

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eleventh  
Legislature***

OF THE

**STATE OF MAINE**

**SECOND REGULAR SESSION**

**January 4, 1984 to April 25, 1984**

**INDEX**

**FOURTH CONFIRMATION SESSION**

**(FIRST CONFIRMATION SESSION – SECOND REGULAR SESSION)**

**May 31, 1984**

**INDEX**

**FIFTH CONFIRMATION SESSION**

**(SECOND CONFIRMATION SESSION – SECOND REGULAR SESSION)**

**July 11, 1984**

**INDEX**

**THIRD SPECIAL SESSION**

**September 4, 1984 to September 11, 1984**

**INDEX**

## STATE OF MAINE

One Hundred and Eleventh Legislature  
Second Regular Session  
JOURNAL OF THE SENATE

In Senate Chamber

Wednesday

February 1, 1984

Senate called to Order by the President.

Prayer by the Honorable Walter W. Hichens of York.

SENATOR HICHENS: May we pray? Our Heavenly Father, we bow before Thee this morning, this first day of a new month, on this beautiful day after the storm. We thank Thee Lord for safe traveling mercies yesterday during the traveling conditions which we had to face and that assurance that Thou art with us at all times. We pray, Lord, that Thou will help us to be mindful of that fact, that even though there are things that seem impossible with us as human beings, we know that all things are possible with God, and so we leave ourselves in Thy keeping, knowing that all things work together for good to those that love God, to those called according to His purpose. With that assurance in mind, we begin this new day asking that Thou help us in our deliberations and the decisions that we have to make. We ask in Thy name, Amen.

Reading of the Journal of Yesterday.

## PAPERS FROM THE HOUSE

## House Papers

Bill, "An Act to Remove the Retirement Age Restriction for Trustees of the University of Maine." (Emergency) H. P. 1538 L. D. 2023

Comes from the House referred to the Committee on AGING, RETIREMENT AND VETERANS and ORDERED PRINTED.

Which was referred to the Committee on AGING, RETIREMENT AND VETERANS and ORDERED PRINTED, in concurrence.

Bill, "An Act to Fund Rape Crisis Centers." H. P. 1535 L. D. 2020

Bill, "An Act to Amend the Maine Weatherization Program." H. P. 1536 L. D. 2021

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

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

Resolve Authorizing the Office of Legislative Assistants to Survey the Availability of Vocational Education Programs to Handicapped Students. (Emergency) H. P. 1528 L. D. 2019

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.

Bill, "An Act to Allow State Party Committees to Establish the Time for Electing their Officers." H. P. 1537 L. D. 2022

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

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

## SENATE PAPERS

## SUBMITTED PURSUANT TO PUBLIC LAW

Senator TRAFTON for the COMMISSION ON LOCAL LAND USE VIOLATION Pursuant to Public Law 1983 c. 458, sec. 19, asks leave to submit its findings and report that the accompanying Bill, "An Act to Provide for a Citizens Environmental Protection Act." (S. P. 735) (Presented by Senator TRAFTON of Androscoggin) be referred to the Committee on ENERGY AND NATURAL RESOURCES for Public Hearing and printed pursuant to Joint Rule 18.

Which Report was READ and ACCEPTED.

The accompanying Bill referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED pursuant to Joint Rule 18.

Sent down for concurrence.

## COMMITTEE REPORTS

## House

## 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 to Ensure Timely Consideration of Requests for Rulemaking." H. P. 1387 L. D. 1812

Bill, "An Act to Ensure Time Implementation of Revised Tariffs." H. P. 1388 L. D. 1813

## Ought to Pass

The Committee on HEALTH AND INSTITUTIONAL SERVICES on Bill, "An Act to Amend the Statutes Governing the Licensing and Approval of Adult and Child Care Programs." H. P. 1425 L. D. 1870

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 — As Amended

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

Bill, "An Act to Make Necessary Technical Corrections to the Financial Institution Conversion Process." H. P. 1394 L. D. 1817 (H. "A" H-454 to C. "A" H-452)

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

## Senate

Bill, "An Act to Include Proceedings of the Public Utilities Commission in the Statutory Method for Calculation of Statutory Time Periods." S. P. 689 L. D. 1896

Bill, "An Act to Limit the Prohibition on Prescriptive Pole and Wire Easements to Public Ways." S. P. 688 L. D. 1895

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

Sent down for concurrence.

## ENACTORS

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

AN ACT to Clarify when Counties may Charge Municipalities Interest on Delinquent Taxes. H. P. 1404 L. D. 1826

AN ACT to Update the Validity Clause for Utilities. H. P. 1409 L. D. 1831

Which were PASSED TO BE ENACTED and having been signed by the President, were presented by the Secretary to the Governor for his approval.

## Emergency

AN ACT to Deorganize Blanchard Plantation. H. P. 1403 L. D. 1825

This being an emergency measure and having received the affirmative vote of 31 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 Extend and Amend the Stat-

ute entitled Purchase of Foodstuffs from Maine Concerns." H. P. 710 L. D. 901

Tabled—January 31, 1984, by Senator PRAY of Penobscot.

Pending—ADOPTION OF SENATE AMENDMENT "A" (S-231).

Recalled from the Governor's Desk pursuant to Joint Order (H. P. 1417).

(In House January 25, 1984, PASSED TO BE ENGROSSED AS AMENDED by Committee Amendment "A" (H-254) and Senate Amendment "A" (S-231) and House Amendment "B" (H-451) in NON-CONCURRENCE.)

(In Senate January 31, 1984, Senate RECONSIDERED motion to RECEDE AND CONCUR. RECEDED FROM ENGROSSMENT. RECEDED FROM ADOPTION of Senate Amendment "A" (S-231).)

On motion by Senator DANTON of York, Senate Amendment "A" (S-231) was INDEFINITELY POSTPONED.

On further motion by the same Senator, the Senate SUSPENDED THE RULES.

On further motion by the same Senator, the Senate RECEDED FROM ADOPTION of House Amendment "B" (H-451).

On presentation by the same Senator, Senate Amendment "A" (S-281) to House Amendment "B" (H-451) was READ.

THE PRESIDENT: The Senator has the floor.

SENATOR DANTON: This amendment was offered for the Committee on Bills in the Second Reading and it just clears up a technical error in the Bill.

Senate Amendment "A" (S-281) to House Amendment "B" (H-451) was ADOPTED.

House Amendment "B" (H-451) as amended by Senate Amendment "A" (S-281) thereto was ADOPTED, in non-concurrence.

THE PRESIDENT: The Chair recognizes the Senator from Knox, Senator Collins.

SENATOR COLLINS: Mr. President, I wonder if someone who is an expert on this Bill might tell us whether there is now any substantive change in the Bill as compared to when it was recalled from the Governors' desk?

THE PRESIDENT: The Senator from Knox, Senator Collins, has posed a question through the Chair to any member of the Senate who may respond if they so desire.

The Chair recognizes the Senator from Penobscot, Senator Pray.

SENATOR PRAY: Thank you Mr. President. Mr. President and Ladies and Gentlemen of the Senate. It is my understanding that the actions that have just taken place by the Senator from York, Senator Danton, corrects a conflict between two amendments that had been adopted when the Bill originally went through. It is, also, my understanding with the correction of Senate Amendment "A" that was presented by Senator Danton that it makes no substantive change to the Legislative proposal.

Which was Passed to be Engrossed, as Amended, in non-concurrence.

Sent down for concurrence.

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

## ORDER

## Joint Order

Senator DUTREMBLE of York was granted unanimous consent to address the Senate, relative to SLS-340 A Joint Resolution in Memoriam, Whereas the Legislature has learned with deep regret of the death of:

Lionel G. LaPointe, of Biddeford, a very special teacher who dedicated his life to youth.

SENATOR DUTREMBLE: Mr. President and Members of the Senate. Yesterday Mr. Lionel LaPointe died tragically in an automobile accident on the Maine Turnpike while apparently on his way to work at the Boys' Correctional Training Center in South Portland.

Mr. LaPointe was a very special man who, years ago, dedicated his life to serving the

youth of the State of Maine. As a teacher at St. Louis High School in Biddeford he had not only touched the lives of many of the students he taught but he also gave direction to them. Personally, as a former student of Mr. LaPointe, I remember him not only as a person who gave positive direction to his students but also as a person who would continue communicating and advising his students long after they left school.

I am sure that the years he spent at the Boys' Training Center in South Portland was as enriching to him and his students as the years he spent at St. Louis High School.

I am sure that the people who were touched by Mr. LaPointe will join me today in expressing our sympathies to the family of Mr. LaPointe and I would also move that when we adjourn today we do so in his memory.

On motion by Senator PRAY of Penobscot the Senate removed from the Table:

Joint Order (H. P. 1524) Relative to Alcoholism.

Tabled—January 26, 1984, by Senator PRAY of Penobscot.

Pending—Passage.

(In House January 25, 1984, READ AND PASSED.)

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

SENATOR MINKOWSKY: Mr. President and Members of the Senate. I would appreciate a little bit of an explanation about this Joint Order.

Two sections that I was interested in, Number 1, in the second "WHEREAS" this act eliminated the language in previous statutes which said that "there should be one office to operate the State Alcohol Abuse Services" has that been accomplished? Is there one office?

Secondly, if they are going to continue with this particular commission, I certainly would like to know exactly what they have accomplished so far during the past year of 1983 during the first year of existence? And possibly what the necessity is to continue on in 1984, since it would appear to me that most of the facts could be gathered by them during that segment of time? And should it continue through this Order, number three, how much more of an appropriation is required?

THE PRESIDENT: The Senator from Androscoggin, Senator Minkowsky, has posed a question through the Chair to any member of the Committee who may respond if they so desire.

The Chair recognizes the Senator from Kennebec, Senator Bustin.

SENATOR BUSTIN: Thank you Mr. President. Ladies and Gentlemen of the Senate. I am the Senate Chair of the Select Committee, or was last year and hopefully I will be this year if this goes through and it would be a little bit difficult to run through all the accomplishments of what that Committee has accomplished for the field of alcoholism in the past year.

To answer the question "is one office running the whole program," we still have the O.A.D.A.P. office, it has been readjusted so that it is administered a lot differently but hopefully a lot better and that is a direct result of what the Select Committee had worked out with the Department.

Also, last year we set up a separate office which is called the Alcohol and Drug Abuse Planning and Evaluation Component, and have hired a director of that who is Al Anderson, who is doing, by the way, a very excellent job in my estimation. Hopefully, what will come of that is that we will be able to do better planning by evaluating what we are already doing in the State and be able to use the monies in a much more appropriate way.

It is felt throughout the field, the treatment field, and by the Department at this particular point in time, that the Joint Select Committee on Alcoholism has been an excellent support for

them and has done an excellent job of directing the treatment field in this State and would like to continue that particular avenue for at least this other year. I hate to say "at least this other year" because that's what I said last year but as it goes on, we find that it becomes valuable. It is my hope that once the newness wears off and it gets established out there in the departments in the field, that you would not need a Joint Select Committee and that it would be referred to the appropriate committees. Thank you.

Which was PASSED, in concurrence.

Out of order and under suspension of the rules, the Senate voted to consider the following:

#### ORDER Joint Order

On motion by Senator PRAY of Penobscot, the following Joint Order: S. P. 736

ORDERED, the House concurring, that An Act to Provide for Reapportionment of County Commissioner Districts, H. P. 1487, L. D. 1950, be recalled from Engrossing to the Senate.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Pray.

SENATOR PRAY: Thank you Mr. President. Mr. President and Ladies and Gentlemen of the Senate. For those of you who are concerned about the redistricting of county commissioners districts and have a great love for county commissioners, the present form of this Bill lacks an emergency preamble which means in the reestablishment of county districts, there could be a number of county commissioners running in the primary in one district and having to run in a different district in November, as a matter of fact, some of them may not have been qualified, so we need an emergency preamble on this Bill to keep our county commissioners happy.

Which was READ and PASSED.

Sent down for concurrence.

On motion by Senator DUTREMBLE of York, Adjourned until 10 o'clock tomorrow morning in memory of the Honorable Lionel G. LaPointe.