

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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August 29, 1985

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After I heard of the fire in Westbrook, the good Senator from Cumberland, Senator Usher, spoke about on the Floor yesterday, I called the Environmental Health Unit within the State Bureau of Health, I asked them if they had information about that fire, if there was coordination, if there was information generally disseminated for not just that area but other areas as well. Did the right hand know what the left hand was doing when it comes to emergencies? The response was **NO**, the right hand does not know what the left hand is doing, and there is a crisis out there waiting to happen. We need to get ourselves coordinated and we need to take a hard look at this whole area. Ladies and Gentlemen of the Senate, the Bill before you today calls for just such a study. It calls for just such communication and just such coordination.

A second point that was raised was, okay, what good does it do with just the chemical name? Precisely, that is why this Bill calls for a program to not only provide the chemical identity but calling on the Bureau to provide, given its resources, information about that chemical. What it is, how it may react, so that the individual doesn't get just partial information but gets complete information so that there is not the hysteria that we've heard mentioned on the Floor of this Senate. So, that the information is responsible and is thorough. That's another reason why we have the Bill before us.

As far as L.D. 1382, and yes Ladies and Gentlemen of the Senate, I am familiar with L.D. 1382. I was cosponsor of L.D. 1382 and if you look at the Bill, 1382, as we heard from the good Senator from Androscoggin, Senator Berube, yesterday, all information submitted to a municipality under this subsection shall be confidential.

THE PRESIDENT: The pending question before the Senate is the motion of the Senator from Cumberland, Senator GILL, to **INDEFINITELY POSTPONE** this Bill and all accompanying papers.

Senator DANTON of York who would have voted Nay requested and received permission to pair his vote with Senator BALDACCI of Penobscot who would have voted Yea.

Senator DOW of Kennebec who would have voted Yea requested and received permission to pair his vote with Senator GAUVREAU of Androscoggin who would have voted Nay.

Senator McBREAIRTY of Aroostook who would have voted Yea requested and received permission to pair his vote with Senator BROWN of Washington who would have voted Nay.

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

Senator KANY: Mr. President, I would like to inquire as to the posture of the amendment. Is the motion before us Indefinite Postponement of the amendment or is the amendment presently attached to the Bill so that the motion before us would then be Indefinite Postponement of the Bill with the amendment that was offered by the good Senator from Franklin, Senator Webster?

THE PRESIDENT: The Chair would respond that Senate Amendment "B" (S-283) has been adopted. The pending question at that point was Passage to be Engrossed as Amended when the Senator from Cumberland, Senator Gill, moved the Bill and all accompanying papers, including Senate Amendment "B" (S-382), be Indefinitely Postponed.

The pending question before the Senate is the motion of the Senator from Cumberland, Senator GILL, that this Bill and all accompanying Papers be **INDEFINITELY POSTPONED**. A Roll Call has been ordered.

A Yes vote will be in favor of the motion of the Senator from Cumberland, Senator GILL, to **INDEFINITELY POSTPONE** this Bill and all accompanying Papers.

A No vote will be opposed.

The Doorkeepers will secure the Chamber. The Secretary will call the Roll.

ROLL CALL

YEAS:—Senators, Black, Dutremble, Emerson, Gill, Hichens, Maybury, Perkins, Sewall, Shute, Stover, Usher

NAYS:—Senators, Andrews, Berube, Bustin, Carpenter, Chalmers, Clark, Diamond, Erwin, Kany, Matthews, Najarian, Pearson, Trafton, Tuttle, Twitchell, Violette, Webster, The President—Charles P. Pray

ABSENT:—Senators None

11 Senators having voted in the affirmative and 18 Senators having voted in the negative, with 6 Senators Pairing their votes and No Senators being absent, the motion of the Senator from Cumberland, Senator GILL, to **INDEFINITELY POSTPONE** the Bill and Accompanying Papers, **FAILS**.

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

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

Out of order and under suspension of the Rules, the Senate considered the following:

ENACTORS

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

An Act to Establish a Portion of the Boundary between the Town of Clinton in the County of Kennebec and the Town of Pittsfield in the County of Somerset. (H.P. 1111) (L.D. 1621)

An Act to Amend and Clarify the Maine Juvenile Code. (H.P. 746) (L.D. 1069) (C. "A" H-406)

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

Under suspension of the Rules, the Senate considered the following inclusively:

Emergency

An Act to Amend Certain Aspects of Criminal Homicide in the Maine Criminal Code. (S.P. 497) (L.D. 1335)

Emergency Resolve

Resolve, Authorizing Continuing Activities to Streamline Information Processing by Income Supplementation and Social Service Programs. (S.P. 527) (L.D. 1422) (C. "A" S-273)

These being Emergency Measures and having received the affirmative vote of 24 Members of the Senate, with No Senators having voted in the negative, and 24 being more than two-thirds of the entire elected membership, were **PASSED TO BE ENACTED** or **FINALLY PASSED** and having been signed by the President, were presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, to Establish a Commission to Prepare a Revision of the State's Motor Vehicle Laws. (S.P. 321) (L.D. 810) (S. "A" S-278 to C.C. "A" H-370)

On motion by Senator DANTON of York, placed on the **SPECIAL HIGHWAY APPROPRIATIONS TABLE**, pending **PASSAGE TO BE ENACTED**.

Out of order and under suspension of the Rules, the Senate considered the following:

COMMITTEE REPORTS

House

Ought to Pass As Amended

The Committee on **BUSINESS AND COMMERCE** on Bill "An Act to Establish Competitive Insurance Rating Under the Maine Workers Compensation System" (H.P. 937) (L.D. 1343)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-373).

Comes from the House with the Bill and Accompanying Papers **INDEFINITELY**

POSTPONED.

Which Report was **READ**.

On motion by Senator CLARK of Cumberland, Bill and Accompanying Papers were **INDEFINITELY POSTPONED**, in concurrence.

The Committee on **LOCAL AND COUNTY GOVERNMENT** on Bill "An Act to Authorize Franklin County to Raise \$1,432,085 for Renovations and Additions to the Franklin County Court House" (Emergency) (H.P. 1140) (L.D. 1648)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-416).

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-416).

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-416) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED, as Amended**, in concurrence.

The Committee on **TAXATION** on Bill "An Act Relating to the Establishment of a Maine Children's Trust Fund" (H.P. 832) (L.D. 1176)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-415).

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-415).

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

The Bill **READ ONCE**.

Committee Amendment "A" (H-415) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **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 to Establish a State Policy Relating to the Disposal of Low-level Radioactive Waste. (H.P. 1141) (L.D. 1649)

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

Senator DOW: Mr. President, I move this bill be placed on the Special Appropriations Table.

THE PRESIDENT: The Senator from Kennebec, Senator DOW, moves that this bill be placed on the **SPECIAL APPROPRIATIONS TABLE**.

The Chair recognizes the Senator from Cumberland, Senator Andrews.

Senator ANDREWS: Thank you, Mr. President. A point of inquiry. I want to be certain as to where we are on the supplements. I understand this is item 7-1.

THE PRESIDENT: The Chair would inform the Senator that the pending question is the motion of the Senator from Kennebec, Senator DOW, that L.D. 1649, on Supplement number 6, be placed on the **SPECIAL APPROPRIATIONS TABLE**.

Senator ANDREWS: Is it true, Mr. President, that the motion to place on the Special Appropriations Table is not debatable?

THE PRESIDENT: The Chair would answer in the affirmative.

Senate At Ease

Senate called to Order by the President.

On motion by Senator DOW of Kennebec, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **PASSAGE TO BE ENACTED**.

Out of order and under suspension of the Rules, the Senate considered the following: