

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

PAPERS FROM THE HOUSE

House Papers

STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION
JOURNAL OF THE SENATE

Bill "An Act to Protect Individual Retirement
Accounts from Attachment and Execution"
H.P. 1475 L.D. 2077

In Senate Chamber
Friday
February 28, 1986

Comes from the House referred to the Committee on
BUSINESS AND COMMERCE and ORDERED PRINTED.

On motion by Senator VIOLETTE of Aroostook,
referred to the Committee on JUDICIARY and ORDERED
PRINTED, in NON-CONCURRENCE.

Senate called to Order by the President.

Under suspension of the Rules, ordered sent down
forthwith for concurrence.

Prayer by Reverend Victor Stanley of the First
Baptist Church in Gardiner.

Bill "An Act Concerning Medical Malpractice
Insurance"
H.P. 1476 L.D. 2078

REVEREND STANLEY: Our gracious God we ask that
You will be with us in this day, filling our hearts
with Your love, our minds with Your wisdom, our
bodies with Your power. Enable us to seek Your
kingdom as a model to follow as we endeavor to make
our State the best it can possibly be. We pray this
in the presence of Your power. Amen.

Comes from the House referred to the Committee on
BUSINESS AND COMMERCE and ORDERED PRINTED.

On motion by Senator VIOLETTE of Aroostook,
referred to the Committee on JUDICIARY and ORDERED
PRINTED, in NON-CONCURRENCE.

Under suspension of the Rules, ordered sent down
forthwith for concurrence.

Reading of the Journal of Yesterday.

Off Record Remarks

Bill "An Act Pertaining to Snowmobile
Registration"
H.P. 1477 L.D. 2079

Senator PEARSON of Penobscot was granted
unanimous consent to address the Senate Off the
Record.

Comes from the House, referred to the Committee
on FISHERIES AND WILDLIFE and ORDERED PRINTED.

Which was referred to the Committee on FISHERIES
AND WILDLIFE and ORDERED PRINTED, in concurrence.

Senator BUSTIN of Kennebec was granted
unanimous consent to address the Senate Off the
Record.

Bill "An Act to Exempt the Town of Hope from Liability for Certain Tax-acquired Property" (Emergency)

H.P. 1479 L.D. 2081

Comes from the House, referred to the Committee on JUDICIARY and ORDERED PRINTED.

Which was referred to the Committee on JUDICIARY and ORDERED PRINTED, in concurrence.

Study Report

Committee on LEGAL AFFAIRS

Report of the Committee on LEGAL AFFAIRS to which was referred by the Legislative Council the Study Relative to the Maine Dram Shop Act have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill "An Act to Create the Maine Liquor Liability Act" H.P. 1478 L.D. 2080

Be referred to the Joint Standing Committee on LEGAL AFFAIRS for Public Hearing and printed pursuant to Joint Rule 19.

Comes from the House with the Report READ and ACCEPTED, and the Bill referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED, in concurrence.

SENATE PAPERS

Bill "An Act to Continue the Mental Retardation Trainer Apprenticeship Program at Pineland Center" S.P. 822 L.D. 2082

Presented by Senator BUSTIN of Kennebec
Cosponsored by: Representative CARROLL of Gray
Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26

Which was referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Clarify the Applicability of the Motor Vehicle Dealer Laws and the Used Car Information Law to Financial Institutions" S.P. 823 L.D. 2083

Presented by Senator VIOLETTE of Aroostook
Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 27

Which was referred to the Committee on BUSINESS AND COMMERCE and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Repeal the Pheasant Stamp" S.P. 824 L.D. 2084

Presented by Senator USHER of Cumberland
Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 27

Which was referred to the Committee on FISHERIES AND WILDLIFE and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Classify AIDS as a Dangerous Communicable Disease for the Purpose of Public Health" S.P. 825 L.D. 2085

Presented by Senator PERKINS of Hancock
Cosponsored by: Representative HIGGINS of Scarborough, Senator BROWN of Washington, Representative CARROLL of Gray
Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26

Which was referred to the Committee on HUMAN RESOURCES and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act Concerning Access to Adoption Records" S.P. 826 L.D. 2086

Presented by Senator GILL of Cumberland
Cosponsored by: Representative McPHERSON of
Eliot, Senator CLARK of Cumberland,
Representative NICHOLSON of South Portland
Approved for Introduction by a Majority of the
Legislative Council pursuant to Joint Rule 26

Committee on JUDICIARY suggested and ORDERED
PRINTED.

On motion by Senator VIOLETTE of Aroostook,
referred to the Committee on LEGAL AFFAIRS and
ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act Concerning the Day-care Program at
Augusta Mental Health Institute"
S.P. 829 L.D. 2089

Presented by Senator BUSTIN of Kennebec
Cosponsored by: Representative HICKEY of
Augusta, Representative PARADIS of Augusta,
Senator KANY of Kennebec
Approved for Introduction by a Majority of the
Legislative Council pursuant to Joint Rule 26

Which was referred to the Committee on STATE
GOVERNMENT and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act Concerning Access to Vital Records
in Cases of Adoption"
S.P. 827 L.D. 2087

Presented by Senator GILL of Cumberland
Cosponsored by: Representative McPHERSON of
Eliot, Senator CLARK of Cumberland,
Representative NICHOLSON of South Portland
Approved for Introduction by a Majority of the
Legislative Council pursuant to Joint Rule 26

Committee on JUDICIARY suggested and ORDERED
PRINTED.

On motion by Senator VIOLETTE of Aroostook,
referred to the Committee on LEGAL AFFAIRS and
ORDERED PRINTED.

Sent down for concurrence.

Off Record Remarks

Bill "An Act to Increase the Amount of Insurance
for Vehicles Used in Transporting Students"
S.P. 830 L.D. 2090

Presented by Senator TRAFTON of Androscoggin
Approved for Introduction by a Majority of the
Legislative Council pursuant to Joint Rule 27

Which was referred to the Committee on
TRANSPORTATION and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act Concerning the Release of an
Original Birth Certificate in Cases of Adoption"
S.P. 828 L.D. 2088

Presented by Senator GILL of Cumberland
Cosponsored by: Representative McPHERSON of
Eliot, Senator CLARK of Cumberland,
Representative BOUTILIER of Lewiston
Approved for Introduction by a Majority of the
Legislative Council pursuant to Joint Rule 26

Committee on JUDICIARY suggested and ORDERED
PRINTED.

On motion by Senator VIOLETTE of Aroostook,
referred to the Committee on LEGAL AFFAIRS and
ORDERED PRINTED.

Sent down for concurrence.

COMMITTEE REPORTS

House

Leave to Withdraw

The following Leave to Withdraw Reports shall
be placed in the Legislative Files without further
action pursuant to Rule 15 of the Joint Rules:

Bill "An Act Concerning the Specifications of
Auxiliary Lights on Motor Vehicles"
H.P. 1291 L.D. 1808

Bill "An Act Authorizing the Public Utilities
Commission to Require an Electric Utility to Submit a
Long-range Energy Plan"
H.P. 1314 L.D. 1830

Bill "An Act to Clarify the Confidentiality of
Accident Reports"
H.P. 1230 L.D. 1737

Change of Reference

The Committee on UTILITIES on Bill "An Act to Place in the Unclassified Service 3 Utility Accountant III Positions at the Public Utilities Commission"

H.P. 1437 L.D. 2028

Reported that the same be REFERRED to the Committee on STATE GOVERNMENT.

Comes from the House with the Report READ and ACCEPTED and the Bill REFERRED to the Committee on STATE GOVERNMENT.

Which Report was READ and ACCEPTED, in concurrence.

The Bill REFERRED to the Committee on STATE GOVERNMENT, in concurrence.

Ought to Pass As Amended

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Adjust and Allocate Various Dedicated Revenue Accounts of the Department of Environmental Protection for Fiscal Years Ending June 30, 1986, and June 30, 1987" (Emergency)

H.P. 1240 L.D. 1750

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-535).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-535).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-535) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass in New Draft

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Amend and Clarify the Statutes Governing Control of Hazardous Air Pollutants"

H.P. 1299 L.D. 1815

Reported that the same Ought to Pass in New Draft under same title.

H.P. 1473 L.D. 2072

Comes from the House, with the Report READ and ACCEPTED and the Bill in NEW DRAFT PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill in NEW DRAFT READ ONCE.

The Bill in NEW DRAFT TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass in New Draft under New Title

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Create the Northern and Eastern Maine Emergency Forestry District"

H.P. 245 L.D. 286

Reported that the same Ought to Pass in New Draft under New Title Bill "An Act to Promote Intensive Spruce-fir Management"

H.P. 1468 L.D. 2070

Comes from the House, with the Report READ and ACCEPTED and the Bill in NEW DRAFT under NEW TITLE, PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill in NEW DRAFT under NEW TITLE READ ONCE.

The Bill in NEW DRAFT under NEW TITLE TOMORROW ASSIGNED FOR SECOND READING.

Senate

Ought to Pass in New Draft

Senator BLACK for the Committee on AGRICULTURE on Bill "An Act to Coordinate Board of Pesticides Control Registration"

S.P. 661 L.D. 1699

Reported that the same Ought to Pass in New Draft under same title.

S.P. 831 L.D. 2091

Which Report was READ and ACCEPTED.

The Bill in NEW DRAFT READ ONCE.

The Bill in NEW DRAFT TOMORROW ASSIGNED FOR SECOND READING.

SECOND READERS

The Committee on Bills in the Second Reading reported the following:

House

Bill "An Act to Permit Mobile Banking in Rural Maine"

H.P. 1458 L.D. 2055

Bill "An Act Requiring Study of the Leasing of Submerged Public Lands for Aquaculture Operations"

H.P. 1465 L.D. 2067

Which were READ A SECOND TIME and PASSED TO BE ENGROSSED, in concurrence.

House As Amended

Bill "An Act to Authorize the Portland School of Art to Confer Associate Degrees"

H.P. 1296 L.D. 1812
(C "A" H-533)

Bill "An Act to Equalize the State Tipping Minimum Wage and the Federal Tipping Minimum Wage"

H.P. 1376 L.D. 1939
(C "A" H-531)

Which were READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended, in concurrence.

ENACTORS

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

An Act Authorizing Mutual Financial Institutions to Reorganize into Mutual Holding Companies

S.P. 560 L.D. 1489
(C "A" S-376)

An Act to Provide Vanity Plates for Trailers
H.P. 1175 L.D. 1670
(C "A" H-513)

An Act to Provide for Fair Treatment of Unpowered Fishing Dorries Under the Boat Excise Tax Law
H.P. 1311 L.D. 1827
(C "A" H-514)

An Act to Regulate Funds Availability for Items Deposited in an Account with a Financial Institution
H.P. 1319 L.D. 1854
(H "A" H-520)

Which were PASSED TO BE ENACTED and having been signed by the President, were presented by the Secretary to the Governor for his approval.

An Act Concerning the Conservation and Preservation of Unique State Historical and Library Research Material
S.P. 696 L.D. 1782

On motion by Senator PEARSON of Penobscot, placed on the SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

An Act to Create a Rape Crisis Center in Augusta
H.P. 1276 L.D. 1793

On motion by Senator PEARSON of Penobscot, placed on the SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

An Act to Provide Funds to Continue a Study of Bedrock Ground Water in Aroostook County
H.P. 1340 L.D. 1877
(C "A" H-511)

On motion by Senator PEARSON of Penobscot, placed on the SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

Resolve

Resolve, to Name the New Bridge Between the Cities of Bangor and Brewer the "Veterans' Remembrance Bridge"

H.P. 1261 L.D. 1771
(C "A" H-512)

Which was FINALLY PASSED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Sagadahoc County for the Year 1986

H.P. 1455 L.D. 2052

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with No Senators having voted in negative, and 29 being more than two-thirds of the entire elected Membership of the Senate, was FINALLY PASSED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Off Record Remarks

Senator BERUBE of Androscoggin was granted unanimous consent to address the Senate Off the Record.

Senator BERUBE of Androscoggin was granted unanimous consent to address the Senate On the Record.

Senator BERUBE: Thank you, I would move that when we adjourn we do so in memory of the former State Senator, Albert Cote.

On motion by Senator BERUBE of Androscoggin, ADJOURNED until Monday, March 3, 1986, at 9 o'clock in the morning, in memory of former State Senator Albert Cote.