

# 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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**HOUSE**

Thursday, February 16, 1984

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

Prayer by Reverend Dan Leet, First Baptist Church, Dexter.

The Journal of Wednesday, February 15, 1984 was read and approved.

The SPEAKER: The Chair would ask the Sergeant-at-Arms to escort the gentleman from Portland, Mr. Baker, to the rostrum to act as Speaker pro tem.

Thereupon, Mr. Baker assumed the Chair as Speaker pro tem, and Speaker Martin retired from the Hall.

**Papers from the Senate**

The following Communication:

THE SENATE OF MAINE

Augusta

February 15, 1984

The Honorable John L. Martin

Speaker of the House

111th Legislature

State House

Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Judiciary, the Governor's nomination of Ronald Daigle of Fort Kent for appointment as a District Court Judge.

Mr. Daigle is replacing Paul T. Pierson.

Sincerely,

S/ JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file.

Bill "An Act to Provide for Tuberculin Testing of Cattle to Insure Out-of-state Markets for Maine" (Emergency) (S. P. 766) (L. D. 2079)

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

Was referred to the Committee on Agriculture in concurrence.

**Tabled Unassigned**

Bill "An Act Relating to Signs for Farm Market Sales" (S. P. 768) (L. D. 2082)

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

(Committee on Reference of Bills had suggested reference to the Committee on Business Legislation.)

On motion of Mr. Diamond of Bangor, tabled unassigned pending reference.

Bill "An Act Concerning the Teaching of Certain Subjects" (S. P. 769) (L. D. 2089)

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

Was referred to the Committee on Education in concurrence.

Bill "An Act to Authorize the Sale of Certain State-owned Land" (S. P. 767) (L. D. 2080)

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

Was referred to the Committee on State Government 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:

**Judiciary**

Bill "An Act Concerning Desecration and Vandalism of Religious and other Institutions" (H. P. 1579) (Presented by Representative Baker of Portland) (Cosponsor: Representative Nelson of Portland) (Approved for introduction by the Legislative Council pursuant to

Joint Rule 26)

Bill "An Act Concerning Computer Access" (H. P. 1580) (Presented by Representative Lehoux of Biddeford) (Cosponsors: Representatives Paradis of Old Town, McCollister of Canton and Senator Charette of Androscoggin) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26)

Ordered Printed

Sent up for concurrence.

**Study Report****Committee on Business Legislation**

Representative Pouliot from 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 Require Maintenance of Financial Responsibility by All Motorists" (H. P. 1575) (L. D. 2085) 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 Business Legislation, ordered printed and sent up for concurrence.

**Study Report****Committee on Energy and Natural Resources**

Representative Hall from the Committee on Energy and Natural Resources to which was referred by the Legislative Council the Study Relative to Identification of Areas Requiring Further Protection Within the Allagash Wilderness Waterway have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill "An Act to Clarify the Timber-Harvesting Provisions of the Allagash Wilderness Waterway Statutes" (H. P. 1576) (L. D. 2086) 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 Energy and Natural Resources, 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 to report that the accompanying Bill "An Act to Provide for Financial Solvency in the Unemployment Compensation Fund" (H. P. 1577) (L. D. 2087) be referred to the Joint Standing 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.

**House Reports of Committees  
Ought to Pass in New Draft**

Representative Baker from the Committee on Public Utilities on Bill "An Act to Authorize the Public Utilities Commission to Return to Firm Customers the Profits from Sales of Gas to Interruptible Users" (H. P. 1452) (L. D. 1904) reporting "Ought to Pass" in New Draft (Emergency) (H. P. 1578) (L. D. 2088)

Report was read and accepted. The New Draft was given its first reading and assigned for second reading Friday, February 17, 1984.

**Consent Calendar  
First Day**

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

(S. P. 706) (L. D. 1953) Bill "An Act Relating to Conferring of Degrees by the Yacht Design Institute Schools" Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "A" (S-288).

(H. P. 1389) (L. D. 1814) Bill "An Act to Estab-

lish the Boundary Between the Town of Burnham in the County of Waldo and the Town of Clinton in the County of Kennebec and Between the Town of Burnham in the County of Waldo and the Town of Pittsfield in the County of Somerset" Committee on Local and County Government reporting "Ought to Pass".

There being no objections, the above items were ordered to appear on the Consent Calendar of Friday, February 17, 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. 663) (L. D. 1853) Bill "An Act to Clarify the Law Concerning Certain Appeals from Planning Board Decisions"

(H. P. 1517) (L. D. 1998) Bill "An Act Concerning Income Derived from Public Reserved Lots"

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

**Second Reader  
Tabled and Assigned**

Bill "An Act to Amend the Liquor Laws to Permit the Sale of Beer and Wine at Outdoor Stadiums" (Emergency) (S. P. 752) (L. D. 2055) (S. "A" S-287)

Was reported by the Committee on Bills in the Second Reading and read a second time.

Mr. Cox of Brewer requested a roll call on passage to be engrossed.

On motion of Mr. McSweeney of Old Orchard Beach, tabled pending passage to be engrossed and specially assigned for Tuesday, February 21, 1984.

**Passed to Be Enacted  
Emergency Measure**

An Act to Reenact a Provision for Protective Orders in Crimes Between Family Members. (H. P. 1396) (L. D. 1819)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 129 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Passed to Be Enacted**

An Act to Amend the Probate Code to Provide for Temporary Guardianships Under Certain Emergency Conditions. (H. P. 1430) (L. D. 1875)

An Act to Allow Coordination of Services to Preschool Handicapped Children Below the Age of 3 Years. (H. P. 1464) (L. D. 1916)

An Act Prohibiting Release of Animals by State Humane Agents for Experimentation or Vivisection Purposes. (S. P. 748) (L. D. 2052)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

At this point, Speaker Martin returned to the rostrum.

SPEAKER MARTIN: The Chair would thank the gentleman from Portland, Mr. Baker, for presiding.

Thereupon, the Sergeant-at-Arms escorted Mr. Baker to his seat on the floor, amid the applause of the House and Speaker Martin resumed the Chair.

**Orders of the Day**

The following matter, in the consideration of which the House was engaged at the time of adjournment yesterday, have preference in the

Orders of the Day and continue with such preference until disposed of as provided by Rule 24.

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

Communication relative to the renomination of Robert Marden of Waterville to the Commission on Governmental Ethics and Election Practices. (H. P. 1570)

TABLED—February 14, 1984 by Representative Higgins of Scarborough.

PENDING—Confirmation.

On motion by Mr. Higgins of Scarborough, tabled pending confirmation and tomorrow assigned.

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

HOUSE DIVIDED REPORT—Majority (8) "Ought to Pass"—Minority (5) "Ought Not to Pass"—Committee on Labor on Bill "An Act to Clarify Return to Work Provisions Under the Workers' Compensation Law" (H. P. 1402) (L. D. 1824)

TABLED—February 14, 1984 by Representative Mitchell of Vassalboro.

PENDING—Motion of Representative Beaulieu of Portland to accept the Majority "Ought to Pass" Report.

Thereupon, the Majority "Ought to Pass" Report was accepted, the Bill read once and assigned for second reading tomorrow.

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(Off Record Remarks)

On motion of Mrs. Martin of Brunswick,  
Adjourned until nine-thirty tomorrow morning.

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