

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred and Twelfth
Legislature
OF THE
STATE OF MAINE

VOLUME I
SECOND REGULAR SESSION
January 8 - April 2, 1986

The House was called to order by the Speaker.
Prayer by Reverend Christian Roy, Holy Family
Catholic Church, Lewiston.
National Anthem by the Mt. Blue Concert Band, Mt.
Blue High School, Farmington.
The Journal of Wednesday, January 22, 1986, was
read and approved.
Quorum call was held.

PAPERS FROM THE SENATE

The following Communication:

The Senate of Maine
Augusta

January 22, 1986

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
Energy and Natural Resources, the Governor's
nomination of Howard E. Spencer, Jr. of Ellsworth for
appointment to the Citizens' Forestry Advisory
Council.

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file.

Bill "An Act to Allow Local School Authorities to
Establish a Date Certain for High School Graduation
up to 7 Academic Days Prior to the Conclusion of the
School Year" (S.P. 764) (L.D. 1936)

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

Was referred to the Committee on Education in
concurrence.

LATER TODAY ASSIGNED

Bill "An Act Relating to Staff Retention in
Community-based Residential Facilities for Persons
with Mental Retardation" (S.P. 757) (L.D. 1921)

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

Representative Carter of Winslow moved that L.D.
1921 be referred to the Committee on Appropriations
and Financial Affairs in non-concurrence.

On further motion of the same Representative,
tabled pending his motion that L.D. 1921 be referred
to the Committee on Appropriations and Financial
Affairs and later today assigned.

PETITIONS, BILLS AND RESOLVES
REQUIRING REFERENCE

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

Education

Bill "An Act to Authorize the Use of Energy
Service Companies and 3rd-party Financing for
Conservation Improvements at School Administrative
Units" (H.P. 1375) (L.D. 1938) (Presented by
Representative BOST of Orono) (Cosponsors: Senator
BROWN of Washington, Representatives HANDY of
Lewiston, and ROBERTS of Farmington) (Submitted by
the Office of Energy Resources pursuant to Joint Rule
24)

(Ordered Printed)
Sent up for concurrence.

Labor

Bill "An Act to Equalize the State Tipping
Minimum Wage and the Federal Tipping Minimum Wage"
(H.P. 1376) (L.D. 1939) (Presented by Representative
MICHAEL of Auburn) (Cosponsors: Representatives
RYDELL of Brunswick, HOGLUND of Portland, and Senator
BUSTIN of Kennebec) (Approved for introduction by a
majority of the Legislative Council pursuant to Joint
Rule 26)

(Ordered Printed)
Sent up for concurrence.

Legal Affairs

RESOLVE, to Permit Edgar Warren to Sue the State
for Compensation for Injuries Incurred While He was a
Ward of the State (H.P. 1377) (L.D. 1940) (Presented
by Representative BAKER of Portland) (Approved for
introduction by a majority of the Legislative Council
pursuant to Joint Rule 26)

(Ordered Printed)
Sent up for concurrence.

Utilities

Bill "An Act to Improve the Effectiveness of the
Consumer Assistance Division of the Public Utilities

Commission and to make Other Changes in the Statutes" (H.P. 1378) (L.D. 1941) (Presented by Representative VOSE of Eastport) (Cosponsors: Senator BALDACCI of Penobscot, Representatives McHENRY of Madawaska, and WEYMOUTH of West Gardiner) (Submitted by the Public Utilities Commission pursuant to Joint Rule 24)

(Ordered Printed)
Sent up for concurrence.

REPORTS OF COMMITTEES
Refer to the Committee on Judiciary

Representative THERIAULT from the Committee on Transportation on Bill "An Act Regarding Certification Records of Minority Business Enterprises, Women's Business Enterprises and Disadvantaged Business Enterprises to be Confidential" (H.P. 1260) (L.D. 1770) reporting that it be referred to the Committee on Judiciary.

Report was read and accepted and the bill referred to the Committee on Judiciary and sent up for concurrence.

CONSENT CALENDAR
FIRST DAY

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

(H.P. 1225) (L.D. 1732) Bill "An Act to Authorize the Superintendent of Insurance to Promulgate Rules Relating to Coordination of Group Health Insurance Benefits" Committee on Business and Commerce reporting "Ought to Pass"

There being no objections, the above item was ordered to appear on the Consent Calendar of Thursday, January 30, 1986 under the listing of Second Day.

CONSENT CALENDAR
SECOND DAY

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

(S.P. 665) (L.D. 1707) Bill "An Act to Bring Title 29 into Agreement with the Regional Fuel Tax Agreement Laws" (Emergency)

No objections having been noted at the end of the Second Legislative Day, the Senate Paper was Passed to be Engrossed in 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. 1 were taken up out of order by unanimous consent:

PETITIONS, BILLS AND RESOLVES
REQUIRING REFERENCE

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

Utilities

Bill "An Act to Create the Lincolnville, Camden, Hope, Seasmont and Belmont Water District" (H.P. 1379) (L.D. 1942) (Presented by Representative WHITCOMB of Waldo) (Cosponsors: Representatives ALLEN of Washington, TAYLOR of Camden, and Senator CHALMERS of Knox) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

(Ordered Printed)
Sent up for concurrence.

ORDERS

On motion of Representative McSWEENEY of Old Orchard Beach, the following Order:

ORDERED, that Representative Leland C. Davis, Jr., of Monmouth be excused January 27 for personal reasons.

Was read and passed.

CONSENT CALENDAR
FIRST DAY

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

(H.P. 1234) (L.D. 1743) Bill "An Act to Amend the Maine Community Services Act" Committee on State Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-491)

On motion of Representative Gwadosky of Fairfield, was removed from Consent Calendar, First Day.

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

Committee Amendment "A" (H-491) was read and adopted and the Bill assigned for Second Reading, Thursday, January 30, 1986.

PASSED TO BE ENACTED
Emergency Measure

An Act Relating to the Enforcement of the United States Heavy Vehicle Use Tax (H.P. 1200) (L.D. 1705)

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. 130 voted in favor of the same and 1 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Increase the Resources of the Advisory Commission on Radioactive Waste and Allocate Funds from the Radioactive Waste Fund (S.P. 684) (L.D. 1772) (C. "A" S-370)

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

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

Representative LAW: Mr. Speaker, Ladies and Gentlemen of the House: I would like to speak to this bill before we pass it. I do not oppose this bill because I want a waste disposal site in Piscataquis County; I do not oppose this bill because I am against the peoples 'right to know' but I do oppose it because I think there is a better way. I believe that we should separate the powers of the Executive Branch and the Legislative Branch.

I realize that the law sets up the Advisory Commission to do some dissemination of literature. I do think what we are proposing exceeds everything that I conceived when the bill was passed last year.

If you ever stop into the Advisory Commission's headquarters downstairs, it looks to me like a campaign headquarters for World War II on the day of the Normandy invasion. There has been little new added to the nuclear waste disposal problem in the last three months. The only thing that I can think of that has happened in the last three months is the fact that they have narrowed the sites in Maine down to two but that was well covered in the newspapers.

What I am objecting to is setting up another whole department to handle such a small amount of news dissemination. There will be very little happening in the waste disposal area in the next few years until the drilling has been accomplished at these sites so very little would happen.

I know that the workload is heavy down there but according to (I think it is) Peterson's Law, the workload of any agency will expand to meet the available work force. Depending on the motivation of the people doing the work, it will exceed the ability of the work force to handle the work. I think that is what has happened down on the first floor of the State Office Building.

I think that we are operating that waste disposal commission and the information that they are disseminating -- I believe we are handling it on an emotional basis. There has been a lot said at the various meetings held throughout the state but if you will look carefully at who is saying it, the same people are saying the same thing over and over at every meeting. I attended the meeting up at Greenville a month to six weeks ago -- a couple of weeks ago, I attended a meeting of Senator Mitchell's in Dover-Foxcroft, 90 percent of the information that

we had at Senator Mitchell's hearing was by the same people saying the same thing up in Greenville. Now there are a lot of technical and logical reasons to keep a waste site out of Maine. I agree with that but our Congressional Delegation in Washington -- our Governor with Walter Anderson and now, as of this weekend, Commissioner Warren, assigned especially to this, I believe that they will well handle the problem.

I hope that we will let the people who are supposed to do this get on with the job and not set up another government bureaucracy to do the same thing.

So, I am urging you to vote against this legislation and, Mr. Speaker, I would ask for a roll call.

The SPEAKER: A roll call has been requested.

The Chair recognizes the Representative from Shapleigh, Representative Ridley.

Representative RIDLEY: Mr. Speaker, Ladies and Gentlemen of the House: I have had several people approach me and ask me why I signed the "Ought Not to Pass" Report on that and I feel that I should get up and give an explanation and it will be a brief one.

I certainly am not opposed to what these people are trying to do as far as having the nuclear waste dump in the State of Maine, I oppose it as violently as anybody does, but I don't think that this is the way to go about it. I think what we have to do is get some good, solid, concrete facts. Everybody knows that 99.9 percent of the people in the State of Maine don't want a dump site in Maine. That is a foregone conclusion. I am sure they were aware of it down in Washington even before they chose Maine so what we have got to concentrate on is some good, concrete hard facts and figures as to why we shouldn't have a dump site in the State of Maine. I think that this should be left up to the knowledgeable people in this area and we do have some very knowledgeable people, our state geologist, Walter Anderson, is right on top of this thing and we should concentrate, if there are any funds given, is to give it to a department we already have and let them expound on it and carry the ball. Also in view of the information that we received today where the Commissioner of DEP is going on that task force with the Governor, I think we would be spending our money much more wisely and getting more results out of it if it was directed and funneled through that agency. That was why I opposed this bill and I would hope that you would go along with me.

The SPEAKER: The Chair recognizes the Representative from Edgecomb, Representative Holloway.

Representative HOLLOWAY: Mr. Speaker, Men and Women of the House: I think you are all aware of the fact that they said we have only 90 days to work on this particular nuclear waste issue, and already seven days have gone by, and the clock is still running. Basically, this bill only goes until June, 1986 and is paid for by Maine Yankee, who generates this waste. We are charging them an additional price per cubic foot for what they generate. It seems only sensible to us with only 80 days left that we've got to get on the ball, we do need representation from the commission, and all we're asking for is \$135,000. \$35,000 of that we turned back in to Maine Yankee last year when we did not use all the amounts that they gave us to work with. So, basically it's the \$100,000 that will last until June. It will give us an environmental technician and it will give us a

clerk downstairs to answer the telephone and pass out all this good information that we've been giving you on your desk and giving out to all your constituents. For the many of you that have been coming down to the office, and gathered cartons and cartons of information to take with you out into the classrooms, and out into the town halls, it does take effort, it does take money, and we do need help.

I hope that you will consider voting "Ought to Pass". Thank you.

The SPEAKER: The Chair recognizes the Representative from the Penobscot Nation, Representative ATTEAN.

Representative ATTEAN: Mr. Speaker, Men and Women of the House: I rise today in support of L.D. 1772.

As you know, the Penobscot Nation has a very deep interest in this whole nuclear waste site repository process. The amount requested through this bill is small indeed compared to the safety of all the future unborn generations in Maine. I think that we are overlooking one part, the most important part -- if in the review of the ARR report by the DOE, we can possibly disqualify any of the Maine sites, then we should do so. The Penobscot Nation recently acquired a \$30,000 grant from the Department of Energy in order for us to study our own ARR report on our trust lands.

I would like to urge passage of this bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Livermore Falls, Representative Brown.

Representative BROWN: Mr. Speaker, Men and Women of the House: I think that I would like to start my brief discussion with a couple of points. One is that the January 16th announcement that Maine was one of the several states being considered as -- if we want to consider ourselves finalists -- that was not a surprise to any of us. The second point is that I don't think there is a single person in this room that wants to see Maine finally chosen as a site for the second repository. I would certainly agree with Representative Attean that we should be doing everything in our power to see that it doesn't happen.

My problem with this legislation is that, first of all, it certainly is a duplication of work that is already underway, work that is already being planned and proposed by the Executive Branch. When I served on the Low Level Waste Siting Commission, it became very obvious to me that the Governor's Office, through his Departments of Environmental Protection, Bureau of Geology, and State Planning Office were in already pretty good command of the problem at hand. They had been dealing with the issue since being notified that Maine was even being considered. So here we have the Executive Branch with three agencies working with that branch already dealing with the problem. Through today's announcement, we see that the Executive Branch is going a step further and creating a special task force.

You may recall the recent session of the legislature last year, the Low Level Waste Siting Commission was renamed and given additional responsibilities, and it was renamed as you know to be the Advisory Commission on Radioactive Waste. If you think back on some of the arguments that were made for creating that new commission with its additional responsibilities, you may recall those folks that were advocating the formation of that

commission, were telling us that it would be nothing more than an opportunity for the legislative branch to become involved in a commission to deal with this issue and become better aware and have a better knowledge of low level and high level disposal. You may also recall that some of us expressed a fear at that time that this would become then a larger organization that would continue to grow, and that it would continue to require additional office space and additional staffing. Well, all of that has come to pass, through this legislation before us.

Again, if I thought that passage of this legislation would in any way, shape or form keep a high level waste site out of Maine, I would be the first one voting for it, I would be the first one to push my green light. But you have to accept the facts as they are. There have been activities already conducted on the part of the Executive Branch and with the various agencies that have been involved that I've already spoken to. And again with the Governor's creation of a special task force, this activity is going to continue. I'm really concerned about establishing two offices that are basically going to be doing the same thing. It's a duplication of effort, waste of talent, waste of time and quite frankly, it has the possibility of having two offices in this state that can in some way or other become in conflict with each other, because they are dealing with the same issue. We have seen that happen many, many times. I think that is one point that need not be taken too lightly.

A comment was made earlier about this only being asked for for 90 days. Apparently, there is some kind of sunset provision in there. For those of you that have been around here as long as I have, which is approaching eight years, which sometimes I think is far too long and I know many of you would agree with that, you know that the sun never sets in Augusta. In terms of the cost being borne by Maine Yankee, I would simply ask for those of you who pay your light bills monthly, where do you think that money comes from? It's not manna from heaven. Comment was made that \$39,000 was passed back to Maine Yankee because that amount of money wasn't spent last year. We seem to have a problem that we hate to give money back that hasn't been spent. So not only do we want that money back in our coffers but we want to extend that limit to \$100,000 to \$150,000, knowing full well who is going to end up paying the tab. In closing, I would simply reiterate that if I thought this legislation would keep the site out of Maine or help to keep the site out of Maine, I would be voting for it. But for the reasons that I have outlined to you, I'm not going to vote for it and I hope that many of you do the same. Thank you.

The SPEAKER: The Chair recognizes the Representative from Freeport, Representative Mitchell.

Representative MITCHELL: Mr. Speaker, Men and Women of the House: The bill before you would enact a one-time assessment of \$36,000 to the generators of radioactive waste in the State of Maine for the purpose of hiring two people who would be public information people to work for the Radioactive Waste Commission for the rest of this fiscal year. A week ago Thursday, the Department of Energy announced that they were considering two sites in Maine. I think the people of Maine will demand, and we must demand, that state government do an outstanding job in presenting the facts, the facts that will show that

Maine is not an appropriate place for this type of facility. But when you get right down to it, the best arguers are going to be the people. The best defense, and our best case, is going to be made by a well educated, well informed public that knows what they are talking about. We have 90 days to respond to this report that the DOE has presented. I think that it is our responsibility to provide the resources to educate the public when the state is threatened. I know that if Maine is ultimately chosen as the site for this site, it is you and I, the people sitting in this House who are going to be held responsible for it. Thank you.

The SPEAKER: The Chair recognizes the Representative from LaGrange, Representative Hichborn.

Representative HICHBORN: Mr. Speaker, Men and Women of the House: This is an emotional issue. I attended a meeting the other evening in Springfield, there were 250 people who turned out to find out what was going on. It would appear that we have 90 days, and 10 have already passed, so we have 80 left in which to present arguments which may possibly disqualify some of our Maine sites. If something is to be done, it needs to be done during these next 80 days. What you do in the next five years will amount to far less. The positions that were explained there the other evening indicated the position of the members of the Indian Nation may have the best argument to disqualify one of these areas. We also have a need to contact the Province of New Brunswick and the Canadian Government for their support. It worked in New Hampshire and Vermont and it may work here in Maine.

To say that we don't want to spend the money, that we don't want to duplicate services, is very reasonable. But we cannot afford to pass up an opportunity to permit the Advisory Commission to continue to do the work that it is already doing and to enlarge on their activities.

I hope that you will support this measure. Thank you.

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

Representative DILLENBACK: Mr. Speaker, Men and Women of the House: I spent this weekend reviewing the booklet that I received that is on your desk today and the other federal registry unit. It is difficult for me to understand and it is probably difficult for anybody to understand but I can say this, the information that has been put out in the papers recently, has been adequate. They are telling us everything there is to know and the combination of reading this booklet and reading the papers, I think I have a pretty good background of what's going on.

The federal government is apparently going to give us \$200,000. Now if I were running this state as a governor, I would take that \$200,000 and I think that I would hire the best geologists that are available. I don't think the average person out there, who is going to benefit from this bill that you speak of, is going to get any more information than what they are going to get out of the newspapers. Certainly, if this is going to be disqualified, and we're all in favor of doing that, we, the legislature, are the people that are going to do it. We're the people that represent the people. We're the ones that will make a decision. I feel that I'm willing to take that burden, and it's fine to have the information and it's fine to upset people

and send them all kinds of information, but I don't think that this bill is necessary. If we could ever save any money, then this is a good place to start. Thank you.

The SPEAKER: The Chair recognizes the Representative from Princeton, Representative Moholland.

Representative MOHOLLAND: Mr. Speaker, Men and Women of the House: I think this bill should pass, and the quicker it passes, the better off we'll be. If we can just get one person to help us on this nuclear waste, it will be money well spent. I would like to add a little thing. You know we've been fighting with the Indians for the last two hundred years, it's nice to have them join with us and get rid of this nuclear waste. So I hope that you will vote for the bill today. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative Coles.

Representative COLES: Mr. Speaker, Men and Women of the House: There was a reference earlier made that the Waste Commissions room over in the State Office Building looks like D-Day at Normandy, well that's correct, that's just about how busy we are over there. The reason that we are busy is because we are getting hundreds of phone calls everyday from the people of Maine. They don't just want to say "not in my backyard", they want to say, "how can I help?" They ask us, "What can I do? How can I learn about this? Can you send me information?" Pretty soon we're going to have to say, "no we can't send you information, no we can't provide you with answers because we simply don't have anyone to do it." We've been using volunteer help, particularly people on college vacations. They are going back to school. Our only full-time professional is our environmental specialist. For every minute that he spends sending information out to the public is a minute that he cannot spend doing a technical review on the draft area recommendation report.

It was mentioned that \$200,000 was made available to the state by the Department of Energy. That \$200,000 is the smallest amount being made available to any state involved, which is my understanding, and none of that is allowed to be used for public information purposes. The decision as to whether we're going to have a dump or not is not going to be up to this legislature. We will be able to say that we don't want it, but our decision will not be a final decision. The federal governments decision through the DOE and through congress will be the final decision. DOE has told us again and again that they don't want testimony at the public hearings that says, "not here, take it somewhere else." They want testimony that relates to the facts, specific suggestions as to why Maine is not qualified, and if our citizens are going to give that testimony, they must be able to learn what the facts are and what the disqualification procedures are. They cannot learn if we cannot provide the information to them. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lincoln, Representative Harper.

Representative HARPER: Mr. Speaker, Men and Women of the House: I attended the meeting that was held out in Springfield on Friday night and I will be attending one in Lincoln this coming Thursday evening and I want you to know the people in my area, up on the Bottle Lake area, are very concerned and upset. They have appreciated readily being able to call in

and get information over the telephone. They have appreciated all of the literature that we have passed out to our libraries and mailed out to them. They have many questions and their fears are great and real and they must be addressed just as rapidly as we can.

I would urge that we pass this emergency measure. Thank you.

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: This being an emergency measure, a two-thirds vote of all the members elected to the House is necessary. Those in favor will vote yes; those opposed will vote no.

120 having voted in the affirmative and 19 in the negative with 12 absent, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

(See Roll Call No. 232)

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

PAPER FROM THE SENATE

The following Joint Order: (S.P. 769)

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Thursday, January 30, 1986, at 12 o'clock in the afternoon.

Came from the Senate, read and passed.

Was read and passed in concurrence.

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

COMMUNICATIONS

The following Communication:

STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
COMMITTEE ON HUMAN RESOURCES

January 20, 1986

Edwin H. Pert
Clerk of the House
State House
Augusta, Maine 04333

Dear Clerk Pert:

Pursuant to our authority under M.R.S.A. 34-B, Section 7017, we are pleased to reappoint Representative Susan Pines of Limestone as a

representative to the Sterilization Procedures Review Committee.

This appointment is of one year's duration. If you have any questions regarding this appointment, please do not hesitate to contact us.

Sincerely,

S/Senator N. Paul Gauvreau, Chair

S/Representative Merle Nelson, Chair

Was read and ordered placed on file.

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

PAPERS FROM THE SENATE

The following Joint Resolution: (S.P. 768)

JOINT RESOLUTION IN HONOR AND RECOGNITION OF
NORTHERN NEW ENGLAND SCHOOL OF SOCIAL WORK AND ITS
DIRECTOR, NORMAN H. GOROFF

WHEREAS, in 1978 the University of Connecticut established the Northern New England Branch of the School of Social Work at Burlington, Vermont; and

WHEREAS, this graduate program in social work expanded through credit extension courses and training activities to locations in Maine and throughout New England; and

WHEREAS, the branch offered the only publicly sponsored graduate school for social work education in the New England area; and

WHEREAS, having successfully operated beyond the 3 to 5 years originally contemplated, the school is being phased out with no new students being admitted after August 31, 1985; and

WHEREAS, in order for this program to continue other New England universities will have to assume an equivalent share of the curricular and financial responsibilities; and

WHEREAS, the Northern New England Social Education Program localized much needed graduate social training and significantly improved delivery of social and health services to the region; now, therefore, be it;

RESOLVED: That We, the Members of the 112th Legislature of the State of Maine, now assembled in Second Regular Session, take this opportunity to acknowledge the fine contributions of the Northern New England Branch of the School of Social Work and publicly thank Norman H. Goroff, Director of the University of Connecticut School of Social Work for his outstanding work and years of dedicated service in providing graduate education in the field of social work to the northern New England states; and be it further

RESOLVED: That a suitable copy of this Joint Resolution be immediately transmitted to Director Norman H. Goroff in token of the sentiments expressed herein.

Came from the Senate, read and adopted.

Was read and adopted in concurrence.

RESOLVE, Authorizing a Study Relating to Bioptics and Drivers' Licenses (S.P. 766) (L.D. 1943)

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

Was referred to the Committee on Transportation in concurrence.

Bill "An Act to Require Closer Review of the Construction of Major Electrical Generating Projects" (S.P. 767) (L.D. 1944)

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

Was referred to the Committee on Utilities in concurrence.

CONSENT CALENDAR FIRST DAY

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

(S.P. 676) (L.D. 1749) Bill "An Act Pertaining to Product Liability Risk Retention Groups" Committee on Business and Commerce reporting "Ought to Pass"

There being no objections, the above item was ordered to appear on the Consent Calendar of Thursday, January 30, 1986 under the listing of Second Day.

MATTERS PENDING RULING

SENATE REFERENCE BILL - Bill "An Act to Provide State Funding for the Educational Costs of Students Placed by State Agencies" (S.P. 698) (L.D. 1783)

TABLED - January 10, 1986 by Speaker MARTIN of Eagle Lake.

PENDING - Ruling of the Chair.

The SPEAKER: The Chair would rule that L.D. 1783 is in violation of Joint Rule 37 since two L.D.s dealing with this item were withdrawn during the last session -- L.D. 1355 introduced by the Representative from Edgecomb, Representative Holloway, and L.D. 1284 introduced by Senator Brown of Washington and cosponsored by the Representative from Edgecomb, Representative Holloway -- in this matter, both of these bills were withdrawn, having been referred to

the Committee on Education and to the Appropriations Committee. The matter is presently under study as a result of an order from the Legislative Council to the Committee on Appropriations and Financial Affairs. A report on that subject is forthcoming.

HOUSE REFERENCE BILL - Bill "An Act to Increase the Watercraft Excise Tax Tables" (H.P. 1309) (L.D. 1825)

TABLED - January 13, 1986 by Speaker MARTIN of Eagle Lake.

PENDING - Ruling of the Chair.

The SPEAKER: The Chair would rule that this matter is germane and proper before the Legislature and is not in violation of Joint Rule 37 since this bill differs from the original L.D., L.D. 885, since it establishes two classes of taxation for watercraft and commercial class and all other class, and ultraspeed with the commercial class being one-half of the fee and all other being double the present fee. L.D. 1825 does not create two classes and simply raises fees.

Subsequently, was referred to the Committee on Taxation, Ordered Printed and sent up for concurrence.

HOUSE REFERENCE BILL - Bill "An Act to Prohibit Mandatory Local Measured Service and to Preserve Traditional Flat-rate Telephone Service at as Low a Cost as Possible" (H.P. 1315) (L.D. 1831)

TABLED - January 13, 1986 by Speaker MARTIN of Eagle Lake.

PENDING - Ruling of the Chair.

The SPEAKER: The Chair would rule that this matter is not in violation of Joint Rule 37. If you look at the original bills that were discussed and this one, you will find that there is substantial differences between the two. The draft is distinct in nature as has been mentioned earlier. It is not a duplication of the previously considered bill.

Subsequently, was referred to the Committee on Utilities, Ordered Printed, and sent up for concurrence.

The Chair laid before the House the following matter: Bill "An Act Relating to Staff Retention in Community-based Residential Facilities for Persons with Mental Retardation" (S.P. 757) (L.D. 1921) which was tabled earlier in the day and later today pending the motion of Representative Carter of Winslow that L.D. 1921 be referred to the Committee on Appropriations and Financial Affairs.

On motion of Representative Nelson of Portland, tabled pending the motion of Representative Carter of Winslow that L.D. 1921 be referred to the Committee on Appropriations and Financial Affairs and specially assigned for Thursday, January 30, 1986.

(Off Record Remarks)

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

At this point, the Chair appointed Representative Soucy to the Committee on Education.

On motion of Representative Jacques of Waterville, Adjourned until twelve o'clock noon, Thursday, January 30, 1986, pursuant to S.P. 769.