

# 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 13, 1983  
Senate called to order by the President.

Prayer by Reverend Russell M. Chase of United Church of Monmouth.

REVEREND CHASE: Our heavenly Father, we thank You for this privilege of being in Your presence, in our present capacity.

We ask Thy blessings: upon our Governor, upon the President of this Body, upon each and every one of its members.

We pray especially for Senator Walter Hichens as he recovers from his accident. We pray, our heavenly Father that You will touch him with Thy healing power.

We thank You for this privilege of knowing and feeling that Thou art with us always, guiding us, and loving us, and blessing us.

All of these things we ask in the name of Your beloved Son, and our Saviour and Master, even Jesus the Christ. Amen.

Reading of the Journal of yesterday.

**Senate Papers**

BILL, "An Act to Prohibit Smoking in Food Stores and Portions of Restaurants." (S. P. 68) (Presented by Senator TWITCHELL of Oxford.)

Which was referred to the Committee on Health and Institutional Services and Ordered Printed.

Sent down for concurrence.

BILL, "An Act Relating to the Laying Out, Altering, Discontinuing, Maintaining and Repairing of Roads and Bridges in Unorganized Territories." (S. P. 70) (Presented by Senator EMERSON of Penobscot.)

Which was referred to the Committee on Local and County Government and Ordered Printed.

Sent down for concurrence.

BILL, "An Act Relating to the Use of Artificial Lights in Herring Fishing." (S. P. 71) (Presented by Senator BROWN of Washington.)

Which was referred to the Committee on Marine Resources and Ordered Printed.

Sent down for concurrence.

BILL, "An Act Relating to Exemptions on Property of Institutions and Organizations under the Property Tax Law." (S. P. 69) (Presented by Senator DANTON of York.) (Cosponsors: Representative McSWEENEY of Old Orchard Beach and Representative KELLER of Bangor.)

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

Sent down for concurrence.

There being no objection all items previously acted upon were sent forthwith.

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

**Papers From the House**  
**House Papers**

BILL, "An Act Concerning Mandatory Motor Vehicle Liability Insurance." (H. P. 119) (L. D. 127)

BILL, "An Act to Authorize Group Self-insurers to Add Participating Employers." (H. P. 120) (L. D. 128)

BILL, "An Act to Require Financial Responsibility and Insurance by Provided before being Permitted to Operate a Motor Vehicle." (H. P. 146) (L. D. 154)

Come from the House referred to the Committee on Business Legislation and Ordered Printed.

Which were referred to the Committee on Business Legislation and Ordered Printed, in concurrence.

BILL, "An Act to Prohibit Advertising for Political Candidates on Radio and Television." (H. P. 121) (L. D. 129)

BILL, "An Act Limiting the Time Period for the Acceptance and Expenditure of Campaign Funds by Candidates." (H. P. 139) (L. D. 147)

BILL, "An Act to Require Proof of Residency for Voter Registration." (H. P. 147) (L. D. 155)

BILL, "An Act to Reduce the Mandatory Number of Election Clerks for Each Voting Place." (H. P. 148) (L. D. 156)

Come from the House referred to the Committee on Election Laws and Ordered Printed.

Which were referred to the Committee on Election Laws and Ordered Printed, in concurrence.

BILL, "An Act to Prohibit the Location of a Regional Refuse Disposal Facility in a Municipality Without the Consent of the Municipal Officers." (Emergency) (H. P. 135) (L. D. 141)

BILL, "An Act to Prevent the Closing of Fire Lookout Towers." (H. P. 153) (L. D. 161)

Come from the House referred to the Committee on Energy and Natural Resources and Ordered Printed.

Which were referred to the Committee on Energy and Natural Resources and Ordered Printed, in concurrence.

BILL, "An Act to Establish November 15th as the Closing Date of Partridge Season." (H. P. 149) (L. D. 157)

Come 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.

BILL, "An Act to Require Mandatory Jail Sentences for Trafficking or Furnishing Drugs." (H. P. 122) (L. D. 130)

BILL, "An Act Regarding the Recording of Divorce Decrees in the Registry of Deeds." (H. P. 123) (L. D. 131)

BILL, "An Act Concerning Forfeitures of Property Under the Drug Laws." (H. P. 152) (L. D. 160)

BILL, "An Act to Make Possession of Marijuana a Criminal Offense." (H. P. 140) (L. D. 148)

BILL, "An Act Concerning the Publication of the Names of Juveniles in Connection with Arrests and Court Appearances." (H. P. 141) (L. D. 149)

BILL, "An Act Relating to the Escape of Prisoners." (H. P. 142) (L. D. 150)

BILL, "An Act Relating to Visitation Rights for Grandparents." (H. P. 143) (L. D. 151)

Come from the House referred to the Committee on Judiciary and Ordered Printed.

Which were referred to the Committee on Judiciary and Ordered Printed, in concurrence.

BILL, "An Act to Provide for the Surrender by Plantation 21 of its Organization." (Emergency) (H. P. 126) (L. D. 134)

BILL, "An Act Regarding the Recording of Instruments in the Day Book of the Registry of Deeds." (H. P. 127) (L. D. 135)

BILL, "An Act to Require Printed or Type-written Names to Accompany Signatures on Documents Filed in the Registry of Deeds." (H. P. 128) (L. D. 136)

Come from the House referred to the Committee on Local and County Government and Ordered Printed.

Which were referred to the Committee on Local and County Government and Ordered

Printed, in concurrence.

BILL, "An Act to Require the City of Caribou to Establish a Voting District in the Unorganized Township of Connor." (H. P. 125) (L. D. 133)

Come from the House referred to the Committee on Local and County Government and Ordered Printed.

On motion by Senator Pray of Penobscot, Tabled for 1 Legislative Day, pending Reference.

BILL, "An Act to Establish a Minimum 2-inch Size Limit on Soft Shell Clams." (H. P. 150) (L. D. 158)

Come from the House referred to the Committee on Marine Resources and Ordered Printed.

Which was referred to the Committee on Marine Resources and Ordered Printed, in concurrence.

BILL, "An Act Amending the Charter of the Aroostook Prestile Treatment District and the Charter of the Presque Isle Sewer District to Authorize the Withdrawal of Municipalities from the Aroostook Prestile Treatment District." (H. P. 129) (L. D. 137)

BILL, "An Act to Clarify the Procedure for Filing a Rate Case under the Public Utility Law." (H. P. 136) (L. D. 142)

Come from the House referred to the Committee on Public Utilities and Ordered Printed.

Which were referred to the Committee on Public Utilities and Ordered Printed, in concurrence.

BILL, "An Act Concerning Special Telecommunications Equipment for the Deaf and Hearing and Speech Impaired." (H. P. 144) (L. D. 152)

Come from the House referred to the Committee on Public Utilities and Ordered Printed.

On motion by Senator Bustin of Kennebec, Tabled for 1 Legislative Day, pending Reference.

BILL, "An Act Relating to the Maine State Lottery Law." (H. P. 151) (L. D. 159)

Come from the House referred to the Committee on State Government and Ordered Printed.

Which was referred to the Committee on State Government and Ordered Printed, in concurrence.

BILL, "An Act Relating to Motor Fuel Taxes." (H. P. 130) (L. D. 138)

BILL, "An Act to Amend the Formula on Transfer Tax Payments on Real Estate." (H. P. 131) (L. D. 139)

Come from the House referred to the Committee on Taxation and Ordered Printed.

Which were referred to the Committee on Taxation and Ordered Printed, in concurrence.

BILL, "An Act to Permit Municipalities to Set More Than One Date After Which Interest Shall Accrue for Nonpayment of Municipal Property Taxes." (H. P. 124) (L. D. 132)

Reference to the Committee on Local and County Government suggested.

Come from the House referred to the Committee on Taxation and Ordered Printed.

Which was referred to the Committee on Taxation and Ordered Printed, in concurrence.

RESOLVE, Authorizing the Department of Transportation to Redesignate Route 165 from Fort Fairfield to Van Buren as Route 1-A with Access to Ports of Entry at Hamlin and Limestone." (H. P. 132) (L. D. 140)

BILL, "An Act Concerning Renewal of Driver's Licenses for Persons 75 Years of Age or Older." (H. P. 145) (L. D. 153)

Come from the House referred to the Committee on Transportation and Ordered Printed.

ed.

Which were referred to the Committee on Transportation and Ordered Printed, in concurrence.

There being no objection all items previously acted upon were sent forthwith.

**Communications**

The Following Communication: (S. P. 73)

**The Senate of Maine**

**Augusta**

January 13, 1983

Honorable Charles G. Dow

Honorable Daniel B. Hickey

Chairmen

Joint Standing Committee on

Aging, Retirement and Veterans

Augusta, Maine 04333

Dear Chairmen Dow and Hickey:

Please be advised that Governor Joseph E. Brennan is nominating Patricia M. McDonough of South Portland for reappointment to the Maine State Retirement System Board of Trustees.

Pursuant to Title 5 MRSA Section 1031, this nomination will require review by the Joint Standing Committee on Aging, Retirement and Veterans and confirmation by the Senate.

Sincerely,

S/GERARD P. CONLEY

President of the Senate

S/JOHN L. MARTIN

Speaker of the House

Which was Read and referred to the Committee on Aging, Retirement and Veterans.

Sent down forthwith for concurrence.

The Following Communication:

**Committee on Audit  
and Program Review**

January 11, 1983

Hon. Gerard P. Conley

Senate President

Senate Chambers

State House

Augusta, Maine 04333

Dear Gerry:

The Audit and Program Review Committee has organized with the intention of completing our tasks in a useful, productive and enlightening manner. We are very excited and impressed with the quality of the legislators and staff who have been appointed to serve on and work with our Committee and we look forward to working with you during the next two years.

The recommendations of last year's Audit Committee have been printed and will be distributed after you and other legislators have first received your copy. Our new Committee will be studying this report and making our own committee recommendations as to the direction we feel the Legislature should take on all of these matters.

We invite your opinions and suggestions and, again, we look forward to working with you these next two years.

Sincerely,

S/REP. NEIL ROLDE

House Chairman

S/SEN. G. WILLIAM DIAMOND

Senate Chairman

Which was Read and Ordered Placed on File.

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

On motion by Senator Carpenter of Aroostook, Recessed until the sound of the bell.

**Recess**

**After Recess**

The Senate called to order by the President.

Under Suspension of the Rules, the Senate

voted to consider the following:

**Enactor**

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

**Emergency**

"An Act to Remove the Retroactive Provisions of the Income Tax Indexing Law." (S. P. 34) (L. D. 96)

Comes from the House failing of passage to be enacted.

This being an emergency measure and having received the affirmative votes of 24 Members of the Senate, with 4 Senators having voted in the negative, was Passed to be Enacted, in non-concurrence, and was signed by the President.

Sent down forthwith for concurrence.

On motion by Senator Pray of Penobscot, Recessed until the sound of the bell.

**Recess**

**After Recess**

The Senate called to order by the President.

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

**Papers From the House**

**Non-concurrent Matter**

BILL, "An Act Concerning the Provision of Services to Families with Runaway Juveniles." (S. P. 40) (L. D. 98)

In House, referred to the Committee on Appropriations and Financial Affairs on January 11, 1983.

In the Senate receded from reference to the Committee on Health and Institutional Services and subsequently referred to the Committee on Judiciary in non-concurrence.

Comes from the House with that Body having Adhered.

On motion by Senator Carpenter of Aroostook, the Senate voted to Recede and Concur with the House.

BILL, "An Act to Require Notification to Abutting Landowners upon Correction or Alteration of a Prior Survey." (S. P. 42) (L. D. 100)

In House, referred to the Committee on Business Legislation on January 11, 1983.

In the Senate receded from reference to the Committee on Energy and Natural Resources and subsequently referred to the Committee on Legal Affairs in non-concurrence.

Comes from the House with that Body having Adhered.

On motion by Senator Carpenter of Aroostook, the Senate voted to Recede and Concur with the House.

**House Papers**

BILL, "An Act to Amend the Maine Statutes to Provide for the Sale of Kerosene or Similar Illuminating or Fuel Oils which Flash under 100 degree Fahrenheit, Open Cup Test." (H. P. 154)

BILL, "An Act to Amend the Banking Code Regarding Minimum Amount Entitled to Interest." (H. P. 155)

Come from the House referred to the Committee on Business Legislation and Ordered Printed.

Which were referred to the Committee on Business Legislation and Ordered Printed, in concurrence.

BILL, "An Act Concerning the Marking of Wild Birds." (H. P. 156)

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.

BILL, "An Act to Require the Use of Generic Drugs in the Low-cost Drug Program for the

Elderly." (H. P. 157)

Comes from the House referred to the Committee on Health and Institutional Services and Ordered Printed.

Which was referred to the Committee on Health and Institutional Services and Ordered Printed, in concurrence.

BILL, "An Act to Increase the Sardine Inspection Tax." (H. P. 158)

Comes from the House referred to the Committee on Marine Resources and Ordered Printed.

Which was referred to the Committee on Marine Resources and Ordered Printed, in concurrence.

**Order**

The following Joint Order: (H. P. 159)

ORDERED, the Senate concurring, that the joint standing committee of the Legislature having jurisdiction over local and county government report out such legislation to the House as they see fit to revise the salaries of county officers and lay the county taxes for the year 1983.

Comes from the House Read and Passed.

Which was Read and Passed, in concurrence.

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

On motion by Senator Carpenter of Aroostook, Adjourned until 10 o'clock tomorrow morning.