

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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Bangor, retabled pending acceptance of Either Report and assigned for Tuesday, April 3, 1984.

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

An Act to Increase the Potato Tax (H. P. 1645) (L. D. 2179) (C. "A" H-561)

— In House, Passed to be Enacted on March 27, 1984.

— In Senate, Passed to be Engrossed as amended by Committee Amendment "A" (H. 561) as amended by Senate Amendment "A" (S. 348) thereto in non-concurrence.

Tabled—March 29, 1984 (Till Later Today) by Representative Lisnik of Presque Isle.

Pending—Further Consideration.

On motion of Representative Diamond of Bangor, retabled pending further consideration and assigned for Tuesday, April 3, 1984.

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

Bill "An Act to Clarify Certain Portions of the Reapportionment Laws" (S. P. 862) (L. D. 2342)

Tabled—March 29, 1984 by Representative Diamond of Bangor.

Pending—Passage to be Engrossed.

On motion of Representative Diamond of Bangor, retabled pending passage to be engrossed and assigned for Tuesday, April 3, 1984.

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

Bill "An Act to Ensure Universal Telephone Service for Maine People" (S. P. 778) (L. D. 2097)

Tabled—March 29, 1984 by Representative Vose of Eastport.

Pending—Passage to be Engrossed.

On motion of Representative Vose of Eastport, retabled pending passage to be engrossed and assigned for Tuesday, April 3, 1984.

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

An Act to Increase Legislative Oversight of the Fiscal Affairs of the Department of Inland Fisheries and Wildlife (Emergency) (H. P. 1628) (L. D. 2143) (S. "A" S-296; S. "B" S-297)

Tabled—March 29, 1984 (under suspension of the rules) by Representative Diamond of Bangor.

Pending—Reconsideration. (Returned by the Governor without his Approval.)

On motion of Representative Diamond of Bangor, under suspension of the rules tabled pending reconsideration and assigned for Tuesday, April 3, 1984.

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Enable the Legislature to Establish the Extent of Insurance of Loans to Veterans (H. P. 1703) (L. D. 2256)

Tabled—March 29, 1984 by Representative Diamond of Bangor.

Pending—Final Passage.

On motion of Representative Gwadosky of Fairfield, under suspension of the rules the House reconsidered its action whereby the Resolution was passed to be engrossed.

The same gentleman offered House Amendment "A" (H-622) and moved its adoption.

House Amendment "A" (H-622) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Gwadosky.

Mr. GWADOSKY: Mr. Speaker, Men and Women of the House: The purpose of this amendment is to simplify the question that will be posed to the voters at the general election coming up this November with respect to loans for Maine Veterans.

Last year, when we passed the FAME legislation one of the provisions was to increase the amount of money of state-backed loans for

small business people and veterans from 80 to 85 percent. We found out after we passed the bill that the limitation for veterans was actually set in the Constitution; thus, we have to amend the Constitution in order to make that change and increase the loan percentage up to 85 percent as we do with small business.

Thereupon, House Amendment "A" was adopted.

The Resolution was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

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

An Act to Provide Voter Information on Ballot Questions (H. P. 1588) (L. D. 2095) (C. "A" H-568)

Tabled—March 29, 1984 by Representative Nadeau of Lewiston.

Pending—Passage to be Enacted.

On motion of Representative Diamond of Bangor, retabled pending passage to be enacted and assigned for Tuesday, April 3, 1984.

The following papers were taken up out of order by unanimous consent:

The following Communication:

The Senate of Maine
Augusta

March 30, 1984

Honorable Edwin H. Pert
Clerk of the House

111th Legislature
State House
Augusta, Maine 04333

Dear Clerk Pert:

Please be advised that the Senate today voted to Insist and Join in a Committee of Conference on Bill "An Act to Permit Public Service in Lieu of Fines for Indigent Offenders Under the Drunk Driving Law" (H. P. 1427) (L. D. 1872).

Sincerely,
S/ JOY J. O'BRIEN
Secretary of the Senate

Was read and ordered placed on file.

The following Joint Resolution: (S. P. 888)
JOINT RESOLUTION IN TRIBUTE TO THE
GRANGE

WHEREAS, the Grange was conceived in 1867, as an organization of agricultural people who were mutually resolved to labor for the good of the order, the country and mankind; and

WHEREAS, united by the strong sense and faithful tie of an agricultural fraternity, the Grange has established programs of fellowship, service and member activities to meet the needs of all people, rural and suburban; and

WHEREAS, this agricultural family fraternity has constantly strived to secure harmony, goodwill and brotherhood and provide opportunity to participate at the local, state and national levels in a meaningful way; and

WHEREAS, in growing for the future, the Grange fills a great community need across the nation, whereby men and women regardless of age become aware of and influence issues of importance, thus serve themselves, their community and nation through public leadership; and

WHEREAS, on November 12, 1984, the National Grange will assemble for fellowship, discussions and formulation of policies on current issues at Portland, Maine, with our 7,000 delegates expected to attend; now, therefore, be it

RESOLVED: That We, the Members of the 111th Legislature of the great and sovereign State of Maine now assembled in Second Regular Session, take this opportunity to pay tribute to the county, state and National Grange and to their outstanding work for the well-being of all citizens, and express out hope and support for continued growth and success of the organ-

ization for the future; and be it further

RESOLVED: That a suitable copy of this Joint Resolution be prepared and appropriately presented in welcome to the National Grange at Portland and to each of the 294 granges located within this State in token of this tribute and our profound appreciation.

Came from the Senate, read and adopted.
Was read and adopted in concurrence.

Unanimous Leave to Withdraw

Report of the Committee on Judiciary reporting "Leave to Withdraw" on Bill "An Act Concerning Disorderly Conduct and Failure to Disperse and to Promulgate a Law Enforcement Manual" (S. P. 853) (L. D. 2318)

Was placed in the Legislative files without further action pursuant to Joint Rule 15 in concurrence.

Divided Report

Majority Report of the Committee on Legal Affairs on Bill "An Act to Amend the Liquor Laws to Permit the Sale of Beer and Wine at Outdoor Stadiums" (S. P. 662) (L. D. 1852) reporting "Ought to Pass" in New Draft (S. P. 878) (L. D. 2379)

Signed:

Senators:

CHARETTE of Androscoggin
DANTON of York

Representatives:

McSWEENEY of Old Orchard Beach
COTE of Auburn
MURPHY of Berwick
DILLENBACK of Cumberland
PERRY of Mexico
SWAZEY of Bucksport
HANDY of Lewiston

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.

Signed:

Senator:

SHUTE of Waldo

Representatives:

STOVER of West Bath
DUDLEY of Enfield
COX of Brewer

Came from the Senate with the Majority "Ought to Pass" in New Draft Report read and accepted and the New Draft passed to be engrossed.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Cox.

Mr. COX: Mr. Speaker, Ladies and Gentlemen of the House: I move that the House accept the Minority "Ought Not to Pass" Report and would speak briefly to my motion.

The SPEAKER: The gentleman from Brewer, Mr. Cox, moves that the Minority "Ought Not to Pass" Report be accepted in non-concurrence.

The gentleman may proceed.

Mr. COX: Mr. Speaker, Ladies and Gentlemen of the House: I thought that I would point out to you that this is not the same bill on which the House voted "Ought to Pass" some time ago.

The bill that the House voted "Ought to Pass" on had a restriction in it on drinking in the stands. The present bill has no restriction on drinking in the stands. The only objection I had raised to the bill in the past was inconsistency with the drunken driving campaign, the anti-drunk-driving campaign which we are having. I was assured that my other concerns with the bill would be addressed. They were attempted to be addressed but the investors of the corporation refused to accept the limitation on drinking in the stands.

That is all I am going to say on this bill.

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Swazey.

Mr. SWAZEY: Mr. Speaker, Ladies and Gentlemen of the House: I will be very brief today. I hope you vote against the pending motion. This has boiled down to, after trying in the Legal Affairs committee and back and forth on the floor of the House, basically a wet and dry issue,