

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Tenth

Legislature

OF THE

STATE OF MAINE

SECOND REGULAR SESSION

January 6, 1982 to April 13, 1982

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FOURTH SPECIAL SESSION

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July 16, 1982

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STATE OF MAINE
One Hundred and Tenth Legislature
Second Regular Session
JOURNAL OF THE SENATE
Augusta, Maine
January 28, 1982
Senate called to order by the President.

Prayer by the Reverend S. Blake Ellis of the United Methodist Church of Fairfield.

REVEREND ELLIS: We bow before Thee in quietness. O God, in order to gather ourselves together before we launch into the business before us.

Remember the heritage that has come down to us, bought by other toil and other tears than ours. We bless Thee for leaders of the past who have guided our State through crucial times, for their ideals and courage we are grateful.

Now we ask that You will grant wisdom and stability to the persons who makeup this Body, that the light of their leading may burn brightly for our people. Remind them, O God, of the infinite possibilities for good that lie within them. Assure them of Your support in all righteous endeavors.

Grant quietness of heart to each one here. Let them feel such a trust and confidence in Thee that they may know a safety in leaving their personal concerns in Your hands while they turn their attention to the affairs of the State. Be with their families, especially with any who are ill or otherwise troubled. Take away all anxiety and weariness. Cleanse each one of self-doubt and indecision. Then, O God, sustain each person in the knowledge that with Thee there is power and forgiveness and mercy and grace always. Amen.

Reading of the Journal of yesterday.

Out of Order and Under Suspension of the Rules:

On motion by Senator Collins of Knox, ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, February 2, 1982, at ten o'clock in the morning. (S. P. 810)

Which was Read and Passed.

Sent down forthwith for concurrence.

(Off Record Remarks)

**Papers from the House
Non-concurrent Matter**

Bill, "An Act to Establish the Uniform Take-over Act." (S. P. 778) (L. D. 1846)

In the Senate, January 19, 1982, referred to the Committee on Judiciary.

Comes from the House, Bill and Accompanying Papers Indefinitely Postponed, in non-concurrence.

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

Senator CONLEY: Mr. President and Members of the Senate, I would move that this Bill and all accompanying papers be Indefinitely Postponed, in concurrence.

This Bill does not reflect, the title did not reflect, what was in the Bill. The Legislative Council allowed another Bill to be introduced that takes care of the matter. So there is now no need for this particular item.

On motion by Senator Conley of Cumberland, the Bill and Accompanying Papers, Indefinitely Postponed, in concurrence.

Non-concurrent Matter

Bill, "An Act to Amend the Charter of the East Eddington Public Hall Company." (S. P. 792) (L. D. 1868)

In the Senate, January 21, 1982, referred to the Committee on Legal Affairs.

Comes from the House, referred to the Committee on Taxation, in non-concurrence.

On motion by Senator Collins of Knox, Tabled for 1 Legislative Day, pending Consideration.

(Off Record Remarks)

Senator McBreaity of Aroostook was granted unanimous consent to address the Senate. Off the Record.

House Papers

Bill, "An Act to Provide Retired Teachers, State Employees and Beneficiaries with a Cost-of-living Increase." (H. P. 1891) (L. D. 1877)

Comes from the House, referred to the Committee on Aging, Retirement and Veterans and Ordered Printed.

Which was referred to the Committee on Aging, Retirement and Veterans and Ordered Printed, in concurrence.

Bill, "An Act to Provide Flexibility with Respect to the School Entrance Age." (H. P. 1878) (L. D. 1871)

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 Statutory Guidelines for the Planning and Expenditure of Social Service Funds." (H. P. 1879) (L. D. 1872)

Bill, "An Act to Use Receivership Law as an Enforcement Mechanism." (H. P. 1880) (L. D. 1873)

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

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

Bill, "An Act Concerning Negotiating a Worthless Instrument." (H. P. 1881) (L. D. 1874)

Bill, "An Act Concerning Look-alike Drugs." (H. P. 1882) (L. D. 1875)

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 Concerning Reimbursement of Salaries of Persons Attending the Maine Criminal Justice Academy." (H. P. 1883) (L. D. 1876)

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

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

Study Report — Business Legislation

The Committee on Business Legislation to which was referred by the Legislative Council the study relative to the Maine Traveler Information Services Act have had the same under consideration, and ask leave to submit its findings and to report that the accompanying bill, "An Act to Amend the Maine Traveler Information Services Act", (H. P. 1907) (L. D. 1882) be referred to this Committee for public hearing and printed pursuant to Joint Rule 18.

Comes from the House, the Report Read and Accepted, and the Bill referred to the Committee on Business Legislation.

Which Report was Read and Accepted and the Bill referred to the Committee on Business Legislation, in concurrence.

Study Report — Labor

The Committee on Labor to which was referred the Study Order relative to Occupational disease and hearing loss, pursuant to Joint Order H. P. 1629) have had the same under consideration, and ask leave to submit its findings and to report that the accompanying bill, "An Act to Create a Defense of Employee Noncompliance with Safety Procedures under the Workers' Compensation Act" (H. P. 1906) (L.

D. 1881) be referred to this Committee for Public Hearing and printed pursuant to Joint Rule 18.

Comes from House, the Report Read and Accepted, and the Bill referred to the Committee on Labor.

Which Report was Read and Accepted and the Bill referred to the Committee on Labor, in concurrence.

Joint Orders

Expressions of Legislative Sentiment recognizing:

Linda Haggerty, of Houlton, selected Maine's Junior Miss for 1982. (H. P. 1894)

Delta Tau Delta Fraternity, named the Outstanding Fraternal Organization at the University of Maine - Orono, for 1981. (H. P. 1896)

Kevin and Konrad Martin, seniors at Bangor High School and members of the Bangor Pride Swim Team, for their numerous and distinguished awards in swimming and diving. (H. P. 1898)

January 30, 1982 which marks the 100th anniversary of the birth of President Franklin D. Roosevelt. (H. P. 1899)

Comes from the House, Read and Passed.

Which were Read and Passed, in concurrence.

Senate Papers

Senator BUSTIN of Kennebec (Cosponsors: Senator HICHENS of York, Representative RICHARD of Madison and Representative SOULAS of Bangor) presented.

Bill, "An Act to Adjust the Eating, Lodging and Recreational Place Licensing Fee." (S. P. 811)

(Submitted by the Department of Human Services pursuant to Joint Rule 24.)

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

Sent down for concurrence.

Senator TRAFTON of Androscoggin (Cosponsors: Representative McGOWAN of Pittsfield and Representative RIDLEY of Shapleigh) presented.

Bill, "An Act Relating to the Terms of the Public Utilities Commissioners." (Governor's Bill) (S. P. 812)

Senator VIOLETTE of Aroostook (Cosponsors: Representative DILLENBACK of Cumberland and Representative BOYCE of Auburn) presented.

Bill, "An Act Revising Executive Salary Ranges." (S. P. 813)

(Submitted by the Department of Personnel pursuant to Joint Rule 24)

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

Sent down for concurrence.

Senator McBREAITY of Aroostook (Cosponsors: Senator BROWN of Washington, Representative GILLIS of Calais and Representative MOHOLLAND of Princeton) presented.

MOHOLLAND of Princeton) presented.

Bill, "An Act to Allow Municipalities to Withdraw from the Maine Forestry District." (S. P. 808)

(Approved for introduction by the Legislative Council pursuant to Joint Rule 26.)

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

Sent down for concurrence.

Order

An Expression of Legislative Sentiment recognizing:

D. Frank Duris, of Jackman, for his contribution towards the advancement of socioeconomics in the Jackman area. (S. P. 809) presented by Senator REDMOND of Somerset (Cosponsor: Representative AUSTIN of Bangham).

Which was Read and Passed.

Sent down for concurrence.

**Committee Report
Senate**

Ought to Pass

Senator Sewall for the Committee on Business Legislation on, Bill, "An Act Concerning Annuity Agreements with the University of Maine." (S. P. 751) (L. D. 1754)

Reported that the same Ought to Pass.

Which Report was Read and Accepted and the Bill Read Once and Tomorrow Assigned for Second Reading.

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 Provide Assistance in the Marketing of Maine Agricultural Products. (H. P. 1900) (L. D. 1885)

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 Adjusting Appropriations and Allocations Related to Federal Block Grants for the Department of Human Services and the Department of Mental Health and Mental Retardation for the Fiscal year Ending June 30, 1982. (Emergency) (H. P. 1892) (L. D. 1884)

Bill, "An Act to Provide a Data Input and Retrieval System for the Workers' Compensation Commission. (H. P. 1901) (L. D. 1886)

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

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

Bill, "An Act Amending the Charter of the Boothbay - Boothbay Harbor Community School District. (Emergency) (H. P. 1902) (L. D. 1887)

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

On motion by Senator Collins of Knox, Tabled for 1 Legislative Day, pending Reference.

Bill, "An Act to Modify the Base Period for Purposes of Determining Eligibility for Unemployment Compensation Benefits. (H. P. 1903) (L. D. 1888)

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 Repeal the Maine Bid Preference Law. (H. P. 1904) (L. D. 1889)

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 to Amend the Exemption from Sales and Use Tax for Sale of Certain Instrumentalities of Interstate or Foreign Commerce. (Emergency) (H. P. 1905) (L. D. 1890)

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.

(Off Record Remarks)

(Senate at Ease)

The Senate called to order by the President.

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

Joint Order

An Expression of Legislative Sentiment rec-

ognizing:

Rev. Herve F. M. Drouin, O.P.S.T.D., a beloved leader and organization founder in the Lewiston - Auburn community. (H. P. 1926)

Comes from the House, Read and Passed.

Which was Read and Passed, in concurrence.

Orders of the Day

At this time, there being no objection, the President appointed the following Senate members to the Joint Select Committee on Alcoholism Services, the first named member thereof to serve as Chairman:

Senators:

PERKINS of Hancock

GILL of Cumberland

CONLEY of Cumberland

BUSTIN of Kennebec

The Adjournment Order having been returned from the House, Read and Passed, in concurrence, on motion by Senator Pierce of Kennebec, Adjourned until Tuesday, February 2, at 10 o'clock in the morning.