

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
One Hundred and Ninth Legislature
JOURNAL OF THE SENATE
February 23, 1979
Senate called to Order by the President.

Prayer by Reverend H. James Rains, Jr.,
Trinity Episcopal Church of Lewiston.

Reverend RAINS: Let us pray! O Mighty God, we ask thy guidance, for the members of this Senate and all those to whom is committed to the Government of this State.

Grant to them at this time, special gifts of wisdom and understanding; of council and strength, that they may consider all questions calmly in their deliberations; act wisely and promptly, upholding what is right, abhorring what is wrong, and performing that which is just. So that in all things Thy will may be done, for the sake of Jesus Christ our Lord. Amen.

Reading of the Journal of yesterday.

(Off Record Remarks)

**Papers from the House
Joint Order**

An Expression of Legislative Sentiment recognizing that:

Jeffrey Scott of Whiting and Loring Totman of Bucks Harbor have achieved the high honor and distinction of becoming Eagle Scouts... (H. P. 552)

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

House Papers

Bill, "An Act to Control Brucellosis in Cattle." (H. P. 537) (L. D. 668)

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.

RESOLVE, Authorizing the State to Pay the Indebtedness of Eastern Maine Friends of Retarded Citizens. (H. P. 538) (L. D. 669)

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

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

Bill, "An Act to Enact a Model Group Health Insurance Continuation and Conversion Law." (H. P. 539) (L. D. 670)

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 Creating a Division of Industrial Training." (Emergency) (H. P. 540) (L. D. 671)

Bill, "An Act to Permit a Vocational Center to Bill Other Communities Sending Students to the Center in the Year of Actual Service." (H. P. 541) (L. D. 672)

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

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

Bill, "An Act to Establish Energy Efficiency Building Performance Standards for the State of Maine." (H. P. 522) (L. D. 666)

Comes 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 Concerning the Training of

Dogs while Bear Hunting." (H. P. 542) (L. D. 673)

Comes 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 Prohibit an Intentional Attempt to Elude a Police Officer through High-Speed Driving." (H. P. 543) (L. D. 674)

Bill, "An Act Relating to Criminal History Record Information." (H. P. 544) (L. D. 675)

Bill, "An Act to Clarify Certain Provisions Relating to the Statistical Reporting of Abortions." (H. P. 545) (L. D. 676)

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 Relating to the Establishment of a State Building Code." (H. P. 546) (L. D. 677)

RESOLVE, Authorizing Barry A. Brann of Wilton to Bring Civil Action Against the State of Maine. (H. P. 547) (L. D. 678)

Bill, "An Act to Clarify Sex Discrimination in the Maine Human Rights Act." (H. P. 548) (L. D. 679)

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 Clarify the Rule-Making Procedure of the Commissioner of Public Safety." (H. P. 549) (L. D. 680)

RESOLVE, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Lands in the Town of Atkinson, Piscataquis County and St. John Plantation in Aroostook County and the Unorganized Territory. (H. P. 529) (L. D. 667)

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

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

Bill, "An Act to Exempt School Buses from Tolls on the Maine Turnpike." (H. P. 550) (L. D. 681)

Bill, "An Act Providing Additional Driver License Examiners in the Division of Motor Vehicles." (Emergency) (H. P. 551) (L. D. 682)

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

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

Senate Papers

Senator Gill of Cumberland presented, Bill, "An Act Providing for the Career Development Needs of Maine Citizens Through the Creation of a Division of Career Education within the Department of Educational and Cultural Services." (S. P. 258)

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

Sent down for concurrence.

Senator Gill of Cumberland presented, Bill, "An Act Concerning Assistance to Blind or Disabled Voters in Marking Ballots." (S. P. 255)

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

Sent down for concurrence.

Senator Trotzky of Penobscot presented, Bill, "An Act to Restrict Access to Allagash Lake in the Allagash Wilderness Waterway." (S. P. 254)

Which was referred to the Committee on

Energy and Natural Resources and Ordered Printed.

Sent down for concurrence.

Senator Huber of Cumberland presented, Bill, "An Act to Establish a Statutory Limit on County Expenditures during any One Fiscal Year." (S. P. 256)

Reference to the Committee on Local and County Government suggested.

On Motion by Senator Huber of Cumberland, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

**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: Bill, "An Act Concerning Fees for Special License Plates." (H. P. 89) (L. D. 101)

Changes of Reference

The Committee on Business Legislation on, Bill, "An Act Extending Reimbursement to Municipal Clerks and Municipalities for Revenue Loss Due to Amendment of the Uniform Commercial Code." (Emergency) (H. P. 335) (L. D. 434)

Reported that the same be referred to the Committee on Local and County Government.

Comes from the House, the Report Read and Accepted and the Bill referred to the Committee on Local and County Government.

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

Leave to Withdraw

The Committee on Agriculture on, Bill, "An Act to Amend the Law Relating to the Licensing of Dogs." (H. P. 151) (L. D. 183)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

Which Report was Read and Accepted, in concurrence.

Ought to Pass

The Committee on Local and County Government on, Bill, "An Act to Dissolve the Proprietors of the Centre Meeting-House in Farmington." (H. P. 329) (L. D. 366)

Reported that the same Ought to Pass.

Comes from the House, the Bill Passed to be Engrossed.

The Committee on Local and County Government on, Bill, "An Act Relating to the Transfer of the Planning and Development Functions of the Urban Renewal Authority of the City of Bangor." (H. P. 160) (L. D. 188)

Reported that the same Ought to Pass.

Comes from the House, the Bill Passed to be Engrossed.

Which Reports were Read and Accepted, in concurrence, and the Bills. Read Once and Tomorrow Assigned for Second Reading.

Ought to Pass — As Amended

The Committee on Marine Resources on, Bill, "An Act Amending the Sardine Tax Law." (H. P. 128) (L. D. 133)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-34).

Comes from the House, the Bill Passed to be Engrossed, as amended by Committee Amendment "A" as amended by House Amendment "A" (H-35) 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 Concerning Prisoner Participation in Public Works Projects." (H. P. 213) (L. D. 261)

Bill, "An Act to Amend the Laws Relating to the Maine Historic Preservation Commission." (H. P. 194) (L. D. 243)

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

House — As Amended

Bill, "An Act to Increase the Mileage Reimbursement and Compensation of Jurors." (H. P. 124) (L. D. 131)

Bill, "An Act to Conform the Acknowledgment Provision of the Recording Statutes to the Uniform Recognition of Acknowledgments Act." (H. P. 158) (L. D. 186)

Bill, "An Act to Increase Fees and Mileage Reimbursements of Witnesses." (H. P. 125) (L. D. 135)

RESOLVE to Direct the County of Cumberland to pay \$1,069.72 to Stanley E. Payson of Scarborough and Shirley M. Jodrie of Portland. (H. P. 19) (L. D. 36)

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

Senate — As Amended

Bill, "An Act to Increase Certain Fees for Pharmaceutical Providers." (H. P. 57) (L. D. 90)

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

Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following: An Act to Amend the Maine State Apprenticeship Council to State Apprenticeship and Training Council to Conform with Federal Recommendations under the Labor Laws. (H. P. 140) (L. D. 160)

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

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)

An Act to Allow Prison Inmates to Attend the Funeral of a Brother or Sister. (H. P. 100) (L. D. 148)

Which were Passed to be Enacted and having been signed by the President, were by the Secretary presented to the Governor for his approval.

Emergency

An Act Empowering Retired Justices of the Supreme Judicial Court and District Court Judges to Sit in Superior Court and Administrative Court Judges to Sit in District Court. (S. P. 55) (L. D. 89)

Emergency

An Act to Clarify the Definition of Intermittent State Employees (H. P. 130) (L. D. 141)

These being emergency measures and having received the affirmative votes of 23 members of the Senate, were Passed to be Enacted, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

Emergency

An Act to Strengthen and Streamline the Habitual Offender Law. (S. P. 9) (L. D. 16)

On Motion by Senator Katz of Kennebec, tabled for 1 Legislative Day, pending Enactment.

Orders of the Day

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

Bill, "An Act to Authorize Municipalities of Under 2,500 Inhabitants to Permit Persons other than Arborists to Remove Trees within Municipal Boundaries." (S. P. 219)

Tabled—February 21, 1979 by Senator Pierce of Kennebec

Pending—Motion of Senator Redmond of Somerset to Refer to Committee on Local and County Government.

On Motion by Senator Redmond of Somerset, Retabled for 1 Legislative Day.

(Off Record Remarks)

Out of Order and Under Suspension of the Rules.

The Senate voted to consider the following:

Papers from the House

Joint Order

ORDERED, the Senate concurring, that "Resolve, Authorizing the Bureau of Public Lands to Convey by Sale to the Town of Dennysville the State's Interest in Certain Real Property in Edmunds, Washington County," H. P. 72, L. D. 81, be recalled from the Governor's desk to the House. (H. P. 581)

Comes from the House, Read and Passed.

Which was Read and Passed, in concurrence.

On Motion by Senator Pierce of Kennebec, Adjourned until Monday, February 26, at 10 o'clock in the morning.