

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 William Wagner,
Unitarian-Universalist Church of Caribou.
The Journal of Tuesday, March 4, 1986 was read
and approved.
Quorum call was held.

PAPERS FROM THE SENATE

Unanimous Leave to Withdraw

Report of the Committee on Judiciary reporting
"Leave to Withdraw" on Bill "An Act Relating to
Structures Located in Proposed Ways" (S.P. 265) (L.D.
708)

Report of the Committee on Audit and Program
Review reporting "Leave to Withdraw" on Bill "An Act
Concerning Child Abuse" (S.P. 621) (L.D. 1633)

Report of the Committee on Appropriations and
Financial Affairs reporting "Leave to Withdraw" on
Bill "An Act to Provide an Ombudsman for Home Care
for Older Citizens" (S.P. 710) (L.D. 1835)

Report of the Committee on Appropriations and
Financial Affairs reporting "Leave to Withdraw" on
Bill "An Act to Create a Partnership Program for
Technological Development and Innovation" (S.P. 728)
(L.D. 1851)

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

Non-Concurrent Matter

Joint Order recalling L.D. 1294 from the
Legislative Files (H.P. 1506) which was read and
passed in the House on March 4, 1986.

Came from the Senate read and failed of passage
in non-concurrence.

The House voted to insist.

COMMUNICATIONS

The following Communication: (S.P. 844)

112th Maine Legislature

March 4, 1986

Senator Michael E. Carpenter
Representative Edward J. Kane
Chairpersons
Joint Committee on Judiciary
112th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor Joseph E. Brennan
has nominated Jack O. Smith of Ellsworth for
appointment as Justice of the Maine Superior Court.

Pursuant to Title 7 M.R.S.A Section 1, this
nomination will require review by the Joint Standing
Committee on Judiciary and confirmation by the Senate.

Sincerely,

S/Charles P. Pray
President of the Senate

S/John L. Martin
Speaker of the House

Came from the Senate, Read and Referred to the
Committee on Judiciary.

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

ORDERS

On motion of Representative JOSEPH of Waterville,
the following Joint Resolution: (H.P. 1515)
(Cosponsors: Senator KANY of Kennebec, President PRAY
of Penobscot and Speaker MARTIN of Eagle Lake)
(Approved for the introduction by a majority of the
Legislative Council pursuant to Joint Rule 35)

JOINT RESOLUTION MEMORIALIZING THE SECRETARY
OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION
TO SELL ALL CONRAIL STOCK HELD BY THE GOVERNMENT
ON THE FREE MARKET

WE, your Memorialists, the House of
Representatives and Senate of the State of Maine of
the One Hundred and Twelfth Legislature now assembled
in Second Regular Session, most respectfully present
and petition the Secretary of the United States
Department of Transportation as follows:

WHEREAS, the management of Conrail has converted
a bankrupt railroad system on public subsidy into a
\$500,000,000 per year profit-making transportation
operation; and

WHEREAS, the United States Department of
Transportation has chosen to accept the proposal of
the Norfolk Southern Railroad to purchase the Conrail
transportation system; and

WHEREAS, the Maine Legislature is concerned about
the potential impact of the proposed Conrail purchase
by Norfolk Southern Railroad on Guilford Industries,
the parent company of Maine Central Railroad; and

WHEREAS, the Maine Legislature accepts the
recommendation of the United States Department of
Transportation that it is in the best interest of the
public that Conrail be sold to private enterprise;
now, therefore, be it

RESOLVED: That We, your Memorialists, do hereby
respectfully urge the Secretary of the United States
Department of Transportation to offer for sale on the

free market all Conrail stock currently held by the Federal Government to afford all taxpayers the opportunity to purchase stock in the Conrail transportation system, which has previously been subsidized by and benefited from federal tax dollars; and be it further

RESOLVED: That a suitable copy of this Joint Resolution, duly authenticated by the Secretary of State, be transmitted by the Secretary of State to the Secretary of the United States Department of Transportation and to each Member of the Maine Congressional Delegation.

Was read.

The SPEAKER: The Chair recognizes the Representative from Eliot, Representative McPherson.

Representative MCPHERSON: Mr. Speaker, I would like to pose a question through the Chair to the Representative from Waterville, if she would just briefly explain to us what this will accomplish.

The SPEAKER: Representative McPherson of Eliot has posed a question through the Chair to Representative Joseph of Waterville, who may respond if she so desires.

The Chair recognizes that Representative.

Representative JOSEPH: Mr. Speaker, Men and Women of the House: As you know, the Conrail system is being sold to Norfolk-Southern for \$2.1 billion dollars. Its value is well over \$3 billion. It has made a profit of more than \$500 million a year for the past several years.

We urge that this particular sale become a public sale so that the taxpayers who, in fact, have purchased this line, the Conrail line, will be able to buy into the Conrail system as an investment which they, in fact, already do have.

The SPEAKER: The Chair recognizes the Representative from Sidney, Representative Bragg.

Representative BRAGG: Mr. Speaker, I would like to pose another question through the Chair.

In the fifth paragraph, on page three, where it mentions about selling to the public, I would like to know who would control this corporation and what would the structure be that you could sell public property? Are they talking about still selling Conrail?

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

Would the Representative please restate his question.

Representative BRAGG: Mr. Speaker, Ladies and Gentlemen of the House: I would like to know if the stock from Conrail goes to public sale, who would control the corporation?

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

The Chair recognizes the Representative from Thomaston, Representative Mayo.

Representative MAYO: Mr. Speaker, Ladies and Gentlemen of the House: The answer to the question would be the stockholders.

Representative McPherson 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 passage of the Resolution. Those in favor will vote yes; those opposed will vote no.

70 having voted in the affirmative and 61 in the negative with 20 being absent, the motion did prevail. Sent up for concurrence.

(See Roll Call No. 249)

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

ORDERED, that Representative Arthur G. Descoteaux of Biddeford be excused February 21 for the duration of his illness.

AND BE IT FURTHER ORDERED, that Representative Robert E. Murray, Jr., of Bangor be excused March 6 for Legislative Business.

AND BE IT FURTHER ORDERED, that Representative Catharine Lebowitz of Bangor be excused March 10 and 11 for personal reasons.

Was read and passed.

SPECIAL SENTIMENT CALENDAR

LATER TODAY ASSIGNED

In accordance with House Rule 56 and Joint Rule 34, the following item:

Recognizing:

Nancy Brenerman, of Portland, for her many years of dedicated service to the legislative and executive branches of the Maine State Government; (HLS 797) by Representative DIAMOND of Bangor. (Cosponsors: Representatives MANNING of Portland, BRANNIGAN of Portland, and Senator NAJARIAN of Cumberland)

On motion of Representative Diamond of Bangor, was removed from the Special Sentiment Calendar.

Was read.

On motion of Representative Diamond of Bangor, tabled pending passage and later today assigned.

In Memory of:

the Honorable Albert E. Cote, of Lewiston, a dear friend and highly respected citizen of that community who not only actively participated in many notable clubs and associations but served the public with the highest distinction as an Alderman and a State Legislator with 13 terms in the House of

Representatives as a member of the 95th, 96th, 97th, 98th, 99th, 101st, 102nd, 103rd, 104th, 105th, 106th, 107th and 108th Legislatures and 1 term in the Senate as a member of the 109th Legislature; (HLS 792) by Representative HANDY of Lewiston. (Cosponsors: Representatives ALIBERTI of Lewiston, TELOW of Lewiston, BOUTILIER of Lewiston, NADEAU of Lewiston, POULIOT of Lewiston, Senators GAUVREAU of Androscoggin, and BERUBE of Androscoggin)

On motion of Representative Handy of Lewiston, was removed from the Special Sentiment Calendar.

Was read.

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

Representative HANDY: Mr. Speaker, and Members of the House: Today, with regret, we pay tribute to Albert E. Cote, a former member of this body and the other body, and one of the founders of the modern day Democratic party in the City of Lewiston.

Mr. Speaker, I would request that when the House adjourn's today, it adjourn in memory of Albert E. Cote, dedicated citizen and public servant.

Subsequently, was adopted and sent up for concurrence.

REPORTS OF COMMITTEES

Unanimous Leave to Withdraw

Representative STEVENS from the Committee on Business and Commerce on Bill "An Act to Establish a Competitive State Workers' Compensation Insurance Fund" (H.P. 792) (L.D. 1122) reporting "Leave to Withdraw"

Representative STEVENS from the Committee on Business and Commerce on Bill "An Act to Limit the Grounds for Termination of an Insurance Agency Appointment" (Emergency) (H.P. 1057) (L.D. 1537) 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 BRANNIGAN from the Committee on Business and Commerce on Bill "An Act to Perfect the Maine Business Opportunity Sales Act" (H.P. 1320) (L.D. 1855) reporting "Ought to Pass" in New Draft (H.P. 1514) (L.D. 2136)

Report was read and accepted, the New Draft given its first reading and assigned for second reading later in today's session.

Divided Report

Majority Report of the Committee on Marine

Resources reporting "Ought Not to Pass" on Bill "An Act Providing for the Regional Management of Marine Fisheries Within the Territorial Waters of the Atlantic States" (H.P. 855) (L.D. 1211)

Signed:

Senators: CHALMERS of Knox
SHUTE of Waldo

Representatives: SALSBUARY of Bar Harbor
CROWLEY of Stockton Springs
MITCHELL of Freeport
SCARPINO of St. George
VOSE of Eastport
RUHLIN of Brewer
COLES of Harpswell
CONNERS of Franklin
RICE of Stonington

Minority Report of the same Committee reporting "Ought to Pass" on same Bill.

Signed:

Senator: BROWN of Washington

Representative: MANNING of Portland

Reports were read.

Representative Crowley of Stockton Springs moved the House accept the Majority "Ought Not to Pass" Report.

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

Representative MANNING: Mr. Speaker, Ladies and Gentlemen of the House: I suppose people want to know why anybody would want to sign out a Majority "Ought to Pass" Report of two and wonder why we would waste the state's money. I felt that I should get up today and talk about this.

I feel that this particular issue that we dealt with last year is important to the fishermen of the state and the fishermen of New England. Hopefully, this afternoon we will be dealing with an issue that will finally bring into accord what most of the fishermen in Maine have been thinking about and feel that the rest of the New England States should be doing. I just think this particular piece of legislation was one of the pieces that would probably help start the ball rolling in looking at regionalizing the fishing industry in New England. I just felt that, after serving on this committee for four years, this is the way that the fishing industry ought to be going and that is the reason why I signed it out.

The SPEAKER: The Chair recognizes the Representative from Stockton Springs, Representative Crowley.

Representative CROWLEY: Mr. Speaker, Ladies and Gentlemen of the House: So we won't spend too much time on this issue this morning, I will just read a couple of sections of this bill that will help you understand why nine out of the ten members in the House on the committee voted against it.

On page six, "rule making hearings necessary to the adoption of management measures under this sub-chapter need not be held within this state." That means that we could have an issue on lobsters

and, if Georgia had a bill like this, we could settle the issue on lobsters with the State of Georgia and this would make absolutely no sense at all. No other state in the Union has a bill of this nature, so we would be doing it unilaterally.

The second sentence in this section, "management measures adopted under this sub-chapter shall not require the review and approval of the Marine Resources Advisory Council". That sure would be putting too much power in the hands of the commissioner, if he didn't have to worry about the Advisory Council or the legislature. I think that is why we voted against this.

Subsequently, the Majority "Ought Not to Pass" Report was accepted.

Sent up for concurrence.

CONSENT CALENDAR

SECOND DAY

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

(H.P. 1260) (L.D. 1770) Bill "An Act Regarding Certification Records of Minority Business Enterprises, Women's Business Enterprises and Disadvantaged Business Enterprises to be Confidential"

(H.P. 1181) (L.D. 1678) Bill "An Act to Provide Parity to State-chartered Institutions by Allowing them to Offer Self-directed Individual Retirement Accounts" (C. "A" H-550)

(H.P. 1273) (L.D. 1790) Bill "An Act to Amend the Maine Agricultural Marketing and Bargaining Act of 1973" (C. "A" H-551)

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

(H.P. 1413) (L.D. 1997) Bill "An Act to Establish an Official Endangered Plant List" (C. "A" H-552)

On objection of Representative Bost of Orono, was removed from Second Day Consent Calendar.

Report was read and accepted, the Bill read once. Committee Amendment "A" (H-552) was read by the Clerk and adopted.

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

Representative Bost of Orono offered House Amendment "A" (H-554) and moved its adoption.

House Amendment "A" (H-554) was read by the Clerk and adopted.

Subsequently, the Bill was passed to be engrossed as amended by Committee Amendment "A" (H-522) and House Amendment "A" (H-554) and sent up for concurrence.

(H.P. 1407) (L.D. 1987) Bill "An Act to Improve the Processing of Matters Delegated by the Board of Environmental Protection to the Department of Environmental Protection" (C. "A" H-553)

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

PASSED TO BE ENGROSSED

Bill "An Act to Coordinate Board of Pesticides Control Registration" (S.P. 831) (L.D. 2091)

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

ORDERS OF THE DAY

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

Bill "An Act Concerning Private Adoptions" (H.P. 1499) (L.D. 2112)

- In House, referred to Committee on Judiciary.

- In Senate, referred to Committee on Legal Affairs in non-concurrence.

TABLED - March 4, 1986 by Representative DIAMOND of Bangor.

PENDING - Further Consideration.

On motion of Representative Diamond of Bangor, retabled pending further consideration and later today assigned.

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

Bill "An Act Relating to the Issuance of Taxable Bonds and the Refunding of Certain Bonds" (Emergency) (S.P. 837) (L.D. 2126)

- In Senate, Referred to Committee on State Government.

TABLED - March 4, 1986 by Representative COTE of Auburn.

PENDING - Reference in concurrence.

On motion of Representative Gwadosky of Fairfield, retabled pending reference in concurrence and later today assigned.

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

PAPER FROM THE SENATE

The following Joint Resolution: (S.P. 845)

JOINT RESOLUTION MEMORIALIZING THE HONORABLE RONALD W. REAGAN, PRESIDENT OF THE UNITED

STATES, AND MEMBERS OF THE UNITED STATES
CONGRESS TO OPPOSE TAXES ON IMPORTED OIL

WE, your Memorialists, the House of Representatives and Senate of the State of Maine of the One Hundred and Twelfth Legislature, now assembled in Second Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

WHEREAS, imported oil represents 2/3 of the energy consumed in New England and a tax on imported oil would dramatically increase heating costs in the State of Maine; and

WHEREAS, an import tax on oil would have a severe negative impact on consumers and businesses in the State, particularly low-income and middle-income citizens, the State's elderly citizens and on energy-intensive industries dependent upon oil as an energy source; and

WHEREAS, an import tax on oil would disproportionately and unfairly hurt oil-consuming states; and

WHEREAS, the current glut in the world oil supply has lowered the price of oil and made an import tax attractive. We do not believe that the current glut will last. Prices are due to rise again soon, thus making an import tax even more harmful to consumers and industries; now, therefore, be it

RESOLVED: That We, your Memorialists, concur with the Federal Reserve Board Chairman, Paul Volcker, that this is an unsound and unwise method of deficit reduction and in expressing our opposition to any plan which would bail out the energy producing states at the expense of the New England states, we hereby respectfully urge the Honorable Ronald W. Reagan President of the United States and Members of the United States Congress to oppose taxation on imported oil; and be it further

RESOLVED: That a copy of this resolution, duly authenticated by the Secretary of State, be transmitted by the Secretary of State to the Honorable Ronald W. Reagan, President of the United States and to the United States Congress and each Member of the Maine Congressional Delegation.

Came from the Senate, read and adopted.

Was read.

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

Representative MURPHY: Mr. Speaker, Men and Women of the House: Several weeks ago when we were debating the balanced budget amendment here in this body, we talked about the inability of Washington, in terms of the Congress or the Executive Branch, to control spending, my good friend in the other corner, the Representative from Bangor, had said that there was a need for revenue enhancers. Well, that is another name for a tax. We see a Resolution before us today talking about one of those revenue enhancers that a Democratic Senator from Texas is attempting to push through to drive up the price of domestic oil.

The estimates are anywhere from \$300 to \$500 per Maine family in terms of the cost of that tax. So, one of those revenue enhancers that we warned you about is coming down the pike with a tremendous negative impact on Maine.

I am going to vote for this Resolution because I am concerned about that.

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

Representative DIAMOND: Mr. Speaker, Men and Women of the House: I am a cosponsor of this Resolution before us and I think, in response to the gentleman from Kennebunk's comments about my comments of a week or so ago, actually it was several weeks ago, that he missed the point completely.

At that time, we said that there was a need to provide a balance between spending and revenues that the federal government takes in. We said that it should be balanced and it should be well thought out. The proposal that we discussed at that time was one I felt was not well thought out at all.

This is another example of the short-sightedness of the federal government, especially the very individual we talked about in that debate several weeks ago, the nation's chief executive, and that it puts a disproportionate burden on the people of Maine and people of New England. There is no question that we, in this nation, have to deal with the fiscal crisis facing our country, but that burden ought to be spread out evenly and fairly. The proposal dealing with increasing the tax on imported oil is not fair by any means. It really hammers us in New England and, for that reason, this Resolution is before you.

I join with the gentleman in the other corner in supporting this Resolution and am proud to be one of its sponsors.

But to indicate that this is a sort of revenue enhancement that any member of the majority indicated would be appropriate is certainly not the case at all.

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

Representative MURPHY: Mr. Speaker, Men and Women of the House: I had posed a question during that debate to the Majority Floor Leader in terms of what revenue enhancers or taxes that he supports on the federal level to offset spending reductions. The gentleman said, right now an oil import tax, because of its burden on Maine, was unacceptable to him. So, I think the gentleman owes us an explanation of what revenue enhancers are acceptable.

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

Representative DIAMOND: Mr. Speaker, Men and Women of the House: In response to the good gentleman's question, at that time, I indicated that the answer was one that had to be negotiated between the various parties involved, those parties being the President of the United States, the Senate, and the House in Congress. At that time, I made it very clear that I did not have the answers to that problem, but the only way that those answers could be found, would be for all parties to sit down and put all their cards on the table. At that time, I never indicated any support or opposition to any of the individual proposals at that time that were being discussed. Right now, I am expressing opposition to one proposal that is being suggested by some in Washington. I think this is the appropriate route to

go.

The SPEAKER: Is the House ready to vote on the issue before us?

The pending question before the House is adoption of the Resolution dealing with imported oil. Those in favor will say yes; those opposed will say no.

A viva voce vote having been taken, the Resolution was adopted in concurrence.

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

PAPERS FROM THE SENATE

TABLED PENDING RULING FROM THE CHAIR

Bill "An Act to Clarify the Duties of Notaries Public and Notarial Officers" (S.P. 843) (L.D. 2137)

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

The SPEAKER: The Chair recognizes the Representative from Washington, Representative Allen.

Representative ALLEN: Mr. Speaker, a point of parliamentary inquiry? Does L.D. 2137 appear before this House in violation of Joint Rule 37?

The SPEAKER: The matter will be tabled pending a ruling from the Chair.

Non-Concurrent Matter

RESOLVE, Amending the Reporting Date of the Joint Select Committee for Learning Disabled Children (Emergency) (S.P. 741) (L.D. 1894) (C. "A" S-382) which was Finally Passed in the House on March 4, 1986.

Came from the Senate Passed to be Engrossed as amended by Committee Amendment "A" (S-382) as amended by Senate Amendment "A" (S-387) thereto in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

RESOLVE, to Extend the Reporting Deadlines for the Joint Select Committee on Nursing Care Needs and the Special Commission to Study the Utilization of Vacant Buildings at Pineland Center (Emergency) (H.P. 1484) (L.D. 2096) which was Finally Passed in the House on March 4, 1986.

Came from the Senate Passed to be Engrossed as amended by Senate Amendment "A" (S-386) in non-concurrence.

The House voted to recede and concur.

(Off Record Remarks)

The Chair laid before the House the following matter: Bill "An Act Concerning Private Adoptions" (H.P. 1499) (L.D. 2112) which was tabled earlier in the day and later today assigned pending further consideration.

The SPEAKER: The pending question is further consideration.

Subsequently, the House voted to recede and concur.

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

At this point, the Speaker appointed Representative Gwadosky of Fairfield to serve as Speaker Pro Tem for the afternoon session.

(Off Record Remarks)

On motion of Representative Martin of Van Buren, Recessed until four o'clock in the afternoon.

(After Recess)

The House was called to order by the Speaker pro tem.

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

PAPERS FROM THE SENATE

Bill "An Act to Strengthen Professional Regulation" (S.P. 842) (L.D. 2134)

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

Was referred to the Committee on Business and Commerce in concurrence.

Unanimous Leave to Withdraw

Report of the Committee on Business and Commerce reporting "Leave to Withdraw" on Bill "An Act Concerning Independent Contractors in the Forest Industry" (S.P. 742) (L.D. 1895)

Report of the Committee on Energy and Natural Resources reporting "Leave to Withdraw" on Bill "An

Act to Clarify the Description of Crooked River in Cumberland County and to Extend Special Protection to Outstanding Rivers to the Crooked River" (S.P. 792) (L.D. 1993)

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

Ought to Pass in New Draft

Report of the Committee on Business and Commerce on Bill "An Act Concerning the Regulation of Itinerant Vendors" (S.P. 744) (L.D. 1908) reporting "Ought to Pass" in New Draft (S.P. 840) (L.D. 2129)

Came from the Senate, with the report read and accepted and the New Draft passed to be engrossed.

Report was read and accepted, the New Draft given its first reading and assigned for second reading Thursday, March 6, 1986.

REPORTS OF COMMITTEES

Unanimous Ought Not to Pass

Representative NADEAU from the Committee on Appropriations and Financial Affairs on Bill "An Act to Create a Paralytic Shellfish Poison Monitoring Program" (H.P. 1307) (L.D. 1823) reporting "Ought Not to Pass"

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

Unanimous Leave to Withdraw

Representative RIDLEY from the Committee on Energy and Natural Resources on Bill "An Act to Require Notice to Municipal Officers of Environmental Protection Violations and Actions within that Community" (H.P. 1356) (L.D. 1900) reporting "Leave to Withdraw"

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

Refer to the Committee on Transportation

Representative CHONKO from the Committee on Appropriations and Financial Affairs on Bill "An Act to Enable the Department of Transportation to Produce the State Map" (H.P. 1421) (L.D. 2010) reporting that it be referred to the Committee on Transportation.

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

CONSENT CALENDAR

FIRST DAY

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

(S.P. 761) (L.D. 1925) Bill "An Act Transferring Legislative Jurisdiction over Acadia National Park, St. Croix Island International Historic Site, Portsmouth Naval Shipyard, Veterans Administration Center at Togus and the Soldiers' Lots at the Mount Pleasant Cemetery" Committee on Judiciary reporting "Ought to Pass"

(S.P. 713) (L.D. 1838) Bill "An Act to Correct Some Inconsistencies in the Law Relating to the Financing of Services in the Unorganized Territory" (Emergency) Committee on Taxation reporting "Ought to Pass" as amended by Committee Amendment "A" (S-385)

There being no objections, the above items were ordered to appear on the Consent Calendar of Thursday, March 6, 1986 under the listing of Second Day.

PASSED TO BE ENGROSSED

Bill "An Act to Perfect the Maine Business Opportunity Sales Act" (H.P. 1514) (L.D. 2136)

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

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

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:

Appropriations and Financial Affairs

Bill "An Act to Provide Funds for the Teacher of the Year Program" (H.P. 1517) (Presented by Representative FOSS of Yarmouth) (Cosponsors: Senators BROWN of Washington, CLARK of Cumberland and Representative SMALL of Bath) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

Bill "An Act to Provide Funds for Support of the Maine Teacher in Space Program" (H.P. 1518) (Presented by Representative FOSS of Yarmouth) (Cosponsors: Representatives BROWN of Gorham, CONNERS of Franklin and LAWRENCE of Parsonsfield) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

(Ordered Printed)
Sent up for concurrence.

Business and Commerce

Bill "An Act Concerning the Regulation of Surplus Lines Insurance Agencies" (H.P. 1519) (Presented by Representative BEAULIEU of Portland) (Cosponsors: Representative GREENLAW of Standish and Senator TUTTLE of York) (Submitted by the Department of Public Safety pursuant to Joint Rule 24)

(Ordered Printed).
Sent over for concurrence.

REPORTS OF COMMITTEES

Unanimous Leave to Withdraw

Representative MAYO from the Committee on Taxation on Bill "An Act Concerning the Railroad Excise Tax" (H.P. 1400) (L.D. 1974) reporting "Leave to Withdraw"

Representative MAYO from the Committee on Taxation on Bill "An Act Relating to the Railroad Excise Tax" (H.P. 1399) (L.D. 1973) reporting "Leave to Withdraw"

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

CONSENT CALENDAR

FIRST DAY

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

(H.P. 1425) (L.D. 2014) Bill "An Act to Define Eligibility for School Purposes and to Determine Financial Responsibility for the Education, Care and Treatment of State Agency Clients" Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-555)

(H.P. 1364) (L.D. 1928) Bill "An Act to Fund the Holocaust Human Rights Center for Maine" Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-556)

There being no objections, the above items were ordered to appear on the Consent Calendar of Thursday, March 6, 1986 under the listing of Second Day.

The Chair laid before the House the following matter: Bill "An Act Relating to the Issuance of

Taxable Bonds and the Refunding of Certain Bonds" (Emergency) (S.P. 837) (L.D. 2126) which was tabled earlier in the day and later today assigned pending reference.

Subsequently, was referred to the Committee on State Government in concurrence.

The Chair laid before the House the following matter: Recognizing: Nancy Brennerman, of Portland, for her many years of dedicated service to the legislative and executive branches of the Maine State Government; (HLS 797), which was tabled earlier in the day and later today assigned pending passage.

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

Representative DIAMOND: Mr. Speaker, Men and Women of the House: As many of you know, Nancy Brennerman will be leaving the employment of state government, effective today. Nancy has been representing the Governor as one of his legislative liaisons for quite some time now, and prior to that, worked in the other body as an aide to then Minority Leader, Jerry Connolly.

Nancy and I started at the State House in 1979 together when we were both on the staff and she has progressed very well in that time. She will be leaving today to go to work for Unionmutual in South Portland.

Nancy is married to a former member of this body and I believe it was during his service to the Legislature that they met and it's good to know that something good came of that service to the state. Some were pretty critical of her spouse during the time that he spent in this legislature and I'm glad to know that at least he got something positive out of it and that being Nancy, of course.

We are very happy that Nancy has been a part of the legislative and executive process. I think that she has contributed greatly to the relationship that the Governor has had with the legislature. She has been a very effective representative of the Governor. She has been a very professional member of his staff and I think that we should all join together in wishing her the very best in her new career.

I believe Mr. Speaker that she is in the Hall of the House behind the glass. I would hope that the Chair would recognize her at this time.

The SPEAKER PRO TEM: The Chair is pleased to recognize, behind the glass, Nancy Brennerman. (applause)

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

Representative MURPHY: Mr. Speaker, Men and Women of the House: It may come as a surprise to the press and the general public out there that this is a friendly chamber, that there are very strong friendships formed, even between the second floor and the third floor. I think that those of us on this side of the aisle can say with full sincerity that Nancy, who has been the Governor's representative informing us on issues or urging support on issues, has been very honest with us in terms of how she presented those issues.

We know, in terms of the challenges that are ahead, we wish her Godspeed in those challenges.

One thing about sitting next to a seatmate who is in the insurance business -- you learn everything you ever want to know about the insurance business and I think maybe in a summary statement it would be, Nancy, we're glad we met you.

Subsequently, the Order was passed and sent up for concurrence.

(Off Record Remarks)

On motion of Representative Nadeau of Saco,
Adjourned until Thursday, March 6, 1986 at eleven o'clock in the morning in memory of Albert E. Cote.
