

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eleventh  
Legislature***

OF THE

STATE OF MAINE

**Volume II**

**FIRST REGULAR SESSION**

**May 16, 1983 to June 24, 1983**

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STATE OF MAINE  
One Hundred and Eleventh Legislature  
First Regular Session  
JOURNAL OF THE SENATE  
Augusta, Maine  
June 3, 1983  
Senate called to order by the President.

Prayer by The Honorable Barbara A. Gill of S. Portland.

SENATOR GILL: Heavenly Father, thank you for watching over us and continue to touch each and everyone of us, granting extraordinary wisdom and understanding to our Leaders during these winding-down days of the Legislative Session. Continue to remind us that we are instruments on earth to see that Your work is done. Amen.

Reading of the Journal of yesterday.

(Off Record Remarks)

#### Papers from the House Non-concurrent Matter

BILL, "An Act to Amend the Department of Environmental Protection Statutes." (H. P. 1105) (L. D. 1458)

(In Senate May 26, 1983. Passed to be Engrossed as Amended by Committee Amendment "A" (H-291) in concurrence.)

(Comes from the House, Passed to be Engrossed as Amended by Committee Amendment "A" (H-291) and House Amendment "A" (H-327) in non-concurrence.)

On motion by Senator Pray of Penobscot, Tabled until later in today's session, pending Further Consideration.

#### House Paper

BILL, "An Act to Increase the Excise Tax on Dessert Wine and to Permit the Sale of Dessert Wine at Retail Stores." (H. P. 1284) (L. D. 1701) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

Comes 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.

#### Communication

The Following Communication:

State of Maine  
House of Representatives  
Augusta 04333

June 2, 1983

Honorable Joy J. O'Brien  
Secretary of the Senate  
111th Legislature  
Augusta, Maine 04333  
Dear Madam Secretary:

The House voted today to adhere to its action whereby it indefinitely postponed RESOLUTION. Proposing an Amendment to the Constitution of Maine to Permit Moneys Dedicated to the Highway Fund to be Used to Provide Operational Subsidies for Various Forms of Surface Passenger Transit (H. P. 968) (L. D. 1248)

Sincerely,  
S. EDWIN H. PERT  
Clerk of the House

Which was Read and Ordered Placed on File.

#### Senate Paper

BILL, "An Act Relating to Transportation Facilities" (S. P. 603) (L. D. 1730) (Presented by Senator CONLEY of Cumberland)

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

Sent down forthwith for concurrence.

(Off Record Remarks)

On motion by Senator Pray of Penobscot, the Senate voted to remove from the Table:

BILL, "An Act to Amend the Department of Environmental Protection Statutes" (H. P. 1105) (L. D. 1458), Tabled earlier in today's session on motion by Senator Pray of Penobscot, pending Further Consideration.

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

#### Committee Reports Senate

##### Ought Not to Pass

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 Provide a Property Tax Exemption for Widows of Disabled Veterans" (S. P. 430) (L. D. 1299)

##### 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 Make Allocations from the Department of Inland Fisheries and Wildlife for the Fiscal Years Ending June 30, 1984 and June 30, 1985" (Emergency) (S. P. 246) (L. D. 767)

##### Ought to Pass as Amended

Senator WOOD for the Committee on Taxation on BILL, "An Act to Change the Method of Financing County Services in the Unorganized Territory" (S. P. 458) (L. D. 1389) Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-171)

Which Report was Read and Accepted. The Bill Read Once. Committee Amendment "A" (S-171) was Read and Adopted.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, that L.D. 1389 be given its Second Reading by title only?

It is a vote.

Under the Suspension of the Rules, the Bill Read a Second Time and Passed to be Engrossed, as amended.

Sent down for concurrence.

##### Ought to Pass in New Draft

Senator BUSTIN for the Committee on Health and Institutional Services on BILL, "An Act to Limit Payments to Health Care Institutions which Engage Persons to Defeat the Organization of Collective Bargaining Units" (S. P. 485) (L. D. 1501) Reported that the same Ought to Pass in New Draft under same title (S. P. 602) (L. D. 1728)

Which Report was Read and Accepted. The Bill in New Draft Read Once and Tomorrow Assigned for Second Reading.

#### Second Readers Senate

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

BILL, "An Act to Promote the Wise Use and Management of Maine's Outstanding River Resources" (S. P. 598) (L. D. 1721)

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.

An Act to Revise the Truancy Act (H. P. 877) (L. D. 1131)

Tabled—June 1, 1983 by Senator PRAY of Penobscot

Pending—Enactment

(In Senate May 25, 1983 Passed to be Engrossed as amended by Committee Amendment "A" (H-213) and House Amendment "C" (H-264) in concurrence.)

(In House June 1, 1983 Passed to be Enacted).

On motion by Senator Pray of Penobscot, Re-

tabled for 1 Legislative Day.

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

BILL, "An Act to Amend the Law Relating to Tax Increment Financing" (H. P. 1039) (L. D. 1364)

Tabled—June 2, 1983 by Senator PRAY of Penobscot

Pending—Passage to be Engrossed  
(In House June 1, 1983 Passed to be Engrossed)

The PRESIDENT: The Chair recognizes the Senator from York, Senator Wood.

Senator WOOD: Mr. President and Members of the Senate, this Bill there is some question on whether it needs a fiscal note. The Legislative Finance Office is working on that; they told me today, that it might be a couple of more days before they can make that final determination. So I would ask that this be Tabled.

On motion by Senator Pray of Penobscot, Re-tabled for 2 Legislative Days.

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

BILL, "An Act to Permit any Municipality with a License Ordinance to Deny a License to any Person who is Delinquent in Paying Personal Property Taxes" (Emergency) (H. P. 1290) (L. D. 1711)

Tabled—June 2, 1983 by Senator PRAY of Penobscot

Pending—Passage to be Engrossed  
(In House June 1, 1983 Passed to be Engrossed)

The PRESIDENT: The Chair recognizes the Senator from York, Senator Wood.

Senator WOOD: Mr. President, I offer Senate Amendment "A" (S-172) and move its Adoption.

The PRESIDENT: The Senator from York, Senator Wood offers Senate Amendment "A" and moves its Adoption.

Senate Amendment "A" (S-172) was Read and Adopted.

The Bill was Passed to be Engrossed, as amended, in non-concurrence.

Sent down for concurrence.

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

BILL, "An Act to Prevent Unjust Enrichment by Retention of Surplus Upon Foreclosure of Municipalities and Sewer Districts" (S. P. 597) (L. D. 1719)

Tabled—June 2, 1983 by Senator PRAY of Penobscot

Pending—Passage to be Engrossed

On motion by Senator Pray of Penobscot, Re-tabled 2 Legislative Days.

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

#### Paper from the House House Paper

BILL, "An Act to Authorize the Plantation of The Forks to Award Educational Scholarships" (Emergency) (H. P. 1300) (L. D. 1729)

Reference to the Committee on Taxation suggested.

Comes from the House Passed to be Engrossed without reference to a committee.

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

#### Committee Reports Senate

##### Leave to Withdraw

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

BILL, "An Act Concerning Payments to Boarding Care Facilities" (S. P. 368) (L. D. 1142)

BILL, "An Act to Provide a Corporate Tax Credit for Donations of Technological Equipment to Maine Elementary and Secondary Schools" (S. P. 422) (L. D. 1275)

(Senate at Ease)

The Senate called to Order by the President.

**Orders of the Day**

On motion by Senator Najarian of Cumberland, the Senate voted to remove from the Special Appropriations Table:

An Act Concerning Special Telecommunications Equipment for the Deaf, Hearing Impaired and Speech Impaired (H. P. 913) (L. D. 1166)

On motion by Senator Najarian of Cumberland, the Senate voted to Suspend its Rules.

On motion by the same Senator, the Senate voted to Reconsider its action whereby L.D. 1166 was Passed to be Engrossed.

The PRESIDENT: The Senator has the floor.

Senator NAJARIAN: I offer Senate Amendment "A" (S-174) and move its Adoption.

The PRESIDENT: The Senator from Cumberland, Senator Najarian offers Senate Amendment "A" and moves its Adoption.

Senate Amendment "A" (S-174) was Read and Adopted.

The Bill was Passed to be Engrossed, as amended, in non-concurrence.

Sent down for concurrence.

(Off Record Remarks)

Senator Wood of York was granted unanimous consent to address the Senate, On the Record.

Senator WOOD: Mr. President and Members of the Senate, I would call your attention to Supplement Number 3, L.D. 1275, which was the Corporate Tax for Technological Equipment.

The Committee would like to commend Senator Minkowsky and the students at Oak Hill High School in Wales, Maine for bringing this Bill to our attention as we try to become more computer literate in our society, I think that this Bill will eventually pass; it's just due to price tag and some other questions this year that we had to ask the sponsor to take a Leave to Withdraw.

On motion by Senator Pray of Penobscot, Adjourned until Monday, June 6, 1983 at 9 o'clock in the morning.