

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

KJ PRINTING
AUGUSTA, MAINE

STATE OF MAINE
One Hundred and Tenth Legislature
First Regular Session
JOURNAL OF THE SENATE
January 21, 1981
Senate called to order by the President.

Prayer by the Reverend Julian Hall of Old South Congregational Church of Hallowell.

REVEREND HALL: Let us Pray. O'God of the nations, the universe, the individual person and the planet, it is with gratitude that we begin this day. We are grateful and thankful, our fifty-two people are free again. Our nation has a feeling of being together once more. Our national confidence has had a rebirth.

O'God, You come to us in our great sorrows and in our elated joys; and, also, in all of the ordinariness of our daily living in the in-betweens. So be with us in this ordinary and yet very sacred day. Touch the corners, the chasms, the crannies of our lives. Touch our work, our deliberations, our discussions, our decision-making. Touch our homes, our relationships, the early hours and the evening times. Touch our uncertainties, our questions, our doubts and our hesitations. Touch all of us, O'God, with a sense of what is right, with honesty, courage, conviction and humility. Keep before us the reality that this day is a holy day, before us the reality that this day is a holy day, every moment is a gracious gift, every problem is a challenge to be faced, every act, public and private, is monitored in full view of our Creator. So imbed deeply within us the steadfast courage to fully face this day; to be eager about our many and diverse tasks; to be energetic with the wholesome zeal; to labor for the larger purpose; to cease our unnecessary worry about tomorrow; and to place an abiding trust in our Creator, our Redeemer, our Reconciler and Sustainer of life. Amen.

Reading of the Journal of yesterday.

**Papers from the House
Joint Order**

ORDERED, the Senate concurring, that the Joint Standing Committee on Local and County Government report out such legislation as they see fit to revise the salaries of county officers and lay the county taxes for the year 1981. (H. P. 264)

Comes from the House, Read and Passed.
Which was Read and Passed, in concurrence.

House Papers

Bill "An Act Concerning Pregnancy Testing of Livestock by Artificial Breeders." (H. P. 242) (L. D. 276)

Comes from the House, referred to the Committee on Agriculture and Ordered Printed.

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

Bill, "An Act to Update and Clarify Legislation Concerning Agencies within or Affiliated with the Department of Business Regulation." (H. P. 196) (L. D. 282)

Comes from the House, referred to the Committee on Business Legislation and Ordered Printed.

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

Bill "An Act Relating to Class Size in Elementary Grades 1-3." (H. P. 243) (L. D. 277)

Comes from the House, referred to the Committee on Education and Ordered Printed.

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

Bill, "An Act to Increase the Amount of Expenses Which May be Reimbursed to Members of the Inland Fisheries and Wildlife Advisory Council." (H. P. 244) (L. D. 278)

Bill, "An Act to Permit Twilight Hunting." (H. P. 245) (L. D. 279)

Bill, "An Act to Permit Deer Hunting with Muzzle-loading Rifles." (H. P. 231) (L. D. 268)

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

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

Bill, "An Act to Require Interagency Licensing of Residential Facilities and Programs for Children." (H. P. 232) (L. D. 269)

Comes 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 Clarify Appellate Procedure in Adoption Cases and Provide Transition Provisions for Certain Guardians under the Probate Code." (H. P. 246) (L. D. 280)

Bill, "An Act to Increase the Penalty for Refusing to Stop for an Officer of the Law." (H. P. 247) (L. D. 281)

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

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

Bill, "An Act to Provide for Service Fees for Nonmembers Represented by Collective Bargaining Agents." (H. P. 233) (L. D. 270)

Comes 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 Amend the Waldo Sewer District Charter." (H. P. 235) (L. D. 271)

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

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

Bill, "An Act to Establish a Kennebec River Future Commission." (H. P. 237) (L. D. 272)

Comes from the House, referred to the Committee on State Government and Ordered Printed.

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

Bill, "An Act Concerning the Sales Tax Assessed on the Purchase of Replacement Aircraft." (H. P. 238) (L. D. 273)

Bill, "An Act Relating to Trade-in Credit for Special Mobile Equipment in the Sales and Use Tax Law." (H. P. 239) (L. D. 274)

Bill, "An Act to Enable Taxpayers to Donate a Portion of their State Income Tax Refund to Nongame Management Projects through a Tax Return Checkoff." (H. P. 240) (L. D. 275)

Comes 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.

Senate Papers

Senator BROWN of Washington presented, Bill, "An Act to Change the Requirements for Appointment to the Board of Commissioners of the Profession of Pharmacy." (S. P. 140)

Reference to the Committee on Business Legislation is suggested.

On Motion by Senator GILL of Cumberland Tabled for 1 Legislative Day, pending Reference.

Senator O'LEARY of Oxford presented, Bill, "An Act Concerning the Size of Exempt Lots under the Subdivision Laws." (S. P. 141)

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

Sent down for concurrence.

Senator CONLEY of Cumberland presented, Bill, "An Act to Permit Violations of the Warranty of Habitability to be Asserted in Landlord-Tenant Disputes." (S. P. 142)

Senator CLARK of Cumberland (Cosponsor: Representative GOWEN of Standish) presented, Bill, "An Act Establishing Minimum Heating Standards for Rented Residential Dwelling Units." (S. P. 143)

Senator VIOLETTE of Aroostook (Cosponsor: Senator SHUTE of Waldo) presented, Bill, "An Act to Amend and Clarify the Procedure to File and Appeal Claims by Patients, Inmates or Prisoners." (S. P. 144)

(Submitted by the Department of Mental Health and Corrections pursuant to Joint Rule 24.)

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

Sent down for concurrence.

Senator CONLEY of Cumberland (Cosponsors: Representative BAKER of Portland, Representative DAVIES of Orono and Representative SOULAS of Bangor) presented, Bill, "An Act to Provide Collective Bargaining Rights to County Employees." (S. P. 145)

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

Sent down for concurrence.

Senator WOOD of York (Cosponsors: Representative TUTTLE of Sanford, Representative PAUL of Sanford and Representative RIDLEY of Shapleigh) presented, Bill, "An Act to Amend the Charter of the Sanford Sewerage District." (Emergency) (S. P. 146)

Which was referred to the Committee on Public Utilities and Ordered Printed.

Sent down for concurrence.

Senator O'LEARY of Oxford presented, Bill "An Act to Abolish the Legislative Council and Reestablish the Legislative Research Committee." (S. P. 147)

Which was referred to the Committee on State Government and Ordered Printed.

Sent down for concurrence.

Orders of the Day

The PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Teague.

Senator TEAGUE: Is the Senate in possession of L. D. 256?

The PRESIDENT: The Chair would answer in the affirmative. L. D. 256, "An Act to Promote Alcohol and Drug Abuse Education and Rehabilitation," having been held at the request of a Senator.

On Motion by Senator TEAGUE of Somerset the Senate voted to Reconsider its action whereby:

Bill, "An Act to Promote Alcohol and Drug Abuse Education and Rehabilitation." (H. P. 219) (L. D. 256)

Was Referred to the Committee on Health and Institutional Services.

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

Senator CONLEY: Mr. President, could I ask the Chair what the title of the bill is?

The PRESIDENT: The Chair will advise the Senator the title is: "An Act to Promote Alcohol and Drug Abuse Education and Rehabilitation," and the Chair would advise the Senator that it is at the end of the Senator's Calendar - Bill Held.

On motion by Senator TEAGUE of Somerset referred to the Committee on Education and Ordered Printed, in non-concurrence.

Sent down for concurrence.

On motion by Senator Collins of Knox, Adjourned until ten o'clock tomorrow morning.