

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Twelfth  
Legislature***

OF THE

STATE OF MAINE

**Volume I**

**FIRST REGULAR SESSION**

**December 5, 1984 - June 20, 1985**

Equipment" (H.P. 507) (L.D. 712)

Bill "An Act Relating to Registration of Electrolologist" (H.P. 351) (L.D. 472)

Bill "An Act to Require a Life Safety Sprinkler System in Certain Residential Occupancies" (H.P. 601) (L.D. 871)

Bill "An Act Pertaining to Individual Teacher Contracts" (H.P. 159) (L.D. 193)

Bill "An Act to Increase Reimbursement for Professional Credits for Teachers" (H.P. 510) (L.D. 715)

Bill "An Act Concerning the Sale of Lobster Measures by the State" (H.P. 220) (L.D. 254)

#### 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 to Amend the Medical Radiation, Health and Safety Act" (H.P. 167) (L.D. 201)

Bill "An Act to Ban Smoking in Certain Public Access Structures" (H.P. 581) (L.D. 851)

#### Change of Reference

The Committee on **HUMAN RESOURCES** on Bill "An Act to Assure the Public Freedom of Choice of Practitioner in Obtaining Dental Services" (H.P. 532) (L.D. 752)

Reported that the same be **REFERRED** to the Committee on **BUSINESS AND COMMERCE**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **BUSINESS AND COMMERCE**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill **REFERRED** to the Committee on **BUSINESS AND COMMERCE**, in concurrence.

#### Change of Reference

The Committee on **LEGAL AFFAIRS** on Bill "An Act Concerning Reports to the Federal Government Relating to Missing Children" (H.P. 854) (L.D. 1210)

Reported that the same be **REFERRED** to the Committee on **JUDICIARY**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill **REFERRED** to the Committee on **JUDICIARY**, in concurrence.

#### Divided Report

The Majority of the Committee on **HUMAN RESOURCES** on Bill "An Act to Establish Policies Governing Smoking in Places of Work" (H.P. 235) (L.D. 276)

Reports that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-53).

Signed:

Senators:

BERUBE of Androscoggin  
GILL of Cumberland

Representatives:

NELSON of Portland  
BRODEUR of Auburn  
MANNING of Portland  
CARROLL of Gray  
MELENDY of Rockland  
ROLDE of York  
PINES of Limestone  
SEAVEY of Kennebunkport  
KIMBALL of Buxton  
TAYLOR of Camden

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "B"** (H-54).

Signed:

Senator: BUSTIN of Kennebec

Comes from the House, with the Majority

**UGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-53) Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-53).

Which Reports were **READ**.

**THE PRESIDENT** The Chair recognizes the Senator from Kennebec, Senator Bustin.

Senator **BUSTIN**: Thank you, Mr. President, Ladies and Gentlemen of the Senate, I don't want to delay this issue, but I do feel that before we accept this Committee Report, I ought to explain to you why I am the sole Member of the Committee who is on another Committee Report. That is simply because of my old feeling; and if you remember the Fetal Alcohol Syndrome warning sign that we wanted to put up, then I do not feel that we need to put a penalty on employers every time an employee does or doesn't do something. In the case of the warning sign that would be if an employee failed to put up the warning sign or it fell down or something they would be fined.

Well, I just don't happen to believe in that. I believe that we ought to give the businesses a chance to at least prove themselves, that they are willing to do what the Legislature would like to set in policy.

I am going to offer an amendment. I'm asking for a Tabling motion after the acceptance of this report, simply to take care of some of the concerns that I have, and I feel other Members of this Body have. Thank you.

The Majority **UGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-53) Report was **ACCEPTED**, in concurrence.

The Bill **READ ONCE**.

Committee Amendment "A" (H-53) was **READ** and **ADOPTED**, in concurrence.

The Bill as **Amended ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION**.

#### Senate

##### 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 to Require that the Maine National Guard Provide an Honor Guard for Burials at the Maine Veterans' Memorial Cemetery" (S.P. 268) (L.D. 726)

Resolve, Authorizing the Department of Defense and Veterans' Services to Study Benefits Offered by the Maine National Guard as Compared with other States (S.P. 288) (L.D. 777)

Bill "An Act to Establish a State Energy Efficiency Goal" (S.P. 173) (L.D. 465)

Bill "An Act to More Clearly Provide for Public Access to the County Budget Process" (S.P. 160) (L.D. 427)

Bill "An Act to Permit State Courts to Remain Open on the Day of a Statewide Primary or General Election" (S.P. 109) (L.D. 324)

##### Ought to Pass in New Draft

Senator **GAUVREAU** for the Committee on **EDUCATION** on Bill "An Act Concerning Alternative to Attendance in Public Schools" (S.P. 212) (L.D. 570)

Reported that the same **Ought to Pass in New Draft** under same title (S.P. 455) (L.D. 1258)

Which Report was **READ** and **ACCEPTED**.

The Bill in **NEW DRAFT READ ONCE**.

The Bill in **NEW DRAFT ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION**.

##### Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Amend the Laws Relating to Admission to the Bar" (S.P. 220) (L.D. 579)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (S-40).

Signed:

Senators:

CARPENTER of Aroostook  
CHALMERS of Knox  
SEWALL of Lincoln

Representatives:

COOPER of Windham  
MacBRIDE of Presque Isle  
ALLEN of Washington  
PRIEST of Brunswick  
KANE of South Portland  
LEBOWITZ of Bangor  
DRINKWATER of Belfast  
PARADIS of Augusta

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Representatives:

CARRIER of Westbrook  
STETSON of Damariscotta

Which Reports were **READ**.

The Majority **UGHT TO PASS as Amended Report was ACCEPTED**.

The Bill **READ ONCE**.

Committee Amendment "A" (S-40) was **READ** and **ADOPTED**.

The Bill as **Amended ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION**.

#### (Off Record Remarks)

#### SECOND READERS

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

##### House As Amended

Bill "An Act to Provide Teacher Professional Time During the School Day" (H.P. 158) (L.D. 192) (C "A" H-44)

Which was **READ A SECOND TIME**.

On motion by Senator **VIOLETTE** of Aroostook, Tabled until Later in Today's Session, pending **PASAGE TO BE ENGROSSED AS AMENDED IN NON-CONCURRENCE**.

#### Senate

Bill "An Act to Amend the Maine Consumer Credit Code" (S.P. 438) (L.D. 1214)

Which was **READ A SECOND TIME** and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

#### ENACTORS

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

An Act to Clarify the Use of Vocational-technical Institutes' Facilities by Others (H.P. 156) (L.D. 190)

An Act to Require Public Rest Rooms in all Shopping Centers (H.P. 814) (L.D. 1140)

An Act to Require the Posting of an American Flag Inside All Public School Classroom (H.P. 828) (L.D. 1168)

An Act Relating to the Protection of Underground Facilities under the Public Utility Law (H.P. 835) (L.D. 1179)

An Act to Clarify the Law Enforcement Responsibilities of the Forest Fire Control Division (H.P. 407) (L.D. 560)

An Act to Dissolve the Eastport Utilities District (H.P. 141) (L.D. 166)

An Act to Amend Provisions Governing the Procedures of the Maine Health Care Finance Commission (H.P. 459) (L.D. 659)

An Act to Transfer from the Bureau of Public Lands to the Baxter State Park Authority the Designation as the Agency of the State to Receive Funds Donated by Governor Percival P. Baxter (H.P. 340) (L.D. 457)

An Act to Establish a Maine Rivers Grants Program (H.P. 100) (L.D. 125) (S "B" S-37; H "A" H-26; C "A" H-12)

An Act Relating to the Membership of and the Payment of Per Diem to Boards (H.P. 333)