

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)

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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

In Senate Chamber

Monday

March 5, 1984

Senate called to Order by the President.

Prayer by Father Ron Michaud of the St. Hyacinth's Catholic Church of Westbrook.

FATHER MICHAUD: Let us pray! God of goodness and mercy, we ask Your blessing and protection. May we feel Your presence pervading this Senate Chamber, bringing wisdom and discernment to each member of this assembly.

Keep us mindful of our obligation to respect the law and practice of truth. Give us the courage to seek laws that protect those who cannot defend themselves, for their rights and who have placed their inalienable rights in the public trust of the members of this Senate Body.

We give You thanks for the willingness of the members of this Body who have sought to serve as representatives of their people. I finally ask, Lord, that You share with them Your blessings as a sign of Your confidence in them and for this we are grateful. Amen.

Reading of the Journal of Friday, March 2, 1984.

Off Record Remarks

PAPERS FROM THE HOUSE

Study Report

Committee on BUSINESS LEGISLATION

Report of the Committee on BUSINESS LEGISLATION to which was referred by the Legislative Council the Study Relative to Motor Vehicle Insurance have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill "An Act to Increase the Minimum Limits for Uninsured Motorist's Coverage in Automobile Insurance Policies" (H. P. 1635) (L. D. 2158) be referred to the Joint Standing Committee on BUSINESS LEGISLATION for Public Hearing and printed pursuant to Joint Rule 19.

Comes from the House with the Report READ and ACCEPTED, and the Bill referred to the Committee on BUSINESS LEGISLATION and ORDERED PRINTED pursuant to Joint Rule 19.

Which Report was READ and ACCEPTED, in concurrence.

The Bill referred to the Committee on BUSINESS LEGISLATION and ORDERED PRINTED, pursuant to Joint Rule 19, in concurrence.

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 Limit the Storage of Spent Fuel at Nuclear Reactor Facilities." H. P. 314 L. D. 373

Ought to Pass

The Committee on EDUCATION on Bill "An Act Concerning Local Leeway Under The School Finance Law" H. P. 1565 L. D. 2074

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-492).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

House Amendment "A" (H-492) was READ and ADOPTED in concurrence.

The Bill As Amended TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on MARINE RESOURCES on Bill "An Act to Close Fishing by Means of Dragging in the Long Cove Area in the Town of St. George." H. P. 1493 L. D. 1968

Reported that the same Ought Not to Pass.

Signed:

Senators:

DUTREMBLE of York
MINKOWSKY of Androscoggin
SHUTE of Waldo

Representatives:

MITCHELL of Freeport
MELENDY of Rockland
SALSBURY of Bar Harbor
VOSE of Eastport
AINSWORTH of Yarmouth
HOLLOWAY of Edgcomb
CROWLEY of Stockton Springs
MANNING of Portland

The Minority of the same Committee on the same subject reported that the same Ought to Pass.

Signed:

Representatives:

CONNORS of Franklin
SCARPINO of St. George

Comes from the House the Majority Ought Not to Pass Report READ and ACCEPTED.

Which Reports were READ.

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

SENATOR COLLINS: I request a Division.

THE PRESIDENT: A Division has been requested.

Will all those Senators in favor of Accepting the Majority Ought Not to Pass Report, please rise and remain standing in their places until counted.

Will all those Senators opposed, please rise and remain standing in their places until counted.

21 Senators having voted in the affirmative and 4 Senators having voted in the negative, the motion to Accept the Majority OUGHT NOT TO PASS Report PREVAILED.

Senate

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 Relating to the Placement of Poles by Utilities." S. P. 716 L. D. 1962

Ought to Pass As Amended

Senator KANY for the Committee on PUBLIC UTILITIES on Bill "An Act to Amend the Charter of the Jackman Sewer District to Clarify the Limit on Indebtedness and to Clarify Certain Other Language in the Charter" (Emergency) S. P. 681 L. D. 1859

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-298).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-298) was READ and ADOPTED.

The Bill as Amended TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass in New Draft

Senator COLLINS for the Committee on JUDICIARY on Bill "An Act to Replace References to Regional Presiding Justice with Chief Justice of the Superior Court" S. P. 660 L. D. 1850

Reported that the same Ought to Pass in New Draft under same title: S. P. 812 L. D. 2162

Which Report was READ and ACCEPTED.

The Bill in NEW DRAFT READ ONCE.

The Bill in NEW DRAFT TOMORROW ASSIGNED FOR SECOND READING.

SECOND READERS

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

House

Bill "An Act to Amend the Charter of the Van Buren Light and Power District" (Emergency) H. P. 1562 L. D. 2064

Bill "An Act to Amend the Statutes Relating to the Approval of Correspondence Schools and Trade and Technical Schools" H. P. 1564 L. D. 2073

Bill "An Act Authorizing York County to Spend Surplus Funds for an Addition to the York County Jail" (Emergency) H. P. 1639 L. D. 2161

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

House As Amended

RESOLVE, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory H. P. 1442 L. D. 1887 (C "A" H-488)

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

Senate

Bill "An Act Concerning Municipal Snowmobile Registration" S. P. 687 L. D. 1894

Which was 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 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 (C "A" H-477)

AN ACT to Amend the Maine Consumer Credit Code to Exempt Financing of Educational Expenses H. P. 1460 L. D. 1912 (C "A" H-476)

AN ACT to Require the State of Maine to Pay Late Fees on Overdue Payments H. P. 1411 L. D. 1833 (H "A" H-486 to C "A" H-468)

AN ACT to Exclude Business Insurance Transactions from the Insurance Premium Finance Company Act H. P. 1527 L. D. 2007

AN ACT to Clarify the Adoption of Emergency Regulations H. P. 1592 L. D. 2102

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 Enable the City of Portland to Charge Reasonable Interest on Delinquent Sewer Accounts H. P. 1532 L. D. 2009 (C "A" H-472)

This being an emergency measure and having received the affirmative vote of 28 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.

Emergency

AN ACT to Include the Towns of Gilead and Upton within Vocational Region 9, Northern Oxford County H. P. 1421 L. D. 1866 (C "A" H-475)

This being an emergency measure and having received the affirmative vote of 28 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.

Resolve

RESOLVE, Authorizing the Commissioner of Marine Resources to Lease Land and Buildings in West Boothbay Harbor H. P. 1405 L. D. 1827 (C "A" H-473)

Which was FINALLY PASSED 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:

AN ACT Defining Rehabilitation of Existing Building Projects under the Municipal Securities Approval Program. (Emergency) S. P. 776 L. D. 2094.

Tabled—March 2, 1984 by Senator PRAY of Penobscot.

Pending—ENACTMENT.

(In House February 29, 1984 PASSED TO BE ENACTED)

On motion by Senator PRAY of Penobscot RETABLED for 1 Legislative Day, pending ENACTMENT.

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 to Create a State Funded Jobs Program" (Emergency) H. P. 1631 L. D. 2171

Joint Select Committee on JOB TRAINING suggested.

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 Concerning Access to Medical Care for Persons Without Adequate Health Insurance" (Emergency) H. P. 1630 L. D. 2170

Committee on HEALTH AND INSTITUTIONAL SERVICES suggested.

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

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

Off Record Remarks

On motion by Senator CARPENTER of Aroostook,

ADJOURNED until 10 o'clock tomorrow morning.