

# 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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**July 11, 1984**

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**THIRD SPECIAL SESSION**

**September 4, 1984 to September 11, 1984**

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**HOUSE**

Friday, February 24, 1984

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

Prayer by Reverend John Dunn, United Baptist Church, Ellsworth.

The Journal of Thursday, February 23, 1984, was read and approved.

**Papers from the Senate**

Bill "An Act Making Additional Allocations for the Expenditures of State Government in Response to an increase in the United States Department of Energy's Grant Award for the Program of Weatherization Assistance for Low-income Persons for Fiscal Year Ending June 30, 1984" (Emergency) (S. P. 792) (L. D. 2117)

Bill "An Act to Update, Revise, Expand and Publish Williamson's Bibliography of Maine" (S. P. 781) (L. D. 2107)

RESOLVE, to Fund a History of the Town of Weston. (S. P. 782) (L. D. 2108)

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

Were referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill "An Act to Strengthen the Audit and Program Review Processes" (S. P. 783) (L. D. 2109)

Came from the Senate, referred to the Committee on Audit and Program Review and Ordered Printed.

Was referred to the Committee on Audit and Program Review in concurrence.

Bill "An Act Relative to Group Legal Insurance" (S. P. 784) (L. D. 2110)

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

Was referred to the Committee on Business Legislation in concurrence.

Bill "An Act to Provide for Filling Vacancies in the Office of Presidential Electors Nominated by Petition" (S. P. 785) (L. D. 2111)

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

Was referred to the Committee on Election Laws in concurrence.

Bill "An Act Requiring Proof of Financial Responsibility for Persons Who Have Been Convicted under the Drunk Driving Laws" (S. P. 786) (L. D. 2112)

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 Concerning Maine Farm Wineries" (S. P. 787) (L. D. 2113)

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

Was referred to the Committee on Legal Affairs in concurrence.

Bill "An Act to Authorize Washington County to Raise \$1,400,000 for Renovations and Additions to the Washington County Jail" (S. P. 788) (L. D. 2114)

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

Was referred to the Committee on Local and County Government in concurrence.

Bill "An Act Pertaining to the Disposition of Surplus Real Estate" (S. P. 789) (L. D. 2115)

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

Was referred to the Committee on State Government in concurrence.

Bill "An Act to Authorize a Bond Issue in the Amount of \$3,000,000 for the Improvement and Reconstruction of Town Bridges and Their Approaches Located on State Aid Roads" (S. P. 791) (L. D. 2116)

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

Was referred to the Committee on Transportation in concurrence.

**Communications**

The following Communication: (S. P. 793)  
February 22, 1984

Senator Gerard P. Conley  
President, Maine Senate  
State House  
Augusta, Maine 04333  
Dear Senator Conley:

In accordance with 1 M.R.S.A. Section 1002, subsection 1-B, I have the honor of presenting to the Maine Senate the name of Lauretta Rush of Millinocket for nomination to the Commission on Governmental Ethics and Election Practices.

Sincerely,

S/ CHARLES P. PRAY  
Senate Majority Leader

Came from the Senate, read and ordered placed on file.

Was read and ordered placed on file in concurrence.

The following Communication: (S. P. 794)  
February 22, 1984

The Honorable Paul E. Violette  
The Honorable Dan A. Gwadosky  
Chairpersons, Committee on Judiciary  
111th Legislature  
Augusta, Maine 04333  
Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated J. Gregory Freeman of Presque Isle to the Natural Resources Financing and Marketing Committee.

Pursuant to Title 10 M.R.S.A. Section 985, this nomination will require review by the Joint Standing Committee on State Government and confirmation by the Senate.

Sincerely,

S/ GERARD P. CONLEY  
President of the Senate  
S/ JOHN J. MARTIN  
Speaker of the House

Came from the Senate, Read and Referred to the Committee on State Government.

Was Read and Referred to the Committee on State Government in concurrence.

The following Communication: (H. P. 1606)  
111th Maine Legislature  
February 23, 1984

Honorable Joy J. O'Brien  
Secretary of the Senate  
Honorable Edwin H. Pert  
Clerk of the House  
State House  
Augusta, Maine 04333

Dear Secretary O'Brien and Clerk Pert:

This is to notify you that pursuant to Chapter 590 of the Public Laws of 1983, we have today appointed the following to serve on the Review Committee on Tax Conformity: Senator Frank Wood, of York, Chairman; Senator Thomas Teague, of Somerset; Representative H. Craig Higgins, of Portland; David Clough of Augusta; Harold Melvin of Guilford; Roger Michaud of Lewiston and Thomas Kelly of Falmouth.

Sincerely,

S/ GERARD P. CONLEY  
President of the Senate  
S/ JOHN L. MARTIN  
Speaker of the House

Was read and ordered placed on file and sent up for 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 to Amend the Waiting Period Between Recording Intentions of Marriage and Receipt of a Marriage License" (H. P. 1602) (Presented by Representative McHenry of Madawaska) (Cosponsors: Representatives Foster of Ellsworth, Soule of Westport and Drinkwater of Belfast) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26)

(Ordered Printed)

Sent up for concurrence.

**Legal Affairs**

Bill "An Act Amending the Charter of the Telephone Workers Credit Union of Maine" (H. P. 1603) (Presented by Representative Gauvreau of Lewiston) (Cosponsor: Senator Charette of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

(Ordered Printed)

Sent up for concurrence.

**Marine Resources**

Bill "An Act to Amend the Provisions for Clam Regulation in the Unorganized Territories" (Emergency) (H. P. 1604) (Presented by Representative Vose of Eastport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

(Ordered Printed)

Sent up for concurrence.

**Fisheries and Wildlife**

Bill "An Act to Limit the Speed of Motor Vehicles Operating on Maine Bodies of Water to 15 Miles Per Hour" (H. P. 1605) (Presented by Representative Davis of Monmouth) (Cosponsor: Senator Dow of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

Committee on Transportation was suggested.

On motion of Representative Carroll of Limerick, the Bill was referred to the Committee on Fisheries and Wildlife, ordered printed and sent up for concurrence.

**House Reports of Committees  
Unanimous Ought Not to Pass**

Representative Carter from the Committee on Appropriations and Financial Affairs on RESOLVE, to Authorize State Funding of the Penobscot Nation Museum (H. P. 1479) (L. D. 1942) reporting "Ought Not to Pass".

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. 1484) (L. D. 1947) Bill "An Act to Change the Name of Coho Salmon to Pacific Salmon" Committee on Marine Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-478).

(H. P. 1419) (L. D. 1864) Bill "An Act to Clarify Disposition of Assets of Maine Self-Insurance Guarantee Association in the Event of Dissolution" (Emergency) Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-479).

(H. P. 1504) (L. D. 1980) Bill "An Act to Exempt Certain Materials that have no Insurable Value from Insurance Requirements" Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-480).

(H. P. 1450) (L. D. 1902) Bill "An Act to Amend the Cessation of Employment Law"

Committee on Labor reporting "Ought to Pass" as amended by Committee Amendment "A" (H-482).

(H. P. 1410) (L. D. 1832) RESOLUTION, Proposing an Amendment to the Constitution of Maine to Limit the Life of Authorized Bonds. Committee on State Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-483).

(H. P. 1434) (L. D. 1879) Bill "An Act to Increase Mileage Payments to Jurors" Committee on Judiciary reporting "Ought to Pass".

(H. P. 1468) (L. D. 1920) Bill "An Act to Clarify the Power of the Supreme Judicial Court to Issue Rules for Probate Courts" Committee on Judiciary reporting "Ought to Pass".

There being no objections, the above items were ordered to appear on the Consent Calendar of Monday, February 27, 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. 686) (L. D. 1893) Bill "An Act Concerning Repeal of Commercial Fishing for Atlantic Salmon in the St. Croix River"

(H. P. 1405) (L. D. 1827) RESOLVE, Authorizing the Commissioner of Marine Resources to Lease Land and Buildings in West Boothbay Harbor. (Emergency) (C. "A" H-473)

(H. P. 1421) (L. D. 1866) Bill "An Act to Include the Towns of Gilead and Upton within Vocational Region 9, Northern Oxford County" (Emergency) (C. "A" H-475)

(H. P. 1460) (L. D. 1912) Bill "An Act to Amend the Maine Consumer Credit Code to Exempt Financing of Educational Expenses" (C. "A" H-476)

(H. P. 1519) (L. D. 2001) Bill "An Act to Amend the Law Regarding Premium Discounts for Workers' Compensation Insurance of Small Businesses"

(H. P. 1527) (L. D. 2007) Bill "An Act to Exclude Business Insurance Transactions from the Insurance Premium Finance Company Act"

(H. P. 1507) (L. D. 1982) Bill "An Act to Authorize a School Administrative District to Reconsider the Use of the Alternative Voting Procedure for the Adoption of its School Budget" (C. "A" H-477)

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 Papers were Passed to be Engrossed or Passed to be Engrossed as Amended and sent up for concurrence.

#### **Passed to Be Engrossed**

Bill "An Act Defining Rehabilitation of Existing Building Projects under the Municipal Securities Approval Program" (Emergency) (S. P. 776) (L. D. 2094)

Bill "An Act to Clarify the Adoption of Emergency Regulations" (H. P. 1592) (L. D. 2102)

Were reported by the Committee on Bills in the Second Reading, read the second time, the Senate Paper was Passed to be Engrossed in concurrence and the House Paper was Passed to be Engrossed and sent up for concurrence.

#### **Orders of the Day**

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

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)

TABLED—February 21, 1984 by Representative McSweeney of Old Orchard Beach.

PENDING—Passage to be Engrossed. (Roll Call Requested)

On motion of Representative McSweeney of Old Orchard Beach, retabled pending passage to be engrossed and specially assigned for

Tuesday, February 28, 1984.

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

Bill "An Act to Clarify That Notaries Public who do not Maintain a Seal of Office may Take Acknowledgements" (H. P. 1395) (L. D. 1818) (H. "A" H-467)

TABLED—February 23, 1984 by Representative Diamond of Bangor.

PENDING—Passage to be Enacted.

On motion of Representative Diamond of Bangor, retabled pending passage to be engrossed and specially assigned for Tuesday, February 28, 1984.

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

Bill "An Act to Require the State of Maine to Pay Late Fees on Overdue Payments" (H. P. 1411) (L. D. 1833) (C. "A" H-468)

TABLED—February 23, 1984 by Representative Gwadosky of Fairfield.

PENDING—Passage to be Enacted.

On motion of Representative Gwadosky of Fairfield, retabled pending passage to be enacted and assigned for Monday, February 27, 1984.

On motion of Representative Paul of Sanford,

Adjourned until Monday, February 27, 1984, at ten o'clock in the morning.