

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
 February 3, 1983
 Senate called to order by the President.

Prayer by the Reverend Walter Brown of United Methodist Church of Readfield.

REVEREND BROWN: Let us pray. Almighty God, we ask for Your continued presence as we assemble.

Bless and guide these persons who have been selected and elected by the people of our State. Assist them with the responsibility they have been given and now assume. May Your people of this State prosper by what they say, and what they do, and what they legislate.

We are grateful for the human and material resources that You have given each of us for this time. So, help us to use wisely the human and material resources, that we will, also, have the time for discipline that is allotted us, that by using all these resources we will become effective people, for You, for ourselves, and for those who have given us the responsibilities this day to be here. Amen.

Reading of the Journal of Tuesday, February 1, 1983.

Out of Order and Under Suspension of the Rules:

On motion by Senator CARPENTER of Aroostook, the following Joint Order: (S. P. 186)

ORDERED, the House concurring that when the House and Senate adjourn, they adjourn to Monday, February 7, 1983, at nine o'clock in the morning.

Which was Read and Passed.
 Sent down forthwith for concurrence.

House Papers

BILL, "An Act Relating to Ownership of Stock in Maine Financial Institutions." (H. P. 259) (L. D. 319)

BILL, "An Act Relating to the Capitalization and Board of Directors of the Maine Fidelity Life Insurance Company." (H. P. 260) (L. D. 320)

BILL, "An Act to Amend Maine's Laws Relating to Credit Unions." (H. P. 261) (L. D. 321)

BILL, "An Act Relating to the Flash Point of Kerosene." (H. P. 262) (L. D. 322)

BILL, "An Act to Provide Consistency in the Filing of Mechanics' Liens." (H. P. 263) (L. D. 323)

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 Revise the Law Concerning the Investment of Municipal Funds." (Emergency) (H. P. 275) (L. D. 335)

Reference to the Committee on Local and County Government suggested.

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

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

BILL, "An Act to Amend the Authority of the Department of Environmental Protection to Identify Hazardous Waste." (H. P. 264) (L. D. 324)

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

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

BILL, "An Act Concerning Registration of Deer in Unorganized Territories." (H. P. 265) (L. D. 325)

BILL, "An Act Relating to Hunting and Fishing by Disabled Persons." (H. P. 265) (L. D. 326)

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

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

BILL, "An Act to Revise the Laws Pertaining to Prejudgment Attachment, Execution of Judgments, Disclosure of Assets and Exemptions." (H. P. 267) (L. D. 327)

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

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

BILL, "An Act to End Discrimination Against Chiropractic Services under the Workers' Compensation Law." (H. P. 268) (L. D. 328)

BILL, "An Act to Prevent Discrimination against Seasonal Workers in the Unemployment Insurance Program." (H. P. 269) (L. D. 329)

BILL, "An Act to Protect Unemployed Workers from Excessive Delays in Eligibility Determination in the Unemployment Compensation Program." (H. P. 270) (L. D. 330)

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

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

BILL, "An Act to Require Liquor Price Equity at Certain Border Area Liquor Stores." (H. P. 271) (L. D. 331)

BILL, "An Act to Provide for Special Exception Agency Liquor Stores in Communities of Over 30,000 Population." (H. P. 272) (L. D. 332)

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

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

BILL, "An Act to Permit Sheriff Deputies to Run for Municipal Office." (H. P. 273) (L. D. 333)

BILL, "An Act to Ratify Dedication of Fort Sumner Park in the City of Portland." (H. P. 274) (L. D. 334)

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 Prohibit Possession of Lobsters by Scallop Boats." (H. P. 276) (L. D. 336)

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 Prohibiting Bond Issues of Less than \$2,000,000." (H. P. 277) (L. D. 337)

BILL, "An Act to Prevent Combining more than one Bond Issue Item in a Single Bond Issue Bill and to Correct Statutory Provisions Relating to Showing Bond Interest on Ballots." (H. P. 278) (L. D. 338)

RESOLVE, Authorizing the Conveyance of a Certain Unused Building and Land Owned by the State to the Town of Wells for \$10,000. (H. P. 282) (L. D. 342)

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

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

BILL, "An Act to Authorize Tax Liens on Personal Property." (H. P. 279) (L. D. 339)

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.

BILL, "An Act to Require the Load on Gravel Trucks to be Covered When Operating on a Public Way." (H. P. 280) (L. D. 340)

BILL, "An Act Concerning Maine Turnpike Commuter Passes." (H. P. 281) (L. D. 341)

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

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

Communications

The Following Communication:
State of Maine
Office of the Governor
Augusta, Maine
04333

January 31, 1983

The Honorable Gerard P. Conley
 President of the Senate
 State House Station #3
 Augusta, Maine 04333

Dear Gerry:

I am pleased to submit the enclosed report on planned activities and recommended allocations for FY 1984 from the Alcoholism Prevention, Education, Treatment and Research Fund. Pursuant to 28 M.R.S.A. §475, this report has been prepared through the cooperative effort of the Department of Corrections, Department of Educational and Cultural Services, Department of Human Services and the Department of Mental Health and Mental Retardation.

This document is the third report prepared by the four departments regarding recommended allocations from the Alcoholism Prevention, Education, Treatment and Research Fund. The first report was an interim plan which was submitted to the Second Special Session of the 110th Legislature; the second report, containing allocations, was submitted to the Second Regular Session of the 110th Legislature.

The FY 1984 Plan reflects significant improvement in coordination and cooperation among the four departments which plan and deliver alcoholism services. This report provides a comprehensive framework and strategy which guides the State's efforts to effectively utilize existing resources to provide a spectrum of alcoholism services to Maine citizens.

My Administration will be pleased to respond to any questions you may have about the Plan. We look forward to working with you as you review this proposal.

Sincerely,
 /S/ JOSEPH E. BRENNAN
 Governor

Which was Read and with accompanying report, Ordered Placed On File.

The Following Communication: (S. P. 175)
The Senate of Maine
Augusta

February 1, 1983

Honorable Richard R. Charette
 Honorable Harold R. Cox
 Chairs

Joint Standing Committee on Legal Affairs
 State House
 Augusta, Maine 04333

Dear Chair Charette and Cox:

Please be advised that Governor Joseph E. Brennan is nominating James V. Gibbons of South Portland for reappointment to the Maine State Liquor Commission.

Pursuant to Title 3 MRSA Section 151-A, this nomination will require review by the Joint

Standing Committee on Legal Affairs 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 Legal Affairs.
Sent down for concurrence.

The Following Communication: (S. P. 176)
The Senate of Maine
Augusta

February 1, 1983

The Honorable Gerard P. Conley
President of the Maine Senate
111th Legislature
The Honorable John L. Martin
Speaker of the Maine House
111th Legislature

Dear President Conley and Speaker Martin:
Please be advised that today eleven (11) bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on February 1, 1983 as follows:

Business Legislation:

Bill, An Act to Clarify the Definition of Chiropractic. (S. P. 164) (Presented by Senator PRAY of Penobscot) (Cosponsored by Senator CHARENTE of Androscoggin, Representative GWADOSKY of Fairfield and Representative HIGGINS of Scarborough)

Bill, An Act to Prohibit Unfair Competition from the State in Video Productions. (S. P. 165) (Presented by Senator CLARK of Cumberland)

Education:

Bill, An Act Concerning Certain Inequities under the Education Laws. (S. P. 166) (Presented by Senator COLLINS of Knox) (Cosponsored by Representative SCARPINO of St. George)

Energy and Natural Resources:

Bill, An Act to Create the Nuclear Activity Consent Law. (S. P. 167) (Presented by Senator CARPENTER of Aroostook) (Cosponsored by Senator WOOD of York and Representative DIAMOND of Bangor)

Judiciary:

Bill, An Act Relating to Criminal Offenses on the Penobscot Reservation. (S. P. 168) (Presented by Senator PEARSON of Penobscot) (Cosponsored by Representative CASHMAN of Old Town)

Bill, An Act Relating to Probate Proceedings. (S. P. 169) (Presented by Senator PEARSON of Penobscot) (Cosponsored by Representative CASHMAN of Old Town)

Labor:

Bill, An Act to Clarify the Negotiability of Pay Rates Under the State Employees Labor Relations Act. (S. P. 170) (Presented by Senator BUSTIN of Kennebec) (Cosponsored by Senator HAYES of Penobscot and Representative ROLDE of York)

Local and County Government:

RESOLVE, to Name the Brook and Pond Located on the West Poland Road in Oxford County and on the West Shore of Thompson Lake in Honor of the Perkins Family. (S. P. 171) (Presented by Senator TWITCHELL of Oxford)

Bill, An Act to Provide All Municipalities with the Option to Establish a Local Board of Assessment Review. (S. P. 172) (Presented by Senator PERKINS of Hancock) (Cosponsored by Representative CHONKO of Topsham, Representative H. HIGGINS of Portland and Representative BROWN of Bethel)

Marine Resources:

Bill, An Act to License the Harvest of Seaweeds. (S. P. 173) (Submitted by the Department of Marine Resources pursuant to Joint Rule 24. (Presented by Senator MIN-KOWSKY of Androscoggin) (Cosponsored by Representative CAHILL of Woolwich, Rep-

resentative SCARPINO of St. George and Representative CROWLEY of Stockton Springs)
Public Utilities:
Bill, An Act Concerning Cable Television. (S. P. 174) (Presented by Senator DUTREMBLE of York)

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

Which was Read and Ordered Placed On File.
Sent down for concurrence.

The Following Communication:

**Department of
Educational and Cultural Services
State House Station 23
Augusta, Maine 04333**

February 1, 1983

TO: Joy O'Brien, Secretary of the Senate
Edwin Pert, Clerk of the House
G. William Buker, State Budget Office
FROM: Harold Reynolds, Jr., Commissioner
RE: Recommendation for 1983-1984
Funding Level for Adult Education

Pursuant to the provisions of Title 20, M.R.S.A., Chapter 308A, Section 2385, I am required to certify annually prior to February 1 to the Legislature and to the Bureau of the Budget a recommendation for the funding levels for the various program categories in Adult Education.

Please see the recommendation below:

1983-1984

EDUCATION: ADULT
EDUCATION \$1,990,486.84*

All Other Category 6300 (including
Grants to Cities and Towns)

*The allocation in the budget for Grants to Cities and Towns is \$1,850,000. I recommend that an additional \$50,000 be added to the budget. The remaining difference will be absorbed through close program monitoring during the balance of this fiscal year.

Which was Read and Ordered Placed On File.

The Following Communication:

**State of Maine
Maine State Retirement System
State Office Building
State House Station 46
Augusta, Maine 04333**

February 2, 1983

Gerard P. Conley, President
Maine State Senate
Representative John Martin, Speaker
House of Representatives
Dear Senator Conley and Representative Martin:

In accordance with the provisions of 5 MRSA, Section 1128, the Board of Trustees of the Maine State Retirement System hereby notifies you that a 4% increase in retirement benefits paid to retired state employees, teachers and retirees of certain participating local districts, was authorized effective September 1, 1982. This was a cost-of-living increase. The Consumer Price Index (CPI-U), published by the United States Department of Labor, Bureau of Labor Statistics, increased 7.1% in the twelve month period ending June 1982.

In addition, the second regular session of the 110th Legislature enacted PL 1981, c. 702, Part U, granted those persons eligible for an annual adjustment in retirement allowances under the above referred to statute, an additional one-time cost-of-living increase of \$.50 for each year of creditable service payable in September 1982. Recipients of survivor or disability and other recipients of benefits based on criteria other than length of creditable service received a 2% increase in these allowances, also payable in September 1982.

Sincerely,
/S/ ROBERTA M. WEIL
Executive Director

Which was Read and Ordered Placed On File.

The Following Communication: (S. P. 185)
The Senate of Maine
Augusta

February 2, 1983

The Honorable Gerard P. Conley
President of the Maine Senate
111th Legislature
The Honorable John L. Martin
Speaker of the Maine House
111th Legislature

Dear President Conley and Speaker Martin:
Please be advised that today six bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on February 2, 1983 as follows:

Health and Institutional Services:

Bill, An Act to Reinstate the Authority of the Division of Eye Care to Carry out Certain Aspects of its Prevention of Blindness Program. (S. P. 181) (L. D. 548) (Presented by Senator HICHENS of York) (Cosponsored by Representative MACOMBER of South Portland)

Bill, An Act to Provide Itemized Hospital Bills to Medicare Beneficiaries and Medicaid Recipients. (S. P. 182) (L. D. 549) (Presented by Senator NAJARIAN of Cumberland) (Cosponsored by Representative MURPHY of Kennebec and Representative A. PERKINS of Brooksville)

Labor:

Bill, An Act to Provide for the Negotiation of Seniority Provisions. (S. P. 177) (L. D. 544) (Presented by Senator HAYES of Penobscot) (Cosponsored by Representative BAKER of Portland)

Bill, An Act to Repeal the Nonnegotiability of Educational Policies. (S. P. 178) (L. D. 545) (Presented by Senator HAYES of Penobscot) (Cosponsored by Representative BOST of Orono and Representative BEAULIEU OF Portland)

Bill, An Act to Require Participation in Good Faith in Fact Finding. (S. P. 179) (L. D. 546) (Presented by Senator HAYES of Penobscot) (Cosponsored by Representative BOST of Orono, Representative A. BROWN of Gorham and Representative MATTHEWS of Caribou)

State Government:

RESOLVE, Approving the 1983 Draft and Arrangement of the Constitution of Maine Made by the Chief Justice of the Judicial Court and Providing for its Publication and Distribution. (S. P. 180) (L. D. 547) (Presented by Senator TRAFTON of Androscoggin) (Cosponsor: Representative HOBBS of Saco)

Sincerely,

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

Which was Read and Ordered Placed On File.
Sent down for concurrence.

**Committee Reports
House**

The following Ought Not to Pass report shall be placed in the legislative files without further action pursuant to Rule 15 of the Joint Rules: BILL, "An Act to Increase the Penalties for Littering." (H. P. 115) (L. D. 122)

Leave to Withdraw

The following Leave to Withdraw report shall be placed in the legislative files without further action pursuant to Rule 15 of the Joint Rules:

BILL, "An Act to Permit Towns to Abandon the Requirement of Comprehensive Planning." (H. P. 58) (L. D. 64)

**Senate
Ought to Pass**

Senator NAJARIAN for the Committee on Appropriations and Financial Affairs on BILL, "An Act to Create a Revolving Fund for Publica-

of the Department of Agriculture, Food and Rural Resources." (S. P. 26) (L. D. 27) reported that the same Ought to Pass.

Which Report was Read and Accepted, the Bill Read Once, and Tomorrow Assigned for Second Reading.

Second Readers

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

Senate

BILL, "An Act Pertaining to Local Public Hearings on Liquor License Applications." (S. P. 32) (L. D. 87)

Which was Read a Second Time and Passed to be Engrossed.

Sent down for concurrence.

Orders of the Day

The President laid before the Senate, the first, Tabled and specially assigned matter.

BILL, "An Act to Provide Funding for the Potato Blossom Festival." (S. P. 134)

Tabled—February 1, 1983 by Senator PRAY of Penobscot.

Pending—Reference

Which was referred to the Committee on Agriculture, and Ordered Printed.

Sent down for concurrence.

The President laid before the Senate, the second, Tabled and specially assigned matter.

BILL, "An Act to Revise the General Assistance Laws." (S. P. 144)

Tabled—February 1, 1983 by Senator PRAY of Penobscot.

Pending—Reference

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

Sent down for concurrence.

The President laid before the Senate, the third, Tabled and specially assigned matter.

BILL, "An Act to Raise Per Diem Compensation for Active Retired Justices and Judges." (S. P. 153)

Tabled—February 1, 1983 by Senator PRAY of Penobscot.

Pending—Reference

(Committee on Judiciary suggested.)

On motion by Senator CARPENTER of Aroostook referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

The President laid before the Senate, the fourth, Tabled and specially assigned matter.

BILL, "An Act to Establish a Supreme Judicial Court and Superior Court Capital Fund." (S. P. 155)

Tabled—February 1, 1983 by Senator PRAY of Penobscot.

Pending—Reference

(Committee on Judiciary suggested.)

On motion by Senator CARPENTER of Aroostook referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

The President laid before the Senate, the fifth, Tabled and specially assigned matter.

BILL, "An Act to Provide for Leaves of Absence for Employees Elected to the Legislature, Excluding Employees Covered under Provisions Dealing with Teachers." (H. P. 349)

Tabled—February 1, 1983 by Senator CARPENTER of Aroostook.

Pending—Reference

(Committee on State Government suggested.)

(In House—Referred to the Committee on State Government.)

On motion by Senator CARPENTER of Aroostook referred to the Committee on Labor and Ordered Printed, in non-concurrence.

Sent down for concurrence.

The President laid before the Senate, the sixth, Tabled and specially assigned matter.

BILL, "An Act Relating to the Nonliability of Physicians or Other Persons who Voluntarily Report Physical or Mental Impairments of Licensees to the Secretary of State." (H. P. 367)

Tabled—February 1, 1983 by Senator PRAY of Penobscot.

Pending—Reference

(Committee on Transportation suggested.)

(In House—Referred to the Committee on Transportation.)

On motion by Senator CARPENTER of Aroostook referred to the Committee on Judiciary and Ordered Printed, in non-concurrence.

Sent down for concurrence.

(Senate At Ease)

The Senate called to Order by the President.

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

Communications

The following Communication: (H. P. 424)

State of Maine

House of Representatives

Augusta 04333

February 1, 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 February 1, 1983, sixty-six Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, bills were referred to the Joint Standing Committees on February 1, 1983 as follows:

Aging, Retirement and Veterans

BILL, "An Act to Amend the Definition of Earnable Compensation" (H. P. 370) (L. D. 453) (Presented by Representative HICKEY of Augusta) (Cosponsors: Representatives PERRY of Mexico, MURRAY of Bangor, and AINSWORTH of Yarmouth)

BILL, "An Act to Clarify the Application of Ordinary Death Benefits to Participating Local Districts" (H. P. 371) (L. D. 454) (Presented by Representative HICKEY of Augusta) (Cosponsors: Representatives PERRY of Mexico, KILCOYNE of Gardiner, and MURRAY of Bangor)

BILL, "An Act to Clarify the Law Relating to Employees of Local Districts Who may Withdraw from the Maine State Retirement System" (H. P. 372) (L. D. 455) (Presented by Representative HICKEY of Augusta) (Cosponsors: Representatives KILCOYNE of Gardiner, PARADIS of Old Town, and CROWLEY of Stockton Springs)

Appropriations and Financial Affairs

BILL, "An Act to Provide Funds to an Elderly Legal Service Program" (H. P. 373) (L. D. 456) (Presented by Representative KELLEHER of Bangor) (Cosponsors: Representatives HOBINS of Saco, JOYCE of Portland and DIAMOND of Bangor)

BILL, "An Act to Authorize Full Compensation for Certain Court Appearances of Municipal Law Enforcement Officers" (H. P. 374) (L. D. 457) (Presented by Representative MANNING of Portland)

BILL, "An Act to Prohibit State Mandates and Tax Shifts" (H. P. 375) (L. D. 458) (Presented by Representative LIVESAY of Brunswick) (Cosponsors: Representative BELL of Paris, Senators CLARK of Cumberland and PERKINS of Hancock)

RESOLVE, Appropriating \$15,000 for Maine Poison Control Center" (H. P. 376) (L. D. 459) (Presented by Representative CARTER of Winslow)

Business Legislation

BILL, "An Act to Provide for Identification on Dentures" (H. P. 377) (L. D. 460) (Presented by Representative PARADIS of Augusta)

BILL, "An Act Concerning Television Receiving Equipment" (H. P. 378) (L. D. 461) (Presented by Representative BAKER of Portland) (Cosponsor: Representative HIGGINS of Scarborough)

BILL, "An Act to Prohibit the Commercial Sale of Chain Saws and Skidders not Equipped With Spark Arresters." (H. P. 379) (L. D. 462) (Presented by Representative KIESMAN of Fryeburg) (Cosponsors: Senators REDMOND of Somerset, McBREAIRTY of Aroostook and Representative MASTERMAN of Milo)

BILL, "An Act Concerning the Selection of an Attorney to Perform a Title Search on Property Financed by a Mortgage Company" (H. P. 380) (L. D. 463) (Presented by Representative HOBINS of Saco) (Cosponsors: Representatives JOYCE of Portland and HAYDEN of Durham)

BILL, "An Act to Amend the Corporation Laws and Laws Pertaining to Limited Partnerships" (H. P. 381) (L. D. 464) (Presented by Representative DIAMOND of Bangor) (Cosponsor: Senator BALDACCI of Penobscot) (By Request)

BILL, "An Act Regarding Sales of Used Motor Vehicles" (H. P. 382) (L. D. 465) (Presented by Representative CHONKO of Topsham)

Education

BILL, "An Act to Require any State Mandated School Program to Include the Necessary Funds for Implementation" (H. P. 383) (L. D. 466) (Presented by Representative MacBRIDE of Presque Isle) (Cosponsor: Senator McBREAIRTY of Aroostook)

BILL, "An Act to Prohibit Hazing on College Campuses and on Property Used for Educational Purposes" (H. P. 384) (L. D. 467) (Presented by Representative SMALL of Bath)

BILL, "An Act to Increase Reimbursement for Professional Credits for Teachers" (Emergency) (H. P. 385) (L. D. 468) (Presented by Representative COX of Brewer) (Cosponsors: Representatives MARTIN of Brunswick and WEYMOUTH of West Gardiner)

BILL, "An Act to Provide a Statewide Office of School Volunteer Programs" (H. P. 386) (L. D. 469) (Presented by Representative MITCHELL of Vassalboro) (Cosponsors: Representative CONNOLLY of Portland, BROWN of Gorham, and Senator HAYES of Penobscot)

Election Laws

BILL, "An Act Relating to Nomination Petitions for Municipal Office" (H. P. 387) (L. D. 470) (Presented by Representative CARTER of Winslow)

Energy and Natural Resources

BILL, "An Act to Create a Land Use Hearing Examiner" (H. P. 388) (L. D. 471) (Presented by Representative SOULE of Westport) (Cosponsor: Representative MASTERTON of Cape Elizabeth)

BILL, "An Act to License Waste Oil Dealers and to Include Waste Oil Within Coverage of the Maine Hazardous Waste Fund" (H. P. 389) (L. D. 472) (Presented by Representative MITCHELL of Freeport) (Cosponsors: Representatives McGOWAN of Pittsfield, HALL of Sangerville and Senator KANY of Kennebec)

BILL, "An Act Concerning Zoning Variance Approval" (H. P. 390) (L. D. 473) (Presented by Representative LIVESAY of Brunswick) (Cosponsor: Representative DAVIS of Monmouth)

BILL, "An Act Relating to Transportation of Hazardous Waste" (H. P. 391) (L. D. 474) (Presented by Representative ROLDE of York)

BILL, "An Act to Protect Air Quality" (H. P. 392) (L. D. 475) (Presented by Representative HALL of Sangerville) (Cosponsors: Senator CARPENTER of Aroostook and Representative MITCHELL of Vassalboro)

Fisheries and Wildlife

BILL, "An Act Concerning the Adoption of

Rules and Rule Changes by the Department of Inland Fisheries and Wildlife" (H. P. 393) (L. D. 476) (Presented by Representative JACKSON of Harrison) (Cosponsors: Representatives JACQUES of Waterville, MacEACHERN of Lincoln and CONNERS of Franklin)

BILL "An Act to Protect Horticultural Nurseries from Deer Damage" (H. P. 394) (L. D. 477) (Presented by Representative STEVENSON of Unity) (Cosponsors: Senator SHUTE of Waldo and Representative DRINKWATER of Belfast)

Health and Institutional Services

BILL "An Act to Protect the Health of Children by Prohibiting the Free Distribution of Cigarettes" (H. P. 395) (L. D. 478) (Presented by Representative KETOVER of Portland) (Cosponsors: Representative DEXTER of Kingfield and Senators BUSTIN of Kennebec and GILL of Cumberland)

Judiciary

BILL "An Act to Permit Birth Certificates to be Amended" (H. P. 396) (L. D. 479) (Presented by Representative SOULE of Westport) (Cosponsor: Senator BALDACCI of Penobscot)

BILL "An Act to Make Joint Custody the First Order of Preference in Child Custody Cases" (H. P. 397) (L. D. 480) (Presented by Representative HOBBS of Saco) (Cosponsors: Representatives HIGGINS of Scarborough, SOULE of Westport and Senator GILL of Cumberland)

BILL "An Act to Amend Maine's Wrongful Death Law" (H. P. 398) (L. D. 481) (Presented by Representative SOULE of Westport) (Cosponsor: Senator CARPENTER of Aroostook)

BILL "An Act to Limit the Personal Liability of Municipal Employees under the Maine Tort Claims Act" (H. P. 399) (L. D. 482) (Presented by Representative SOULE of Westport and CARRIER of Westbrook)

BILL, "An Act to Increase the Damages Jurisdiction of the District Court to \$30,000" (H. P. 400) (L. D. 483) (Presented by Representative HOBBS of Saco) (Cosponsors: Representatives SOULE of Westport and HAYDEN of Durham)

BILL, "An Act Relating to Termination of Tenancy at Will" (H. P. 401) (L. D. 484) (Presented by Representative TELOW of Lewiston) (Cosponsors: Representatives SOULE of Westport and CARRIER of Westbrook)

BILL "An Act Concerning Court Procedures Dealing with Notice in Liability Cases" (H. P. 402) (L. D. 485) (Presented by Representative BELL of Paris) (Cosponsor: Representative LIVESAY of Brunswick)

BILL "An Act Relating to the Statute of Limitations in Medical Malpractice Cases" (H. P. 403) (L. D. 486) (Presented by Representative MI-CHAUD of East Millinocket)

Labor

BILL "An Act Relating to Attendants for Power Boilers" (H. P. 404) (L. D. 487) (Presented by Representative KILCOYNE of Gardiner) (Cosponsor: Senator USHER of Cumberland)

BILL "An Act to Change the Workers' Compensation Law with Respect to Asbestosis" (H. P. 405) (L. D. 488) (Presented by Representative ZIRNKILTON of Mount Desert) (Cosponsors: Representatives SWAZEY of Bucksport, GAUVREAU of Lewiston, and Senator PRAY of Penobscot)

BILL "An Act Relating to the Minimum Wage for Waiters and Waitresses" (H. P. 406) (L. D. 489) (Presented by Representative MICHAEL of Auburn) (Cosponsors: Representatives TUTTLE of Sanford, ANDREWS of Portland, and CONNOLLY of Portland)

BILL "An Act to Protect the Integrity of the Unemployment Insurance Trust Fund" (H. P. 407) (L. D. 490) (Presented by Representative NADEAU of Lewiston) (Cosponsor: Representative MI-CHAUD of East Millinocket)

BILL "An Act to Amend the State Employees Labor Relations Act" (H. P. 408) (L. D. 491) (Presented by Representative TUTTLE of Sanford) (Cosponsors: Senators CLARK of Cumberland, DUTREMBLE of York, and Representative MICHAEL of Auburn)

BILL "An Act to Clarify the Criteria for Suitable Work in the Unemployment Compensation Program" (H. P. 409) (L. D. 492) (Presented by Representative CONNOLLY of Portland)

BILL "An Act Concerning Unemployment Compensation" (H. P. 410) (L. D. 493) (Presented by Representative TUTTLE of Sanford) (Cosponsor: Representative SWAZEY of Bucksport)

BILL "An Act to Protect Unemployed Workers from the Loss of Unemployment Benefits without the Opportunity for a Fair Hearing" (H. P. 411) (L. D. 494) (Presented by Representative CONNOLLY of Portland)

BILL "An Act to Reduce the Cost of Workers' Compensation Rates to Maine Employers" (H. P. 412) (L. D. 495) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsors: Representatives NORTON of Biddeford, TUTTLE of Sanford, and Senator DUTREMBLE of York)

BILL "An Act to Adjust the Weekly Benefit Amount for Dependents of Unemployment Compensation Claimants" (H. P. 413) (L. D. 496) (Presented by Representative ANDREWS of Portland)

BILL "An Act to Provide for Exclusive State Funding of Workers' Compensation" (H. P. 414) (L. D. 497) (Presented by Representative McHENRY of Madawaska)

BILL "An Act to Permit the Employment Security Commission Wider Discretion in Determining Eligibility for Unemployment Compensation Benefits" (H. P. 415) (L. D. 498) (Presented by Representative ANDREWS of Portland)

BILL "An Act to Clarify the Definition of Approved Training in the Unemployment Compensation Program" (H. P. 416) (L. D. 499) (Presented by Representative MANNING of Portland) (Cosponsor: Representative BEAU-LIEU of Portland)

Legal Affairs

RESOLVE, Authorizing Gerald Pelletier to Bring Civil Action Against the State of Maine (H. P. 417) (L. D. 500) (Presented by Speaker MARTIN of Eagle Lake)

Marine Resources

BILL "An Act to Limit Scallop Dragging" (H. P. 418) (L. D. 501) (Presented by Representative RANDALL of East Machias)

BILL "An Act to Clarify the Authority of the Commissioner of Marine Resources Regarding Fishways" (H. P. 419) (L. D. 502) (Presented by Representative CARTER of Winslow) (Cosponsors: Senator DUTREMBLE of York and Representative CROWLEY of Stockton Springs)

RESOLVE, Directing the Department of Marine Resources to Erect a Fishway on the Orange River in Whiting, Washington County (H. P. 420) (L. D. 503) (Presented by Representative VOSE of Eastport)

Public Utilities

BILL "An Act Restoring the Cost of Pay Telephone Calls to 10¢" (H. P. 421) (L. D. 504) (Presented by Representative MICHAEL of Auburn) (Cosponsors: Representatives TUTTLE of Sanford, CONNOLLY of Portland and Senator CHARETTE of Androscoggin)

BILL, "An Act to Revise the Mexico Water District Charter" (H. P. 422) (L. D. 505) (Presented by Representative PERRY of Mexico) (Cosponsor: Senator ERWIN of Oxford)

BILL, "An Act to Require Reflectors or Reflectorized Material on Railroad Cars Owned or Leased by Maine Railroads" (H. P. 423) (L. D. 506) (Presented by Representative COX of Brewer) (Cosponsor: Senator HAYES of Penobscot)

State Government

BILL, "An Act Creating a 'Maine-owned Business' Logo" (H. P. 425) (L. D. 507) (Presented by Representative MICHAEL of Auburn) (Cosponsors: Representatives HAYDEN of Durham, GWADOSKY of Fairfield and Senator CHARETTE of Androscoggin)

Taxation

BILL "An Act Relating to Trade-in Credit for

Special Mobile Equipment under the Sales and Use Tax Law" (H. P. 426) (L. D. 508) (Presented by Representative CALLAHAN of Mechanic Falls) (Cosponsors: Representatives MOHOLLAND of Princeton, VOSE of Eastport, and Senator TWITCHELL of Oxford)

BILL "An Act to Remove the Requirement that Farm Vehicles have a Fuel Use Decal" (H. P. 427) (L. D. 509) (Presented by Representative LISNIK of Presque Isle) (Cosponsors: Representatives CROUSE of Washburn, THERIAULT of Fort Kent, and MAHANY of Easton)

BILL "An Act to Remove Cigarettes from Sales Tax Exemption and Increase State Revenue Sharing from 4% to 5% of Sales, Individual and Corporate Income Taxes" (H. P. 428) (L. D. 510) (Presented by Representative KANE of South Portland) (Cosponsors: Representatives HIGGINS of Portland, DAY of Westbrook, and CASHMAN of Old Town)

BILL "An Act to Improve the Identification of Persons Trying to Evade State Taxes" (H. P. 429) (L. D. 511) (Presented by Representative McHENRY of Madawaska) (Cosponsor: Senator VIOLETTE of Aroostook)

BILL "An Act to Exempt Farm Vehicles from the Requirement of Obtaining a Fuel Use Identification Decal" (H. P. 431) (L. D. 513) (Presented by Representative MICHAEL of Auburn) (Cosponsors: Representatives TUTTLE of Sanford, MAHANY of Easton, and Senator CARPENTER of Aroostook)

BILL "An Act to Establish a Meals and Lodging Tax" (H. P. 432) (L. D. 514) (Presented by Representative KANE of South Portland)

BILL "An Act to Provide a Sales Tax Exemption for Sales to Certain Humane Societies" (H. P. 433) (L. D. 515) (Presented by Representative LIVESAY of Brunswick) (Cosponsors: Representative MARTIN of Brunswick and Senator CLARK of Cumberland)

RESOLVE, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory (H. P. 430) (L. D. 512) (Presented by Representative VOSE of Eastport) (Cosponsors: Representatives MOHOLLAND of Princeton, ANDERSON of Stockholm, and Senator VIOLETTE of Aroostook) (Submitted by the Department of Finance and Administration pursuant to Joint Rule 24)

Transportation

BILL "An Act Relating to Registration and Inspection of Motor Trucks used for Fishing" (H. P. 434) (L. D. 516) (Presented by Representative HOLLOWAY of Edgcomb) (Cosponsor: Representative CURTIS of Waldoboro)

BILL "An Act to Provide Directional Signs on the Maine Turnpike, including the Location of Bowdoin College" (H. P. 435) (L. D. 517) (Presented by Representative LIVESAY of Brunswick) (Cosponsors: Representative MARTIN of Brunswick and Senator CLARK of Cumberland)

BILL "An Act to Require Notification of the Suspension or Revocation of Motor Vehicle Registration or License by Registered or Certified Mail" (H. P. 436) (L. D. 518) (Presented by Representative GAUVREAU of Lewiston) (Cosponsors: Representatives ZIRNKILTON of Mount Desert, MAYO of Thomaston and Senator HAYES of Penobscot)

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.

The Following Communication: (H. P. 452)

State of Maine

House of Representatives

Augusta 04333

February 2, 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 February 2, 1983, thirteen Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, bills were referred to the Joint Standing Committees on February 2, 1983 as follows:

Agriculture

BILL "An Act Relating to the State Harness Racing Commission" (H. P. 439) (L. D. 532) (Presented by Representative MICHAEL of Auburn) (Cosponsors: Representative LEWIS of Auburn and Senator ERWIN of Oxford)

Judiciary

BILL "An Act to Amend the Statute of Limitations for the Probate of Estates under the Maine Probate Code" (H. P. 440) (L. D. 533) (Presented by Representative HOBBS of Saco)

BILL "An Act Relating to the Statute of Limitations for the Probate of Estates under the Maine Probate Code" (H. P. 440) (L. D. 534) (Presented by Representative HOBBS of Saco)

BILL, "An Act Concerning the Statute of Limitations for the Probate of Estates Under the Maine Probate Code" (H. P. 442) (L. D. 535) (Presented by Representative HOBBS of Saco)

BILL, "An Act Establishing a Commission to Study the Defense of Insanity and the Treatment of Persons Adjudged Not Guilty by Reason of Insanity" (Emergency) (H. P. 443) (L. D. 536) (Presented by Representative KETOVER of Portland) (Cosponsors: Representatives LISNIK of Presque Isle, KANE of South Portland, and Senator VIOLETTE of Aroostook)

Labor

BILL, "An Act to Amend the Employment Security Law as Required by the Tax Equity and Fiscal Responsibility Act of 1982" (Emergency) (H. P. 438) (L. D. 531) (Presented by Representative BEAULIEU of Portland) (Submitted by the Department of Labor pursuant to Joint Rule 24)

BILL, "An Act Concerning Workers' Compensation Cost Containment" (H. P. 444) (L. D. 537) (Presented by Representative TUTTLE of Sanford) (Cosponsors: Representatives RIDLEY of Shapleigh, SWAZEY of Bucksport, and ZIRNKILTON of Mount Desert)

Legal Affairs

BILL, "An Act to Provide a 3-Day Waiting Period on the Sale of Handguns" (H. P. 445) (L. D. 538) (Presented by Representative POULIOT of Lewiston)

Marine Resources

BILL, "An Act to Designate the Atlantic Salmon as a Game Fish" (H. P. 446) (L. D. 539) (Presented by Representative ZIRNKILTON of Mount Desert)

BILL, "An Act to Require that Persons must Serve an Apprenticeship before they may be issued a Lobster Fishing License" (H. P. 447) (L. D. 540) (Presented by Representative ZIRNKILTON of Mount Desert) (Cosponsor: Representative SALSBUURY of Bar Harbor)

Public Utilities

BILL, "An Act Relating to Utility Stockholders" (H. P. 448) (L. D. 541) (Presented by Representative Michael of Auburn) (Cosponsors: Representatives REEVES of Pittston and HIGGINS of Portland)

BILL, "An Act Relating to New Installations of Pay Telephones" (H. P. 449) (L. D. 542) (Presented by Representative MICHAEL of Auburn) (Cosponsors: Representatives REEVES of Pittston, JACQUES of Waterville, and NADEAU of Lewiston)

Transportation

BILL, "An Act Relating to the Survival of Small Private Excursion Boat Services" (H. P. 450) (L. D. 543) (Presented by Representative CARROLL of Gray) (Cosponsor: Representa-

tive SPROUL of Augusta)

Please note that on letter of February 1, 1983, (Cosponsors: Representative McHENRY of Madawaska and Senator VIOLETTE of Aroostook) were inadvertently not listed on (H. P. 417).

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.

Second Readers

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

House

BILL, "An Act to Include the Public Advocate as a Member of the Energy Resources Advisory Board." (H. P. 79) (L. D. 83)

BILL, "An Act to Modify the Municipal and County Reports' Law." (Emergency) (H. P. 368) (L. D. 343)

Which were Read a Second Time and Passed to be Engrossed, in concurrence.

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

Senator CARPENTER: Mr. President, Ladies and Gentlemen of the Senate, we have had a few minor problems with some of the referencing, and I know some persons in the Chamber are concerned about it. I will just point out that some of this referencing, most of the referencing is being done when the Legislation has not been in session, and I think the Clerk of the House and the Secretary of the Senate are to be commended for the job that they have done.

If there is a real major problem with some Bill, there is no real problem, because the Committee Chairs can get together and send the Bill back and we will send it some place else.

The Adjournment Order having been returned from the House Read and Passed, on motion by Senator Carpenter of Aroostook Adjourned until Monday, February 7, 1983 at 9 o'clock in the morning.