

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eleventh
Legislature***

OF THE

STATE OF MAINE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

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FOURTH CONFIRMATION SESSION

(FIRST CONFIRMATION SESSION – SECOND REGULAR SESSION)

May 31, 1984

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FIFTH CONFIRMATION SESSION

(SECOND CONFIRMATION SESSION – SECOND REGULAR SESSION)

July 11, 1984

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THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

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STATE OF MAINE
One Hundred and Eleventh Legislature
Second Regular Session
JOURNAL OF THE SENATE
Senate Chamber
Augusta, Maine
January 25, 1984
Senate called to order by the President.

Prayer by the Reverend Richard E. Wrentzel of the East Auburn Baptist Church of Auburn.
REVEREND WRENTZEL: Almighty God we thank you so much for the privilege that you have given to us of prayer to come into your presence in the name of our Lord and Saviour Jesus Christ.

God may we realize that we may depend upon You because you have told us in Your Word that without You we accomplish absolutely nothing.

I thank You for the privilege of being able to lead in prayer in this Senate Chamber, and to realize that we still live in a land where our Legislative Bodies see the importance of beginning their day by calling upon you in prayer. We thank you, Lord, that our Nation has been founded by God fearing men and women who trusted in you.

Lord we pray that we, as a Nation and as a State, will not depart from that important principle and yet many times we are concerned as we see us a Nation drifting away from that principle O'God we pray that You would stop that drift at all costs. Spare us O'Lord from your righteous indignation.

Now Lord I bring unto You each Member of this Senate, I thank You, Lord, for them for I believe that they are here by Your appointment. God, I pray that You would give them wisdom in the decisions that they may be called upon to make today.

Then, O'Lord I pray that if there are any moral issues that are at stake reveal unto them that which is right, and then give them the courage to stand for that which is right, even when that stand may not be politically expedient.

O'God we pray for them as our leaders, as individuals, God we pray that You would meet their need. Thank You again for this privilege. We pray in the name of our Lord and Savior Jesus Christ for it is in His precious and holy name that we pray. Amen.

Reading of the Journal of Yesterday.

PAPERS FROM THE HOUSE House Papers

Bill, "An Act to Appropriate Funds for the Governor's Commission on the Status of Education in Maine." (Emergency) H. P. 1518 L. D. 1999.

Comes from the House referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.

Which was referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED, in concurrence.

Bill, "An Act to Require Motorcycle Drivers to be Insured for Hospital Costs." H. P. 1506 L. D. 1981.

Comes 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.

Sent down for concurrence.

Bill, "An Act to Authorize a School Administrative District to Reconsider the Use of the Alternative Voting Procedure for the Adoption of its School Budget." H. P. 1507 L. D. 1982.

Comes from the House referred to the Committee on EDUCATION and ORDERED PRINTED.

Which was referred to the Committee on

EDUCATION and ORDERED PRINTED, in concurrence.

Senate At Ease

The Senate called to order by the President.

Bill, "An Act Relating to Juvenile Employment." H. P. 1508 L. D. 1983.

Comes from the House referred to the Committee on LABOR and ORDERED PRINTED.

Which was referred to the Committee on LABOR and ORDERED PRINTED, in concurrence.

Bill, "An Act to Authorize a Self-liquidating Bond Issue for York County to Construct an Addition to the York County Jail" (Emergency) H. P. 1509 L. D. 1984.

Comes from the House referred to the Committee on LOCAL AND COUNTY GOVERNMENT and ORDERED PRINTED.

Which was referred to the Committee on LOCAL AND COUNTY GOVERNMENT and ORDERED PRINTED, in concurrence.

Bill, "An Act Relating to Scallop Fishing." H. P. 1510 L. D. 1985.

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.

Bill, "An Act to Exempt Small Telephone Companies from Rate Regulation by the Public Utilities Commission." H. P. 1511 L. D. 1986.

Comes from the House referred to the Committee on PUBLIC UTILITIES and ORDERED PRINTED.

Which was referred to the Committee on PUBLIC UTILITIES and ORDERED PRINTED, in concurrence.

Bill, "An Act to Authorize Approval by the Governor of Levels of Compensation for Independent Agencies." H. P. 1495 L. D. 1970.

Comes 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.

RESOLVE, Reimbursing Certain Municipalities on Account of Taxes Lost Due to Lands being Classified under the Tree Growth Tax Law (Emergency) H. P. 1512 L. D. 1987.

Bill, "An Act to Establish the Cost of the 1984 Spruce Budworm Suppression Project." (Emergency) H. P. 1513 L. D. 1988.

Bill, "An Act Concerning Implementation of the Boat Excise Tax" (Emergency) H. P. 1514 L. D. 1989.

Bill, "An Act to Create a Maine State Income Tax Exemption for Taxpayers with Special Needs Dependents." H. P. 1515 L. D. 1990.

Comes 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.

Study Reports Committee on ENERGY AND NATURAL RESOURCES

Report of the Committee on ENERGY AND NATURAL RESOURCES to which was referred the Study Relative to Changing Fees for Access to Public Lands have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill, "An Act Concerning Income Derived from Public Reserved Lots." (H. P. 1517) (L. D. 1998) be referred to the Joint Standing Committee on ENERGY AND NATURAL RESOURCES for

Public Hearing and printed pursuant to Joint Rule 18.

Comes from the House with the Report READ and ACCEPTED, and the Bill referred to the Committee on ENERGY AND NATURAL RESOURCES.

Which Report was READ and ACCEPTED, in concurrence.

The Bill referred to the Committee on ENERGY AND NATURAL RESOURCES, in concurrence.

Study Reports

Committee on MARINE RESOURCES

Report of the Committee on MARINE RESOURCES to which was referred the Study Relative to Issues Related to Issuance of Fish Weir Licenses have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill, "An Act to Provide Limitations on Fishing by Weirs Purse and Stop Seines and to Provide Notice for the Location of Weirs and their Maintenance." (Emergency) (H. P. 1516) (L. D. 1991), be referred to the Joint Standing Committee on MARINE RESOURCES for Public Hearing and printed pursuant to Joint Rule 18.

Comes from the House with the Report READ and ACCEPTED, and the Bill referred to the Committee on MARINE RESOURCES.

Which Report was READ and ACCEPTED, in concurrence.

The Bill referred to the Committee on MARINE RESOURCES, in concurrence.

COMMUNICATIONS

The following Communication: S. P. 728.

111th LEGISLATURE

January 24, 1984

The Honorable Judy Kany
The Honorable Donald M. Hall
Chairpersons, Energy and Natural Resources
111th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Elizabeth Swain of Pownal for appointment to the Land Use Regulation Commission.

Pursuant to Title 12 MRSA Section 683, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources 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 ENERGY AND NATURAL RESOURCES.

Sent down for concurrence.

SENATE PAPERS

Bill, "An Act to Revise the Forest Fire Suppression Tax Law." S. P. 727 L. D. 2000.

Presented by Senator KANY of Kennebec. Cosponsored by Representative CONARY of Oakland, Representative VOSE of Eastport, Senator McBREAIRTY of Aroostook.

Approved for introduction by the Legislative Council pursuant to Joint Rule 26.

Committee on TAXATION suggested.

On motion by Senator CARPENTER of Aroostook, TABLED until later in today's session, pending REFERENCE.

COMMITTEE REPORTS

House 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 Amend the Charter of the Jackman Sewer District to Provide Adequate Compensation for Trustees." H. P. 1415 L. D. 1861.

Ought to Pass

The Committee on PUBLIC UTILITIES on Bill "An Act to Update the Validity Clause for Utilities." H. P. 1409 L. D. 1831.

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

SECOND READERS**House**

The Committee on BILLS IN THE SECOND READING reported the following:

Bill, "An Act to Deorganize Blanchard Plantation." (Emergency) H. P. 1403 L. D. 1825.

Bill, "An Act to Clarify when Counties may Charge Municipalities Interest on Delinquent Taxes." H. P. 1404 L. D. 1826.

Which were READ A SECOND TIME and PASSED TO BE ENGROSSED, in concurrence.

Senate—As Amended

Bill, "An Act to Maintain Equality Between Home Improvement Loans and Other Consumer Credit Loans." S. P. 648 L. D. 1838.

Which was READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.

Sent down for concurrence.

ENACTORS

The Committee on ENGROSSED BILLS reported as truly and strictly engrossed the following:

Emergency

AN ACT to Amend the Military Laws of the State of Maine. H. P. 1337 L. D. 1777.

This being an emergency measure and having received the affirmative vote of 26 Members of the Senate, with No Senators having voted in the negative was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

ORDERS OF THE DAY

The President laid before the Senate:

Bill, "An Act to Clarify the Licensing Authority of the Board of Registration in Medicine." H. P. 1491 L. D. 1966.

Tabled—January 24, 1984 by Senator CARPENTER of Aroostook.

Pending—REFERENCE.

In House, January 19, 1984 referred to the Committee on HEALTH AND INSTITUTIONAL SERVICES.

On motion by Senator CARPENTER of Aroostook RETABLED for 1 Legislative Day, pending REFERENCE.

On motion by Senator CARPENTER of Aroostook the Senate voted to remove from the Table:

Bill "An Act to Revise the Forest Fire Suppression Tax Law." S. P. 727 L. D. 2000.

Tabled earlier in today's session on motion by Senator CARPENTER of Aroostook.

Pending—REFERENCE.

On further motion by the same Senator referred to the Committee on TAXATION and ORDERED PRINTED.

Sent down for concurrence.

Senator PRAY of Penobscot was granted unanimous consent to address the Senate, Off the Record.

On motion by Senator PRAY of Penobscot RECESSED until the Sound of the Bell.

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 to Make Allocations from the Health Care Finance Commission Fund for the Fiscal Year Ending June 30, 1984" (Emergency) S. P. 720 L. D. 1992.

In Senate January 24, 1984 referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.

Comes from the House under Suspension of the Rules READ TWICE and PASSED TO BE ENGROSSED without reference to a Committee, and ORDERED PRINTED.

On motion by Senator PRAY of Penobscot the Senate RECEDED and CONCURRED with the House.

On motion by Senator PRAY of Penobscot ADJOURNED until 10 o'clock tomorrow morning.