

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 Jack E. Perkins, First Parish
Congregational Church, Gorham.
The Journal of Tuesday, February 25, 1986, was
read and accepted.
Quorum call was held.

PAPERS FROM THE SENATE

Unanimous Ought Not To Pass

Report of the Committee on Energy and Natural Resources reporting "Ought Not to Pass" on Bill "An Act to Impose Liability for Interference with Ground Water Use" (S.P. 273) (L.D. 731)

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

Unanimous Leave to Withdraw

Report of the Committee on Transportation reporting "Leave to Withdraw" on RESOLVE, to Name the New Bangor and Brewer Bridge the Veterans Remembrance Bridge (S.P. 648) (L.D. 1673)

Report of the Committee on Legal Affairs reporting "Leave to Withdraw" on Bill "An Act to Set Standards for Care in Whitewater Rafting" (S.P. 786) (L.D. 1976)

Report of the Committee on Utilities reporting "Leave to Withdraw" on RESOLVE, Encouraging State Policy of Independence from Foreign Sources of Energy for Electric Utilities (Emergency) (S.P. 542) (L.D. 1451)

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

PETITIONS, BILLS AND RESOLVES
REQUIRING REFERENCE

The following Bills 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:

Fisheries and Wildlife

Bill "An Act to Prohibit a Doe Permit System until June 1, 1987" (H.P. 1470) (L.D. 2073) (Presented by Representative SMITH of Island Falls) (Cosponsors: Representatives CONNERS of Franklin, WEBSTER of Franklin, and Senator DOW of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act to Reform High-speed Pursuit Policies for Law Enforcement Personnel" (H.P. 1471) (L.D. 2074) (Presented by Representative PARADIS of Augusta) (Cosponsors: Representatives JACQUES of Waterville, DRINKWATER of Belfast, and Senator CARPENTER of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act Concerning Additional Administrative Changes in Maine Tax Laws" (H.P. 1472) (L.D. 2075) (Presented by Representative CASHMAN of Old Town) (Cosponsors: Senator TWITCHELL of Oxford, Representatives MAYO of Thomaston, and SWAZEY of Bucksport) (Submitted by the Department of Finance and Administration pursuant to Joint Rule 24)

(Ordered Printed)
Sent up for concurrence.

ORDERS

On motion of Representative DIAMOND of Bangor, the following Joint Order: (H.P. 1474)

Ordered, the Senate concurring, that Bill, "An Act to Amend the Postgraduate Training Requirement for Licensure of Physicians," H.P. 1209, L.D. 1716, be recalled from the Governor's desk to the House.

Was read and passed and sent up for concurrence.

By unanimous consent, was ordered sent forthwith to the Senate.

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

ORDERED, that Representative John Telow of Lewiston be excused February 28 for Legislative Business.

Was read and passed.

REPORTS OF COMMITTEES

Unanimous Leave to Withdraw

Representative TAYLOR from the Committee on Human Resources on Bill "An Act Relating to Retesting of Emergency Medical Technicians" (H.P. 876) (L.D. 1233) reporting "Leave to Withdraw"

Representative PINES from the Committee on Human

Resources on Bill "An Act Concerning Courses for License Renewal of Emergency Medical Personnel" (H.P. 877) (L.D. 1234) reporting "Leave to Withdraw"

Representative CARTER from the Committee on Appropriations and Financial Affairs on Bill "An Act to Provide Funding for Potato Variety Breeding and Development" (H.P. 1332) (L.D. 1869) reporting "Leave to Withdraw"

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

Ought to Pass in New Draft

Representative HOLLOWAY from the Committee on Energy and Natural Resources on Bill "An Act to Amend and Clarify the Statutes Governing Control of Hazardous Air Pollutants" (H.P. 1299) (L.D. 1815) reporting "Ought to Pass" in New Draft (H.P. 1473) (L.D. 2072)

Report was read and accepted, the New Draft read once and assigned for second reading Thursday, February 27, 1986.

Ought to Pass in New Draft/New Title

Representative HOGGLUND from the Committee on Energy and Natural Resources on Bill "An Act to Create the Northern and Eastern Maine Emergency Forestry District" (H.P. 245) (L.D. 286) reporting "Ought to Pass" in New Draft under New Title Bill "An Act to Promote Intensive Spruce-fir Management" (H.P. 1468) (L.D. 2070)

Report was read and accepted, the New Draft read once and assigned for second reading Thursday, February 27, 1986.

Divided Report

Majority Report of the Committee on Taxation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-532) on Bill "An Act to Expand and Continue Alcoholism Treatment, Education, Prevention and Research Programs" (H.P. 951) (L.D. 1370)

Signed:

Senators: DIAMOND of Cumberland
TWITCHELL of Oxford
EMERSON of Penobscot

Representatives: ZIRNKILTON of Mount Desert
SWAZEY of Bucksport
CASHMAN of Old Town
MAYO of Thomaston
DIAMOND of Bangor
NELSON of Portland

Minority Report of the same Committee reporting "Ought to Pass" in New Draft (H.P. 1464) (L.D. 2066)

on same Bill.

Signed:

Representatives: INGRAHAM of Houlton
WEBSTER of Cape Elizabeth
JACKSON of Harrison
MCCOLLISTER of Canton

Reports were read.

Representative Cashman of Old Town moved that the House accept the Majority "Ought to Pass" Report.
On further motion of the same Representative, tabled pending his motion and tomorrow assigned.

CONSENT CALENDAR

FIRST DAY

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

(S.P. 719) (L.D. 1842) Bill "An Act to Create an Ongoing Cooperative Association Between the Department of Marine Resources and the University of Maine". Committee on Marine Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (S-381)

(H.P. 1240) (L.D. 1750) Bill "An Act to Adjust and Allocate Various Dedicated Revenue Accounts of the Department of Environmental Protection for Fiscal Years Ending June 30, 1986, and June 30, 1987" (Emergency) Committee on Energy and Natural Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-535)

There being no objections, the above items were ordered to appear on the Consent Calendar of Thursday, February 27, 1986 under the listing of Second Day.

CONSENT CALENDAR

SECOND DAY

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

(S.P. 673) (L.D. 1741) Bill "An Act to Clarify the Status of Vocational Education in Washington County"

(S.P. 700) (L.D. 1785) Bill "An Act to Provide Immunity from Civil Liability for Court Mediators" (C. "A" S-380)

(S.P. 718) (L.D. 1841) Bill "An Act To Create the Job Protection Act" (Emergency) (C. "A" S-378)

(H.P. 1296) (L.D. 1812) Bill "An Act to Authorize the Portland School of Art to Confer Associate Degrees" (C. "A" H-533)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were Passed to be Engrossed or Passed to be Engrossed as Amended in concurrence and the House Paper was Passed to be Engrossed as Amended and sent up for concurrence.

PASSED TO BE ENGROSSED

Bill "An Act Requiring Study of the Leasing of Submerged Public Lands for Aquaculture Operations" (H.P. 1465) (L.D. 2067)

Bill "An Act to Permit Mobile Banking in Rural Maine" (H.P. 1458) (L.D. 2055)

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

As Amended

Bill "An Act to Equalize the State Tipping Minimum Wage and the Federal Tipping Minimum Wage" (H.P. 1376) (L.D. 1939) (C. "A" H-531)

Was reported by the Committee on Bills in the Second Reading, read the second time, Passed to be Engrossed as Amended, and sent up for concurrence.

PASSED TO BE ENACTED

Emergency Measure

An Act to Continue Protection and Advocacy Services at the Current Level (S.P. 663) (L.D. 1700)

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.

Emergency Measure

An Act to Amend the Protection from Abuse Law (H.P. 1334) (L.D. 1871) (H. "A" H-516)

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. 110 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 Authorize the Remains of Specialist 4th Class Richard D. Rimiller to be Buried in the Veterans' Memorial Cemetery (H.P. 1451) (L.D. 2048)

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. 111 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.

An Act to Allow the Maine Maritime Academy to Participate in the New England Regional Student Program (S.P. 755) (L.D. 1919)

An Act to Make Certain Technical Changes in the Law Relating to Post-conviction Review (S.P. 801) (L.D. 2008)

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.

RESOLVE, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory (S.P. 671) (L.D. 1739)

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

(Off Record Remarks)

On motion Representative Soucy of Kittery,
Adjourned until February 27, 1986 at eight-thirty
in the morning.