

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)

July 11, 1984

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THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

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HOUSE

Friday, February 3, 1984

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

Prayer by Reverend Gary Vencill of the Calvary United Methodist Church, Lewiston.

The Journal of Thursday, February 2, 1984, was read and approved.

Papers from the Senate

Bill "An Act Concerning Examinations for Licensed Practical Nurses" (S. P. 739) (L. D. 2042)

Bill "An Act to Define Primary Excess Insurer Pursuant to Self-insurance under the Maine Workers' Compensation Act" (S. P. 740) (L. D. 2043)

Came from the Senate, referred to the Committee on Business Legislation and Ordered Printed.

Were referred to the Committee on Business Legislation in concurrence.

Bill "An Act to Clarify the Authority of the Representative of the State Registrar of Vital Statistics" (S. P. 744) (L. D. 2047)

Came from the Senate, referred to the Committee on Health and Institutional Services and Ordered Printed.

Was referred to the Committee on Health and Institutional Services in concurrence.

Bill "An Act to Increase the Dollar Limitation for Cases which may be Brought in Small Claims Court" (S. P. 741) (L. D. 2044)

Came from the Senate, referred to the Committee on Judiciary and Ordered Printed.

Was referred to the Committee on Judiciary in concurrence.

Bill "An Act to Provide for Repayment of Interest Charges Incurred on Federal Advances to the Unemployment Compensation Fund" (S. P. 742) (L. D. 2045)

Came from the Senate, referred to the Committee on Labor and Ordered Printed.

Was referred to the Committee on Labor in concurrence.

Bill "An Act to Provide Additional Agency Stores at Seasonal Locations" (Emergency) (S. P. 743) (L. D. 2046)

Came from the Senate, referred to the Committee on Legal Affairs and Ordered Printed.

Was referred to the Committee on Legal Affairs in concurrence.

Reported Pursuant to the Statutes

Report of the Committee on Commission on Local Land Use Violation pursuant to the Public Laws of 1983, Chapter 458, sub-section 19 ask leave to submit its findings and to report that the accompanying Bill "An Act to Provide for a Citizens Environmental Protection Act" (S. P. 735) (L. D. 2026) be referred to the Committee on Energy and Natural Resources for Public Hearing and printed pursuant to Joint Rule 18.

Came from the Senate with the report read and accepted and the Bill referred to the Committee on Energy and Natural Resources.

Report was read.

On motion of Representative Hall of Sangerville, the Bill was referred to the Committee on Judiciary in non-concurrence and sent up for concurrence.

Non-Concurrent Matter

Bill "An Act to Provide for Reapportionment of County Commissioner Districts" (H. P. 1487) (L. D. 1950)

—In House, Passed to be Engrossed as amended by House Amendment "B" (H-456) on January 26, 1984.

—In Senate, Passed to be Engrossed as amended by House Amendment "B" (H-456) on

January 31, 1984 in concurrence.

—Recalled from Engrossing Department pursuant to Joint Order (S. P. 736)

Came from the Senate Passed to be engrossed as amended by House Amendment "B" (H-456) and Senate Amendment "A" (S-282) in non-concurrence.

The House voted to recede and concur.

Petitions, Bills and Resolves Requiring Reference

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

Energy and Natural Resources

Bill "An Act to Provide for Testing of Private Water Supplies for Chemical Contaminants where Chemical Contaminants are Suspected by State Agencies" (H. P. 1555) (Presented by Representative Mitchell of Freeport) (Cosponsors: Representatives Carroll of Gray, Michaud of East Millinocket and Senator Diamond of Cumberland) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26)

Ordered Printed

Sent up for concurrence.

Study Report**Committee on Transportation**

Representative Carroll from the Committee on Transportation to which was referred by the Legislative Council the Study Relative to the Comprehensive Review of Long Term Trailer Legislation Policies and the Use of Agents have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill "An Act Concerning Long-term Trailer Agents under the Motor Vehicle Laws" (H. P. 1542) (L. D. 2030) be referred to this Committee for public hearing and printed pursuant to Joint Rule 19.

Report was read and accepted, and the bill referred to the Committee on Transportation, ordered printed and sent up for concurrence.

Reported Pursuant to the Statutes

Representative Swazey for the Unemployment Compensation Fund Study Commission, pursuant to Private and Special Laws, 1983, Chapter 46 ask leave to submit its findings and report that the accompanying Bill "An Act Concerning Benefits under the Unemployment Compensation Act" (H. P. 1552) (L. D. 2031) be referred to the Committee on Labor for public hearing and printed pursuant to Joint Rule 18.

Report was read and accepted, and the bill referred to the Committee on Labor, ordered printed and sent up for concurrence.

Study Report**Committee on State Government**

Representative Gwadosky from the Committee on State Government to which was referred by the Legislative Council the Study Relative to the Public Advocate have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill "An Act to Authorize the Public Advocate to Intervene in Proceedings Pertaining to Health Insurance and Workers' Compensation before the Superintendent of Insurance and in Proceedings of the Health Care Finance Commission" (H. P. 1553) (L. D. 2032) be referred to this Committee for public hearing and printed pursuant to Joint Rule 19.

Report was read and accepted, and the bill referred to the Committee on State Government, ordered printed and sent up for concurrence.

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

Representative McGowan from the Committee on Public Utilities on Bill "An Act to Permit the Public Utilities Commission to Adjust for Changes in Capacity Charges in Fuel Cost Ad-

justment Proceedings" (H. P. 1439) (L. D. 1884) 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 49, the following items appeared on the Consent Calendar for the First Day:

(H. P. 1480) (L. D. 1943) Bill "An Act to Eliminate the Requirement for a Separate Application for Lands within the Settlement Corridor to be Entered into the Spruce-Fir Forest Protection District" Committee On Energy and Natural Resources reporting "Ought to Pass".

There being no objections, the above item was ordered to appear on the Consent Calendar of Monday, February 6, 1984, under the listing of Second Day.

(H. P. 1426) (L. D. 1871) Bill "An Act to Amend the Adult Protective Services Act" (Emergency) Committee on Health and Institutional Services reporting "Ought to Pass" as amended by Committee Amendment "A" (H-462)

On the request of Representative Ketover of Portland, was removed from the First Day Consent Calendar.

Thereupon, the Report was accepted and the Bill read once.

Committee Amendment "A" (H-462) was read by the Clerk.

Representative Ketover of Portland offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-463) was read by the Clerk and adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

The Bill was assigned for second reading Monday, February 6, 1984.

(H. P. 1457) (L. D. 1909) Bill "An Act to Conform the Safety Jurisdiction of the Public Utilities Commission over Gas Utilities to Federal Requirements" Committee On Public Utilities reporting "Ought to Pass".

There being no objections, the above item was ordered to appear on the Consent Calendar of Monday, February 6, 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:

(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"

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

(S. P. 1433) (L. D. 1878) Bill "An Act to Allow One Beano Game to be Played in a 24-Hour Period in a Single Location"

(S. P. 1462) (L. D. 1914) Bill "An Act to Clarify the Definition of School Construction"

(S. P. 1447) (L. D. 1899) Bill "An Act to Permit School Administrative Units to Acquire Certain Small Parcels of Land without Following the School Construction Project Approval Process"

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

(Off Record Remarks)

On motion of Representative Conary of Oakland,

Adjourned until Monday, February 6, 1984, at ten o'clock in the morning.