

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

HOUSE

Thursday, February 2, 1984

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

Prayer by Father Roland Lajoie, St. Johns Church, Brunswick.

The Journal of Wednesday, February 1, 1984, was read and approved.

**Papers from the Senate
Non-Concurrent Matter**

Bill "An Act to Extend and Amend the Statute entitled Purchase of Foodstuffs from Maine Concerns" (H. P. 710) (L. D. 901) which was 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 the House on January 25, 1984.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-254) and House Amendment "B" (H-451) as amended by Senate Amendment "A" (S-281) thereto in non-concurrence.

The House voted to recede and concur.

Communications

The following Communication:

Earle D. Bessey, III
Chairman
Forest Fire Advisory Council
c/o Maine Forest Service
State House Station #22
Augusta, Maine 04333

January 31, 1984

Honorable John L. Martin
Speaker of the House of
Representatives

State House
Augusta, Maine 04333

Dear Speaker Martin:

As required by Chapter 556 of the Public Laws of 1983, I hereby submit to the Legislature the Report of the Forest Fire Advisory Council.

At their meeting on January 17, 1984, the Council voted unanimously in support of the findings, recommendations and legislation contained in this report.

Sincerely,
S/ EARLE D. BESSEY, III
Chairman

Forest Fire Advisory Council
Was read and with accompanying report
ordered placed on file.

The following Communication:
State of Maine

Department of Educational and Cultural
Services
Augusta, 04333

January 31, 1984

TO: Joy O'Brien, Secretary of the Senate
Edwin Pert, Clerk of the House
G. William Boker, Bureau of the
Budget

FROM: Robert Boose, Commissioner
RE: Recommendation for 1984-1985
Funding Levels for Adult Education
Pursuant to the provisions of Title 20, M.R.S.A.,
Chapter 315, Section 8606, I am required to
certify annually prior to February 1 to the Leg-
islature and to the Bureau of the Budget a rec-
ommendation for the Funding level for the
various program categories in Adult Educa-
tion.

Please see the recommendation below:

EDUCATION: ADULT EDUCATION
1984-1985
\$2,258,772*

All Other (Including Cate-
gory 6300—Grants to Cities and
Towns)

(This includes programs of High
School Completion, Adult Liter-
acy, General Adult Ed, Adult
Handicapped, Adult Voc Ed,
and Administration)

*For FY 85 the current budget allocation is
1.95 million which leaves a \$308,772 shortfall.
Estimates over the past 4 years have run 5%
over actual expenses. Therefore, when the
\$2,258,772 figure is reduced by 5%, the actual
estimated additional need is \$195,833.40. This
would meet the State's obligation for Adult
Education Subsidy.

Was read and ordered placed on file.

**Petitions, Bills and Resolves
Requiring Reference**

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

Education

Bill "An Act to Clarify Certain Laws Relating
to Education" (H. P. 1544) (Presented by Rep-
resentative Locke of Sebec) (Cosponsors: Rep-
resentatives Brown of Gorham, Matthews of
Caribou and Randall of East Machias) (Sub-
mitted by the Department of Educational and
Cultural Services pursuant to Joint Rule 24)

Bill "An Act to Authorize the Commissioner
of Educational and Cultural Services to Adopt
Comprehensive Rules for the Regulation of
Schools of Barbering and Schools of Hairdress-
ing and Beauty Culture" (Emergency) (H. P.
1545) (Presented by Representative Manning
of Portland) (Cosponsors: Senators Hayes of
Penobscot, Clark of Cumberland and Repre-
sentative Brannigan of Portland)

(Ordered Printed)

Sent up for concurrence.

Energy and Natural Resources

Bill "An Act to Establish a Community Right-
to-know Concerning Toxic and Hazardous
Substances by Amending the Environmental
Health Program" (Emergency) (H. P. 1546)
(Presented by Representative Andrews of Port-
land) (Cosponsors: Senators Pray of Penob-
scot, Kany of Kennebec and Representative
Hall of Sangerville) (Approved for introduc-
tion by the Legislative Council pursuant to
Joint Rule 26)

(Ordered Printed)

Sent up for concurrence.

Fisheries and Wildlife

Bill "An Act Relating to Penalties for Hunting
without a License" (H. P. 1547) (Presented by
Representative McHenry of Madawaska) (Co-
sponsors: Representatives MacEachern of Lin-
coln, Smith of Island Falls and Senator Usher
of Cumberland) (Approved for introduction by
the Legislative Council pursuant to Joint Rule
26)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act to Permit Reasonable Visitation
Rights for Grandparents when a Parent is De-
ceased" (H. P. 1548) (Presented by Represen-
tative Ketover of Portland) (Cosponsors:
Representatives Handy of Lewiston, Theriault
of Fort Kent and Speaker Martin of Eagle
Lake) (Approved for introduction by the Leg-
islative Council pursuant to Joint Rule 26)

Bill "An Act to Include Handicapped Persons
as a Protected Group under the Maine Human
Rights Act" (H. P. 1549) (Presented by Repre-
sentative Bell of Paris) (Cosponsors: Repre-
sentative Andrews of Portland and Senator
Trafton of Androscoggin) (Approved for in-
troduction by the Legislative Council pursuant
to Joint Rule 26)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act to Clarify the Right of Municipal-
ities to Establish a Probationary Period for
Employees" (H. P. 1550) (Presented by Repre-
sentative Gauvreau of Lewiston) (Cosponsors:
Senator Charette of Androscoggin, Represen-

tative Theriault of Fort Kent and Bonney of
Falmouth) (Approved for introduction by the
Legislative Council pursuant to Joint Rule 26)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act to Establish an Income Tax
Credit for In-home and Community Support
Services Provided by Families" (H. P. 1551)
(Presented by Representative Michaud of East
Millinocket) (Cosponsors: Senator Pray of Pe-
nobscot and Representative Smith of Island
Falls) (Approved for introduction by the Leg-
islative Council pursuant to Joint Rule 26)

(Ordered Printed)

Sent up for concurrence.

Study Report

Committee on Agriculture

Representative Michael from the Committee
on Agriculture to which was referred by the
Legislative Council the Study Relative to the
Development of Food Policy Statement have
had the same under consideration and ask
leave to submit its findings and to report that
the accompanying RESOLVE, Establishing a
Food Policy for Maine (H. P. 1541) (L. D. 2028)
be referred to this Committee for Public Hear-
ing and printed pursuant to Joint Rule 19.

Report was read and accepted, the Resolve
referred to the Committee on Agriculture, or-
dered printed and sent up for concurrence.

Orders

On motion of Representative McSweeney of
Old Orchard Beach, the following Order:

ORDERED, that Representative Sharon Be-
noit of South Portland be excused January 31
and February 1, 1984 for personal reasons.

Was read and passed.

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

Representative Dillenback from the Com-
mittee on Legal Affairs on Bill "An Act Relating
to State Preemption in the Area of Firearms
Regulation" (H. P. 1431) (L. D. 1876) reporting
"Leave to Withdraw."

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

**Consent Calendar
First Day**

In accordance with House Rule 46, the fol-
lowing items appeared on the Consent Cal-
endar for the First Day:

(S. P. 689) (L. D. 1896) Bill "An Act to Include
Proceedings of the Public Utilities Commission
in the Statutory Method for Calculation of
Statutory time Periods" Committee on Public
Utilities reporting "Ought to Pass."

(S. P. 688) (L. D. 1895) Bill "An Act to Limit
the Prohibition on Prescriptive Pole and Wire
Easements to Public Ways" Committee on Pub-
lic Utilities reporting "Ought to Pass."

(H. P. 1433) (L. D. 1878) Bill "An Act to Allow
One Beano Game to be Played in a 24-Hour Pe-
riod in a Single Location" Committee on Legal
Affairs reporting "Ought to Pass."

(H. P. 1462) (L. D. 1914) Bill "An Act to Clar-
ify the Definition of School Construction"
Committee on Education reporting "Ought to
Pass."

(H. P. 1447) (L. D. 1899) Bill "An Act to Per-
mit School Administrative Units to Acquire
Certain Small Parcels of Land without Follow-
ing the School Construction Project Approval
Process" Committee on Education reporting
"Ought to Pass."

There being no objections, the above items
were ordered to appear on the Consent Cal-
endar of Friday, February 3, 1984, 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:

(H. P. 1384) (L. D. 1809) Bill "An Act to Amend the Law Prohibiting the Expenditure of Funds Raised for Food Stamps in Androscoggin County" (Emergency) (C. "A" H-458).

(S. P. 670) (L. D. 1854) Bill "An Act to Allow Plantations to Determine When to Hold Their Annual Meetings" (C. "A" S-280).

(H. P. 1454) (L. D. 1906) Bill "An Act to Provide for the Transfer of Radio Common Carrier Franchises."

No objections having been noted at the end of the Second Legislative Day, the Senate Paper was Passed to be Engrossed as amended in concurrence and the House Papers were Passed to be Engrossed and sent up for concurrence.

Under suspension of the rules, the following paper was taken up out of order by unanimous consent:

Bill "An Act to Fund and Implement Certain Collective Bargaining Agreements and to Fund and Implement Benefits for Certain State Employees Excluded from Collective Bargaining" (H. P. 1554) (Emergency) (Presented by Representative Mitchell of Vassalboro) (Cosponsors: Representatives Clark of Millinocket, Carter of Winslow and Senator Najarian of Cumberland)

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

By unanimous consent, ordered sent forthwith to the Senate.

(Off Record Remarks)

On motion of Representative Day of Westbrook,

Adjourned until nine o'clock tomorrow morning.
