

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 Tenth

Legislature

OF THE

STATE OF MAINE

SECOND REGULAR SESSION

January 6, 1982 to April 13, 1982

INDEX

FOURTH SPECIAL SESSION

April 28, 1982 and April 29, 1982

INDEX

FIFTH SPECIAL SESSION

May 13, 1982

INDEX

SECOND CONFIRMATION SESSION

July 16, 1982

INDEX

HOUSE

Thursday, February 18, 1982

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Reverend Lawrence W. Hathorne of the Congregational Church, West Minot.

The Journal of yesterday was read and approved.

Papers from the Senate

Bill "An Act to Equalize Health Insurance Benefits for Retired State Employees" (S. P. 850) (L. D. 1983)

Came from the Senate referred to the Committee on Aging, Retirement and Veterans and ordered printed.

In the House, the Bill was referred to the Committee on Aging, Retirement and Veterans in concurrence.

Messages and Documents

The following Communication: (H. P. 2054)

State of Maine**Department of State****Division of Public Administration**

February 17, 1982

To the Honorable 110th Legislature of the State of Maine

Attention: House of Representatives, Clerk Pert

Info: Senate, Secretary Ross

I have the honor to transmit herewith an intimated bill, "AN ACT to End the Use of Nuclear Power for Producing Electricity in Five Years," and the results of the examination by this office of the initiative petitions relative to it.

The minimum number of valid signatures required to initiate this legislation is 37,026. On December 23, 1981, January 15, 22 and February 1, 1982, our office received 4, 834 petitions said to contain 50, 387 signatures. After extensive review we have determined the number of valid signatures to be 50,263.

In view of the foregoing determination, I hereby certify that these petitions have met the constitutional requirements of the minimum of 37,026 valid signatures. Since the petitions have previously satisfied the constitutional requirements in all other respects, under the provisions of Article IV, Part Third, Section 18, of the Constitution of Maine, I do hereby declare this initiative petition to be valid.

In the event the Legislature rejects this initiative proposal, a referendum election will be called for November, 1982.

Respectfully,

JAMES S. HENDERSON

Deputy Secretary of State

The Communication was read and ordered placed on file and sent up for concurrence, and the accompanying Bill (L.B. 4) (L.D. 1989) Bill "An Act to End the Use of Nuclear Power for Producing Electricity in Five Years"

On motion of Mr. Davies of Orono, referred to the Committee on Public Utilities and sent up for concurrence.

Special Sentiment Calendar

In accordance with House Rule 56, the following items (Expressions of Legislative Sentiment) Recognizing:

Leonard M. Nelson, Esq., of Portland, who saved members of the Maine Legislature from a potentially embarrassing oversight; (H. P. 2034) by Representative Kane of South Portland. (Cosponsor: Representative Hobbins of Saco)

Mal Sibulkin, who has been chosen as the Maine Small Businessperson of the year for 1981, by the United States Small Business Administration; (H. P. 2035) by Representative Dexter of Kingfield. (Cosponsors: Representatives Armstrong of Wilton, Webster of Farmington and Senator Redmond of Somerset)

Daniel R. O'Neil, of Fryeburg, who has been

chosen by the Guy Gannett Publishing Company, as the winner of the Young Columbus XXVI carrier contest, as the outstanding newspaper carrier of Maine; (H. P. 2036) by Representative Kiesman of Fryeburg. (Cosponsor: Senator Sutton of Oxford)

Vernon D. Burke, of Troop 432, in Skowhegan, who has attained the high rank and distinction of Eagle Scout; (H. P. 2037) by Representative Walker of Skowhegan. (Cosponsor: Senator Teague of Somerset)

Fire Chief Earle A. Blake, of Pownal, upon his retirement following 23 years of outstanding and dedicated service to his community; (H. P. 2038) by Representative Mitchell of Freeport. (Cosponsor: Senator Clark of Cumberland)

The February 7th to 13th, 1982, has been proclaimed United States Jaycette Week in recognition of that organization's volunteer service to its fellowmen, communities and country; (H. P. 2039) by Representative Lund of Augusta. (Cosponsors: Representatives Hickey of Augusta, Paradis of Augusta and Senator Bustin of Kennebec)

Dolly Gardiner, of Presque Isle, who has been chosen as an Outstanding Young Woman of America for 1981; (H. P. 2040) by Representative Lisnik of Presque Isle (Cosponsor: Representative MacBride of Presque Isle)

Nancy Lougee, a sophomore at Penquis Valley High School, for her first place finish in the school's 14th annual science fair; (H. P. 2041) by Representative Masterman of Milo.

Robert Zozus, a senior at Penquis Valley High School, for his first place finish in the school's 14th annual science fair; (H. P. 2042) by Representative Masterman of Milo.

Jackie Dunham, a freshman at Penquis Valley High School, for her first place finish in the school's 14th annual science fair; (H. P. 2043) by Representative Masterman of Milo.

Pam Mayo, a junior at Penquis Valley High School, for her first place finish in the school's 14th annual science fair; (H. P. 2043) by Representative Masterman of Milo.

Sheila Jepson, of Caribou, who has been chosen Miss Caribou for 1982; (H. P. 2045) by Representative Lisnik of Presque Isle. (Cosponsors: Representative Matthews of Caribou, Peterson of Caribou and Nelson of New Sweden)

Frances Mealey, who has devoted many years of service to Waterville Assembly #21 of the International Order of Rainbow for Girls; (H. P. 2047) by Representative Gwadosky of Fairfield. (Cosponsor: Senator Teague of Somerset)

Florence Milton, who has devoted many years of service to Waterville Assembly #21, of the International Order of Rainbow for Girls; (H. P. 2047) by Representative Gwadosky of Fairfield. (Cosponsor: Senator Teague of Somerset)

In Memory of:

Dr. Millard E. "Doc" Nickerson, a well-loved chiropractor in Sanford since 1923; (H. P. 2048) by Representative Tuttle of Sanford. (Cosponsors: Representative Paul of Sanford, Ridley of Shalpeigh and Senator Wood of York)

There being no objections, these items were considered passed or adopted in concurrence or sent up for concurrence.

The following paper appearing on Supplement No. 1 was taken up out of order by unanimous consent:

Bill "An Act to Provide Staggered Expiration Dates for Terms of Inland Fisheries and Wildlife Advisory Council Members" (Emergency) (H. P. 2055) (Presented by Representative MacEachern of Lincoln) (Approved for introduction by a Majority of the Legislative Council pursuant to Joint Rule 27)

Was referred to the Committee on Fisheries and Wildlife, ordered printed and sent up for concurrence.

The following papers appearing on Supplement No. 2 were taken up out of order by unanimous consent:

Non-Concurrent Matter

Bill "An Act Relating to the Board of Harbor Commissioners and its Power for the Harbor of Portland" (H. P. 2016) (L. D. 1987) which was referred to the Committee on Legal Affairs in the House on February 16, 1982.

Came from the Senate referred to the Committee on Transportation in non-concurrence.

In the House: The House voted to recede and concur.

Non-Concurrent Matter

RESOLVE, to Reimburse the Town of Fort Kent for Loss due to Erroneous Increase in the 1981 State Valuation (H. P. 2005) (L. D. 1976) which was referred to the Committee on Appropriations and Financial Affairs in the House on February 12, 1982.

Came from the Senate referred to the Committee on Taxation in non-concurrence.

In the House: On motion of Mr. Pearson of Old Town, the House voted to recede and concur.

The following papers from the Senate appearing on Supplement No. 3 were taken up out of order by unanimous consent:

Leave to Withdraw

Report of the Committee on Marine Resources reporting "Leave to Withdraw" on Bill "An Act to Prohibit the Molesting of Fixed Fishing Gear" (S. P. 818) (L. D. 1922)

Report of the Committee on Public Utilities reporting "Leave to Withdraw" on Bill "An Act to Expand the Territorial Limits of Van Buren Light and Power District" (S. P. 772) (L. D. 1843)

Came from the Senate with the Reports read and accepted.

In the House, the Reports were read and accepted in concurrence.

The following papers from the Senate appearing on Supplement No. 4 were taken up out of order by unanimous consent:

Non-Concurrent Matter**Tabled and Assigned**

Bill "An Act to Allocate Funds from the Low-level Waste Siting Fund" (H. P. 1751) (L. D. 1741) which was passed to be engrossed in the House on February 9, 1982.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-383) in non-concurrence.

In the House: On motion of Mrs. Mitchell of Vassalboro, tabled pending further consideration and tomorrow assigned.

Special Sentiment Calendar

In accordance with House Rule 56, the following items (Expressions of Legislative Sentiment) Recognizing:

Earl L. Ormsby, Sr., of Brunswick, who was honored by American Legion Post 202 as its first annual Outstanding Citizen or Patriot; (S. P. 857)

Conrad M. McDuff, of Brunswick, upon his retirement after 40 years as a Maine Street Merchant; (S. P. 858)

Dr. Peter H. Mason, of Millinocket, who was chosen the 1981-82 Citizen of the Year by the Millinocket Chamber of Commerce; (S. P. 859)

There being no objections, these items were considered passed in concurrence.

House Reports of Committees**Leave to Withdraw**

Representative Roberts from the Committee on Local and County Government on Bill "An Act Relating to the Frequency of Payments by Certain County Officials to County Treasurers" (H. P. 1871) (L. D. 1865) reporting "Leave to Withdraw"

Representative Armstrong from the Committee on Local and County Government on

Bill "An Act to Authorize a Self-liquidating Bond Issue for Kennebec County for the Construction of a New Detention Facility" (H. P. 1813) (L. D. 1798) reporting "Leave to Withdraw"

Representative Davies from the Committee on Public Utilities on Joint Resolution to Establish a State Emergency Energy Conservation Plan (H. P. 1958) (L. D. 1931) reporting "Leave to Withdraw"

Representative Beaulieu from the Committee on Labor on Bill "An Act to Modify the Base Period for Purposes of Determining Eligibility for Unemployment Compensation Benefits" (H. P. 1903) (L. D. 1888) reporting "Leave to Withdraw"

Representative Fowlie from the Committee on Marine Resources on Bill "An Act to Require the Department of Environmental Protection to Obtain the Approval of the Commissioner of Marine Resources Prior to Issuing a License to Discharge Waste Waters to Tidal Waters" (H. P. 1786) (L. D. 1776) reporting "Leave to Withdraw"

Reports were read and accepted and sent up for concurrence.

Referred to the Committee on Judiciary

Representative Davies from the Committee on Public Utilities on Bill "An Act Relative to the Theft of Utility Services" (H. P. 1821) (L. D. 1806) reporting that it be referred to the Committee on Judiciary.

Report was read and accepted, the Bill referred to the Committee on Judiciary and sent up for concurrence.

By unanimous consent, all matters acted upon requiring Senate concurrence were ordered sent forthwith.

(Off Record Remarks)

On motion of Mr. Cox of Brewer.
Recessed until four o'clock in the afternoon.

After Recess 4:00 p.m.

The House was called to order by the Speaker.

Divided Report

Majority Report of the Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-595) on Bill "An Act to Clarify Variable Rate Disclosures in the Maine Consumer Credit Code" (H. P. 1752) (L. D. 1742)

Report was signed by the following members:

Senator Clark of Cumberland - of the Senate.
Representatives Gwadosky of Fairfield, Brannigan of Portland, Fitzgerald of Waterville, Pouliot of Lewiston, Telow of Lewiston Perkins of Brooksville and Martin of Van Buren - of the House.

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "B" (H-596) on same Bill.
Report was signed by the following members:

Senators Sewall of Lincoln and Sutton of Oxford - of the Senate.

Representatives Gavett of Orono, Racine of Biddeford and Jackson of Yarmouth - of the House.

Reports were read.

On motion of Mr. Brannigan of Portland, the Majority "Ought to Pass" Report was accepted and the Bill read once. Committee Amendment "A" (H-595) read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought Not to Pass" on Bill "An Act to Regulate the Sound Level of Enter-

tainment on Premises Licensed to Sell Liquor" (H. P. 1847) (L. D. 1828)

Report was signed by the following members:

Senators Charette of Androscoggin, Violette of Aroostook and Shute of Waldo - of the Senate.

Representatives Treadwell of Veazie, Stover of West Bath, Swazey of Bucksport, Perry of Mexico, Dudley of Enfield, Studley of Betwick and McSweeney of Old Orchard Beach - of the House.

Minority Report of the same Committee reporting "Ought to Pass" on same Bill.

Report was signed by the following members:

Representative Soulas of Bangor, Cox of Brewer and Boisvert of Lewiston - of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Cox.

Mr. COX: Mr. Speaker, I move that we accept the Minority "Ought to Pass" Report. Whereupon, Mr. Swazey of Bucksport requested a vote.

The SPEAKER: The Chair recognizes the gentleman from West Bath, Mr. Stover.

Mr. STOVER: Mr. Speaker, Ladies and Gentlemen of the House: I signed the Majority "Ought not to Pass" on this bill. This bill, as you all know, is one to regulate the sound in a disco place and, to me, it is just another invasion of the small businessman and the privilege to run his own business.

If anyone doesn't like the noise in a particular place they are in, they don't have to stay, they can leave. There are some people who like this type of noise, especially young people. The louder it is, the better they like it.

There was no evidence presented to our committee that would indicate that there would be hearing loss of any kind. It was brought out that the symphony and Mozart and some of these great works, they also are very loud. It is a question of choice, but a man running a business caters to what the public wants, and if he doesn't have that right, it cripples his right to run his own business.

For those reasons, I am opposing this bill.

The SPEAKER: The Chair recognizes the gentleman from Veazie, Mr. Treadwell.

Mr. TREADWELL: Mr. Speaker, Ladies and Gentlemen of the House: I stand in opposition to L. D. 1828 for the following reasons - on Monday of this week, February 22, OSHA will be setting noise conservation standards for all employees connected with industry. What this bill does is set standards which do not coincide with OSHA. In other words, you have OSHA standards for industry, another for licensed liquor establishments. This being the case, according to Captain Martin, if enacted, this will be unenforceable. It could require a fiscal note for law enforcement; it also could be unconstitutional.

Furthermore, how can we as legislators legislate to any person or persons where to go or what to listen to, and at what volume? Furthermore it has not been proven scientifically that music has ever caused anyone's loss of hearing. To cite an example, at our hearing it was noted that lobster fishermen who live and work on the coast, who have never been subjected to loud noises and who may never have attended a disco, have loss of hearing. These fishermen may never have been subjected to more than 60 decibels of sound.

For these reasons, I hope that you will vote against the pending motion.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Miss Lewis.

Miss LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I would like to give you a brief history of this bill.

This bill started because the Labor Committee, this year, was asked to study hearing loss in Maine, and as a result of our study of hearing

loss, the Labor Committee unanimously put forward two bills for the House's consideration. One of these bills deals directly with worker's compensation, and the other bill is this bill that we have in front of us right now, this bill which was heard by Legal Affairs rather than by the Labor Committee, but I would like you to know that the Labor Committee stands fully in support of this bill.

The reason why the Labor Committee submitted this bill is that during our study of hearing loss, we decided that we should be very concerned about health and safety in Maine work places, and we realized that noise due to hearing loss is certainly an environmental problem that is facing all of us. We decided that we should regulate noise levels that could destroy someone's hearing, and we realized that in the statutes right now is a law that regulates the amount of light in establishments that are licensed to sell liquor. We felt that since there was a precedent to regulate the amount of light in these establishments, that also we should be able to regulate the amount of noise in these establishments.

Hearing loss due to noise is preventable, and the noise that rock music and other excessively loud music causes certainly does cause hearing loss. This is what the medical doctors who deal with this subject have to say about this subject.

For example, Dr. Shunock, who has written many many articles on hearing loss, has discussed specifically the problems of the noise that is going on in various discotheques with various rock music.

What this bill does is regulate the amount of noise in these establishments licensed to sell liquor to 95 decibels. The Labor Committee chose the 95 decibel level because the OSHA regulations suggested if someone is subject to four hours of noise, that 95 decibels is the maximum that that person should have to hear.

Just to give you an idea of what 95 decibels is, let me explain to you about decibels. Normal conversation is generally around 50 decibels. Very loud conversation is around 60 decibels. Ninety-five decibels would be about the same as a present heavy-duty truck that is driving by you or a power lawn mower at the ear of an operator.

Rock music is generally played at 120 decibels, and the threshold of pain is 140 decibels.

Many of you have been into these establishments where you have found the noise too loud and you have been forced to leave. It is my feeling that if these places would turn down the sound a little bit, we could all enjoy ourselves and none of us would lose our hearing.

I think we are all concerned about hearing loss in Maine, and this bill would do a little bit to help to solve that problem. I urge you to vote in favor of Representative Cox's motion.

The SPEAKER: The Chair recognizes the gentleman from South Portland, Mr. Kane.

Mr. KANE: Mr. Speaker, Ladies and Gentlemen of the House: I don't want to get very involved in this debate, but just to quote President Reagan, I think if the music was too loud, you could vote with your feet.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mrs. Beaulieu.

Mrs. BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: It's obvious and should be obvious that this bill is not going to pass in the other body, but I rise to point out to you and caution you that this issue should not be taken so lightly. This bill is fondly called by many "The Disco Bill" and it is not a joke.

It is true that OSHA standards are coming into place sometime next week, but please, if you know anything about OSHA and how it meets its conformity requirements, you should all realize that whatever standards they come up with, this kind of standard will be the least to be enforced, and if enforced at all, the most poorly enforced.

I think some 300 people told the state in these chambers a few weeks ago how well OSHA per-

forms lately.

The enforcement for this kind of legislation should come between the management of the lounge and the band they hire. Most sound and amplifying systems can be calibrated to meet any certain sound standards. We all know that the consumer can walk out, but the employees cannot, and that is my argument.

The other argument that was given to us at the hearing the other day is that they need not work there, and that is ridiculous. Anybody who can get a job today is going to take it. The majority of workers in establishments like these tend to be women, most are single heads of households and low income, so saying that they need not work in that kind of environment is not a very good argument.

Since the papers and the media have started covering this bill, I have been inundated with calls from both male and female workers who want us to do something about it. They are exposed to nights on end and the results are indeed ear distress, headaches and what not. Consumers are also calling, and that is interesting to note. They, as I do, love to dance, socialize and be in these settings, but they would like to be able to do it in an atmosphere where they can talk to each other within reason and not have to walk out because the music is so loud that it is impossible to stay.

The Innkeepers Association's basic objection is against another regulation — that's interesting. We regulate everything that they do and they are not out of business yet. This additional demand is to their advantage to better serve their customers and their employees. If this state can go so far as to regulate the lighting in their establishment, then why is this proposed legislation so out of order?

Let me point out to you that it is very interesting that they refuse to offer to equip their employees with ear protective equipment as a potential solution. They want it to be their way or not at all.

The final point I want you all to consider is this one — how loud must loud be? If a 30 piece high school band is expected to register at 100 decibels and an 80 piece symphony orchestra is expected to register at 110 decibels, tell me why a 5 piece band needs to play at 130 decibels in lounges that are one quarter the size of this room or any high school stadium, especially when the pain level tolerance is estimated to be, for the average human being, at 140 decibels.

I'm not going to push any of you to vote for this bill, but I intend to vote for it. I also predict this issue will not go away, you are going to be dealing with it again, because maybe through the media we are using this afternoon by even discussing this bill, we will educate some employees and some consumers to start raising . . . I also feel a very strong obligation to have my vote reflect what I think is in the best interest of the employees of this establishment, and I believe, Mr. Speaker, a division has been requested.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Manning.

Mr. MANNING: Mr. Speaker, Ladies and Gentlemen of the House: I want to run a little scenario by you.

The holiest day of the year is coming up for many of us, and for one of my relatives it is probably the most profitable day of the year. It is called St. Patrick's Day, and if you walked by my uncle's establishment on the corner of Commercial and India Streets, you can hear the music way out to Cape Elizabeth and I can imagine the State Liquor Inspector, Jim Banks, a good friend of many of us here in this building right now, walking into my uncle's and saying to him, "Eddie, you got to keep the noise down, it's too loud." Well after MEDCU comes and takes Jimmy Banks back to the Maine Medical Center after my uncle throws him through the window, he calls me over, because I am over on the sidelines singing proba-

bly, and says, "who put this foolish bill through?" Unfortunately, I would have to tell him it is his own State Representative from Munjoy Hill.

On a more serious note, last year we had a bill here that dealt with regulating child care and we fought that bill tooth and nail and we took regulations off the books that many of us felt should have stayed on the books. A year and a half ago, the Department of Human Services went from 19 pages to 6 pages for child care, but yet this House and the other body down the hall decided that we needed less assurance that the children in this state would have a safe place to be during the day, but now we want to regulate and police or we want to regulate adults — it just doesn't make sense.

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Swazey.

Mr. SWAZEY: Mr. Speaker, Ladies and Gentlemen of the House: We worked very diligently last legislature getting rid of some of these so-called Blue Laws. I think this would be just another one because it would be difficult to enforce. It would be difficult on small business and I would think it would also, as you well know, be difficult to judge just where you are going to have this decibel meter — noise dissipates very rapidly and where would the noise be monitored? OSHA already has a base line monitoring system that is going to go into effect initially — or the initial effect of it February 22. I also think it discriminates against people who sell liquor versus people who do not because I know there are a good many noises — I know we heard it right here one Monday morning a couple of weeks ago that was very loud.

I would also ask the Speaker if we need a fiscal note on this bill because it lists no one who is going to enforce this.

I remember when I campaigned, more than anything else, was "keep the government off my back" and I think this is the type of legislation we do not need.

The last thing, I would like to pose a question to the House or someone or the Speaker — my question would be, how long would a person have to be subjected to abnormal loud noises to even qualify for loss of hearing by noise under this law?

The SPEAKER: The Chair will not respond to the question in terms of noise since he has his own comments on that, but in terms of the fiscal note, there is no fiscal note required in reference to L.D. 1828.

The Chair recognizes the gentleman from New Sweden, Mr. Nelson.

Mr. NELSON: Mr. Speaker, Ladies and Gentlemen of the House: I don't have too much to say but all those things that make a lot of noise, I have been it, running snowmobiles, testing engines, motor boats, tractors and anything else you can name, I have been there. I have played a lot of music, I have been to a lot of dances and I have proof right here that too much noise isn't good. I guess that is all I have to say.

The SPEAKER: The Chair will order a vote. The pending question before the House is on the motion of Mr. Cox of Brewer that the House accept the Minority "Ought to Pass" Report. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

46 having voted in the affirmative and 76 in the negative, the motion did not prevail.

Thereupon, the Majority "Ought Not to Pass" Report was accepted and sent up for concurrence.

The following paper appearing on Supplement No. 7 was taken up out of order by unanimous consent:

Passed to Be Enacted Emergency Measure

An Act to Conform the Effective Date of the Maine Consumer Credit Code-Truth in Lending

(Article VIII) and Certain Other Statutes to Federal Law (H. P. 1967) (L. D. 1942)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 131 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith to the Senate.

Consent Calendar First Day

In accordance with House Rule 49 the following items appeared on the Consent Calendar for the First Day:

(H. P. 1864) (L. D. 1858) Bill "An Act to Clarify the Boundary Between the Town of Watford and the Township of Albany" — Committee on Local and County Government reporting "Ought to Pass"

(H. P. 1831) (L. D. 1813) RESOLVE, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory — Committee on Taxation reporting "Ought to Pass"

(H. P. 1737) (L. D. 1722) RESOLVE, Reimbursing Certain Municipalities on Account of Taxes Lost Due to the Veterans' Property Tax Exemption—Committee on Taxation reporting "Ought to Pass"

(H. P. 1736) (L. D. 1721) RESOLVE, Reimbursing Great Pond on Account of Taxes Lost Due to Lands being Classified under the Maine Tree Growth Tax Law — Committee on Taxation reporting "Ought to Pass"

(H. P. 1739) (L. D. 1728) RESOLVE, Authorizing the Exchange of Certain Public Reserved Lands — Committee on Energy and Natural Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-594)

(H. P. 1900) (L. D. 1885) Bill "An Act to Provide Assistance in the Marketing of Maine Agricultural Products" — Committee on Agriculture reporting "Ought to Pass"

(H. P. 1780) (L. D. 1770) Bill "An Act to Clarify the Term 'Account' in the Probate Code" — Committee on Judiciary reporting "Ought to Pass"

No objections being noted, the above items were ordered to appear on the Consent Calendar of February 19, under the listing of Second Day.

Consent Calendar Second Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the Second Day:

(S. P. 741) (L. D. 1726) Bill "An Act to Transfer Certain Responsibilities for Insect Nuisance Identification from the Department of Conservation to the Department of Agriculture, Food and Rural Resources"

(S. P. 780) (L. D. 1848) Bill "An Act to Allow the Transfer of Venue of Civil Actions Without the Agreement of the Parties"

(S. P. 757) (L. D. 1815) Bill "An Act to Retain Weight Tolerance for Certain Vehicles Under the Motor Vehicle Law" (C. "A" S-380)

(S. P. 761) (L. D. 1819) Bill "An Act to Clarify the Fees for the Registry of Deeds" (C. "A" S-381)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were passed to be engrossed in concurrence.

Enactor

Tabled and Assigned

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Lincoln County for the Year 1982 (H. P. 2001) (L. D. 1959)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Mr. LaPlante of Sabattus, tabled pending passage to be enacted and specially assigned for Tuesday, February 23.

Orders of the Day

The Chair laid before the House the first item of Unfinished Business:

Bill, "An Act to Clarify and Extend Solar Energy Tax Exemptions" (H. P. 2031) (Committee on Taxation suggested)

Tabled—February 17, 1982 (Until Later Today) by Representative Mitchell of Vassalboro.

Pending—Reference.

On motion of Mrs. Mitchell of Vassalboro, retabled pending reference and tomorrow assigned.

The Chair laid before the House the first tabled and today assigned matter:

Bill, "An Act to Permit Physicians' Assistants to Take Blood Samples in Cases Involving Operating Under the Influence" (H. P. 2028) (Committee on Judiciary suggested)

Tabled—February 17, 1982 by Representative Hobbins of Saco.

Pending—Reference.

On motion of Mrs. Nelson of Portland, referred to the Committee on Health and Institutional Services, ordered printed and sent up for concurrence.

The following papers appearing on Supplement No. 5 were taken up out of order by unanimous consent:

Special Sentiment Calendar

The Following Items:

Recognizing:

Douglas Adams, of Boy Scout Troop III, of Auburn, who has achieved the high rank and distinction of Eagle Scout; (H. P. 2056) by Representative Boyce of Auburn. (Cosponsor: Representative Boisvert of Lewiston)

Allen Bell, of Boy Scout Troop III, of Auburn, who has achieved the high rank and distinction of Eagle Scout; (H. P. 2057) by Representative Boyce of Auburn. (Cosponsor: Representative Boisvert of Lewiston)

There being no objections, the above items were considered passed and sent up for concurrence.

Bill Held

Bill, "An Act to Amend the Concealed Weapons Law" (H. P. 2051) (L. D. 2001)

—In House, Referred to Committee on Legal Affairs on February 17, 1982.

Held at the request of Representative Nelson of Portland.

On motion of Mrs. Nelson of Portland, the House reconsidered its action whereby this Bill was referred to the Committee on Legal Affairs.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Nelson.

Mrs. NELSON: Mr. Speaker, Ladies and Gentlemen of the House: I now move that this bill be indefinitely postponed.

I wish to speak to the Odyssey of 2001. L. D. 2001 was inadvertently printed — that is to say, there were versions of the bill dealing with the concealed weapons. There were twelve people that worked in the summer right through to last week on one reversion after another until it was honed down into what we all believed to be pretty close to perfect and a clerical error, inadvertently printed one of the previous recommendations rather than the final draft, and so we have asked that L.D. 2001 die and that if you look on your supplementary calendar, No. 3, you will see the new bill, the fine bill, the bill that all the people that worked on it could agree on to be printed, and that, indeed, will be the bill to amend the concealed weapons.

Thereupon, on motion of Mrs. Nelson of Portland, the Bill was indefinitely postponed and sent up for concurrence.

The following paper appearing on Supplement No. 8 was taken up out of order by unanimous consent:

Bill "An Act to Amend the Concealed Weapons Law" (H. P. 2060) (Presented by Representative Nelson of Portland) (Cosponsors: Representatives Jackson of Yarmouth, Murphy of Kennebunk and Gwadosky of Fairfield) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26)

Was referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence.

(Off Record Remarks)

On motion of Mr. Vose of Eastport, Adjourned until nine o'clock tomorrow morning.