

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eleventh
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 1, 1982 to May 13, 1983

STATE OF MAINE
 One Hundred and Eleventh Legislature
 First Regular Session
 JOURNAL OF THE SENATE
 Augusta, Maine
 January 11, 1983
 Senate called to order by the President.

Prayer by the Reverend Moses Baker of Augusta Gospel Tabernacle Church of Augusta.

REVEREND BAKER: Our Heavenly Father, today, we pause to say, "thank you" to You for Your goodness and mercies, for Your kindness that You bestowed upon us as a State and as a Country.

And as we pray today, we ask O'God, that You will be with this group of lawmakers today: that You will give them Wisdom, that You will give them Guidance, as they wrestle with the decisions that have to be made. We pray, O'God, that You will help them to make the right decisions for everyone involved.

Be with each one, and help them today, we pray, and we thank You, Father. In Jesus' Name. Amen.

Reading of the Journal of yesterday.

**Paper From the House
 Joint Order**

WHEREAS, the Legislature has enacted "AN ACT Promoting Alcoholism Prevention, Education, Treatment and Research;" and

WHEREAS, this Act eliminated the language in previous statutes which said that there should be one office to operate state alcohol abuse services; and

WHEREAS, the Act also established an Alcoholism Prevention, Education, Treatment and Research Fund which in large part derives its funds from the premium on spirits and fortified wines; and

WHEREAS, the Legislature is given the power to make allocations from the fund to any public or private agency or person; and

WHEREAS, the Commissioner of Corrections, the Commissioner of Educational and Cultural Services, the Commissioner of Human Services and the Commissioner of Mental Health and Mental Retardation are directed to prepare and submit a report to the Legislature on alcoholism prevention, education, treatment and research, including their specific recommendations regarding allocations from the fund; and

WHEREAS, the Legislature must afford appropriate opportunity to members of the public to express their concerns for proposals for allocations from the fund; and

WHEREAS, this process has been undertaken; now, therefore be it

ORDERED, the Senate concurring, that a Joint Select Committee on Alcoholism Services be reestablished and continued during the First Regular Session of the 111th Legislature, and that the committee shall consist of 2 members of the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs, 2 members of the joint standing committee having jurisdiction over education, 2 members of the joint standing committee having jurisdiction over health and institutional services, 2 members of the joint standing committee having jurisdiction over taxation and 5 other members, who shall be appointed by the Speaker of the House and the President of the Senate, with no more than 4 members being appointed from the Senate; and be it further

ORDERED, that the Joint Select Committee on Alcoholism Services review the plan submitted by the Commissioner of Corrections, the Commissioner of Educational and Cultural Services, the Commissioner of Human Services and the Commissioner of Mental Health and Mental Retardation and report out any legislation appropriate to the plan and the purpose

of the Act; and be it further
 ORDERED, that the committee afford an appropriate opportunity to members of the public to comment on the plan and make recommendations regarding allocations from the fund.

Comes from the House Read and Passed.
 Which was Read and Passed, in concurrence.

Communications

The Following Communication
State of Maine
Department of Transportation
Augusta, Maine 04333
 January 11, 1983

Governor Joseph E. Brennan
 and
 Members of the 111th Legislature

This is to certify that an additional allocation in the amount of \$6,300,000 is needed for the State to fulfill its obligation to match all Local State Aid funds. The attached summary itemizes the obligation to each municipality.

This certification is made pursuant to Public Law 1982, Chapter 702, Part Z, Section 5.

Very truly yours,
 S/GEORGE N. CAMPBELL, Jr.
 Commissioner

Which was Read and with accompanying papers Ordered Placed on File.

The Following Communication:
The Senate of Maine
Augusta
 January 10, 1983

Honorable Joy J. O'Brien
 Secretary of the Senate
 State House
 Augusta, Maine 04333
 Dear Madam Secretary:

This letter is to notify you that I have made the following appointments, pursuant to Senate Rule 33:

Committee on Bills in the Second Reading
 Senator

DANTON of York, Chairman
 DIAMOND of Cumberland
 BUSTIN of Kennebec
 McBREAIRTY of Aroostook

Committee on Engrossed Bills
 Senator

PEARSON of Penobscot, Chairman
 BALDACCI of Penobscot
 VIOLETTE of Aroostook
 CLARK of Cumberland
 NAJARIAN of Cumberland
 KANY of Kennebec
 USHER of Cumberland
 REDMOND of Somerset
 GILL of Cumberland
 SHUTE of Waldo
 TEAGUE of Somerset
 COLLINS of Knox

Sincerely,
 S/GERARD P. CONLEY
 President of the Senate

Which was Read and Ordered Placed on File.

Orders of the Day

The President laid before the Senate the Tabled and specially assigned matter:

BILL, "An Act to Change the Number of Trustees on the Caribou Utilities District Board from 3 Members to 5 Members." (H. P. 102) (L. D. 109)

Tabled—January 10, 1983 by Senator PEARSON of Penobscot.

Pending—Reference.

(In the House—Referred to Committee on Public Utilities and Ordered Printed.)

On motion by Senator PEARSON of Penobscot, Retabled for 1 legislative day.

Out of Order and Under Suspension of the Rules, the Senate voted to consider the following:

Communication

The Following Communication: (H. P. 138)
State of Maine
House of Representatives
Clerk's Office
Augusta, Maine 04333
 January 10, 1983

John L. Martin
 Speaker of the House
 111th Legislature
 Gerard P. Conley
 President of the Senate
 111th Legislature
 Dear Mr. Speaker and Mr. President:

On January 10, 1983 the following Bill was received by the Clerk of the House:

Bill "An Act to Delay the Implementation of Income Tax Indexing and Compensation Municipalities for Revenue Losses Resulting from Indexing" (Emergency) (H. P. 137) (L. D. 126) (Presented by Representative HIGGINS of Scarborough)

Pursuant to the provisions of Joint Rule 14, L.D. 137 was referred to the Joint Standing Committee on Taxation on January 10, 1983.

Sincerely,
 S/EDWIN H. PERT
 Clerk of the House
 S/JOY J. O'BRIEN
 Secretary of the Senate

Comes from the House Read and Ordered Placed on File.

Which was Read and Ordered Placed on File, in concurrence.

Senate Papers

BILL, "An Act to Extinguish Obsolete Mineral and Mining Rights." (S. P. 53) Presented by Senator PERKINS of Hancock (Cosponsors: Representative MARTIN of Eagle Lake, Representative LIVESAY of Brunswick and Representative FOSTER of Ellsworth.)

Which was referred to the Committee on Energy and Natural Resources, and Ordered Printed.

Sent down for concurrence.

BILL, "An Act to Allow the District Court to Grant Restitution in Cases of Unfair Trade Practices." (S. P. 54) Presented by Senator PERKINS of Hancock. (Cosponsors: Representative LIVESAY of Brunswick, Representative FOSTER of Ellsworth and Senator CARPENTER of Aroostook.)

Which was referred to the Committee on Judiciary and Ordered Printed.

Sent down for concurrence.

(Off Record Remarks)

Senator CARPENTER of Aroostook was granted unanimous consent to address the Senate, Off the Record.

On motion by Senator DOW of Kennebec, Adjourned until 9:30 o'clock tomorrow morning.