

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Twelfth  
Legislature***

OF THE

**STATE OF MAINE**

**Volume II**

**FIRST REGULAR SESSION**

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

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**FIRST CONFIRMATION SESSION**

**August 29, 1985**

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**November 13, 1985**

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

**Ought to Pass in New Draft under New Title** Senator **STOVER** for the Committee on **LEGAL AFFAIRS** on Bill "An Act to Outlaw 'Happy Hour' in all Retail Establishments that have a Maine Liquor License" (S.P. 232) (L.D. 594)

Reported that the same **Ought to Pass in New Draft under New Title** Bill "An Act to Prohibit Certain Practices Which Encourage Excessive Drinking" (S.P. 615) (L.D. 1614)

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

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

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

#### Divided Report

The Majority of the Committee on **EDUCATION** on Bill "An Act to Amend the Maine Education Statute to Prohibit the Teaching of Alternative Lifestyles in Maine's Public Schools" (S.P. 432) (L.D. 1199)

Reported that the same **Ought Not to Pass.**

Signed:

Sensors:

BROWN of Washington

GAUVREAU of Androscoggin

Representatives:

BROWN of Gorham

CROUSE of Caribou

BOST of Orono

HANDY of Lewiston

O'GARA of Westbrook

ROBERTS of Farmington

MATTHEWS of Caribou

SMALL of Bath

FOSS of Yarmouth

LAWRENCE of Parsonsfield

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-138).**

Signed:

Sensor:

HICHENS of York

Which Reports were **READ.**

**THE PRESIDENT:** The Chair recognizes the Senator from Washington, Senator Brown.

Senator **BROWN:** Mr. President, I move that this Bill and all accompanying papers be **Indefinitely Postponed.**

**THE PRESIDENT:** The Senator from Washington. Senator **Brown** moves the Bill and accompanying papers be **Indefinitely Postponed.**

The Chair recognizes the Senator from Franklin, Senator Webster.

Senator **WEBSTER:** Mr. President, and Members of the Senate. I just thought that at this time I would briefly explain or put on the Record my concerns and reasons for submitting this Legislation and what I am hopeful will happen in the next few weeks and months ahead.

Many of you realize that I represent Madison, as well as a lot of other towns, and we've had problems in the past very recently with the tolerance day issue, as I am sure that you have read about.

This issue is now in the courts, the issue is what rights the board have and to what issues we can mandate, that we want or do not want discussed in our public schools.

I think that one of the reasons that this Bill is being defeated today is because we are going to wait and see what happens in the courts.

If the courts decide that the school board of Madison or anywhere else in this State doesn't have the right to dictate what is being taught in our schools I am sure that you are going to see legislation like this back. Thank you.

On motion by Senator **BROWN** of Washington, the Bill and accompanying papers were **INDEFINITELY POSTPONED.**

Sent down for concurrence.

#### SECOND READERS

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

##### House

Bill "An Act Protect the Voting Rights of Township Residents" (H.P. 1097) (L.D. 1590)

Bill "An Act Relating to One-way Rental Vehicles" (H.P. 1091) (L.D. 1584)

Bill "An Act to Create the Commission on Farmland Loss" (H.P. 434) (L.D. 635)

Bill "An Act to Require Disclosures by Transient Sellers" (H.P. 708) (L.D. 1018)

Bill "An Act Concerning Education Programs for Gifted Talented Children" (H.P. 1092) (L.D. 1585)

Bill "An Act Concerning Retail Sales of Beer and Wine" (H.P. 1093) (L.D. 1586)

Bill "An Act to Provide for a Setup Period Prior to Opening of the Polls" (H.P. 1094) (L.D. 1587)

Bill "An Act to Clarify and Standardize Enrollment Status on Voting Lists" (H.P. 1095) (L.D. 1588)

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

Bill "An Act to Establish Minimum Energy Efficiency Standards for Major Appliances Sold in Maine" (H.P. 1096) (L.D. 1589)

Which was **READ A SECOND TIME.**

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Usher.

Senator **USHER:** Mr. President, I offer Senate Amendment "A" to L.D. 1589 under filing number S-145 and move its Adoption.

**THE PRESIDENT:** The Senator from Cumberland, Senator Usher offers Senate Amendment (S-145) and moves its Adoption.

Senate Amendment "A" (S-145) was **READ.**

Senator **USHER:** Thank you, Mr. President. This amendment corrects a typographical error in the standards for upright and manual defrost freezers, and also, modifies the standards for gas water heaters.

Senate Amendment "A" (S-145) **ADOPTED.**

The Bill was **PASSED TO BE ENGROSSED, as Amended in NON-CONCURRENCE.**

Sent down for concurrence.

Bill "An Act Authorizing a Bond Issue in the Amount of \$3,500,000 for the Purpose of Historic Preservation and Main Street Projects" (H.P. 1100) (L.D. 1608)

Which was **READ A SECOND TIME.**

On motion by Senator **VIOLETTE** of Aroostook Tabled for 2 Legislative Days, pending **PASSAGE TO BE ENGROSSED**, in **NON-CONCURRENCE.**

##### House As Amended

Bill "An Act to Strengthen the Law Relating to Purchase of Foodstuffs from Maine Concerns" (H.P. 920) (L.D. 1325) (C "A" H-189)

Bill "An Act Concerning 'Beano' or 'Bingo' on Indian Reservations" (H.P. 376) (L.D. 517) (C "A" H-193)

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

Bill "An Act to Provide for Legislative Oversight Prior to the Implementation of Department Rules" (H.P. 784) (L.D. 1117) (C "A" H-196)

Which was **READ A SECOND TIME.**

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

Senator **MATTHEWS:** Mr. President, Members of the Senate, I just have a question to anyone in the Senate who would reply.

Could someone explain this Bill to a novice country boy from Kennebec?

**THE PRESIDENT:** The Senator from Kennebec, Senator Matthews has posed a question through the Chair which any Senator may respond to if they so desire.

On motion by Senator **VIOLETTE** of Aroostook, Tabled until Later in Today's session, pending **PASSAGE TO BE ENGROSSED AS AMENDED.**

##### Senate

Bill "An Act Concerning the Bureau of Public Lands" (S.P. 616) (L.D. 1627)

Bill "An Act to Authorize Aroostook County to Raise \$2,100,000 for Renovations and Additions to the Aroostook County Jail" (S.P. 617) (L.D. 1628)

Bill "An Act Relating to Cumberland County Budget Process" (S.P. 618) (L.D. 1629)

Bill "An Act to Amend the Reapportionment Law" (S.P. 619) (L.D. 1630)

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

Sent down for concurrence.

##### Senate As Amended

Bill "An Act to Implement the Recommendations of the Maine Land and Water Resources Council Ground Water Review Policy Committee" (S.P. 353) (L.D. 961) (C "A" S-132)

Bill "An Act Concerning the Standards for Handicapped Restricted-use Elevators" (S.P. 251) (L.D. 646) (C "A" S-128)

Bill "An Act to Amend the Habitual Offender Law" (S.P. 152) (L.D. 419) (C "A" S-130)

Bill "An Act to Facilitate Detection of Drivers Operating Under the Influence of Intoxicating Liquor or Drugs" (S.P. 486) (L.D. 1314) (C "A" S-131)

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

Sent down for concurrence.

Bill "An Act to Protect Applicants for Admission to Nursing Homes from Unfair and Illegal Trade Practices" (S.P. 353) (L.D. 591) (C "A" S-133)

Which was **READ A SECOND TIME.**

On motion by Senator **DANTON** of York the Senate **RECONSIDERED** its action whereby it **ADOPTED** Committee Amendment "A" (S-133).

On motion by Senator **DANTON** of York, Senate Amendment "A" (S-144) to Committee Amendment "A" (S-133) **READ** and **ADOPTED.**

Committee Amendment "A" (S-133) as amended by Senate Amendment "A" (S-144) thereto **ADOPTED.**

Which was **PASSED TO BE ENGROSSED AS AMENDED.**

Sent down for concurrence.

Bill "An Act Relating to Absentee Voting" (S.P. 32) (L.D. 33) (C "A" S-129)

Which was **READ A SECOND TIME.**

On motion by Senator **DANTON** of York the Senate **RECONSIDERED** its action whereby it **ADOPTED** Committee Amendment "A" (S-129).

On motion by Senator **DANTON** of York, Senate Amendment "A" (S-143) to Committee Amendment "A" (S-129) **READ** and **ADOPTED.**

Committee Amendment "A" (S-129) as amended by Senate Amendment "A" (S-143) thereto **ADOPTED.**

Which was **PASSED TO BE ENGROSSED AS AMENDED.**

Sent down for concurrence.

##### ENACTORS

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following: An Act to Increase the Competitive Bidding