

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Ninth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

January 3, 1979 to May 4, 1979

STATE OF MAINE
Hundred and Ninth Legislature
JOURNAL OF THE SENATE

February 14, 1979

Senate called to Order by the President.

Prayer by Reverend Walter G. Hartley, Central District Superintendent of United Methodist Churches, in Augusta.

Reverend HARTLEY: Let us be in the Spirit of Prayer. O God our Creator, the source of all that is. We rejoice in the goodness, and the grace, by which we are surrounded. We thank you, that you have given us, the opportunity of being your people in this time and this place.

As we reflect upon the bounty with which we are surrounded, we realize that we have more than we deserve. We are blessed with many benefits, except our thanks for all that is, and help us to be mindful to consider and to minister to the needs of those less fortunate than ourselves.

We ask your blessing upon the men and women of this Senate, and of others who are entrusted with officers of responsibility in our State. As the people gathered here, are faced with decisions which effect the lives of the people throughout our State, may they be guided by your spirit, that their decisions may be for the welfare of all.

Give wisdom, understanding and love to each of your people this day, that we may not only claim to be your people, but that we may also act responsibly to you and to those who rely upon us. Be present with us now and always, that we may give glory and praise to you. Amen.

Reading of the Journal of yesterday.

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

Bill, "An Act Relating to the Reporting of Illegal Use and Trafficking of Drugs in Maine Schools." (S. P. 182) (L. D. 412)

In the Senate, February 8, referred to the Committee on Judiciary.

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

The PRESIDENT: The Senator from Kennebec Senator Katz, moves that the Senate Insist. Is this the pleasure of the Senate?

The Motion prevailed.

Senate Papers

Senator Shute of Waldo presented, Bill, "An Act to Eliminate the Dependency Disqualification for Persons Receiving Survivor's Benefits from the State Retirement System." (S. P. 203)

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

Sent down for concurrence.

Senator Hichens of York presented, Bill, "An Act to Prevent Cruelty to Animals by Establishing Certain Licensing Categories and Restrictions." (S. P. 206)

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

Sent down for concurrence.

Senator Hichens of York presented, Bill, "An Act to Provide for a Closed Season on Black Bear from the First Monday Following Thanksgiving to July 1st." (S. P. 205)

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

Sent down for concurrence.

Senator Farley of York presented, Bill, "An Act to Provide that Unemployment Compensation be Based on the Minimum Wage for Certain Services Rather than on Tips and Gratuities Received for the Service." (S. P. 204)

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

Sent down for concurrence.

Senator Trafton of Androscoggin, Cosponsors: Senator Minkowsky of Androscoggin, Senator Cote of Androscoggin and Senator Ault of Kennebec presented, Bill, "An Act to Establish a Sign on the Maine Turnpike for Lost Valley." (S. P. 202)

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

Sent down for concurrence.

(Off Record Remarks)

Committee Reports

House

The following Ought Not to Pass report shall be placed in the Legislative Files without further action pursuant to Rule 22 of the Joint Rules:

RESOLVE, Authorizing Arthur G. Powers to Sue the State of Maine. (H. P. 46) (L. D. 78)

Leave to Withdraw

The Committee on Local and County Government on, Bill, "An Act to Increase the Salary of the Judge of Probate for the County of Oxford." (H. P. 58) (L. D. 67)

Reported that the same be granted Leave to Withdraw. Comes from the House, the Report Read and Accepted.

The Committee on Local and County Government on, Bill, "An Act to Increase Salaries of Elected Officials of Washington County." (H. P. 105) (L. D. 107)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Marine Resources on Bill, "An Act to Prohibit Purse Seining in Hancock County." (H. P. 85) (L. D. 96)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

Which Reports were Read and Accepted, in concurrence.

Ought to Pass — As Amended

The Committee on Judiciary on, Bill, "An Act to Repeal Certain Requirements for Filing, Recording, Registers, Rosters and Binding and Provisions Concerning Administrative Assistant to the Chief Justice." (H. P. 61) (L. D. 69)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-19).

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.

The Committee on Judiciary on, Bill, "An Act to Increase the Amount which the District Court is Allowed to Deposit each Month into the District Court Building Fund From \$3,000 to \$10,000." (H. P. 101) (L. D. 108)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-17).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A" (H-17) as amended by House Amendment "A" (H-21), thereto.

Which Report was Read and Accepted, in concurrence and the Bill Read Once, Committee Amendment "A" was Read. House Amendment "A" to Committee Amendment "A" was Read and Adopted in concurrence. Committee Amendment "A" as amended by House Amendment "A" thereto was adopted, in concurrence, and the Bill, as amended, tomorrow assigned for second reading.

Second Readers

The Committee on Bills in the Second Reading reported the following:

House

Bill, "An Act to Limit Disability Retirement Payments to Persons Restored to Service under the State Retirement System." (H. P. 42) (L. D. 53)

Bill, "An Act to Increase the Total Authorized Indebtedness of the Kennebunk Light and Power Districts from \$300,000 to \$2,000,000." (H. P. 52) (L. D. 61)

Which were Read a Second Time and Passed to be Engrossed, in concurrence.

House — As Amended

Bill, "An Act to Provide that the County Commissioners shall have the Power to Authorize the Use of Superior Court Facilities when the Court is not in Session." (H. P. 55) (L. D. 64)

Which was Read a Second Time and Passed to be Engrossed, as amended, in concurrence.

Senate

Bill, "An Act to Clarify the Duties of the Maine Insurance Advisory Board." (S. P. 65) (L. D. 106)

Which was Read a Second Time and Passed to be Engrossed.

Sent down for concurrence.

Senate — As Amended

Bill, "An Act to Strengthen and Streamline the Habitual Offender Law." (Emergency) (S. P. 9) (L. D. 16) (C. "A" S-8)

Which was Read a Second Time.

The PRESIDENT: The Chair recognizes the Senator from Penobscot Senator Devoe.

Senator DEVOE: Mr. President, I now offer Senate Amendment "A" to L. D. 16 and move its adoption.

The PRESIDENT: The Senator from Penobscot Senator Devoe, now offers Senate Amendment "A" (S-9) to L. D. 16 and moves its Adoption.

Senate Amendment "A" Read.

The PRESIDENT: The Senator has the floor. Senator DEVOE: Thank you, Mr. President and members of the Senate. This amendment simply requires the Secretary of State to take into consideration any obligations which a person may have under the provisions of the Financial Responsibility Law.

As the original LD, was originally worded, it was uncertain whether the Secretary of State was obligated to take that into consideration. We have offered this Amendment to make certain that he does consider the provisions of the Financial Responsibility Law, if they do apply to that particular person. Thank you.

Senate Amendment "A" Adopted.

The Bill, as amended, Passed to be Engrossed, in non-concurrence.

Sent down for concurrence.

Enactor

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

An Act to Require the State to Assume all Administrative Costs for the Food Stamp Program. (H. P. 50) (L. D. 59)

On Motion by Senator Huber of Cumberland, placed on the Special Appropriations Table.

Orders of the Day

Senator Farley of York was granted unanimous consent to address the Senate, Off the Record.

Senator Trotzky of Penobscot, was granted unanimous consent to address the Senate, Off the Record.

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

Senator Katz of Kennebec, was granted unan-

ymous consent to address the Senate, Off the Record.

On Motion by Senator Pierce of Kennebec.
Adjourned until 10 o'clock tomorrow morning.