

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Twelfth  
Legislature***

OF THE

**STATE OF MAINE**

**Volume I**

**FIRST REGULAR SESSION**

**December 5, 1984 - June 20, 1985**

**HOUSE**

Friday, March 8, 1985

The House met according to adjournment and was called to order by the Speaker pro tem. Prayer by Rabbi Joseph P. Schonberger, Beth Israel Synagogue, Bangor.

Quorum called; was held.

The Journal of yesterday was read and approved.

**Papers from the Senate****Unanimous Leave to Withdraw**

Report of the Committee on State Government reporting "Leave to Withdraw" on Bill "An Act to Designate the Day of the State General Election a State Holiday" (S.P. 139) (L.D. 378)

Report of the Committee on Energy and Natural Resources reporting "Leave to Withdraw" on Bill "An Act to Include the Mining of Sand, Fill or Gravel for Commercial Purposes under the Site Location of Development Law" (S.P. 213) (L.D. 571)

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

**Refer to the Committee on Legal Affairs**

Report of the Committee on Bill "An Act to Amend the Habitual Offender Law" (S.P. 152) (L.D. 419) reporting that it be referred to the Committee on Legal Affairs.

Came from the Senate with the report read and accepted and the bill referred to the Committee on Legal Affairs.

Report was read and accepted and the bill referred to the Committee on Legal Affairs in concurrence.

**Petitions, Bills and Resolves****Requiring Reference**

The following Bills and Resolves were received and, upon the recommendation of the Committee on Reference of Bills, were referred to the following Committees, Ordered Printed and Sent up for Concurrence.

**Business and Commerce**

Bill "An Act to Protect Shareholders in Maine Corporations" (H.P. 678) (Presented by Representative BRANNIGAN of Portland)

RESOLVE. Establishing the Commission on Limited Benefit Health Insurance (Emergency) (H.P. 679) (Presented by Representative SCARPINO of St. George) (Cosponsors: Senators GILL of Cumberland, CLARK of Cumberland, and Representative MURRAY of Bangor)

(Ordered Printed)

Sent up for concurrence.

**Tabled and Assigned**

Bill "An Act Providing for Repair, Maintenance and Operation of State-owned Dam on Dead River, Androscoggin County" (H.P. 680) (Presented by Representative DAVIS of Monmouth) (Cosponsors: Senator DOW of Kennebec and Representative NICKERSON of Turner)

The Committee on Energy and Natural Resources was suggested.

On motion of Representative Carter of Winslow, tabled pending reference and specially assigned for Tuesday, March 12, 1985.

**Fisheries and Wildlife**

Bill "An Act to Redefine the Southern Boundary to Enlarge the Moose Hunting District" (H.P. 681) (Presented by Representative JACQUES of Waterville) (Cosponsor: Senator USHER of Cumberland)

(Ordered Printed)

Sent up for concurrence.

**Judiciary**

Bill "An Act to Require that all Land Boundary Dispute Cases be Submitted to the Superior Court and to Create a Surveyor Panel

to Which the Cases may be Referred" (H.P. 682) (Presented by Representative REEVES of Pittston)

Bill "An Act to Amend Calculation of Period of Imprisonment under the Maine Criminal Code" (H.P. 683) (Presented by Representative ALLEN of Washington) (Cosponsors: Representatives COOPER of Windham, DRINKWATER of Belfast, and Senator VIOLETTE of Aroostook)

Bill "An Act Concerning the Forfeiture of Vehicles of Persons Operating after License Suspension who are Operating under the Influence" (H.P. 684) (Presented by Representative HILLOCK of Gorham) (Cosponsors: Representative ROLDE of York and Senator PERKINS of Hancock)

(Ordered Printed)

Sent up for concurrence.

**Local and County Government**

Bill "An Act to Establish a Budget Committee to Provide Local Input in the Waldo County Budget-making Process" (H.P. 685) (Presented by Representative DRINKWATER of Belfast) (Cosponsors: Representatives CROWLEY of Stockton Springs, TARDY of Palmyra, and STEVENSON of Unity)

(Ordered Printed)

Sent up for concurrence.

**Marine Resources**

Bill "An Act to Clarify the Laws of the Department of Maine Resources" (H.P. 686) (Presented by Representative CROWLEY of Stockton Springs) (Cosponsors: Senator CHALMERS of Knox, Representatives VOSE of Eastport, and SALSBURY of Bar Harbor) (Submitted by the Department of Marine Resources pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

**State Government**

Bill "An Act to Clarify and Make Technical Changes in the Law Governing Boards and Commissions" (Emergency) (H.P. 687) (Presented by Representative GWADOSKY of Fairfield) (Cosponsors: Representatives BOUTILIER of Lewiston and DESCOTEAUX of Biddeford)

(Ordered Printed)

Sent up for concurrence.

**Taxation**

Bill "An Act to Establish a Meals and Lodging Tax for the Purposed of Stabilizing the Property Tax and Promoting Tourism" (H.P. 688) (Presented by Representative BRANNIGAN of Portland) (Cosponsors: Senator GAUVREAU of Androscoggin, Representatives POULIOT of Lewiston, and RACINE of Biddeford)

(Ordered Printed)

Sent up for concurrence.

**Transportation**

Bill "An Act Concerning the Placement of Plows on Motor Vehicles" (H.P. 689) (Presented by Representative BOUTILIER of Lewiston) (Cosponsors: Representatives THERIAULT of Fort Kent and SIMPSON of Casco)

Bill "An Act to Establish Signs on Interstate 95 in Kittery to Indicate Directions to the State Discount Liquor Store" (H.P. 690) (Presented by Representative MCCOLLISTER of Canton)

(Ordered Printed)

Sent up for concurrence.

**Utilities**

Bill "An Act to Delay Implementation of New Telephone Systems Pending Further Study (Emergency)" (H.P. 691) (Cosponsors: Representatives BEAULIEU of Portland and STEVENS of Bangor)

(Ordered Printed)

Sent up for concurrence.

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

Representative BRANNIGAN from the Committee on Business and Commerce on Bill "An Act Regulating Transportation of Nonreturnable Beverage Containers into the State" (H.P. 326) (L.D. 454) reporting "Ought Not to Pass"

Representative BONNEY from the Committee on Labor on Bill "An Act to Modify Unit Clarification in the Municipal Public Employees Labor Relations Act" (H.P. 43) (L.D. 49) reporting "Ought Not to Pass"

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

**Unanimous Leave to Withdraw**

Representative MacBRIDE from the Committee on Judiciary on Bill "An Act Relating to Criminal Offenses on the Penobscot Reservation" (H.P. 238) (L.D. 279) reporting "Leave to Withdraw"

Representative RUHLIN from the Committee on Marine Resources on Bill "An Act to Regulate the Harvesting of Scallops" (H.P. 119) (L.D. 144) reporting "Leave to Withdraw"

Representative VOSE from the Committee on Marine Resources on Bill "An Act to Require Environmental Impact Studies Prior to the Granting of an Aquaculture Lease" (H.P. 367) (L.D. 487) reporting "Leave to Withdraw"

Representative SALSBURY from the Committee on Local and County Government on Bill "An Act to Raise the Recording Fees Received by the Register of Deeds" (H.P. 312) (L.D. 401) reporting "Leave to Withdraw"

Representative SALSBURY from the Committee on Local and County Government on Bill "An Act to Eliminate the Requirement that County Tax Estimates and Notices of Public Hearings be Sent by Certified or Registered Mail" (H.P. 192) (L.D. 226) reporting "Leave to Withdraw"

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

**Ought to Pass in New Draft**

Representative MITCHELL from the Committee on Marine Resources on Bill "An Act to Amend the Weir Licensing Laws" (H.P. 23) (L.D. 21) reporting "Ought to Pass" in New Draft (Emergency) (H.P. 677) (L.D. 939)

Report was read and accepted, the New Draft read once and assigned for second reading Tuesday, March 12, 1985.

**Consent Calendar****First Day**

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

(S.P. 35) (L.D. 43) Bill "An Act to Ensure Consistency Between 2 State Laws Concerning Personal Care Assistance Services" Committee on Human Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (S-7)

(H.P. 130) (L.D. 155) Bill "An Act Concerning Recordation of Interment" Committee on Local and County Government reporting "Ought to Pass"

(H.P. 190) (L.D. 224) Bill "An Act Concerning Deliveries of Annual Estimates for County Taxes" Committee on Local and County Government reporting "Ought to Pass"

(H.P. 47) (L.D. 53) Bill "An Act to Revise the License Suspension Penalties Relating to Marine Resources" Committee on Marine Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-16)

There being no objections, the above items were ordered to appear on the Consent Calendar of Tuesday, March 12, 1985 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. 303) (L.D. 392) Bill "An Act to Clarify the Maine Administrative Procedure Act"

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

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**Passed to Be Engrossed**

Bill "An Act to Establish Alcohol Awareness Week" (H.P. 676) (L.D. 936)

Bill "An Act to Restrict the Number of Advertising Signs Which May be Displayed by Licensed Retailers" (S.P. 147) (L.D. 414)

Were reported by the Committee on Bills in the Second Reading, read a 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.

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**Passed to be Enacted****Emergency Measure**

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Penobscot County for the year 1985 (H.P. 549) (L.D. 761)

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. 112 voted in favor of the same and none against and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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An Act to Permit Beano on Sundays after Noon (S.P. 259) (L.D. 669) (H. "A" H-11 to S. "A" S-6)

An Act to Create a Seamen's Memorial Day (H.P. 137) (L.D. 162)

An Act to Designate "Pertica quadrifaria" the Official Fossil of the State of Maine (H.P. 222) (L.D. 256)

An Act Clarifying the Laws Relating to Fireworks (H.P. 543) (L.D. 755)

An Act to Deputize National Marine Fisheries Service Officers, United States Coast Guard Personnel and Law Enforcement Personnel of other States as Department of Marine Resources Marine Patrol Officers and to Define Possession (H.P. 631) (L.D. 775)

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.

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On motion of Representative Law of Dover-Foxcroft,

Adjourned until 10:00 a.m. March 12, 1985.

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