

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

Tuesday, March 6, 1984

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

Prayer by Reverend Richard Nordgren, First Congregational Church, South Portland.

The Journal of Monday, March 5, 1984, was read and approved.

**Papers from the Senate
Reports of Committees**

Unanimous Leave to Withdraw

Report of the Committee on Public Utilities reporting "Leave to Withdraw" on Bill "An Act Relating to the Placement of Poles by Utilities" (S. P. 716) (L. D. 1962)

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:

Agriculture

Bill "An Act to Increase the Potato Tax" (H. P. 1645) (Presented by Representative Lisnik of Presque Isle) (Cosponsors: Representatives MacBride of Presque Isle, Crouse of Washburn and Senator McBairty of Aroostook) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Provide Funding from the Blueberry Industry Tax to Promote Market Development for the Blueberry Industry" (H. P. 1646) (Presented by Representative Connors of Franklin) (Cosponsors: Senators Perkins of Hancock, Erwin of Oxford and Brown of Washington) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

Ordered Printed
Sent up for concurrence.

Education

Bill "An Act to Provide an Educational Clearinghouse on the Causes and Consequences of Nuclear War" (H. P. 1647) (Presented by Representative Andrews of Portland) (Cosponsors: Representatives Randall of East Machias, Mitchell of Vassalboro and Senator Wood of York) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26)

Ordered Printed
Sent up for concurrence.

Later Today Assigned

Bill "An Act Relating to Funding of Thomaston Schools for 1984-85" (H. P. 1648) (Presented by Representative Mayo of Thomaston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

Committee on Reference of Bills suggested the Committee on Education.

On motion of Representative Diamond of Bangor, tabled pending reference and later today assigned.

Taxation

Bill "An Act Relating to the State Valuation of the Town of Washburn" (Emergency) (H. P. 1650) (Presented by Representative Crouse of Washburn) (Cosponsor: Senator McBairty of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

Ordered Printed
Sent up for concurrence.

ORDERS

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

ORDERED, that Representative Gerard J. Lehoux of Biddeford be excused March 8th

and 9th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Phyllis J. Roberts of Buxton be excused March 5th and 6th for personal reasons.

Was read and passed.

House Reports of Committees

Ought to Pass in New Draft/New Title

Representative Webster from the Committee on Health and Institutional Services on Bill "An Act Regarding the Improvement of Immunization Levels Against Specific Preventable Diseases in School Children" (H. P. 1424) (L. D. 1869) reporting "Ought to Pass" in New Draft under new Title Bill "An Act to Correct Errors and Inconsistencies in the School Immunization Law and other Related Laws" (H. P. 1642) (L. D. 2172).

Report was read and accepted. The New Draft given its first reading and assigned for second reading Thursday, March 8, 1984.

Ought to Pass in New Draft/New Title

Representative Crowley from the Committee on Marine Resources on Bill "An Act to Provide for the Licensing of Commercial Fishing Boats for Purposes of Improving Law Enforcement and to Protect Underwater Electric Cables not Shown on Nautical Charts" (H. P. 1414) (L. D. 1860) reporting "Ought to Pass" in New Draft under new Title Bill "An Act to Provide for the Licensing of Commercial Scallop Fishing for Purposes of Improving Law Enforcement and to protect Underwater Electric Cables not Shown on Nautical Charts" (H. P. 1643) (L. D. 2173)

Report was read and accepted. The New Draft given its first reading and assigned for second reading Thursday, March 8, 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. 687) (L. D. 1894) Bill "An Act Concerning Municipal Snowmobile Registration"—Committee on Fisheries and Wildlife reporting "Ought to Pass".

(H. P. 1550) (L. D. 2040) Bill "An Act to Clarify the Right of Municipalities to Establish a Probationary Period for Employees"—Committee on Labor reporting "Ought to Pass" as amended by Committee Amendment "A" H-500).

There being no objections, the above items were ordered to appear on the Consent Calendar of Thursday, March 8, 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. 1398) (L. D. 1821) Bill "An Act Relating to Penobscot Nation Trust Land Designation" (C. "A" H-498)

(H. P. 1397) (L. D. 1820) RESOLVE, to Authorize the Conveyance of Certain Property to the Penobscot Nation (C. "A" H-499)

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

Passed to Be Engrossed

Bill "An Act Relating to the Time of Passamaquoddy Tribe Trust Land Designation" (H. P. 1644) (L. D. 2163)

Was reported by the Committee on Bills in the Second Reading, read the second time, Passed to be Engrossed, and sent up for concurrence.

**Passed to Be Enacted
Emergency Measure**

An Act to Clarify Disposition of Assets of Maine Self-Insurance Guarantee Association in the Event of Dissolution (H. P. 1419) (L. D. 1864) C. "A" H-479)

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. 102 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.

Orders of the Day

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

House Divided Report—Majority (10) "Ought to Pass" in New Draft (H. P. 1625) (L. D. 2142)—Minority (3) "Ought to Pass"—Committee on Energy and Natural Resources on Bill "An Act Concerning the Open Burning of Leaves and Brush" (H. P. 1422) (L. D. 1867)

Tabled—March 2, 1984 by Representative Hall of Sangerville.

Pending—Acceptance of Either Report.

On motion of Representative Hall of Sangerville, the Majority "Ought to Pass" Report was accepted, the New Draft read once and assigned for second reading the next legislative day.

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

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

Tabled—March 2, 1984 by Representative Brannigan of Portland.

Pending—Passage to be Enacted.

On motion of Representative Brannigan, retabled pending passage to be enacted and assigned for Thursday, March 8, 1984.

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

Bill "An Act to Amend Certain Rules of the Emergency Medical Services" (S. P. 709) (L. D. 1955) (H. "A" H-491 to C. "A" S-290)

Tabled—March 5, 1984 by Representative Nelson of Portland.

Pending—Passage to be Engrossed.

On motion of Representative Nelson of Portland, retabled pending passage to be engrossed and assigned for Thursday, March 8, 1984.

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

Joint Order—Relative to Legislative Conduct (H. P. 1632) Read in House March 2, 1984.

Tabled—March 5, 1984 by Representative Mitchell of Vassalboro.

Pending—Passage.

On motion of Representative Diamond of Bangor, retabled pending passage and assigned for Thursday, March 8, 1984.

The Chair laid before the House the following matter:

Bill "An Act Relating to Funding of Thomaston Schools for 1984-85" which was tabled and later today assigned pending reference.

(Committee on Reference of Bills had suggested the Committee on Education)

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

Bill Held

Bill "An Act Concerning the Use or Disposition of Fort Gorges in Casco Bay" (H. P. 1520) (L. D. 2002)

—In House, House receded and concurred to Passage to be Engrossed as amended by Committee Amendment "A" (H-481) and Senate Amendment "B" (S-294).

Held at the Request of Representative Mit-

chell of Vassalboro.

The SPEAKER: The Chair recognizes the gentlewoman from Vassalboro, Mrs. Mitchell.

Mrs. MITCHELL: Mr. Speaker, is the House in possession of L. D. 2002?

The SPEAKER: The Chair would answer in the affirmative, having been held at the gentlewoman's request.

On motion of Representative Mitchell of Vassalboro, the House voted to recede.

The same gentlewoman moved that Committee Amendment "A" be indefinitely postponed.

The SPEAKER: The Chair recognizes the same gentlewoman.

Mrs. MITCHELL: Mr. Speaker and Members of the House: Just a brief word of explanation. Committee Amendment "A" is no longer necessary, it has been replaced by Senate Amendment "B". It is an engrossing problem and that is why we no longer need Committee Amendment "A" and that is why I moved that it be indefinitely postponed.

Thereupon, Committee Amendment "A" was indefinitely postponed in non-concurrence.

The Bill was passed to be engrossed as amended by Senate Amendment "B" in non-concurrence and sent up for concurrence.

(Off Record Remarks)

On motion of Representative Beaulieu of Portland,

Adjourned until Thursday, March 8, 1984, at nine o'clock in the morning.
