

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eleventh  
Legislature***

OF THE

**STATE OF MAINE**

**Volume I**

**FIRST REGULAR SESSION**

**December 1, 1982 to May 13, 1983**

**HOUSE**

Friday, March 4, 1983

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

Prayer by the Reverend Clayton Alward of the North Monmouth Full Gospel Assembly.

The journal of yesterday was read and approved.

**Papers from the Senate**

Bill "An Act to Improve the Administration of Agricultural Fairs" (S. P. 298) (L. D. 912)

Came from the Senate referred to the Committee on Agriculture and ordered printed.

In the House, was referred to the Committee on Agriculture in concurrence.

Bill "An Act to Reinstate the Large Print Book Program at the Maine State Library" (S. P. 296) (L. D. 911)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs and ordered printed.

In the House, was referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill "An Act Concerning Credit Card Sales of Motor Fuels" (S. P. 299) (L. D. 913)

Bill "An Act Relating to Finance Charges on Lender Credit Card Sales" (S. P. 300) (L. D. 914)

Bill "An Act to Require Social Workers Employed by Hospitals to be Registered" (S. P. 301) (L. D. 915)

Came from the Senate referred to the Committee on Business Legislation and ordered printed.

In the House, was referred to the Committee on Business Legislation in concurrence.

Bill "An Act Relating to Authority of the Land Use Regulation Commission over Organized Municipalities" (S. P. 302) (L. D. 916)

Came from the Senate referred to the Committee on Energy and Natural Resources and ordered printed.

In the House, was referred to the Committee on Energy and Natural Resources in concurrence.

Bill "An Act to Create a Party Permit for Deer Hunting" (S. P. 303) (L. D. 917)

Bill "An Act to Reestablish the Time for Announcing a Shorter Deer Season" (S. P. 304) (L. D. 918)

Bill "An Act to Permit Maine People to Purchase Live Bait for New Hampshire Waters for Use in Maine Waters" (S. P. 305) (L. D. 919)

Came from the Senate referred to the Committee on Fisheries and Wildlife and ordered printed.

In the House, were referred to the Committee on Fisheries and Wildlife in concurrence.

Bill "An Act to Improve the Identification of Persons Prescribing Medicines on Hospital Prescription Blanks" (S. P. 307) (L. D. 921)

Came from the Senate referred to the Committee on Health and Institutional Services and ordered printed.

In the House, was referred to the Committee on Health and Institutional Services in concurrence.

Bill "An Act to Require Prisoners Capable of Paying to Pay for the Costs of Their Incarceration" (S. P. 306) (L. D. 920)

Came from the Senate referred to the Committee on Judiciary and ordered printed.

(The Committee on Reference of Bills had suggested reference to the Committee on Health and Institutional Services)

In the House, was referred to the Committee on Judiciary in concurrence.

Bill "An Act to Prohibit Unsafe Above-

ground Electric Utility Wiring" (S. P. 308) (L. D. 922)

Bill "An Act to Provide for a Feasibility Study and a Referendum on Public Power in Aroostook County" (S. P. 309) (L. D. 923)

Came from the Senate referred to the Committee on Public Utilities and ordered printed.

In the House, were referred to the Committee on Public Utilities in concurrence.

Bill "An Act Concerning the Guidelines for State Contract Process and Appeal of Decisions" (S. P. 310) (L. D. 924)

Came from the Senate referred to the Committee on State Government and ordered printed.

In the House, was referred to the Committee on State Government in concurrence.

Bill "An Act to Delay the Effective Date of the Property Tax Exemption for Naturally Occurring Metallic Minerals" (Emergency) (S. P. 312) (L. D. 926)

Bill "An Act to Adopt the Multistate Tax Compact" (S. P. 313) (L. D. 927)

Came from the Senate referred to the Committee on Taxation and ordered printed.

In the House, were referred to the Committee on Taxation in concurrence.

Bill "An Act Relating to the Financing of Services in the Unorganized Territory" (S. P. 311) (L. D. 925)

Came from the Senate referred to the Committee on Taxation and ordered printed.

(The Committee on Reference of Bills had suggested reference to the Committee on State Government)

In the House, was referred to the Committee on Taxation in concurrence.

Bill "An Act Concerning Bus Transportation for School Students" (S. P. 314) (L. D. 928)

Came from the Senate referred to the Committee on Transportation and ordered printed.

In the House, was referred to the Committee on Transportation in concurrence.

**Reports of Committees****Unanimous Leave to Withdraw**

Report of the Committee on Labor reporting "Leave to Withdraw" on Bill "An Act to Repeal the Nonnegotiability of Certain Educational Policies" (S. P. 157) (L. D. 446)

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

**Petitions, Bills and Resolves****Requiring Reference**

The following Bills were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

**Appropriations and Financial Affairs**

Bill "An Act to Share Equitably the Fines and Forfeitures Resulting from Enforcement of the State Motor Vehicle Laws" (H. P. 815) (Presented by Representative Beaulieu of Portland) (Ordered Printed)

Sent up for concurrence.

**Business Legislation**

Bill "An Act to Amend Maine's Abandoned Property Law" (H. P. 816) (Presented by Representative Kilcoyne of Gardiner) (Cosponsors: Senator Twitchell of Oxford, Representatives Norton of Biddeford and Daggett of Manchester) (Submitted by the Treasury Department pursuant to Joint Rule 24)

Bill "An Act Exempting Interstate Domestic Flights from the Bottle Bill" (H. P. 817) (Presented by Representative Higgins of Portland) (Cosponsors: Senators Baldacci of Penobscot, Wood of York, and Representative Crouse of Washburn) (Submitted by the Department of Transportation pursuant to Joint Rule 24)

Bill "An Act to Amend the Maximum Fee for Applications to and to Clarify the Basis for the Annual Assessment of Financial Institutions" (H. P. 818) (Presented by Representative Brannigan of Portland) (Cosponsors: Representatives Theriault of Fort Kent, Martin of Van Buren, and Kilcoyne of Gardiner) (Submitted by the Department of Business Regulation pursuant to Joint Rule 24)

Bill "An Act to Amend the Waiting Period After Promulgation of a Rule by the Bureau of Banking" (H. P. 814) (Presented by Representative Martin of Van Buren) (Cosponsors: Representatives Perkins of Brooksville, Racine of Biddeford and Senator Charette of Androscoggin) (Submitted by the Department of Business Regulation pursuant to Joint Rule 24)

Bill "An Act to Amend the Lines of Credit and Commercial Loans to Individual Borrowers" (H. P. 786) (Presented by Representative Racine of Biddeford) (Cosponsors: Representatives Gauvreau of Lewiston and Erwin of Rumford) (Submitted by the Department of Business Regulation pursuant to Joint Rule 24)

Bill "An Act to Prohibit Control of Financial Institutions as Closely Related Activities" (H. P. 787) (Presented by Representative McCollister of Canton) (Cosponsors: Representatives Carroll of Gray and Andrews of Portland) (Submitted by the Department of Business Regulation pursuant to Joint Rule 24)

Bill "An Act to Conform State Antitrust Laws with Federal Antitrust Laws" (H. P. 788) (Presented by Representative Hayden of Durham) (Cosponsors: Senator Carpenter of Aroostook, Representatives Drinkwater of Belfast and Allen of Washington)

(Ordered Printed)

Sent up for concurrence.

**Election Laws**

Bill "An Act Concerning Explanations for Referenda Questions which Appear on a Ballot" (H. P. 819) (Presented by Representative McHenry of Madawaska) (Cosponsors: Senators Pearson of Penobscot, Kany of Kennebec, and Representative Rolde of York)

Bill "An Act to Promote Better Voter Participation and to Designate the Day of the State General Election a State Holiday" (H. P. 820) (Presented by Representative Nadeau of Lewiston) (Cosponsors: Representative Rolde of York and Senator Carpenter of Aroostook)

Bill "An Act to Limit the Amount of Money Which Can Be Spent on Campaigns for the Maine Legislature" (H. P. 789) (Presented by Representative Tuttle of Sanford) (Cosponsor: Representative Bonney of Falmouth)

Bill "An Act to Provide for the Settlement of Disputes Concerning Political Advertising during Political Campaigns" (H. P. 809) (Presented by Representative Reeves of Pittston) (Cosponsors: Representative Nadeau of Lewiston and Senator Pearson of Penobscot)

(Ordered Printed)

Sent up for concurrence.

**Energy and Natural Resources**

Bill "An Act to Create an Emergency Petroleum Reserve for the State" (H. P. 821) (Presented by Representative McGowan of Pittsfield) (Cosponsors: Representatives Nadeau of Lewiston and Hall of Sangerville) (Submitted by the Office of Energy Resources pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

**Fisheries and Wildlife**

Bill "An Act to Require the Registration of Off-road Motorized All-terrain Vehicles" (H. P. 822) (Presented by Representative Foster of Ellsworth)

(Ordered Printed)

Sent up for concurrence.

**Health and Institutional Services**

Bill "An Act to Amend the Statutes Governing the Licensing, Approval and Registration of Adult and Child Care Programs" (H. P. 791) (Presented by Representative Hayden of Durham) (Cosponsors: Representatives Kelleher of Bangor and Mitchell of Vassalboro) (Submitted by the Department of Human Services pursuant to Joint Rule 24) (Ordered Printed) Sent up for concurrence.

#### Tabled and Assigned

Bill "An Act to Promote the Training of Psychologists through the Cooperative Education Support Program" (H. P. 792) (Presented by Representative Bost of Orono) (Cosponsors: Senator Hayes of Penobscot and Representative Manning of Portland) (Submitted by the Department of Mental Health and Mental Retardation pursuant to Joint Rule 24)

Committee on Health and Institutional Services was suggested.

On motion of Mrs. Nelson of Portland, tabled pending reference and assigned for Monday, March 7.

#### Health and Institutional Services cont'd.

Bill "An Act to Amend the Statutory Requirements Pertaining to Medicaid Copayments" (Emergency) (H. P. 823) (Presented by Representative Manning of Portland) (Cosponsors: Senator Gill of Cumberland and Representative Richard of Madison) (Submitted by the Department of Human Services pursuant to Joint Rule 24)

Bill "An Act to Allow Access to Financial Records of Public Assistance Recipients" (H. P. 824) (Presented by Representative Paradis of Augusta) (Cosponsors: Representatives Carroll of Gray and Melendy of Rockland) (Submitted by the Department of Human Services pursuant to Joint Rule 24)

Bill "An Act to Require the Proceedings of Nonprofit Hospitals to be Open to the Public" (H. P. 825) (Presented by Representative Manning of Portland) (Cosponsor: Representative Carroll of Gray) (Submitted by the Department of Human Services pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

#### Tabled and Assigned

Bill "An Act to Amend the Adult Protective Services Act" (H. P. 826) (Presented by Representative Allen of Washington) (Cosponsors: Representatives Hayden of Durham, Richard of Madison, and Melendy of Rockland) (Submitted by the Department of Human Services pursuant to Joint Rule 24)

Committee on Health and Institutional Services was suggested.

On motion of Mrs. Nelson of Portland, tabled pending reference and assigned for Monday, March 7.

#### Tabled and Assigned

Bill "An Act to Amend the Child and Family Services and Child Protection Act" (H. P. 827) (Presented by Representative Nelson of Portland) (Cosponsors: Representatives Pines of Limestone, Manning of Portland and Melendy of Rockland) (Submitted by the Department of Human Services pursuant to Joint Rule 24)

Committee on Health and Institutional Services was suggested.

On motion of Mrs. Nelson of Portland, tabled pending reference and assigned for Monday, March 7.

#### Health and Institutional Services cont'd.

Bill "An Act to Maximize the Availability of Certain Social Services by Providing for Income from Fees and Remove References to Federal Requirements Which no Longer Exist" (H. P. 828) (Presented by Representative Nelson of Portland) (Cosponsors: Representatives Carroll of Gray, Manning of Portland and Pines

of Limestone) (Submitted by the Department of Human Services pursuant to Joint Rule 24)

Bill "An Act to Regulate Smoking on Public Conveyances in the State of Maine" (H. P. 829) (Presented by Representative Reeves of Pittston) (Cosponsors: Representative Manning of Portland and Senator Bustin of Kennebec)

Bill "An Act Relating to Transfer Review" (H. P. 793) (Presented by Representative Connolly of Portland)

(Ordered Printed)

Sent up for concurrence.

#### Judiciary

Bill "An Act to Deter Assaults on Officers in Penal Institutions" (H. P. 794) (Presented by Representative Paradis of Augusta) (Cosponsor: Representative Mayo of Thomaston) (Submitted by the Department of Corrections pursuant to Joint Rule 24)

Bill "An Act to Clarify the Adoption Assistance Law" (H. P. 795) (Presented by Representative Hayden of Durham) (Cosponsor: Representative Clark of Millinocket) (Submitted by the Department of Human Services pursuant to Joint Rule 24)

Bill "An Act to Provide for Swifter Disposition of Drunk Driving Cases" (H. P. 830) (Presented by Representative Davis of Monmouth) (Cosponsors: Representatives Higgins of Scarborough, Macomber of South Portland and Senator Diamond of Cumberland)

Bill "An Act to Establish Statewide Pretrial Release Agencies" (H. P. 796) (Presented by Representative Connolly of Portland) (Cosponsor: Representative Paradis of Augusta)

Bill "An Act Regarding the Investment of Workers' Compensation Settlements" (H. P. 797) (Presented by Representative Kelleher of Bangor) (Cosponsor: Representative Bost of Orono)

(Ordered Printed)

Sent up for concurrence.

#### Labor

Bill "An Act to Improve the Evaluation of Hearing Loss under the Workers' Compensation Act" (H. P. 798) (Presented by Representative Nadeau of Lewiston) (Cosponsors: Representatives Clark of Millinocket, MacEachern of Lincoln and Senator Hayes of Penobscot)

Bill "An Act Regarding Return to Work Under the Workers' Compensation Law" (H. P. 799) (Presented by Representative Clark of Millinocket) (Cosponsors: Representative McHenry of Madawaska, Senators Hayes of Penobscot and Baldacci of Penobscot)

Bill "An Act to Encourage Speedy Rehabilitation under the Workers' Compensation Act" (H. P. 800) (Presented by Speaker Martin of Eagle Lake)

Bill "An act to Require that Employers have a Leave Policy" (H. P. 801) (Presented by Representative Michael of Auburn)

Bill "An Act to Establish a Voluntary System of Shared-work Unemployment Compensation" (H. P. 831) (Presented by Representative Nadeau of Lewiston)

(Ordered Printed)

Sent up for concurrence.

#### Later Today Assigned

Bill "An Act to Amend the Requirements and Adjust the Fees for the Licensing, Inspection and Permitting of Fireworks Displays and the Storage and Transportation of Explosives and Flammable Liquids" (H. P. 832) (Presented by Representative Ridley of Shapleigh) (Cosponsors: Representatives Clark of Millinocket, Carroll of Limerick and Senator Kany of Kennebec) (Submitted by the Department of Public Safety pursuant to Joint Rule 24)

Committee on Legal Affairs was suggested.

On motion of Mr. Cox of Brewer, tabled pending reference and later today assigned.

#### Legal Affairs

Bill "An Act Concerning the Distribution of

Table Wines" (H. P. 833) (Presented by Representative Zirkilton of Mount Desert) (Cosponsor: Representative Swazey of Bucksport) (Ordered Printed)

Sent up for concurrence.

#### Public Utilities

Bill "An Act to Provide for Uniform Fuel Costs for all Customer Classes of an Electric Utility" (H. P. 834) (Presented by Representative Andrews of Portland) (Cosponsors: Senator Baldacci of Penobscot, Representatives Lisnik of Presque Isle and Matthews of Winslow) (Submitted by the Office of Public Advocate pursuant to Joint Rule 24)

Bill "An Act to Fairly Apportion the Cost of Cancelled Generating Facilities" (H. P. 802) (Presented by Representative Baker of Portland) (Cosponsor: Senator Kany of Kennebec) (Submitted by the Office of Public Advocate pursuant to Joint Rule 24)

Bill "An Act to Retain Jurisdiction over Telephone Directory Revenues" (H. P. 803) (Presented by Representative Baker of Portland) (Cosponsors: Senator Baldacci of Penobscot and Representative Hayden of Durham) (Submitted by the Office of Public Advocate pursuant to Joint Rule 24)

Bill "An Act Relating to the Maine Municipal and Rural Electrification Cooperative Agency" (H. P. 804) (Presented by Representative Baker of Portland) (Cosponsors: Representatives Vose of Eastport, McGowan of Pittsfield, and Weymouth of West Gardiner)

Bill "An Act to Ensure Funding for the Eventual Spent Fuel Disposal at Nuclear Power Plants" (H. P. 805) (Presented by Representative Michael of Auburn)

(Ordered Printed)

Sent up for concurrence.

#### State Government

Bill "An Act Concerning Travel Expenses for Legislators" (H. P. 806) (Presented by Representative Nadeau of Lewiston)

Bill "An Act to Establish a State Bank" (H. P. 807) (Presented by Representative Baker of Portland) (Cosponsor: Senator Carpenter of Aroostook)

Bill "An Act to Coordinate Regulatory Review" (H. P. 808) (Presented by Representative Higgins of Scarborough)

(Ordered Printed)

Sent up for concurrence.

#### Taxation

Bill "An Act to Exempt Nursery Schools under the Sales Tax Laws" (H. P. 837) (Presented by Representative Livesay of Brunswick) (Ordered Printed)

Sent up for concurrence.

#### Later Today Assigned

Bill "An Act to Permit the Use of State Funds for Rail Rehabilitation Projects and Townway Crossing Improvements" (H. P. 835) (Presented by Representative Cox of Brewer) (Cosponsors: Representatives Callahan of Mechanic Falls and Theriault of Fort Kent) (Submitted by the Department of Transportation pursuant to Joint Rule 24)

Committee on Transportation was suggested.

On motion of Mr. Carter of Winslow, tabled pending reference and later today assigned.

#### Transportation

Bill "An Act to Require the Wearing of Protective Headgear by All Motorcycle, Motor Driven Cycle and Moped Riders" (H. P. 836) (Presented by Representative Carroll of Gray) (Cosponsors: Representatives Manning of Portland, Nelson of Portland and Matthews of Winslow) (Submitted by the Department of Public Safety pursuant to Joint Rule 24)

Bill "An Act Making Adjusted Allocations from the Highway Fund for the Fiscal Year Ending June 30, 1983" (Emergency) (H. P. 810)

(Presented by Representative Carroll of Limerick) (Cosponsors: Representative Nadeau of Lewiston and Senator Emerson of Penobscot) (Submitted by the Department of Transportation pursuant to Joint Rule 24)

Bill "An Act to Modify Certain Rules of the Road to Conform with the Uniform Vehicle Code" (H. P. 811) (Presented by Representative Theriault of Fort Kent) (Cosponsors: Representatives Moholland of Princeton, Norton of Biddeford, and Tammaro of Baileyville) (Submitted by the Department of Public Safety pursuant to Joint Rule 24)

Bill "An Act Concerning Standards for Rejection of Altered Vehicles" (H. P. 812) (Presented by Representative Dudley of Enfield) (Cosponsors: Representatives Moholland of Princeton and Norton of Biddeford) (Submitted by the Department of Public Safety pursuant to Joint Rule 24)

Bill "An Act to Provide the Department of Transportation with the Ability to Collect Rents on Acquired Properties" (H. P. 813) (Presented by Representative Carroll of Limerick) (Cosponsor: Senator Emerson of Penobscot) (Submitted by the Department of Transportation pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

#### House Reports of Committees Unanimous Leave to Withdraw

Representative Ridley from the Committee on Energy and Natural Resources on Bill "An Act to Prohibit the Location of a Regional Refuse Disposal Facility in a Municipality Without the Consent of the Municipal Officers" (Emergency) (H. P. 135) (L. D. 141) reporting "Leave to Withdraw"

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

#### Divided Report

Majority Report of the Committee on Fisheries and Wildlife reporting "Ought to Pass" in New Draft (H. P. 765) (L. D. 965) on Bill "An Act to Restrict the Open Season on Partridge" (H. P. 43) (L. D. 48)

Report was signed by the following members:

Sensors:

USHER of Cumberland  
REDMOND of Somerset

— of the Senate.

Representatives:

MacEACHERN of Lincoln  
PAUL of Sanford  
KELLY of Camden  
CONNERS of Franklin  
CLARK of Millinocket  
GREENLAW of Standish  
JACQUES of Waterville  
ERWIN of Rumford

— of the House.

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.

Report was signed by the following members:

Sensor:

DOW of Kennebec

— of the Senate.

Representative:

SMITH of Island Falls

— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. MacEachern.

Mr. MacEACHERN: Mr. Speaker, I move that the House accept the Majority "Ought to Pass" Report.

The SPEAKER: The gentleman from Lincoln, Mr. MacEachern, moves that the Majority "Ought to Pass" in New Draft Report be accepted.

The Chair recognizes the gentleman from Freeport, Mr. Mitchell.

Mr. MITCHELL: Mr. Speaker, I would like to

pose a question to a member of the Committee. Could somebody on the committee explain why the Department of Inland Fisheries and Wildlife can't achieve the goals of this bill by changing their rules and regulations?

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. MacEachern.

Mr. MacEACHERN: Mr. Speaker and Members of the House: To give you a little history, traditionally the season has been set by the commissioner with no problems. Usually it was shut off November 15 and then it became the last day of November, which made sense because the deer season is still open and it allowed anybody, if they happened to see a bird, to shoot it during the deer season.

Last year, for some reasons, the commissioner decided to run the partridge season through the month of December and last year was a very unusual year. We didn't have much snow, so it worked out all right, but ordinarily through the month of December most of the Maine woods is inaccessible because of deep snow. And when we have deep snow, the partridge go up in the trees and eat buds; that is the only means they have to feed themselves. When they are in the trees, they are very docile and they are like sitting ducks up there in the trees. They can be shot very easily. You can shoot one bird out of a tree that has got six in it and the others will sit right there and wait for you to shoot them. For this reason, there was a lot of sentiment to restrict the season to the last day of November.

I probably had more telephone calls personally at home on this situation, after the commissioner extended it through December, than any other thing that I have ever dealt with in the legislature, and I am sure that other people did too. We had four different bills introduced to restrict that December bird hunt, and this bill is the one that the committee decided to put out. It restricts the closing date of the partridge season to the last day of November. It doesn't restrict the opening date. The commissioner still has the authority to set the season, but under this bill he can't extend it beyond November 30.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Mitchell.

Mr. MITCHELL: Mr. Speaker, the climate in Maine varies from northern Maine to coastal Maine and the climate on the coast is much milder and oftentimes this partridge hunting has been very practical in the month of December, and I think a more appropriate way to deal with this problem is to allow the commissioner the flexibility to set the seasons for different parts of the state, and I would hope the members of the House would vote against the motion before us today.

The SPEAKER: The pending question is on the motion of the gentleman from Lincoln, Mr. MacEachern, that the Majority "Ought to Pass" Report be accepted. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

82 having voted in the affirmative and 14 having voted in the negative, the motion did prevail.

Thereupon, the New Draft was read once and assigned for second reading the next legislative day.

#### Divided Report

Majority Report of the Committee on Labor reporting "Ought Not to Pass" on Bill "An Act Relating to the Minimum Wage for Waiters and Waitresses" (H. P. 406) (L. D. 489)

Report was signed by the following members:

Sensors:

DUTREMBLE of York  
HAYES of Penobscot  
SEWALL of Lincoln

— of the Senate.

Representatives:

BEAULIEU of Portland  
NORTON of Biddeford

TAMMARO of Baileyville  
BONNEY of Falmouth  
WILLEY of Hampden  
SWAZEY of Bucksport  
LEWIS of Auburn  
ZIRNKILTON of Mount Desert

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (H-38) on same Bill.

Report was signed by the following members:

Representatives:

TUTTLE of Sanford  
GAUVREAU of Lewiston

— of the House.

Reports were read.

On motion of Mrs. Beaulieu of Portland, the Majority "Ought Not to Pass" Report was accepted and sent up for concurrence.

#### Divided Report Tabled and Assigned

Majority Report of the Committee on Legal Affairs reporting "Ought Not to Pass" on Bill "An Act to Require Liquor Price Equity at Certain Border Area Liquor Stores" (H. P. 271) (L. D. 331)

Report was signed by the following members:

Sensor:

SHUTE of Waldo

— of the Senate.

Representatives:

DUDLEY of Enfield  
COX of Brewer  
STUDLEY of Berwick  
COTE of Auburn  
HANDY of Lewiston  
DILLENBACK of Cumberland  
SWAZEY of Bucksport  
STOVER of West Bath

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (H-40) on same Bill.

Report was signed by the following members:

Sensors:

CHARETTE of Androscoggin  
DANTON of York

— of the Senate.

Representatives:

McSWEENEY of Old Orchard Beach  
PERRY of Mexico

— of the House.

Reports were read.

Mr. Cox of Brewer moved that the Majority "Ought Not to Pass" Report be accepted.

On motion of Mr. Kelleher of Bangor, tabled pending the motion of Mr. Cox of Brewer to accept the Majority Report and assigned for Monday, March 7.

#### Consent Calendar First Day

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

(H. P. 370) (L. D. 453) Bill "An Act to Amend the Definition of Earnable Compensation" — Committee on Aging, Retirement and Veterans reporting "Ought to Pass" as amended by Committee Amendment "A" (H-42)

(H. P. 568) (L. D. 663) Bill "An Act to Adjust the Service Fee and Allocations of the Low-Level Waste Siting Fund, and to Adjust the Membership of the Low-Level Waste Siting Commission" (Emergency) — Committee on Energy and Natural Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-41)

(H. P. 519) (L. D. 644) Bill "An Act to Allow the Commissioner of Educational and Cultural Services to Charge a Fee for Private Industrial Fire Brigade Training" — Committee on Education reporting "Ought to Pass" as amended by Committee Amend-

ment "A" (H-43)

No objections being noted, the above items were ordered to appear on the Consent Calendar of March 7, under the listing of the Second Day.

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**Consent Calendar  
Second Day**

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

(H. P. 383) (L. D. 466) Bill "An Act to Require any State Mandated School Program to Include the Necessary Funds for Implementation" (C. "A" H-37)

(H. P. 100) (L. D. 107) Bill "An Act Concerning Part-Time Licenses under the Liquor Statutes" (C. "A" H-39)

No objections having been noted at the end of the Second Day, the House Papers were passed to be engrossed as amended and sent up for concurrence.

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**Orders of the Day**

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

Bill "An Act to Create a Revolving Fund for Publications of the Department of Marine Resources" (H. P. 778) (Committee on Marine Resources suggested)

**Tabled**—March 3, 1983 by Representative Crowley of Stockton Springs.

**Pending**—Reference.

On motion of Mr. Carter of Winslow, referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence.

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

House Divided Report—Majority (10) "Ought Not to Pass" — Minority (3) "Ought to Pass" in New Draft (H. P. 742) (L. D. 929) Committee on Judiciary on Bill "An Act to Require Mandatory Jail Sentences for Trafficking or Furnishing Drugs" (H. P. 122) (L. D. 130)

**Tabled**—March 3, 1983 by Representative Michaud of East Millinocket.

**Pending**—Motion of Representative Soule of Westport to accept the Majority "Ought Not to Pass" Report. (Roll Call Requested)

On motion of Mr. Hayden of Durham, retabled pending the motion of Mr. Soule of Westport to accept the Majority "Ought Not to Pass" Report and assigned for Monday, March 7th.

The Chair laid before the House the following matter:

Bill "An Act to Amend the Requirements and Adjust the Fees for the Licensing Inspection and Permitting of Fireworks Displays and the Storage and Transportation of Explosives and Flammable Liquids" (H. P. 832) which was tabled earlier in the day and later today assigned pending reference. (Committee on Legal Affairs suggested)

On motion of Mr. Cox of Brewer, retabled pending reference and assigned for Monday, March 7th.

The Chair laid before the House the following matter:

Bill "An Act to Permit the Use of State Funds for Rail Rehabilitation Projects and Townway Crossing Improvements" (H. P. 835) which was tabled and later today assigned pending reference. (Committee on Transportation was suggested)

On motion of Mr. Carter of Winslow, retabled pending reference and assigned for Monday, March 7th.

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**(Off Record Remarks)**

On motion of Mr. Jacques of Waterville,  
Adjourned until Monday, March 7, at nine o'clock in the morning.