

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eleventh
Legislature***

OF THE

STATE OF MAINE

Volume II

FIRST REGULAR SESSION

May 16, 1983 to June 24, 1983

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August 4, 1983

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September 6 and 7, 1983

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Charles Shipman Payson is a native of there.

Some of you may not know that for his gift and his museum, the media came from both sides of the Atlantic and will give coverage all summer long to his gift.

All his life he has shared his wealth not only in art but in many, many charities. As a teenager—this might be of interest to some of you—his private yacht, I remember seeing as a teenager, was the model for the PT boat of World War II.

He has helped many young people through college. It so happened that one of the boys that went with me was sponsored by Mr. Payson, not a loan, without any interest, a straight gift, and all Mr. Payson has ever asked when he has helped a youngster through college—when you become successful, please help somebody else.

He is one of Maine's top benefactors and I am proud that we come from the same town.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Nelson.

Mrs. NELSON: Mr. Speaker, Men and Women of the House: I just wanted to tell you that Saturday and Sunday, 16,000 men, women and children, not just from Portland but from the whole state, lined up and waited, some in rain, to see that magnificent building which is a credit to all people of the State of Maine.

Thereupon, the Order received passage and was sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

The following papers appearing on Supplement No. 2 were taken up out of order by unanimous consent:

The following Joint Order: (S. P. 560)

ORDERED, the House concurring, that Bill, "AN ACT Regulating the Activities of Political Action Committees," H. P. 306, L. D. 365, be recalled from the Engrossing Department to the Senate.

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

Passed to be Engrossed

Bill "An Act to Amend the Laws Pertaining to Dissolution and Withdrawal from School Administrative Districts and Community School Districts" (H. P. 1214) (L. D. 1610)

Bill "An Act to Prevent the Closing of Fire Lookout Towers" (H. P. 1217) (L. D. 1613)

Bill "An Act to Require Certain Disclosures in Land Installment Contracts for Improved Residential Property and to Provide for Recordation of those Contracts" (H. P. 1213) (L. D. 1609)

Were reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed and sent up for concurrence.

Bill "An Act to Regulate Smoking on Public Conveyances in the State of Maine" (H. P. 1211) (L. D. 1604)

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

Mrs. Pines of Limestone offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-240) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentlewoman from Limestone, Mrs. Pines.

Mrs. PINES: Mr. Speaker, Ladies and Gentlemen of the House: In reviewing L.D. 1604, it was brought to my attention that we have more or less discriminated against intrastate private buses in this law. My amendment would allow smoking in prohibited intrastate buses except as follows: An intrastate bus which is traveling over 50 total miles, persons may smoke only in designated areas. This was not allowed in the previous law. An appropriate sign shall be placed in the designated areas and no smoking areas.

Thereupon, House Amendment "A" was

adopted.

The Bill was passed to be engrossed as amended by House Amendment "A" and sent up for concurrence.

Bill "An Act to Require Review of Road Construction" (H. P. 1215) (L. D. 1611)

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

The following papers appearing on Supplement No. 3 was taken up out of order by unanimous consent:

Passed to be Enacted Emergency Measures

An Act Relating to Enforcement of Handicapped Parking Zones on Turnpikes and the Interstate System by State Police (H. P. 931) (L. D. 1210) (C. "A" H-210)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 116 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act to Establish a State Standard for Funding Certain Workers under the Workers' Compensation Commission (H. P. 1083) (L. D. 1429) (H. "A" H-214)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 103 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act to Allow Retailers to Sell Prison Made Items (H. P. 1097) (L. D. 1445)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 115 voted in favor of same and 2 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act to Protect the Integrity of the Unemployment Compensation Fund (H. P. 1174) (L. D. 1561) (H. "A" H-218)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Smith.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question. During 1974-75, we acquired a debt of \$36 million; I was wondering just where we stand on repayment to the federal government on that? Could somebody explain it to me?

The SPEAKER: The gentleman from Mars Hill, Mr. Smith, has posed a question through the Chair to anyone who may care to answer.

The Chair recognizes the gentlewoman from Portland, Mrs. Beaulieu.

Mrs. BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: The current balance is being paid off, and my understanding is that within a year from now we should have paid off this amount. Unfortunately, we have filed a request, in case we need it, to borrow some more from the federal government, but the \$36 million is being paid off.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Smith.

Mr. SMITH: Mr. Speaker, one other question I forgot to ask the first time. Maybe Mrs. Beaulieu can tell me. I see in the Statement of Fact that if we progress here, in a few years we might be in the same predicament. Are they taking care of that in this bill?

The SPEAKER: The gentleman from Island Falls, Mr. Smith, has posed an additional question through the Chair.

The Chair recognizes the gentlewoman from Portland, Mrs. Beaulieu.

Mrs. BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: I can't say we are taking care of it in this bill. The reason for the bill is because that is one aspect that we need to look and see what we will have to do in case we get into that situation again.

This is a study order of the unemployment comp system, and that is one of those things that we want to look at.

The SPEAKER: The pending question is on passage to be enacted. This being an emergency measure, it requires a two-thirds vote of all the members elected to the House. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

112 having voted in the affirmative and none in the negative, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Relating to Agricultural Contracts (S. P. 272) (L. D. 835) (H. "A" H-212 to C. "A" S-81)

Was 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.

Enactor

Tabled and Assigned

An Act to Make Extreme Anger or Extreme Fear Brought About by Adequate Provocation an Affirmative Defense which Reduces Murder to Manslaughter, and to Create the Crime of Intentional or Knowing Manslaughter (S. P. 447) (L. D. 1368)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Mrs. Mitchell of Vassalboro, tabled pending passage to be enacted and tomorrow assigned.

An Act to Restructure Maine's Insurance Management Program (S. P. 482) (L. D. 1464) (C. "A" S-106)

An Act Relating to Forged or Illegal Prescriptions (S. P. 492) (L. D. 1491)

An Act to Permit Barbers to Cut Hair Outside of Barber Shops (H. P. 293) (L. D. 352) (C. "A" H-215)

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.

Enactor

Tabled and Assigned

An Act to License Waste Oil Dealers and to Include Waste Oil Within Coverage of the Maine Hazardous Waste Fund (H. P. 389) (L. D. 472) (C. "A" H-223)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Mrs. Mitchell of Vassalboro, tabled pending passage to be enacted and tomorrow assigned.

An Act to Amend the Reporting Requirements in Cases of Death Due to Abuse or Neglect (H. P. 715) (L. D. 906) (H. "A" H-229)

An Act to Conform State Antitrust Laws with Federal Antitrust Laws (H. P. 788) (L. D. 1030) (C. "A" H-216)

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.

Enactor

Tabled and Assigned

An Act to Amend the Statutes Governing the