

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred and Twelfth
Legislature

OF THE
STATE OF MAINE

VOLUME II

SECOND REGULAR SESSION
April 3 - April 16, 1986
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The House was called to order by the Speaker.
Prayer by Father John E. Bellefontaine, Sacred Heart Church, Hallowell.
Pledge of allegiance.
The Journal of Friday, April 4, 1986, was read and approved.
Quorum call was held.

PAPERS FROM THE SENATE

Unanimous Ought Not To Pass

Report of the Committee on Agriculture reporting "Ought Not to Pass" on Bill "An Act Limiting the Agricultural Cooperative Producer-dealer Exemption from the Maine Milk Pool" (S.P. 878) (L.D. 2215)

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

Non-Concurrent Matter

LATER TODAY ASSIGNED

Bill "An Act to Prohibit a Doe Permit System until June 1, 1987" (H.P. 1470) (L.D. 2073) on which the Majority "Ought to Pass" as amended Report of the Committee on Fisheries and Wildlife was read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-630) in the House on April 3, 1986.

Came from the Senate with the Minority "Ought Not to Pass" Report of the Committee on Fisheries and Wildlife read and accepted in non-concurrence.

On motion of Representative Jacques of Waterville, tabled pending further consideration and later today assigned.

COMMUNICATIONS

The following Communication:

STATE OF MAINE
INTER-DEPARTMENTAL MEMORANDUM

April 3, 1986

To: Edwin H. Pert, Clerk of the House
Dept: Legislative

From: S/Richard Redmond, Commissioner
Dept: Educational & Cult. Services

Subject: Report of Advisory Committee on Medical Education

In accordance with the provisions of 20-A MRSA, Chapter 421, it is my duty to annually report to the Legislature and to the Governor a plan which assures, to the extent practicable, that Contract students return to practice their profession within the

state. It is my pleasure, therefore, to transmit herewith the Annual Status Report prepared by the Advisory Committee on Medical Education which summarizes the Committee's activities and recommendations for the period January, 1985 - December, 1985.

Was read and with accompanying report ordered placed on file.

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:

Education

Bill "An Act to Change the Name of the University of Maine to the State University of Maine and to Clarify the Public Policy on Higher Education" (H.P. 1665) (Presented by Representative BOST of Orono) (Cosponsors: Senators BALDACCI of Penobscot and BUSTIN of Kennebec)

(2,000 Ordered Printed)
Sent up for concurrence.

Utilities

Bill "An Act Extending the Boundaries of the Gray Water District to Include the Entire Town" (H.P. 1664) (L.D. 2342) (Presented by Representative CARROLL of Gray) (Cosponsors: Senator DIAMOND of Cumberland and Representative MITCHELL of Freeport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

(Ordered Printed)
Sent up for concurrence.

REPORTS OF COMMITTEES

Unanimous Leave to Withdraw

Representative NADEAU from the Committee on State Government on Bill "An Act Establishing the Bureau of State Employee Health" (H.P. 1578) (L.D. 2227) reporting "Leave to Withdraw"

Representative DESCOTEAUX from the Committee on State Government on Bill "An Act to Establish the Office of Human Resources" (H.P. 1505) (L.D. 2120) reporting "Leave to Withdraw"

Representative STEVENS from the Committee on Business and Commerce on Bill "An Act Concerning the Regulation of Surplus Lines Insurance Agencies" (H.P. 1519) (L.D. 2148) 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 CARTER from the Committee on Appropriations and Financial Affairs on Bill "An Act Authorizing the Acceptance of Federal Block Grants and Making Allocations from the Federal Block Grants for the Expenditures of State Government" (Emergency) (H.P. 1482) (L.D. 2094) reporting "Ought to Pass" in New Draft (Emergency) (H.P. 1659) (L.D. 2337)

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

Ought to Pass in New Draft

Representative HICKEY from the Committee on Aging Retirement and Veterans on Bill "An Act to Insure the Rights of the Staff of the Projects Serving Preschool Handicapped Children and Other Preschool Teachers Employed by Public Schools to Receive Maine State Retirement" (H.P. 1513) (L.D. 2135) reporting "Ought to Pass" in New Draft (Emergency) (H.P. 1662) (L.D. 2340)

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

Ought to Pass in New Draft

Representative MACOMBER from the Committee on Transportation on Bill "An Act Making Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1986, and June 30, 1987" (Emergency) (H.P. 1512) (L.D. 2132) reporting "Ought to Pass" in New Draft (Emergency) (H.P. 1666) (L.D. 2346)

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

Ought to Pass in New Draft/New Title

Representative DILLENBACK from the Committee on State Government on Bill "An Act to Amend the Rule-making Procedures of Certain Agencies" (H.P. 1543) (L.D. 2180) reporting "Ought to Pass" in New Draft under New Title Bill "An Act to Amend Rule-making Provisions in the Maine Administrative Procedures Act" (H.P. 1663) (L.D. 2341)

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

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 Knox County for the Year 1986 (Emergency) (H.P. 1657) (L.D. 2335) reporting "Ought to Pass" - Pursuant to Joint Order (H.P. 1316)

Report was read and accepted.

Under suspension of the rules, the bill was read twice, passed to be engrossed and sent up for concurrence.

Ought to Pass
Pursuant to Joint Order (H.P. 1316)

Representative NICKERSON from the Committee on Local and County Government on RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Androscoggin County for the Year 1986 (Emergency) (H.P. 1658) (L.D. 2336) reporting "Ought to Pass" - Pursuant to Joint Order (H.P. 1316)

Report was read and accepted.

Under suspension of the rules, the bill was read twice, passed to be engrossed 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. 855) (L.D. 2167) Bill "An Act to Enhance the Sound Use and Management of Maine's Coastal Resources" Committee on Energy and Natural Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (S-456)

(H.P. 1572) (L.D. 2222) RESOLVE, Ratifying Washington County's Use of Unappropriated Surplus to Pay Deficits (Emergency) Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-647)

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.

PASSED TO BE ENGROSSED

Bill "An Act Relating to Place of Payment of Motor Vehicle Excise Tax on Leased Vehicles" (H.P. 1647) (L.D. 2324)

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

(Off Record Remarks)

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

On motion of Representative Strout of Corinth, Recessed until four-thirty 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

Divided Report

Eight Members of the Committee on Education on Bill "An Act to Provide Funds for the Teacher of the Year Program" (H.P. 1517) (L.D. 2146) report in Report "A" that the same "Ought to Pass" as amended by Committee Amendment "A" (H-646)

Signed:

Senator: BROWN of Washington

Representatives: MATTHEWS of Caribou
LAWRENCE of Parsonsfield
FOSS of Yarmouth
BROWN of Gorham
SMALL of Bath
O'GARA of Westbrook
ROBERTS of Farmington

Four Members of the same Committee on same Bill report in Report "B" that the same "Ought Not to Pass"

Signed:

Senator: HICHENS of York

Representatives: BOST of Orono
SOUCY of Kittery
HANDY of Lewiston

One Member of the same Committee on same Bill reports in Report "C" that the same "Ought to Pass" in New Draft (H.P. 1661) (L.D. 2339)

Signed:

Senator: GAUVREAU of Androscoggin

Reports were read.

The SPEAKER: The Chair recognizes the Representative from Gorham, Representative Brown.

Representative BROWN: Mr. Speaker, Men and Women of the House: I move that the House accept the Majority "Ought to Pass" Report, Report "A."

The original bill would have provided for the Commissioner of the Department of Educational and Cultural Services to award up to \$5,000 as reimbursement for travel and other expenses associated with the duties of the Teacher of the Year. That money would have been paid from the classroom based Innovative Educational Grants Program. In Report "A", a majority of the committee felt that use of those funds was appropriate, but also supported amending the bill to require the commissioner to use other available funds for those purposes before using the Innovative Grant money.

There were two Minority Reports. The first, Report "B" "Ought Not to Pass" would do nothing to help defray the costs incurred by the Teacher of the Year. Report "C", the second Minority Report, would amend the bill to provide for up to \$2,000 in general expense from the General Fund and payment of additional expenses associated with promotion of an innovative classroom grant program by the Teacher of the Year from the innovative grant money. That was supported by one person.

The Majority Report was supported by eight people. This bill establishes a permanent funding mechanism for Teacher of the Year, which would be for travel expenses and a special project. Testimony from former Teachers of the Year indicated that they had to pay out of their pocket for their expenses. I wonder what legislator would travel across Maine at his own expense to promote whatever honor he or she was given.

This bill is supported by Maine School Management, MTA and the Department of Education. A project created by Maine Teacher of the Year does warrant an innovative grant and I am sorry such a worthy piece of legislation has been lobbied against so extensively. Any off the record agreement to find the money this year does nothing to fund future Teachers of the Year. One argument we heard in committee was that there were not enough candidates applying for the honor. I think if we pass this bill, there will be more teachers interested in applying for the honor because they will know that funds are available for their expenses.

I urge you to support the Majority Report out of the Education Committee, which was not partisan. When the vote is taken Mr. Speaker, I request the yeas and nays.

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.

At this point, the Speaker appointed Representative Gwadosky of Fairfield to act as Speaker pro tem.

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

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

Representative HANDY: Mr. Speaker, Men and Women of the House: I signed the Minority "Ought Not to Pass" Report for a number of reasons and basically these are policy reasons and no other reason exists. I am not against having a Teacher of the Year.

I would like to provide you with some information which is what I would deem to be accurate so that you can get the complete picture. I am sure many of us are under the impression that this Teacher of the Year superlative in the competition is one program that is administered, organized, sanctioned and funded fully by state government. It is none of those. The Teacher of the Year program is a program that is sponsored by corporations, among them the Encyclopedia Britannica.

The role of the Department of Education is simply that of a clearing house that administers and disperses the information regarding the program.

My reason for opposing providing monies for this program is because this is run by corporations; it is not something that the legislature as a lawmaking body of this state has had a role in (designing the program). I don't think that we should be put in the position of having to financially back up a program that is run by corporations.

With respect to some comments that were made earlier, there were some of the organizations, who testified at our public hearing in support of the program, that did caution us about taking monies out of the Innovative Grant Program. The Innovative Grant Program, which is part of the Education Reform Act, is one of the most widely applauded and accepted programs, applauded widely and accepted by administrators, teachers and a number of people and groups within the educational community. In the Innovative Grant Program, there is a specific process one goes through like any other grant process and that is the way it should be. One should not be handed carte blanche because they have been designated by a particular group of corporations that they are the Teacher of the Year. Although I endorse recognizing a Teacher of the Year, I do not support these monies coming from state funds, particularly where it is private corporations.

I would urge you to oppose the pending motion so that we can go on to accept the Minority "Ought Not to Pass" Report.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Yarmouth, Representative Foss.

Representative FOSS: Mr. Speaker, Men and Women of the House: Maine's Teacher of the Year is representative of the best and brightest in the teaching profession. The Teacher of the Year is promoted by the Department of Education and is designed to recognize a teacher who represents outstanding scholarship, effective instructional practices, and leadership.

Although endorsed by the Education Department, money for travel expenses and any substitute costs have been provided in the past by the local school

district or the recognized teacher. Many times, the individual who has received this award, has been forced to use personal funds to carry out the responsibilities of the honor.

This year, at the request of Commissioner Boose, the 1986 Maine Teacher of the Year, Charlie Seymour of Camden-Rockport High School, decided to develop a project to aid in implementing the new fine arts curriculum as enacted by the legislature. Mr. Seymour agreed to this request and has pursued the production of a video tape promoting fine arts. He has stated and I quote, "There are some school districts who are resisting the incorporation of the fine arts requirement into their program. My goal will be to help those schools bridge the gap from what they believe presents a hardship to them to what I believe is possible for the utilization of resources already present in their schools and communities."

I think this video tape is a timely idea and shows real initiative, and unfortunately, state funds were not specifically designated for this kind of project. The bill before you today, L.D. 2146, is supported by a majority of the Education Committee including its two chairmen. As stated earlier, it provides a permanent funding mechanism for future Teachers of the Year and this funding should encourage, not only the development of innovative projects, but it will also encourage more teachers to apply for the honor because they will know that they will not have to use their own personal funds to carry out their responsibilities.

In reference to the innovative grants money, there is \$750,000 in the fund. Last year, there was no argument about tapping that fund for \$60,000 for an administrative certification bill. In light of that, the argument against earmarking \$5,000 of that three-quarters of a million dollars for a Teacher of the Year project, which is surely an example of an innovative classroom based grant for the finest representative of Maine's teachers, becomes a little hollow. In fact, as mentioned by the Chairman of the Committee, the amended version of this bill, again supported by the majority, provides for the use of alternative sources of funding -- for example from other parts of the Education Budget or from federal funds, if they are available, before the use of innovative grant funds.

I hope you will support L.D. 2146 as endorsed by the majority, by the Maine Teachers Association and by Maine School Management Association. It will appropriately recognize the expertise of the Maine Teacher of the Year and will encourage the development of projects that will benefit all Maine children. The Teacher of the Year award has been in existence since 1951. It is about time after 35 years for the state to provide a permanent source of funding to allow the recipients to carry out a meaningful expression of the honor. It is a state program and should be state financed.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Rockland, Representative Melendy.

Representative MELENDY: Mr. Speaker, Ladies and Gentlemen of the House: I will be voting against the pending motion and I would like to tell you my reason for doing so. I feel this is another "do nothing" bill.

It is allowing the department to do what it already can do. In late January, I spoke with Commissioner Boose regarding the matter of Teacher of

the Year. He assured me at that time that the needed funding would be taken care of to assist the current Teacher of the Year, who is from the mid-coast area and who he had asked to do a specific project, that the money would be there to fund it. Recently, I spoke to the acting Commissioner and he said, whether this bill passed or not, that because former Commissioner Boose had made a promise to the Teacher of the Year, that the funding would be there. So I say to you — do we have to pass a bill when something can already be done from within the department?

The SPEAKER PRO TEM: The Chair recognizes the Representative from Orono, Representative Bott.

Representative BOTT: Mr. Speaker, Men and Women of the House: I wish to pose a question if I may.

The previous speaker said that the funding is there currently for this year's Teacher of the Year. Is there any guarantee the funding would be there next year and the year after that?

The SPEAKER PRO TEM: The Representative from Orono, Representative Bott, has posed a question through the Chair to anyone who may respond if they so desire.

The Chair recognizes the Representative from Gorham, Representative Brown.

Representative BROWN: Mr. Speaker, Men and Women of the House: No there is no guarantee, that is why the legislation is necessary so there will be a permanent funding mechanism in the law.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Orono, Representative Bott.

Representative BOTT: Mr. Speaker, Men and Women of the House: In light of the remarks just made by the good Representative from Gorham, I would hope that you will support the Majority Report so we can get this into law and we can recognize Maine's Teacher of the Year, not just now, but in the future. Let's look to the future and vote with the majority of the committee.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Westbrook, Representative O'Gara.

Representative O'GARA: Mr. Speaker, Men and Women of the House: I want to also respond to that. Obviously, the Education Committee and this legislature cannot pin down an incoming Commissioner of Education, even though the outgoing Commissioner made comment that he would provide funds, that doesn't in any way ensure that this program will be funded in the future.

What I really wanted to stand up for — this is a simple, nice, clean bill that, for the first time in a long time, up to \$5,000 would be used to support a teacher that has been recognized out of Maine's almost 14,000 teachers as its Teacher of the Year. I have heard several people talking about why should we spend money for trips and travel and all that sort of thing — it almost makes me smile sometimes that legislators would make that kind of a comment. The only reason that it is in there, the only reason, is that if the Teacher of the Year, the person that is selected, in my opinion, as he or she is doing the research for the project they are going to be asked to do and may be asked in a variety of ways to go around the state and to talk about being Teacher of the Year and gather information for his or her report, that is what the money is for, not for trips here or there or just for any reason at all.

The only other thing I want to say Mr. Chairman to the ladies and gentlemen of the House — in the

short time I have been here, I have seen a lot of bills lobbied, bills of great significance but I haven't anything like the kind of lobbying and the things that have gone on, as I sat there and listened with no opposition at the hearing, it was glowing, the comments that were made. None of the people, who have gone around and worked very hard to bring this to the kind of situation we have right now, were there to speak against the bill — there were none. I do hope that you will set all of that aside if you can and recognize the bill for what it is, a very simple bill, taking perhaps up to \$5,000 out of \$700,000 and whatever else it was, to honor a teacher in the future. It just simply makes it permanent rather than saying, perhaps money will be available, perhaps it won't.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Kittery, Representative Soucy.

Representative SOUCY: Mr. Speaker, Ladies and Gentlemen of the House: When we heard the original bill, I had problems with giving \$4,000 to the Teacher of the Year. I have no problems with reimbursing him for travel expenses or substitute teachers when he is traveling throughout the state. I also asked a question — how many applicants did they have for this honor? We have approximately 14,500 teachers and we had thirty-five or less people apply for this.

As I said, I have no problem with providing money, approximately \$1,000 for substitute teachers, travels, etc., but I have real problems if we are going to provide money so that the people can come up with a project.

The SPEAKER PRO TEM: The pending question before the House is the motion of the Representative from Gorham, Representative Brown, that the House accept the Majority "Ought to Pass" Report.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Gray, Representative Carroll.

Representative CARROLL: Mr. Speaker, Men and Women of the House: I wish to pair my vote with the Representative from Orono, Representative Bott. If he were here and voting, he would be voting no and if I were voting, I would be voting yes.

The SPEAKER PRO TEM: The pending question before the House is the motion of the Representative from Gorham, Representative Brown, that the House accept the Majority "Ought to Pass" Report. Those in favor will vote yes; those opposed will vote no.

77 having voted in the affirmative and 56 in the negative with 16 absent and 2 paired, the motion to accept the Majority "Ought to Pass" Report did prevail.

(See Roll Call 278)

The bill was read once.

Committee Amendment "A" (H-646) was read by the Clerk and adopted and the bill assigned for second reading Tuesday, April 8, 1986.

CONSENT CALENDAR

SECOND DAY

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

(S.P. 855) (L.D. 2167) Bill "An Act to Enhance the Sound Use and Management of Maine's Coastal Resources" (C. "A" S-456)

(H.P. 1572) (L.D. 2222) RESOLVE, Ratifying Washington County's Use of Unappropriated Surplus to Pay Deficits (Emergency) (C. "A" H-647)

No objections having been noted at the end of the Second Legislative Day, the Senate Paper was 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 Authorizing the Acceptance of Federal Block Grants and Making Allocations from the Federal Block Grants for the Expenditures of State Government" (Emergency) (H.P. 1659) (L.D. 2337)

Bill "An Act to Insure the Rights of the Staff of the Projects Serving Preschool Handicapped Children and Other Preschool Teachers Employed by Public Schools to Receive Maine State Retirement" (Emergency) (H.P. 1662) (L.D. 2340)

Bill "An Act Making Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1986, and June 30, 1987" (Emergency) (H.P. 1666) (L.D. 2346)

Bill "An Act to Amend Rule-making Provisions in the Maine Administrative Procedure Act" (H.P. 1663) (L.D. 2341)

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

ENACTORS

Emergency Measure

LATER TODAY ASSIGNED

RESOLVE, to Establish a Commission to Examine Problems of Tort Litigation and Liability Insurance in Maine (H.P. 1624) (L.D. 2289)

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

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

PASSED TO BE ENGROSSED

As Amended

An Act to Modify and Update Certain Laws Pertaining to Inland Fisheries and Wildlife (S.P. 916) (L.D. 2286) (H. "A" H-634)

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

On motion of Representative Jacques of Waterville, under suspension of the rules, the House reconsidered its action whereby L.D. 2286 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" was adopted.

On further motion of the same Representative, House Amendment "A" was indefinitely postponed.

The same Representative offered House Amendment "B" (H-652) and moved its adoption.

House Amendment "B" was read by the Clerk and adopted.

The same Representative offered House Amendment "C" (H-654) and moved its adoption.

House Amendment "C" was read by the Clerk and adopted.

The bill was passed to be engrossed as amended by House Amendment "B" and "C" thereto in nonconcurrence and sent up for concurrence.

PASSED TO BE ENACTED

An Act to Ensure the Implementation of a Single Audit (S.P. 924) (L.D. 2304)

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

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

PAPERS FROM THE SENATE

Non-Concurrent Matter

RESOLVE, Creating a Maine Commission to Commemorate the Bicentennial of the United States Constitution (Emergency) (S.P. 813) (L.D. 2045) (C. "A" S-443) which was Finally Passed in the House on April 3, 1986.

Came from the Senate Passed to be Engrossed as amended by Committee Amendment "A" (S-443) and Senate Amendment "A" (S-459) in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

LATER TODAY ASSIGNED

RESOLVE, to Establish a Maine Commission to Examine Chemical Testing of Employees (Emergency) (S.P. 934) (L.D. 2343) which was referred to the Committee on Labor in the House on April 4, 1986.

Came from the Senate with that Body having Insisted on its previous action whereby the Bill was Passed to be Engrossed without reference to a committee in non-concurrence.

Representative Beaulieu of Portland moved that the House recede and concur.

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

REPORTS OF COMMITTEES

Unanimous Leave to Withdraw

Representative COOPER from the Committee on Judiciary on Bill "An Act to Reform High-speed Pursuit Policies for Law Enforcement Personnel" (H.P. 1471) (L.D. 2074) reporting "Leave to Withdraw"

Representative CARTER from the Committee on Appropriations and Financial Affairs on Bill "An Act to Improve Legislative Oversight of the Bureau of Public Lands and to Create the Maine Conservation Heritage Trust Fund" (H.P. 1570) (L.D. 2220) 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:

(S.P. 892) (L.D. 2242) Bill "An Act to Provide for Development of a State Low-level Radioactive Waste Facility if Necessary" (Emergency) Committee on Energy and Natural Resources reporting "Ought to Pass"

(S.P. 885) (L.D. 2230) Bill "An Act to Authorize Temporary Licenses to Operate Family Foster Homes" Committee on Human Resources reporting "Ought to Pass"

(S.P. 927) (L.D. 2314) RESOLVE, Authorizing the Commissioner of Transportation to Issue Temporary Experimental Vehicle Permits on a Limited Basis under Strictly Controlled Conditions (Emergency) Committee on Transportation reporting "Ought to Pass"

(H.P. 1585) (L.D. 2232) Bill "An Act to Provide Appropriate Penalties for Violations of Milk Commission Statutes and to Provide for Administrative Enforcement" Committee on Agriculture reporting "Ought to Pass" as amended by Committee Amendment "A" (H-648)

(H.P. 1431) (L.D. 2022) Bill "An Act to Amend Watercraft Excise Tax Laws" Committee on Taxation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-649)

(H.P. 1571) (L.D. 2221) Bill "An Act to Amend the Annual Operating-under-the-influence Report and to Establish a State-operated Evaluation Program within the Driver Education Program of the Department of Human Services" Committee on Human Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-651)

There being no objections, the above items were ordered to appear on the Consent Calendar of Tuesday, April 8, 1986 under the listing of Second Day.

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

CONSENT CALENDAR

FIRST DAY

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

(H.P. 1479) (L.D. 2081) Bill "An Act to Exempt the Town of Hope from Liability for Certain Tax-acquired Property" (Emergency) Committee on Judiciary reporting "Ought to Pass"

(H.P. 1588) (L.D. 2233) Bill "An Act to Improve Child Welfare Services in Maine" Committee on Audit and Program Review reporting "Ought to Pass" as amended by Committee Amendment "A" (H-653)

There being no objections, the above items were ordered to appear on the Consent Calendar of Tuesday, April 8, 1986 under the listing of Second Day.

The Chair laid before the House the following matter: "RESOLVE, to Establish a Commission to Examine Problems of Tort Litigation and Liability Insurance in Maine" (L.D. 2289) (H.P. 1624) which was tabled earlier in the day and later today assigned pending final passage.

On motion of Representative Kane, under suspension of the rules, the House reconsidered its action whereby the L.D. 2289 was passed to be engrossed.

Representative Kane offered House Amendment "B" (H-655) and moved its adoption.

House Amendment "B" was read by the Clerk and adopted.

The Resolve was passed to be engrossed as amended by House Amendment "B" in non-concurrence and sent up for concurrence.

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

REPORTS OF COMMITTEES

Unanimous Ought Not to Pass

Representative STEVENS from the Committee on

Business and Commerce on Bill "An Act to Establish a Fluctuating Credit Card Charge Relative to the Prime Rate" (H.P. 1606) (L.D. 2264) reporting "Ought Not to Pass"

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

The Chair laid before the House the following matter: Bill "An Act to Prohibit a Doe Permit System until June 1, 1987" (H.P. 1470) (L.D. 2073) which was tabled earlier in the day and later today assigned pending further consideration.

On motion of Representative Jacques of Waterville, the House voted to adhere.

At this point, the Speaker resumed the Chair.

The House was called to order by the Speaker.

The Chair laid before the House the following matter: RESOLVE, to Establish a Maine Commission to Examine Chemical Testing of Employees (S.P. 934) (L.D. 2343) which was tabled earlier in the day and later today assigned pending the motion of Representative Beaulieu of Portland that the House recede and concur.

Subsequently, the House voted to recede and concur.

(Off Record Remarks)

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

PAPER FROM THE SENATE

The following Joint Order: (S.P. 941)

ORDERED, the House concurring, that Bill "An Act to Strip Crime of its Profit", (S.P. 847) (L.D. 2139), be recalled from the Governor's desk to the Senate.

Came from the Senate, read and passed.

Was read and passed in concurrence.

On motion of Representative Soucy of Kittery,
Adjourned until Tuesday, April 8, 1986 at
eight-thirty in the morning.