

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Tenth
Legislature***

OF THE

STATE OF MAINE

Volume II

FIRST REGULAR SESSION

MAY 4, 1981 to JUNE 19, 1981

INDEX

FIRST SPECIAL SESSION

AUGUST 3, 1981

INDEX

FIRST CONFIRMATION SESSION

AUGUST 28, 1981

INDEX

SECOND SPECIAL SESSION

SEPTEMBER 25, 1981

INDEX

THIRD SPECIAL SESSION

DECEMBER 9, 1981

INDEX

This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 114 voted in favor of same and 4 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act to Make Corrections and Clarifications in the Education Laws (H. P. 220) (L. D. 298) (C. "A" H-509; H. "A" H-530)

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. 121 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.

Passed to Be Enacted

An Act Concerning Information Provided by Insurers Prior to Rate Approval (S. P. 345) (L. D. 988)

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.

An Act to Provide a Special Muzzle-loading Hunting Season (H. P. 218) (L. D. 255) (Com. of Conf. Amendment "A" (H-519)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. Mr. Peterson of Caribou requested a vote.

The SPEAKER: The pending question is on passage to be enacted. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken. 89 having voted in the affirmative and 30 having voted in the negative, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act to Protect Farmers' Right to Farm (H. P. 1175) (L. D. 1399) (S. "A" S-313 to C. "A" H-500)

An Act Providing for Certain Public Utility Bond Financing by the Maine Municipal Bond Bank (H. P. 1558) (L. D. 1668) (S. "A" S-316; H. "A" H-507)

An Act to Amend the Workers' Compensation Second Injury Fund, to Assist Handicapped Workers in Returning to Employment and to Reduce Multiple Injury Litigation (H. P. 524) (L. D. 590) (H. "A" H-511)

An Act to Amend Provisions Concerning the Operation of the Operation after Suspension and Habitual Offender Laws and Certain Non-sentencing Provisions of the Operating under the Influence Law (H. P. 556) (L. D. 635) (S. "A" S-325 to C. "A" H-501; S. "A" (S-310)

An Act Relating to Aquaculture (H. P. 1128) (L. D. 1345)

An Act Establishing a Voluntary Income Protection Program for Shellfish Harvesters (H. P. 1450) (L. D. 1590) (C. "A" H-510)

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.

Later Today Assigned

An Act to Create an Appellate Division of the Workers' Compensation Commission, to Require the Commission to Conduct a Data Systems Study and to Expedite the Filing of Medical Reports (H. P. 1252) (L. D. 1476) (S. "A" S-326 to H. "A" H-514)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. On motion of Mr. McHenry of Madawaska, tabled pending passage to be enacted and later today assigned.

An Act to Reform the Statutes Relating to Driving Under the Influence of Intoxicating Liquor or Drugs (H. P. 1585) (L. D. 1681)

Was reported by the Committee on En-

grossed Bills as truly and strictly engrossed, passed to be engrossed, signed by the Speaker and sent to the Senate.

Later Today Assigned

An Act to Recodify and Amend the Maine Guarantee Authority Laws (H. P. 1563) (L. D. 1671) (S. "A" S-331)

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

On motion of Mr. Diamond of Windham, tabled pending passage to be enacted and later today assigned.

An Act to Reform the Regulation of Carriers of Passengers and Freight (H. P. 1576) (L. D. 1678) (H. "A" H-534; H. "B" H-535; S. "A" S-323)

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.

The following paper appearing on Supplement No. 5 was taken up out of order by unanimous consent:

Passed to Be Engrossed

Bill "An Act Concerning Homestead Tax Relief" (H. P. 1625) (L. D. 1687)

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

Mrs. Post of Owl's Head offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-552) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentlewoman from Owl's Head, Mrs. Post.

Mrs. POST: Mr. Speaker, Men and Women of the House: In committee, we changed the age at which individuals can become eligible for this relief to after age 70. This is a technical amendment that makes that second change in the question that goes out to referendum vote in each municipality.

Thereupon, House Amendment "A" was adopted.

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

By unanimous consent, ordered sent forthwith to the Senate.

By unanimous consent, all matters acted upon were ordered sent forthwith to the Senate, with the exception of those held.

The Chair laid before the House the following matter:

Bill "An Act to Continue the Maine Turnpike Authority" (S. P. 650) (L. D. 1676) which was tabled and later today assigned pending passage to be engrossed.

Mr. Jalbert of Lewiston offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-548) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: Several from both sides of this measure have gotten together and come to some understanding. It probably isn't the best; it probably isn't the worst. The hour is late and I am not going to go into a two hour hassle like Wednesday night.

We have a letter that we are satisfied with concerning the Lewiston-Auburn access roads that is signed by the Commissioner of Transportation. The amendment itself is explanatory. Mr. Speaker, I move passage of House Amendment "B" and request a division.

The SPEAKER: The pending question is on the adoption of House Amendment "B". All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken. 75 having voted in the affirmative and 31 having voted in the negative, House Amendment "B" was adopted.

Mr. McHenry of Madawaska offered House Amendment "C" and moved its adoption.

House Amendment "C" (H-551) was read by the Clerk and adopted.

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

By unanimous consent, ordered sent forthwith to the Senate.

The Chair laid before the House the following matter:

An Act to Create an Appellate Division of the Workers' Compensation Commission to Require the Commission to Conduct a Data Systems Study and to Expedite the Filing of Medical Reports (H. P. 1252) (L. D. 1476) (S. "A" S-326 to H. "A" H-514) which was tabled and later today assigned pending passage to be enacted.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The Chair laid before the House the following matter:

An Act to Recodify and Amend the Maine Guarantee Authority Laws (H. P. 1563) (L. D. 1671) (S. "A" S-331) which was tabled and later today assigned pending passage to be enacted.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, the previous enactors were ordered sent forthwith to the Senate.

On motion of Mrs. Erwin of Rumford, Recessed until one o'clock in the afternoon.

After Recess

1:00 p.m.

The House was called to order by the Speaker.

At this point, the rules were suspended to permit members to remove their jackets for the remainder of the session.

The following papers appearing on Supplement No. 7 were taken up out of order by unanimous consent:

Special Sentiment Calendar

Recognizing:

Kevin Albert, of Millinocket, Valedictorian of Stearns High School, Class of 1980; (H. P. 1630) by Representative Clark of Millinocket. (Cosponsors: Senator Pray of Penobscot and Representative Michaud of East Millinocket)

Scott Ingalls, Salutatorian of Stearns High School, Class of 1980; (H. P. 1631) by Representative Clark of Millinocket. (Cosponsors: Senator Pray of Penobscot and Representative Michaud of East Millinocket)

Beth Debernardi, of Portland, Valedictorian of Deering High School, Class of 1981; (H. P. 1632) by Representative Ketover of Portland. (Cosponsor: Representative Brannigan of Portland)

Camilla Nicholas, Stephanie Lundeen and Sherrie Weeks of Central Aroostook High School, chosen for the Pepsi All Aroostook All-Star Basketball Team for 1981; (H. P. 1633) by Representative Smith of Mars Hill. (Cosponsor: Senator Carpenter of Aroostook)

Patricia Lynn Daigle, daughter of Mr. and Mrs. Richard Daigle of Van Buren, Co-valedictorian of Van Buren District Secondary School, Class of 1981; (H. P. 1634) by Representative Martin of Van Buren. (Cosponsor: Senator Violette of Aroostook)

There being no objections, the above items were considered passed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.