

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 22, 1981
Senate called to order by the President.

Prayer by the Reverend John E. Fickett of the First Baptist Church in Mount Vernon.

REVEREND FICKETT: O'God, we thank You that we can come to You and that we can ask for Your presence in this assembly. We thank You, God, that the provision has been made that there should be this prayer at the opening of this session and, therefore, we trust in Thee, we look to Thee, and as those whom Thou dost all know, we pray O'God, that Thou will be present in the midst of this Senate today.

We recognize with great gratitude that Thou has, through so much activity in the hearts and souls and hands of people around the world, finally made possible the freedom of those fifty-two souls who have been in such cruel confinement and we ask, O'God, that Thou would accept our gratitude for this. You bring great joy to millions around the world for this happening in these days.

We pray, God, that even as there are so many special interests that are represented in this organization, that we might also recognize that You also have a special interest and may this supersede all of ours. We pray that Thou will be with each Senator, each person active in this assembly today and guide and direct each one. We look to Thee in faith. Amen.

Reading of the Journal of yesterday.

Out of Order and Under Suspension of the Hules:

On motion by Senator PIERCE of Kennebec, ORDERED, the House concurring, that when the House and Senate adjourn, the House adjourns to Monday, January 26, 1981, at ten o'clock in the morning; and the Senate adjourns to Monday, January 26, 1981, at four o'clock in the afternoon. (S. P. 148)

Which was Read and Passed.

Sent down forthwith for concurrence.

(Off Record Remarks)

Papers from the House
Joint Orders

Expressions of Legislative Sentiment recognizing:

Sgt. Glen Picard of Frenchville, who was named the Maine Army National Guard's Soldier of the Year in 1980. (H. P. 301)

Ramona Welton, daughter of Mr. and Mrs. Arden Welton of Hodgdon, 1980 valedictorian of Hodgdon High School. (H. P. 302)

Paul Sherman, III, son of Mr. and Mrs. Paul Sherman, II, of Smyrna Mills, 1980 valedictorian of Southern Aroostook Consolidated School. (H. P. 304)

The Maine Central Institute "Huskies" Soccer Team, 1980 State Class B champions. (H. P. 306)

Come from the House, Read and Passed.

Which were Read and Passed, in concurrence.

Joint Resolutions
JOINT RESOLUTION EXPRESSING
APPRECIATION TO THE CARTER
ADMINISTRATION FOR
SECURING RELEASE OF
THE AMERICAN HOSTAGES HELD
IN IRAN

Whereas, the American Embassy in Tehran was seized on November 4, 1979 and a number of American citizens held captive against their will since that time; and

Whereas, President Carter has persistently pursued all avenues with great resolve and determination to secure in an honorable manner

the safe return of those being held hostage; and

Whereas, hopes have again been raised by a flurry of meetings and optimistic statements that this crisis which is now in its 15th month may be nearing an end; and

Whereas, through the aid of the Algerian Government, negotiation teams from the United States and Iran, have reached an accord on President Carter's final day in office; and

Whereas, President Carter, Secretary of State Muskie, their advisors and negotiators have worked unceasingly to secure the safe release of the 52 remaining hostages and to answer the continuous prayers of heartbroken relatives and an anxiously awaiting Nation; now, therefore, be it

Resolved: That we, the Members of the 110th Legislature of the great and sovereign State of Maine, join our fellow citizens in expressing our gratitude to President Carter and his administration on this memorable day for his hard work and untiring determination to end this ordeal and to bring our countrymen safely home; and be it further

Resolved: That a suitable copy of this resolution be sent forthwith to Former President Carter in token of our sincere thanks.

(H. P. 300)

Comes from the House, Read and Adopted.

Which was Read and Adopted, in concurrence.

Joint Resolutions in Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of Donald L. Tidd, life-long member and honorary deacon of the Hodgdon United Baptist Church (H. P. 303)

WHEREAS, the Legislature has learned with deep regret of the death of Alton E. Springer, life-long resident of Island Falls. (H. P. 305)

Come from the House, Read and Adopted.

Which were Read and Adopted, in concurrence.

House Papers

Bill, "An Act Pertaining to Used Home Warranty and Service Contracts." (H. P. 197) (L. D. 297)

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 to Make Corrections and Clarifications in the Education Laws." (Emergency) (H. P. 220) (L. D. 298)

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 Establish a Time Limit on Identifying Prior Refusal to Submit to a Chemical Test for Operating Under the Influence." (H. P. 248) (L. D. 289)

Comes 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.

Resolve, Authorizing Arthur G. Powers to Sue the State of Maine. (H. P. 250) (L. D. 290)

Bill, "An Act to Make the 10-Mile Radius Restriction on Agency Liquor Stores Applicable only to Towns of Less than 5,000 People." (H. P. 251) (L. D. 291)

Bill, "An Act to Transfer the Power to Issue Concealed Weapon Permits to the Commissioner of Public Safety." (H. P. 253) (L. D. 293)

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

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

Bill "An Act to Remove the Town of Medford

from the Maine Forestry District." (H. P. 252) (L. D. 292)

Reference to the Committee on Local and County Government is suggested.

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

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

Bill, "An Act Relating to Public Utilities Commission Control over Area Transportation Systems." (H. P. 254) (L. D. 294)

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 Permit Federal Income Tax Payments to be Deducted under the State Income Tax Law." (H. P. 255) (L. D. 295)

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

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

Bill, "An Act to Require that Loads of Crushed Stone be Secure to Prevent Spillage." (H. P. 256) (L. D. 296)

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

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

Senate Papers

Senator CLARK of Cumberland presented, Bill, "An Act to Regulate Interest Rates on Life Insurance Policy Loans." (S. P. 153)

Senator NAJARIAN of Cumberland presented, Bill "An Act to Amend the Group and Blanket Health Insurance Law." (S. P. 154)

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

Sent down for concurrence.

Senator MINKOWSKY of Androscoggin presented, Bill, "An Act to Clarify Certain Provisions of the Municipal Election Laws." (S. P. 150)

The same Senator (Cosponsor: Representative BERUBE of Lewiston) presented, Bill, "An Act to Prohibit Voter Registration on Election Day and the 7 Business Days next Prior to Election Day." (S. P. 155)

The same Senator presented, Bill, "An Act Pertaining to Election Officials." (S. P. 156)

The same Senator presented, Bill, "An Act Pertaining to Ballot Inspections and Recounts in Municipal Elections." (S. P. 157)

The same Senator (Cosponsor: Representative BERUBE of Lewiston) presented, Bill, "An Act to Allow Persons 60 Years of Age or Over to Vote by Absentee Ballot." (S. P. 159)

Which were referred to the Committee on Election Laws and Ordered Printed.

Sent down for concurrence.

Senator MINKOWSKY of Androscoggin (Cosponsor: Senator GILL of Cumberland) presented, Bill, "An Act to Establish a Remedy for Illegal Evictions." (S. P. 152)

Senator KERRY of York (Cosponsors: Senator COLLINS of Knox and Representative HOBBS of Saco) presented, Bill, "An Act to Provide one Additional Judgeship for the District Court." (S. P. 158)

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

Sent down for concurrence.

Senator EMERSON of Penobscot presented, Bill, "An Act to Increase the Exemption for Agricultural Employees under the Workers' Compensation Law." (S. P. 160)

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

Sent down for concurrence.

Senator MINKOWSKY of Androscoggin presented, Bill, "An Act Pertaining to the Retention of Records for Closing-out Sales." (S. P. 151)

Reference to the Committee on Local and County Government is suggested.

On motion by Senator Minkowsky of Androscoggin referred to the Committee on Legal Affairs and Ordered Printed.

Sent down for concurrence.

Senator COLLINS of Knox (Cosponsor: Senator TEAGUE of Somerset) presented, Bill, "An Act to Exempt Family Burying Grounds from Property Tax." (S. P. 149)

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

Sent down for concurrence.

Orders

Expressions of Legislative Sentiment recognizing:

Maurice and Eileen Sharpe of Cape Elizabeth on the occasion of their 50th wedding anniversary, January 10, 1981 (S. P. 161) presented by Senator GILL of Cumberland (Cosponsors: Representative MACOMBER of So. Portland and Representative BENOIT of So. Portland.)

J. Woodrow Vallyely, who has retired as York County Register of Probate after 24 years of service. (S. P. 162) presented by Senator WOOD, of York (Cosponsors: Representative TUTTLE of Sanford, Representative PAUL of Sanford and Representative RIDLEY of Shapleigh.)

Officer Chris Johansen, of the Millinocket Police Department, who risked his life on December 12, 1980, to save a mother and child from a burning building. (S. P. 163) presented by Senator PRAY of Penobscot (Cosponsors: Representative CLARK of Millinocket and Representative MICHAUD of East Millinocket.)

Which was Read and Passed.

Sent down forthwith for concurrence.

Committee Report

House

Ought to Pass—As Amended

The Committee on Judiciary on, Bill, "An Act to Make Confidential Certain Documents of the Maine Human Rights Commission." (H. P. 33) (L. D. 38)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H. 1).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A"

Which Report was Read and Accepted, in concurrence, and the Bill Read Once. Committee Amendment "A" was Read and Adopted, in concurrence, and the Bill, as amended, Tomorrow Assigned for Second Reading.

Orders of the Day

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

Bill, "An Act to Change the Requirements for Appointment to the Board of Commissioners of the Profession of Pharmacy." (S. P. 140) Tabled—January 21, 1981 by Senator GILL of Cumberland Pending Reference.

On motion by Senator Sutton of Oxford referred to the Committee on Business Legislation and Ordered Printed.

Sent down for concurrence.

Senator Collins of Knox was granted unanimous consent to address the Senate, Off the Record.

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 26, 1981 at 4 o'clock in the afternoon.