

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 Representative Joseph W. Mayo of
 Thomaston.
 National Anthem by the Lincoln Academy Band,
 Newcastle.
 The Journal of Thursday, March 6, 1986, was read
 and approved.
 Quorum call was held.

PAPERS FROM THE SENATE

Non-Concurrent Matter

Bill "An Act to Conserve Striped Bass" (H.P. 1448) (L.D. 2041) which was passed to be engrossed as amended by House Amendment "A" (H-549) in the House on March 4, 1986.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-391) in non-concurrence.

On motion of Representative Crowley of Stockton Springs, the House voted to recede and concur.

Non-Concurrent Matter

Bill "An Act to Promote Intensive Spruce-fir Management" (H.P. 1468) (L.D. 2070) which was passed to be engrossed in the House on February 27, 1986.

Came from the Senate passed to be engrossed as amended by Senate Amendment "B" (S-392) in non-concurrence.

On motion of Representative Michaud of Medway, the House voted to adhere.
 Sent to the Senate.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

JUDICIARY

Bill "An Act to Better Protect Adults and Abused Children Residing in Adult and Child Care Facilities" (H.P. 1527) (L.D. 2156) (Presented by Representative NELSON of Portland) (Cosponsors: Senator BUSTIN of Kennebec, Representatives MELENDY of Rockland and KIMBALL of Buxton) (Submitted by the Department of Human Services pursuant to Joint Rule 24)

(Reference to the Committee on Human Resources suggested.)

On motion of Representative Paradis of Augusta, was referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

REPORTS OF COMMITTEES

Unanimous Leave to Withdraw

Representative CARTER from the Committee on Appropriations and Financial Affairs on Bill "An Act to Increase the Affordability, Accessibility and Quality of Child Care" (H.P. 1432) (L.D. 2023) reporting "Leave to Withdraw"

Representative THERIAULT from the Committee on Transportation on Bill "An Act Concerning Surety Bonds Required of Motor Vehicle Dealers to Guarantee Title and Mileage of Vehicles Sold" (H.P. 1380) (L.D. 1948) 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 HICKEY from the Committee on Aging, Retirement and Veterans on Bill "An Act to Grandfather Current Employees Regarding the Purchase of Military Service Time" (H.P. 1272) (L.D. 1789) reporting "Ought to Pass" in New Draft (H.P. 1528) (L.D. 2157)

Report was read and accepted, the New Draft given its first reading and assigned for second reading Tuesday, March 11, 1986.

Ought to Pass

Pursuant to Joint Order (H.P. 1316)

Representative SALSBURY from the Committee on Local and County Government on RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Hancock County for the Year 1986 (Emergency) (H.P. 1525) (L.D. 2154) reporting "Ought to Pass" - Pursuant to Joint Order (H.P. 1316)

Report was read and accepted and the New Draft read once.

Under suspension of the rules, the New Draft was read a second time, passed to be engrossed and sent up for concurrence.

Ought to Pass

Pursuant to Joint Order (H.P. 1316)

Representative MASTERMAN from the Committee on Local and County Government on RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Piscataquis County for the Year 1986 (Emergency) (H.P. 1526) (L.D. 2155) reporting "Ought to Pass" - Pursuant to Joint Order (H.P. 1316)

Report was read and accepted, the New Draft read once.

Under suspension of the rules, the New Draft was read a second time, passed to be engrossed and sent up for concurrence.

Divided Report

Majority Report of the Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-558) on Bill "An Act to Strengthen State-Local Cooperation through Regional Councils" (H.P. 837) (L.D. 1181)

Signed:

Senators: TUTTLE of York
BALDACCI of Penobscot
STOVER of Sagadahoc

Representatives: McHENRY of Madawaska
HALE of Sanford
MURPHY of Berwick
WENTWORTH of Wells
MASTERMAN of Milo
DAGGETT of Manchester
ROTONDI of Athens
SMITH of Island Falls
NICKERSON of Turner

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

Signed:

Representative: SALSBURY of Bar Harbor

Reports were read.

On motion of Representative McHenry of Madawaska, the House voted to accept the Majority "Ought to Pass" Report, the bill read once.

Committee Amendment "A" (H-558) was read by the Clerk and adopted.

The bill was assigned for second reading later in today's session.

CONSENT CALENDAR

FIRST DAY

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

(H.P. 1429) (L.D. 2020) Bill "An Act to Prevent Discrimination Against Retired Maine Residents who have Previously been Members of the Maine State Retirement System" Committee on Aging, Retirement and Veterans reporting "Ought to Pass"

(H.P. 1354) (L.D. 1898) Bill "An Act to Decrease Mobile Home Park License Fees" (Emergency) Committee on Business and Commerce reporting "Ought to Pass" as amended by Committee Amendment "A" (H-559)

(H.P. 1441) (L.D. 2033) Bill "An Act to Make Clarifications in the Laws of Maine Relating to the Workers' Compensation Act" (Emergency) Committee on Labor reporting "Ought to Pass" as amended by Committee Amendment "A" (H-560)

There being no objections, the above items were ordered to appear on the Consent Calendar later in today's session 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:

(H.P. 1212) (L.D. 1719) Bill "An Act to Reduce the Burden of Property Taxes on Persons who are Elderly" (C. "A" H-557)

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 Permit the Supreme Judicial Court to Authorize Employees of the Bureau of Taxation and of the Bureau of Employment Security to Participate in Court Proceedings" (H.P. 1521) (L.D. 2141)

Bill "An Act to Clarify the Applicability of the Maine Tort Claims Act and to Limit the Personal Liability of Governmental Entity Employees" (Emergency) (H.P. 1522) (L.D. 2142)

Bill "An Act Requiring Fiscal Impact Statements Describing the Costs and Benefits Associated with Each Legislative Document and Agency Rule that Affect Political Subdivisions of the State" (H.P. 1523) (L.D. 2143)

Bill "An Act to Provide Funding for Mental Health Programs" (H.P. 1524) (L.D. 2144)

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

ENACTOR

Emergency Measure

LATER TODAY ASSIGNED

An Act to Improve Retraining Opportunities for Dislocated Workers (H.P. 1508) (L.D. 2122)

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

On motion of Representative Baker of Orrington, tabled pending passage to be enacted and later today assigned.

PASSED TO BE ENACTED

Emergency Measure

An Act to Amend the Maine Agricultural Marketing and Bargaining Act of 1973 (H.P. 1273) (L.D. 1790) (C. "A" H-551 and S. "A" S-390)

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

FINALLY PASSED

Emergency Measure

RESOLVE, Amending the Reporting Date of the Joint Select Committee for Learning Disabled Children (S.P. 741) (L.D. 1894) (S. "A" S-387 to C. "A" S-382)

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

FINALLY PASSED

Emergency Measure

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 (H.P. 1484) (L.D. 2096) (S "A" S-386)

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

PASSED TO BE ENACTED

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

An Act to Amend the Medical Examiner Act and Related Provisions (H.P. 859) (L.D. 1218) (S. "A" S-383 to C. "A" H-530)

An Act Pertaining to Local Registration of Watercraft (H.P. 1216) (L.D. 1724) (C. "A" H-522)

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.

PASSED TO BE ENACTED

An Act Concerning the Open Time for Polls on Election Day (H.P. 1326) (L.D. 1861) (C. "A" H-536)

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

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

Representative HANDY: Mr. Speaker, Men and Women of the House: I would like to pose a question to the Chair.

Is this L.D. properly before this body pursuant to Joint Rule 37?

The SPEAKER: Would the Representative from Lewiston care to enlighten me on this?

Representative HANDY: Pursuant to Joint Rule 37.

The SPEAKER: The Chair would inquire as to what piece of legislation he is referring to?

Representative HANDY: I sponsored legislation dealing with this issue in the previous session as did another member of this body. Having taken up this issue previously, I question whether it is properly before this body in this session.

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

Subsequently, the Speaker ruled that the request made by the Representative from Lewiston, Representative Handy, came at an improper time and therefore, L.D. 1861 was properly before the House.

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

PASSED TO BE ENACTED

An Act Concerning the Court Appointed Special Advocate Program and the Conduct of Court Appointed Special Advocates (H.P. 1349) (L.D. 1885) (C. "A" H-538)

An Act to Remove Barriers to the Appropriate Disclosure of Mental Health Information (H.P. 1363) (L.D. 1917)

An Act to Clarify the Education Funding Laws Relating to Reduction of State Aid to School Districts Based on the Receipt of Certain Federal Funds (H.P. 1366) (L.D. 1930) (C. "A" H-539)

An Act to Strengthen Provisions Relating to the Delivery of the Publications of State Agencies to the Maine State Library for Reliable Public Access (H.P. 1502) (L.D. 2117)

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 SPEAKER: At this time, the Chair would remove from the Committee on Taxation, the Representative from Bangor, Representative Diamond,

and replace him with the Representative from Palmyra, Representative Tardy.

On the Committee on Human Resources, the Chair would remove the Representative from Auburn, Representative Brodeur, and replace him with Representative Simpson from Casco.

(Off Record Remarks)

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

The Chair laid before the House the following matter: An Act to Improve Retraining Opportunities for Dislocated Workers (H.P. 1508) (L.D. 2122) which was tabled earlier in the day and later today assigned pending passage to be enacted.

On motion of Representative Baker of Orrington, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be engrossed.

The same Representative offered House Amendment "A" (H-561) and moved its adoption.

House Amendment "A" (H-561) was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Orrington, Representative Baker.

Representative BAKER: Mr. Speaker, Ladies and Gentlemen of the House: The bill that we are concerned with this morning is "An Act to Improve Retraining Opportunities for Dislocated Workers" L.D. 2122. If you read L.D. 2122, you will see that it has many useful and important ways for dealing with dislocated workers. In effect, the bill provides for an additional 26 weeks after the first 26 weeks of unemployment has run out and an additional 26 weeks for a worker who qualifies and who has signed up for a retraining program that has been approved by the Department of Labor. I don't think any of us would have any quarrel with the objectives of the bill as stated. However, in the bill there is one item that concerns me and that is the method for paying the bill.

Under the proposal here today, the unemployment fund would pick up the cost of this additional unemployment compensation. The estimates are varied of \$1.5 million to \$3 million and the costs, obviously, could go up substantially more if there was a large company who had a layoff while this bill is in force. For example, if a company had a thousand workers and the average unemployment was \$200 a week and they were to run the course of the 26 weeks, we are talking about \$5 million. So the amounts of money are significant.

Many of you were on the economic tour of last week and on the previous economic tours of the State of Maine. During those tours, you had an opportunity to see companies who have made substantial investments in new equipment -- substantial investments in new plants. You saw some other companies who have not, for one reason or another, been able to make substantial investments of a new plant and it doesn't take too much imagination to anticipate that some of those companies won't be

around a year from now, two years from now, five years from now.

My concern with the bill, as it is currently structured, is that the companies who have done a good job and who have maintained employment are the ones who are going to be paying the bill for those who have done less well and have failed to keep up with competition. So we have a situation where the good operators are paying the bills again for those who are not good operators.

The unemployment fund, as you may recall, has been through some hard times. As late as 1982, we were running in the red and it is only in the past few years that that fund has begun to grow again. For the week ending March 1st, we had \$72,290,000 in our unemployment fund. Since March is traditionally the point of lowest level in the fund, the Commissioner of Labor has estimated that we will end this month with about \$70 million in the fund. My concern is that there is a trigger of mechanism in this bill, which says that the fund can go down as low as \$35 million before it cuts out. Now any employee, who is still in training, won't be discontinued under the bill provided the fund goes through that trigger point at that time; in other words, they are protected and no new workers could be added once the fund falls below \$35 million.

The experts tell us that the recommended minimum for the Maine fund at this level should be in the order of \$228 million in order to have adequate protection for our workers who might be laid off. So, you can see that we have a long way to go just to build the fund up to the recommended level -- between \$70 million and \$228 million. My concern is that we are, right now, riding at a fairly modest level in this fund and anything that is going to impede that fund is going to affect the workers in total who might be laid off. So I have submitted an amendment for your consideration that would replace the \$35 million trigger with a trigger of \$50 million, which I think is a reasonable level and will permit us to do the retraining that needs to be done for the dislocated workers but still protects the overall viability of the total fund.

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

Representative BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: I have no other alternative but to make a motion for indefinite postponement of the amendment that has just been offered. I would like to speak to that motion.

The SPEAKER: The Representative from Portland, Representative Beaulieu, moves that House Amendment "A" be indefinitely postponed.

The Representative may proceed.

Representative BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: I ask you to be acutely aware of the fact that the Labor Committee put in many hours of work on this piece of legislation to make very sure that we could be able to come up with a unanimous report. This is a unanimous report that you are looking at from the Committee on Labor.

The choice of utilizing the .245 figure and indicating our preference that the fund balance be somewhere in the vicinity of approximately \$35 million as opposed to what Representative Baker is proposing was really the true dilemma that the committee had to deal with. We worked very diligently with the business communities and the lobbyists on this issue and when we arrived at the

figure, it was not taken lightly.

What has happened with the utilization of this particular number is that we asked the Bureau of Labor to round out to the nearest 100th of a percentage point, up or down, to make sure that we kept in line with our desire to go to the \$35 million figure. That is how we arrived at the .245 figure in the bill. In this particular year of 1985, if we were at .240, we would be at the level of \$34 million, so anticipating the projections for 1986, I feel that we have acted very, very responsible in utilizing this particular figure.

You have heard some arguments as to why we should put it up to the \$50 million dollar mark -- we know now that there is approximately around \$72 million in the fund -- what was not said to you is that, when we dropped the surtax that we had put on employers to pay back a huge deficit that the fund had experienced early in the 1980's, that the employers, because of the dropping of that surtax, are realizing another \$12 million savings. You have heard said that experts are saying that we need to have \$200 million in the fund -- I would just submit to you that, several years ago, I was a participant in a study group that looked at the unemployment fund and we discounted those figures as being inaccurate and probably not necessarily appropriate and the legislature was given a rather detailed summary on the results of that particular study.

I think it is important for all of you to remember that we did not choose to deal with the funding mechanism for this bill on experience ratings. We utilized the practice that is established in federal law regarding employees in training programs. Currently, these employees benefits are not charged against their former employers experience rating. We are spreading the cost throughout the system and we feel that is the best way to pay for the bill. We believe very strongly, and when it was brought to my attention that an amendment might be forthcoming to raise that level, (I checked with the members of the Labor Committee) we felt that because we had put so much time and energy into this effort and because we had debated at what point this bill would self-destruct, and because we were concerned about the unemployment fund, that our choice of \$35 million was appropriate.

That is why I am asking for the indefinite postponement of the amendment before us.

The SPEAKER: The Chair recognizes the Representative from Orrington, Representative Baker.

Representative BAKER: Mr. Speaker, Ladies and Gentlemen of the House: The point made by the Representative from Portland is exactly the one that leads me to be concerned about the trigger point in this bill. There is, as Representative Beaulieu has pointed out, no charge to the employer who has a bad record; in other words, there is no experience rating at all connected with this payment. It seems to me that we have to be even more careful in protecting this fund than under normal circumstances.

The second point that I would like bring to your attention is that, in most cases of social legislation, we charge the General Fund for that legislation. For example, our schools, VTI's, -- the fund for that all comes out of the General Fund. In this particular instance, the proponents of this bill have chosen not to go to the General Fund and not to go to the Appropriations Table for one very simple reason -- they don't believe in the normal priorities

of the state that there would be adequate funding for a program like this so what did they do -- they turned back to the employers, as is normal in our society today, and say, you foot the bill. You foot the bill, you who have major investments, for those who have not made the investments and we will be good guys and we won't even charge the experience to those who have caused the dislocation.

I would urge your support for the amendment today and Mr. Speaker, when we vote, I would request the yeas and nays.

The SPEAKER: The yeas and nays have been requested.

The Chair recognizes the Representative from Portland, Representative Beaulieu.

Representative BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: As I indicated before, the practice follows established law regarding employees in training programs. Currently, employee benefits are not charged against their former employers experience rating. I want to kind of give you an example of why we opted not to charge good employers or bad employers. The exception was policy decision made by our committee. Most laws passed here involve some level of policy decision making. The debate wound up into a strong feeling by the total committee that the exception was made because it is unfair to penalize an employer for benefits drawn by his former employee, while that employee is in a training program. You must remember, this is a training program bill. While in a training program, such an employee is exempt from the able and available requirements of unemployment comp law; in other words, he is not required to look for or accept suitable employment as long as he or she remains in training. It is not fair, in our opinion, to charge those benefits against the employer because the former employee is not required to look for work. The employer cannot expect to reduce his liability by the employee finding a job. Charging the experience rating of a former employer is, in this instance, throwing a drowning man an anchor instead of a lifesaver.

We all know what types of businesses whose employees will qualify for assistance under this program and if you are not sure, I will repeat -- it is the shoe companies, the textile mills, (who are fighting and barely keeping their heads above water), the paper mills are being hit hard by imports, the strong U.S. dollar overseas is another factor. The fact that the federal government has not responded to the reinstitution of TRA money is probably the biggest factor why we need to do something here because it certainly doesn't look like they are doing it.

On top of the current businesses existing problems, do you want to tell them that we are also going to raise their unemployment tax rate at this point? I don't think that will contribute much to the business climate. So the present method or the method of charging benefits to the General Fund is the fairest way to pay for this expense.

We are not rewarding the bad employers at the expense of the good employers. It is the good employers who will benefit from this program, especially when they find themselves being able to hire highly trained employees produced under this program. Therefore, spreading the cost throughout this system is logistically the best way to pay for this bill. It is not an inappropriate use of the

unemployment fund.

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 Beaulieu of Portland that House Amendment "A" (H-561) be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

73 having voted in the affirmative and 62 in the negative with 16 being absent, the motion did prevail.

(See Roll Call No. 250)

Subsequently, the Bill was passed to be engrossed.

The SPEAKER: The pending question before the House is passage to be enacted. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 121 voted in favor of the same and 3 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

On motion of Representative Brannigan of Portland, Recessed until four o'clock in the afternoon.

(After Recess)

The House was called to order by the Speaker.

The following items appearing on Supplement No. 1 were taken up out of order by unanimous consent:

REPORTS OF COMMITTEES

Unanimous Leave to Withdraw

Representative DILLENBACK from the Committee on State Government on Bill "An Act to Adjust the Rate of Compensation of the Members of the Maine Health Care Finance Commission" (H.P. 1211) (L.D. 1718) reporting "Leave to Withdraw"

Representative CLARK from the Committee on Utilities on Bill "An Act to Require Public Utilities Commission Approval of Agreements for Joint Planning and Operation of Electric Public Utility Systems" (H.P. 1373) (L.D. 1937) reporting "Leave to Withdraw"

Representative COOPER from the Committee on Judiciary on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for an Express Statement of the Right to Bail and Authorizing the

Denial of Bail in Certain Cases (H.P. 637) (L.D. 905) 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. 1310) (L.D. 1826) Bill "An Act to Increase the Maine Child Care Credit Under the State Income Tax" Committee on Taxation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-562)

(H.P. 1362) (L.D. 1906) Bill "An Act to Establish a Land and Air Search and Rescue Procedure for Missing Aircraft Personnel" Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-563)

There being no objections, the above items were ordered to appear on the Consent Calendar of Tuesday, March 11, 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:

(H.P. 1429) (L.D. 2020) Bill "An Act to Prevent Discrimination Against Retired Maine Residents who have Previously been Members of the Maine State Retirement System"

(H.P. 1354) (L.D. 1898) Bill "An Act to Decrease Mobile Home Park License Fees" (Emergency) (C. "A" H-559)

(H.P. 1441) (L.D. 2033) Bill "An Act to Make Clarifications in the Laws of Maine Relating to the Workers' Compensation Act" (Emergency) (C. "A" H-560)

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.

PASSED TO BE ENGROSSED

Bill "An Act to Grandfather Current Employees Regarding the Purchase of Military Service Time" (H.P. 1528) (L.D. 2157)

Was 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 Strengthen State-local Cooperation through Regional Councils" (H.P. 837) (L.D. 1181) (C. "A" H-558)

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.

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

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 Amending the Water Quality and Hazardous Waste Laws" (S.P. 789) (L.D. 1982)

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

Unanimous Leave to Withdraw

Report of the Committee on Appropriations and Financial Affairs reporting "Leave to Withdraw" on Bill "An Act to Provide for Continuation of the Living in the Community Program for Chronically Mentally Ill Persons" (Emergency) (S.P. 737) (L.D. 1890)

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

Ought to Pass in New Draft/New Title

Report of the Committee on Judiciary on Bill "An Act to Clarify the Law Relating to Authorization by Divorced Parents for the Exhumation of the Body of a Child" (S.P. 736) (L.D. 1889) reporting "Ought to Pass" in New Draft under New Title Bill "An Act to Clarify the Law Relating to Authorization for Disinterment or Removal" (S.P. 846) (L.D. 2138).

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 read once and assigned for its second reading Tuesday, March 11, 1986.

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:

Business and Commerce

Bill "An Act to Amend the Law Giving Protection to Shareholders in Maine Corporations" (H.P. 1529) (Presented by Representative STEVENS of Bangor) (Cosponsors: Representatives WARREN of Scarborough, PRIEST of Brunswick, 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.

Taxation

Bill "An Act Concerning Property Tax Assessment and Appeals" (H.P. 1530) (Presented by Representative CASHMAN of Old Town) (Cosponsors: Speaker MARTIN of Eagle Lake, Senator EMERSON of Penobscot, and Representative INGRAHAM of Houlton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

(Ordered Printed)
Sent up for concurrence.

ENACTOR

Emergency Measure

TABLED AND ASSIGNED

An Act to Correct Some Inconsistencies in the Law Relating to the Financing of Services in the Unorganized Territory (S.P. 713) (L.D. 1838) (C. "A" S-385)

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

On motion of Representative Mayo of Thomaston, tabled pending passage to be enacted and tomorrow assigned.

PASSED TO BE ENACTED

Emergency Measure

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

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.

PASSED TO BE ENACTED

Emergency Measure

An Act to Reapportion the Wells-Ogunquit Community School District (H.P. 1503) (L.D. 2118)

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. 114 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.

ENACTOR

TABLED AND ASSIGNED

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 (S.P. 761) (L.D. 1925)

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

On motion of Representative Diamond of Bangor, tabled pending passage to be enacted and tomorrow assigned.

PASSED TO BE ENACTED

An Act Concerning the Regulation of Itinerant Vendors (S.P. 840) (L.D. 2129)

An Act Relating to Settlement Negotiations and Investigation of Facts by the Maine Human Rights Commission (H.P. 1228) (L.D. 1735) (C. "A" H-548)

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)

An Act Exempting Mercinaria Mercinaria Raised by Means of Aquaculture from the 2-inch Clam Law (H.P. 1308) (L.D. 1824) (C. "A" H-547)

An Act to Provide for a Clean-up Program Concerning Natural Die-off of Fish in the Coastal Waters of the State (H.P. 1383) (L.D. 1952)

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

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.

ENACTOR

TABLED AND ASSIGNED

An Act to Establish an Official Endangered Plant List (H.P. 1413) (L.D. 1997) (H. "A" H-554; C. "A" H-552)

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

On motion of Representative Michaud of Medway, tabled pending passage to be enacted and specially assigned for Wednesday, March 12, 1986.

ENACTOR

LATER TODAY ASSIGNED

An Act Concerning State Contribution to Pollution Abatement (H.P. 1469) (L.D. 2071) (S. "A" S-389; H. "A" H-540)

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

On motion of Representative Begley of Waldoboro, tabled pending passage to be enacted and later today assigned.

The Chair laid before the House the following matter: An Act Concerning State Contribution to Pollution Abatement (H.P. 1469) (L.D. 2071) (S. "A" S-389; H. "A" H-540) which was tabled earlier in the day and later today assigned pending passage to be enacted.

On motion of Representative Begley of Waldoboro, under suspension of the rules, the House reconsidered its action whereby L.D. 2071 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-540) was adopted.

The same Representative offered House Amendment "A" (H-564) to House Amendment "A" (H-540) and moved its adoption.

House Amendment "A" (H-564) to House Amendment "A" (H-540) was read by the Clerk and adopted.

House Amendment "A" (H-540) as amended by House Amendment "A" (H-564) thereto was adopted.

The bill was passed to be engrossed as amended by Senate Amendment "A" (S-389) and House Amendment "A" (H-540) as amended by House Amendment "A" (H-564) thereto in non-concurrence and sent up for concurrence.

(Off Record Remarks)

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

Representative CONNOLLY: Mr. Speaker, is the House in possession of L.D. 2070 "An Act to Promote Intensive Spruce-fir Management?"

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

Representative Connolly moved that the House reconsider its action whereby the House voted to adhere on passage to be engrossed.

On further motion of the same Representative, tabled pending his motion that the House reconsider and tomorrow assigned.

On motion of Representative Smith of Island Falls, Adjourned until Tuesday, March 11, 1986, at nine o'clock in the morning.
