which you would need for the minimum. You get the same retirement options that you now have.

Another point to make on this thing is that it gives you an opportunity to have your own

program. The new people coming in, if they want to have a perk or a benefit and they want to vote it in, it wouldn't affect all the state workers that are now here. In other words, they could have some benefits which they do not now have.

I am not going to go into the other details of this unless there are questions but I would hope the bill would survive because I think it is a good one. Senator Clark is my cosponsor and it is certainly not partisan.

The SPEAKER: The Chair recognizes the Representative from Thomaston, Representative Mayo.

Representative MAYO: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question through the Chair to the sponsor.

Did I understand him to say that with this separate special plan we could increase benefits without increasing the benefits that everybody else, the other state workers receive in the system? We could increase the benefits for legislators and not for other state employees?

The SPEAKER: Representative Mayo of Thomaston has posed a question through the Chair to the sponsor who may respond if he so desires.

The Chair recognizes the Representative from Cumberland, Representative Dillenback.

Representative DILLENBACK: Mr. Speaker, Ladies and Gentlemen of the House: Yes, I said that. What you have is your own program. Under that program, if you wanted to get more insurance, if you wanted to give up a different benefit, some perk that you might want to put in, it would not affect the people who are under the state retirement program because you have the legislative program, which would be a separate program.

The SPEAKER: The Chair recognizes the Representative from Thomaston, Representative Mayo.

Representative MAYO: Mr. Speaker, Ladies and Gentlemen of the House: As someone who has stood on this floor many hours debating the issue of retirement, we have taken away from groups in this state to special retirement provisions which allowed them to retire early, game wardens, prison guards, state police and other such categories where they are a high risk. I think it is odd, that we would even think of setting up a system whereby we could provide ourselves with our own special perks, our own special plans, raising benefits, providing special benefits, and at the same time ignoring those men and women who are out there in the field working as state police, working as prison guards and not providing similar benefits to them. I urge this body to go along with the pending motion.

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

Representative HICKEY: Mr. Speaker, Ladies and Gentlemen of the House: legislative retirement program was initiated in 1952 and it has prevailed all through these years. One of the most glaring misconceptions about it is, everybody benefits. We have a number of teachers in the system, none of them are eligible to receive the benefits that most of us do as legislators. They have got to belong to the retirement system to get the benefits of the health program. Unfortunately, they can't join the retirement system because they receive retirement checks from the teachers program.

We had an excellent hearing on this bill. Five people spoke in favor of it, not one person opposed it. Following that, we probably had four or five workshops with the Maine Teachers' Association, the Maine State Employees Association and finally we were asked to submit our program to the compensation commission. We had a meeting with the compensation commission, they made several recommendations toward improving the program. We

amended it and tried to make it coincide with everything that they had asked us. I feel it is a very good program and I hope you will support it.

Representative Telow of Lewiston requested a roll call vote.

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

Representative MCCOLLISTER: Mr. Speaker, Ladies and Gentlemen of the House: A few minutes ago, we heard a member of this body say that this wasn't a partisan issue. I have discussed it with the sponsors, the committee, and I disagree. I believe this bill comes out of a very partisan issue of members of this legislature who entered state government. I believe this is the foundation of this bill and the only foundation of this bill. I believe this is truly a partisan issue.

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

Representative GWADOSKY: Mr. Speaker, Ladies and Gentlemen of the House: Would it be possible for the Clerk to read the Committee Report on this bill?

The SPEAKER: It is unanimous.

The Chair recognizes the Representative from Augusta, Representative Sproul.

Representative SPROUL: Mr. Speaker, Ladies and Gentlemen of the House: I would like to point out a few things along the line of concerns which Representative Mayo mentioned. He mentions about the concern he has for the state employee. The intention behind it is because there is a liability which, in fact, those state employees are responsible for paying, that there are individuals out there who are receiving benefits when they have not put in quite as much as what other people have put in to receive those same benefits. I believe that by setting up a separate system, you are helping to preserve the money, which those every day working state employees have put into the system, you are preserving their interest in that system and their benefits.

I would hope you would oppose the pending motion.

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 Representative McCollister of Canton that this bill and all accompanying papers be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 227

YEAS:—Allen, Brodeur, Clark, Connolly, Higgins, H.C.; Hoglund, Mayo, McCollister, Melendy, Mills, Priest, Rotondi, Rydell.

NAYS:—Aliberti, Armstrong, Baker, A.L.; Beaulieu, Begley, Bell, Bost, Boutillier, Bragg, Brannigan, Cahill, Carroll, Carter, Coles, Cooper, Cote, Crouse, Crowley, Daggett, Davis, Diamond, Dillenback, Duffy, Farnum, Foss, Foster, Greenlaw, Gwadosky, Hale, Handy, Harper, Hayden, Hepburn, Hickey, Higgins, L.M.; Holloway, Ingraham, Jackson, Jacques, Jalbert, Joseph, Kane, Lacroix, Law, Lebowitz, MacBride, Macomber, Manning, Martin, H.C.; Matthews, McGowan, Michael, Michaud, Moholland, Murphy, E.M.; Murphy, T.W.; Murray, Nadeau, G.G.; Nicholson, Nickerson, O'Gara, Paradis, F.J.; Pines, Richard, Rolde, Sherburne, Simpson, Smith, C.B.; Smith, C.W.; Sproul, Stetson, Stevens, A.G.; Stevenson, Tamaro, Tardy, Taylor, Telow, Vose, Walker, Webster, Wentworth, Whitcomb.

ABSENT:—Baker, H.R.; Bonney, Bott,

Brown, A.K.; Brown, D.N.; Callahan, Carrier, Cashman, Chonko, Connors, Dellert, Descoteaux, Dexter, Drinkwater, Erwin, Hichborn, Hillock, Kimball, Lander, Lawrence, Lisnik, Lord, Masterman, McHenry, McPherson, McSweeney, Mitchell, Nadeau, G.R.; Nelson, Paradis, P.E.; Parent, Paul, Perry, Pouliot, Racine, Randall, Reeves, Rice, Ridley, Rioux, Roberts, Ruhlin, Salisbury, Scarpino, Seavey, Small, Soucy, Stevens, P.; Strout, Swazey, Theriault, Warren, Weymouth, Willey, Zirkilton, The Speaker.

13 having voted in the affirmative and 82 in the negative with 56 being absent, the motion did not prevail.

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

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

The following item appearing on Supplement No. 100 was taken up out of order by unanimous consent.

Orders

On motion of Representative DIAMOND of Bangor, the following Joint Order: (H.P. 1162)

ORDERED, the Senate concurring, that the following specified matters be held over to the next special or regular session of the 112th Legislature:

Appropriations and Financial Affairs (S.P. 477, (L.D. 1284) — AN ACT to Define Eligibility for School Purposes and to Determine Financial Responsibility for the Education, Care and Treatment of State Agency Clients.

Judiciary (S.P. 265, (L.D. 708) — AN ACT Relating to Structures Located in Proposed Ways.

Was read and passed and sent up for concurrence. By unanimous consent, ordered sent forthwith to the Senate.

The Speaker appointed Representative Diamond of Bangor on the part of the House to inform the Senate that the House had transacted all business before it and is ready to adjourn without day.

The Chair appointed the following members on the part of the House to wait upon His Excellency, Governor Joseph E. Brennan, and inform him that the House has transacted all business before it and is ready to adjourn without day.

Representatives:

CARTER of Winslow
CHONKO of Topsham
CONNOLLY of Portland
LISNIK of Presque Isle
NADEAU of Lewiston
MCGOWAN of Canaan
SMITH of Mars Hill
BELL of Paris
HIGGINS of Scarborough
FOSTER of Ellsworth

Subsequently, the committee reported that they had delivered the message with which they were charged and the Governor would attend forthwith.

(Off Record Remarks)

At this point, His Excellency, Governor Joseph E. Brennan, entered the hall of the House amid applause, the members rising.

GOVERNOR BRENNAN: Mr. Speaker, Ladies and Gentlemen of the House: I was downstairs earlier in the office and it seemed like you were having a lot of fun here. I had a chance to listen to some of the repartee between Representative Dillenback and Representative Connolly and it was the first time I ever heard Representative Connolly give anything to anybody that wasn't out of the state treasury.

I also heard some talk about whether or not there was sufficient money to cover those checks you are going to get in the next few minutes and I spoke to Rod Scribner and he assured me there was enough — barely.

I do want to thank all of you for the support that you have given to our efforts to strengthen Maine's economy. Four months ago, I challenged you to meet the problems of Workers' Compensation head-on. You accepted my challenge and produced legislation that meets every test of that reform. The Workers' Compensation Bill I signed Tuesday will reduce costs, eliminate unnecessary costly litigations, provide for rehabilitation, improve worker safety and retain a benefit level for injured workers that still ranks among the very best in this nation. Most important of all, it will ensure that there will be more and better paying jobs for Maine workers in the future. In my judgment, it is probably the most significant, economic development bill passed by this legislature in recent years.

You also took important steps to improve the Maine economy. You approved the transportation bond issue that will generate \$230 million in road, bridge and airport improvements. You created a housing fund that will generate \$200 million in private investment in housing and make it possible for about 5,000 Maine families to experience that special feeling of buying their first home.

You approved bond issues for a high tech center and for the Vocational-Technical Institute.

This session, you continued the momentum that was begun last September to improve the quality of education for Maine children by solving the problem of how to raise teacher salaries without breaking the bank or violating local control.

You offered hope this year to those children who must live under the shadow of fear of violence by providing money for treatment and counseling for families trapped by the vicious cycle of abuse and neglect.

You addressed the problems of alcohol and drug abuse by stiffening the penalties for drunk driving, by raising the drinking age to 21 and by beefing up our state police drug enforcement effort.

You acted to enhance our environment by approving funds for sewage treatment and by addressing critical ground water issues. You did many, many other things too numerous to mention and you have done all of this without increasing a broadbase tax. In fact, in the process, you found the room to create a fiscal cushion, a rainy day fund, which will be helpful insurance in the years ahead.

But, in this effort of great accomplishment, there are also a few disappointments. I was disappointed today to see an extremely important bond proposal for new state parks and energy improvements were defeated. I do not think that votes against these bond issues were in the best interest of Maine citizens but the biggest disappointment of this session was the failure to enact seatbelt and helmet laws, which very persuasive evidence indicated would have saved hundreds of Maine lives, prevented thousands of unnecessary injuries and saved tens of millions of dollars in the next few years. I can assure you though that this is an issue that will not go away. Tonight I pledge to the people of Maine that I will offer this bill again to the 112th Legislature and that I will do all that I can to secure its passage.

To Speaker John Martin, to Representatives' John Diamond, Chip Hayden, Tom Murphy, Leland Davis, to the committee chairs, indeed, to every members of this House, you have earned the sincere thanks of the people of Maine for the conscientious way in which you have met your responsibilities and you have my personal congratulations.

I would like to particularly thank Representative Pat McGowan, Representative Ruth

Joseph and Representative Joe Brannigan for the courage that they showed and for the work that they did in sponsoring the Workers' Compensation Reform. I know that this has not been an easy session in many respects, the issues that you have had to deal with have not been very glamorous or popular — Workers' Compensation, underground oil storage tanks, Keyes Fibre, child abuse, state facilities repair and the like — these are not the kind of issues that will get you into the newspapers, cutting ribbons or making grants but they are critically important issues in this session and I believe you dealt with them with courage and with principles. I want to say that I have been extremely pleased to work with you during this legislative session.

I would also like to take a second to thank three people from my office, whom I think did an outstanding job — Dick Davies, Andy Janelle and Nancy Brenerman, they did all the important work that was done. They did so much of the very, very important work, that when it goes right, as you know, we take credit for it; when it fails, we sort of blame them, but I am very, very pleased and probably as fortunate as any Governor in this nation to have people like that to be able to work with the legislature. So, to all of you from every corner of Maine, you can now return home knowing that the quality of life for the people of Maine, the people that you and I represent, will be appreciatively better in the years ahead because of what you did here in the last six months, so have a nice summer and thank you very, very much.

Subsequently, the Governor withdrew from the House Chamber amid applause, the members rising.

Subsequently, Representative DIAMOND reported that he had delivered the message with which he was charged.

At this point, a message came from the Senate borne by Senator Clark informing the House that the Senate had transacted all business before it and was ready to adjourn without day.

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

Representative WENTWORTH: Mr. Speaker, Members of the House: I would like to wish you all a very happy summer.

I move that the House stand adjourned sine die.

The SPEAKER: The Representative from Wells, Representative Wentworth, moves that the House adjourn sine die. Is this the pleasure of the House?

The motion prevailed and at 9:08 p.m., Eastern Daylight Saving Time, Thursday, June 20, 1985, the Speaker declared the House adjourned without day.