

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Tenth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 3, 1980 to May 1, 1981

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STATE OF MAINE
One Hundred and Tenth Legislature
First Regular Session
JOURNAL OF THE SENATE

January 15, 1981

Senate called to order by the President.

Prayer by Father Albert Colpitts of St. Mary's Catholic Church of Augusta.

FATHER COLPITTS: Father in heaven, a handful of courageous men, in a moment of danger, pledged their lives, fortunes and honor to proclaim a nation whose citizens' rights were not based in the naught of a king or ruler, but on creation at Your hands.

Grant to our administration a ministry of service to all, not the few; to our Senate, the upholding of public interest; to our judiciary, a wisdom in interpreting law grounded in principle, not expediency.

Send Your spirit on Your people that they may become active in the affairs of government; that they may not confuse dissent for disloyalty; that they might use their mighty power for the healing of differences with justice, mercy and love. We ask this through Jesus, Your Son, who lives with You forever and ever. Amen.

Reading of the Journal of yesterday.

Out of Order and Under Suspension of the Rules:

On motion by Senator PIERCE of Kennebec, ORDERED, the House concurring, that when the House and Senate adjourn, the House adjourns to Monday, January 19, 1981, at ten o'clock in the morning; and the Senate adjourns to Monday, January 19, 1981, at four o'clock in the afternoon. (S. P. 113)

Which was Read and Passed.

Sent down forthwith for concurrence.

(Off Record Remarks)

Papers from the House
Joint Orders

Expressions of Legislative Semtiment recognizing:

Jim Dasch of Caribou, who competed in the National Amateur Athletic Union 1980 Junior Olympics in Cheyenne, Wyoming. (H. P. 208)

Bob Conner on Being Selected by the Maine Council of Safety Supervisors as the Maine Driver of the Year. (H. P. 209)

Michele Hallett of Mars Hill, who competed in the National Amateur Athletic Union 1980 Junior Olympics in Cheyenne, Wyoming. (H. P. 210)

Rosanna Prest of Mars Hill, who competed in the National Amateur Athletic Union 1980 Junior Olympics in Cheyenne, Wyoming. (H. P. 211)

Paul Plissey of Presque Isle, who competed in the National Amateur Athletic Union 1980 Junior Olympics in Cheyenne, Wyoming. (H. P. 212)

Come from the House, Read and Passed.

Which were Read and Passed, in concurrence.

Joint Resolution

Joint Resolution in Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of Dr. Roger L. Grindle, Professor of History at the University of Maine at Fort Kent and member of the Maine State Museum Commission. (H. P. 207)

Come from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

Senate Papers

Senator HICHENS of York presented, Bill, "An Act to Reimburse Owners of Livestock, Poultry or Beehives which are Destroyed or Damaged by Dogs or Wild Animals." (S. P. 110)

Which was referred to the Committee on Agriculture and Ordered Printed.
Sent down for concurrence.

Senator PERKINS of Hancock (Cosponsors: Senator SEWALL of Lincoln, Representative JACKSON of Yarmouth and Representative GWADOSKY of Fairfield) presented, Bill, An Act to Permit Auctioneers to Conduct Auctions for Charitable Organizations without Posting an Additional Bond under the Charitable Solicitations Act. (S. P. 111)

Which was referred to the Committee on Business Legislation and Ordered Printed.

Sent down for concurrence.

Senator DEVOE of Penobscot presented, Bill, An Act to Establish the Maine Condominium Act. (S. P. 112)

Which was referred to the Committee on Judiciary and Ordered Printed.

Sent down for concurrence.

Order

An Expression of Legislative Sentiment recognizing:

Craig Holmes, Robert Brackett, John Herrick and the members of the Town of South Berwick's Historic Preservation Committee for successful efforts in preserving the heritage of early architecture. (S. P. 114) presented by Senator HICHENS of York (Cosponsor: Representative STUDLEY of Berwick).

Which was Read and Passed.

Sent down for concurrence.

Committee Reports
Senate

Leave to Withdraw

Senator WOOD for the Committee on Taxation, Bill, "An Act to Reduce the Tax Lien Redemption Period from 18 Months to 12 Months." (S. P. 19) (L. D. 17)

Reported that the same be granted Leave to Withdraw.

Which Report was Read and Accepted.

Sent down for concurrence.

Orders of the Day

The President laid before the Senate, the Tabled and specially assigned matter.

Bill, "An Act to Authorize Municipal Ordinances Preventing Drinking in Public." (H. P. 146) (L. D. 172)

Tabled—January 14, 1981 by Senator SHUTE of Waldo.

Pending—Motion of Senator CONLEY of Cumberland to Refer to Committee on Judiciary.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Conley.

Senator CONLEY: Mr. President and Members of the Senate, the reason I made the motion yesterday to refer this bill to the Committee on Judiciary was the fact that that committee has already had a public hearing on raising the fine of \$50 on public drinking to \$250, and we went through a very lengthy hearing last week, as I stated. It appears to me if we are going to remain consistent with reference of these bills in dealing with the subject matter of public drinking, then it would seem to me they should all go to one committee. It's my understanding today that the Joint Standing Committee on Legal Affairs already has one bill that's been assigned to them, so, I have no objection, and I'm sure the Senate Chairman of Judiciary holds no objection, to these going to Legal Affairs, but it would seem to me they should all go to one committee. Therefore, I withdraw my motion and move that we Recede and Concur with the House.

The PRESIDENT: Senator Conley of Cumberland now requests Leave of the Senate to Withdraw his Motion to refer this bill to the Committee on Judiciary.

Is it the pleasure of the Senate to Grant this

Leave?

It is a vote.

Which was referred to the Committee on Legal Affairs and Ordered Printed, in concurrence.

Out of Order and Under Suspension of the Rules, the Senate voted to consider the following:

Papers from the House
House Papers

Bill, "An Act to Revise the Voluntary Training and Certification Program for Installers of Solar Energy Equipment in Maine." (H. P. 171) (L. D. 193)

Come from the House, referred to the Committee on Energy and Natural Resources and Ordered Printed.

Which was referred to the Committee on Energy and Natural Resources and Ordered Printed, in concurrence.

Bill, "An Act to Increase the Deer Registration Fee." (H. P. 173) (L. D. 194)

Come from the House, referred to the Committee on Fisheries and Wildlife and Ordered Printed.

Which was referred to the Committee on Fisheries and Wildlife and Ordered Printed, in concurrence.

Bill, "An Act to Revise the Maine Medical Laboratory Act." (H. P. 176) (L. D. 196)

Come from the House, referred to the Committee on Health and Institutional Services and Ordered Printed.

Which was referred to the Committee on Health and Institutional Services and Ordered Printed, in concurrence.

Bill, "An Act to Amend the Law Concerning Child Support Orders." (H. P. 174) (L. D. 195)

Come from the House, referred to the Committee on Judiciary and Ordered Printed.

Which was referred to the Committee on Judiciary and Ordered Printed, in concurrence.

Bill, "An Act Requiring Imprisonment for Persons Refusing to Pay Fines." (H. P. 177) (L. D. 197)

Reference to the Committee on Health and Institutional Services suggested.

Come from the House, referred to the Committee on Judiciary and Ordered Printed.

Which was referred to the Committee on Judiciary and Ordered Printed, in concurrence.

Bill, "An Act to Prevent Self-insurers under the Employment Security Law from Becoming Liable for Benefits Paid to Certain Individuals." (H. P. 183) (L. D. 198)

Come from the House, referred to the Committee on Labor and Ordered Printed.

Which was referred to the Committee on Labor and Ordered Printed, in concurrence.

Bill, "An Act to Increase the Licensing Fee for Games of Chance." (H. P. 184) (L. D. 199)

Come from the House, referred to the Committee on Legal Affairs and Ordered Printed.

Which was referred to the Committee on Legal Affairs and Ordered Printed, in concurrence.

Bill, "An Act to Require a Permit for Purse Seining on the Medomak River." (H. P. 187) (L. D. 200)

Come from the House, referred to the Committee on Marine Resources and Ordered Printed.

Which was referred to the Committee on Marine Resources and Ordered Printed, in concurrence.

Bill, "An Act to Provide Equitable Treatment for Elderly Maine Residents Served by New Hampshire Electric Utilities." (H. P. 188) (L. D. 201)

Bill, "An Act to Equalize Toll Charges for Residents of the Same Community Who Have Different Telephone Exchanges." (H. P. 189) (L. D. 202)

Come from the House, referred to the Committee on Public Utilities and Ordered Printed.

Which were referred to the Committee on Public Utilities and Ordered Printed, in concurrence.

Bill, "An Act to Establish an Income Tax Credit for Home Based Care Expenses Provided by Families." (H. P. 190) (L. D. 203)

Bill, "An Act to Grant Sales and Use Tax Exemption for Wind Energy Equipment." (H. P. 191) (L. D. 204)

Bill, "An Act to Exempt Certain Farm Structures from Municipal Assessments." (H. P. 192) (L. D. 205)

Come from the House, referred to the Committee on Taxation and Ordered Printed.

Which were referred to the Committee on Taxation and Ordered Printed, in concurrence.

Orders of the Day

Senator Conley of Cumberland was granted unanimous consent to address the Senate, On the Record.

SENATOR CONLEY: Mr. President, I'd like to state that yesterday, during the period of the Joint Convention honoring our very distinguished Secretary of State of these United States and certainly one whom we all have a great deal of affection for, the presiding officer of this body showed extreme class in establishing the precedent of turning the gavel over to the Speaker of the House for the introduction of that very esteemed and distinguished gentleman. I would like to say that I can assure you the Democrats in this Senate, come next Monday will show you another kind of class I'm sure you'll be proud of.

The PRESIDENT: The Chair thanks the Senator.

The Adjournment Order having been returned from the House, Read and Passed, in concurrence, on motion by Senator Pierce of Kennebec, Adjourned until Monday, January 19, 1981, at 4 o'clock in the afternoon.