

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

HOUSE

Monday, January 19, 1981

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Reverend Perley C. Odell of the United Methodist Church, Gardiner.

The members stood at attention during the playing of the National Anthem by the Oxford Hills High School Band of South Paris.

The journal of the previous session was read and approved.

Papers from the Senate

Bill "An Act to Reimburse Owners of Livestock, Poultry, or Beehives which are Destroyed or Damaged by Dogs or Wild Animals" (S. P. 110) (L. D. 239)

Came from the Senate referred to the Committee on Agriculture and ordered printed.

In the House, was referred to the Committee on Agriculture in concurrence.

Bill "An Act to Permit Auctioneers to Conduct Auctions for Charitable Organizations without Posting an Additional Bond under the Charitable Solicitations Act" (S. P. 111) (L. D. 240)

Came from the Senate referred to the Committee on Business Legislation and ordered printed.

In the House, was referred to the Committee on Business Legislation in concurrence.

Bill "An Act to Amend the Statutory Limit on Phosphorus in Detergents" (S. P. 106) (L. D. 236)

Came from the Senate referred to the Committee on Energy and Natural Resources and ordered printed.

In the House, was referred to the Committee on Energy and Natural Resources in concurrence.

Bill "An Act to Establish the Maine Condominium Act" (S. P. 112) (L. D. 266) Come from the Senate referred to the Committee on Judiciary and ordered printed.

In the House, was referred to the Committee on Judiciary in concurrence.

Bill "An Act to Define Alewives for the Purpose of Managing or Leasing Alewife Fishing Rights" (S. P. 108) (L. D. 238)

Came from the Senate referred to the Committee on Marine Resources and ordered printed.

In the House, was referred to the Committee on Marine Resources in concurrence.

Bill "An Act to Remove Certain Time Restrictions Exempting Tax on Sales Storage or Use of Certain Food Products for Human Consumption" (S. P. 105) (L. D. 235)

Came from the Senate referred to the Committee on Taxation and ordered printed.

In the House, was referred to the Committee on Taxation in concurrence.

RESOLVE, To Designate Certain Parts of Routes 17 and 4 as Scenic Highway (S. P. 107) (L. D. 237)

Came from the Senate referred to the Committee on Transportation and ordered printed.

In the House, was referred to the Committee on Transportation in concurrence.

**Reports of Committees
Leave to Withdraw**

Report of the Committee on Taxation reporting "Leave to Withdraw" on Bill "An Act to Reduce the Tax Lien Redemption Period from 18 Months to 12 Months" (S. P. 19) (L. D. 17)

Came from the Senate with the Report read and accepted.

In the House the Report was read and accepted in concurrence.

Messages and Documents

The following Communication:

State of Maine
Department of
Educational and Cultural Services
State House Station 23
Augusta, Maine 04333

January 12, 1981

TO: May Ross, Secretary of the Senate

Edwin Pert, Clerk of the House

FROM: Harold R. Reynolds, Jr.,
CommissionerRE: Report on Actions Taken Regarding the
Education for Habitual Truants

I am pleased to transmit herein my report on the number of habitual truants identified during the past school year along with the actions that have been taken regarding alternative education programs and other referral actions at the local level:

	AGE	AGE
	7-13	14-16
1. Number of Truants identified	161	1,059
A. Resolved administratively at the local level	96	465
B. Referred to alternative program within the school system	15	275
C. Referred to alternative program offered by another school system	2	34
D. Referred to alternative program offered by an existing agency external to the school system	11	32
E. Not resolved or referred to date	37	253
Total of all reasons	13	255
2. Number Referred to School Board	13	83
A. Parents instructed of legal responsibility	13	83
B. Compulsory education waived	158	
C. Special work permit issued	14	
3. Number of Parents Referred to Court Action	5	17
A. Number of parents fined or confined	5	
B. Number of parents referred to counseling	5	12
Continuing Programs which are Permanent	31	
Continuing Programs which are not Permanent	10	
Programs new this year which are Permanent	32	
Programs new this year which are not Permanent	11	

Additional information regarding the above statistics as well as more detailed information describing some of the alternative programs being offered may be obtained by contacting the Division of Curriculum Resources (289-2033).

These figures do not include approximately 1500 students now attending unapproved non-public schools.

The Communication was read and ordered placed on file.

The following Communication:

State of Maine
Executive Department
Office of Energy Resources
State House Station 53
Augusta, Maine 04333
(207) 289-3811

January 15, 1981

The Honorable John L. Martin

Speaker, House of Representatives

110th Maine Legislature

State House

Augusta, Maine 04333

Dear Speaker Martin:

Pursuant to 5 M.R.S.A. 5005, subsections 1.A(1) and 1.A(2), I respectfully submit the annual and biennial sections of the Comprehensive Energy Resources Plan.

Public hearings have been conducted in accordance with 5 M.R.S.A ch. 375.

Sincerely,

GORDON L. WEIL

Director

Office of Energy Resources

The Communication was read and with accompanying report ordered placed on file.

The following Communication:

January 14, 1981

Mr. Robert Andringa, Executive Director

Education Commission of the States

1861 Lincoln Street, Suite 300
Denver, Colorado 80295

Dear Mr. Andringa:

Pursuant to my authority under Title 20 M.R.S.A., Section 2903, I am appointing Representative Laurence E. Connolly, Jr. to serve on the Education Commission of the State.

I am sure that Rep. Connolly will make a valuable contribution to the Commission and am pleased to appoint him.

Sincerely,

S/JOHN L. MARTIN

Speaker of the House

The Communication was read and ordered placed on file.

Petitions, Bills and Resolves**Requiring Reference**

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Agriculture

Bill "An Act Concerning Pregnancy Testing of Livestock by Artificial Breeders" (H. P. 242) (Presented by Mr. McCollister of Canton) (Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act Relating to Class Size in Elementary Grades 1-3" (H. P. 243) (Presented by Mr. Rolde of York) (Cosponsor: Mrs. Gowen of Standish) (Ordered Printed)

Sent up for concurrence.

Fisheries and Wildlife

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) (Presented by Mr. Gillis of Calais) (Cosponsor: Mr. Peterson of Caribou)

Bill "An Act to Permit Twilight Hunting" (H. P. 245) (Presented by Mr. Dexter of Kingfield) (Cosponsor: Mr. Paul of Sanford) (Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act to Clarify Appellate Procedure in Adoption Cases and Provide Transition Provisions for Certain Guardians under the Probate Code" (Emergency) (H. P. 246) (Presented by Mr. Hobbins of Saco)

Bill "An Act to Increase the Penalty for Refusing to Stop for an Officer of the Law" (H. P. 247) (Presented by Mr. Paradis of Augusta) (Cosponsor: Mr. Jacques of Waterville)

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) (Presented by Mr. Hobbins of Saco) (Cosponsor: Senator Devoe of Penobscot) (Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act Permitting Binding Arbitration for Municipal Fire Departments and Firefighters" (H. P. 249) (Presented by Mrs. Beaulieu of Portland)

Committee on Labor was suggested.

(On motion of Mrs. Beaulieu of Portland, tabled pending reference and tomorrow assigned).

Legal Affairs

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) (Presented by Mr. Carter of Winslow)

Bill "An Act to Transfer the Power to Issue Concealed Weapon Permits to the Commissioner of Public Safety" (H. P. 253) (Presented by Mr. Mitchell of Freeport)

RESOLVE, Authorizing Arthur G. Powers to Sue the State of Maine (H. P. 250) (Presented by Mr. Dillenback of Cumberland) (By Request)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act to Remove the Town of Medford from the Maine Forestry District" (H. P. 252) (Presented by Mr. Masterman of Milo) (Cosponsor: Senator Pray of Penobscot)

Committee on Local and County Government was suggested.

On motion of Mr. LaPlante of Sabattus, was referred to the Committee on Taxation, ordered printed and sent up for concurrence.

Public Utilities

Bill "An Act Relating to Public Utilities Commission Control over Area Transportation Systems" (H. P. 254) (Presented by Mr. Rolde of York) (Cosponsor: Senator Hichens of York) (Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act to Permit Federal Income Tax Payments to be Deducted under the State Income Tax Law" (H. P. 255) (Presented by Mr. Carter of Winslow)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act to Require that Loads of Crushed Stone be Secure to Prevent Spillage" (H. P. 256) (Presented by Mr. Carter of Winslow)

(Ordered Printed)

Sent up for concurrence.

Special Sentiment Calendar

In accordance with House Rule 56, the following items (Expressions of Legislative Sentiment):

Recognizing:

Craig Holmes, Robert Brackett, John Herick and the members of the Town of South Berwick's Historic Preservation Committee for successful efforts in preserving the heritage of early architecture (S. P. 114)

Sergeant Janice Hanson of Wells, who, with the 6th Aviation Detachment, So. European Task Force, participated in relief flights to Vicenga, Italy following the earthquake; (H. P. 257) by Mrs. Wentworth of Wells. (Cosponsor: Senator Hichens of York)

Mrs. Esselyn G. Perkins of Ogunquit, for devoting 66 years of her life in public service as a teacher, historian, author and public benefactor; (H. P. 258) by Mrs. Wentworth of Wells. (Cosponsor: Senator Hichens of York)

Michael Dow of Cumberland, member of Boy Scout Troop 58, upon attaining the high rank of Eagle Scout; (H. P. 259) by Mr. Dillenback of Cumberland. (Cosponsor: Mr. Jackson of Yarmouth)

Matthew Baier of North Yarmouth, member of Boy Scout Troop 58, upon attaining the high rank of Eagle Scout; (H. P. 260) by Mr. Dillenback of Cumberland. (Cosponsor: Mr. Jackson of Yarmouth)

Lt. Daniel J. Flynn of the Portland Fire Department, named one of the "Firemen of the Year" by the Cumberland County Firemen's Association; (H. P. 261) by Mrs. Beaulieu of Portland.

Gorham firefighter Kenneth A. Fickett, named one of the "Firemen of the Year" by the Cumberland County Firemen's Association; (H. P. 262) by Mrs. Beaulieu of Portland.

Portland firefighter Peter J. Finnemore, named one of the "Firemen of the Year" by the Cumberland County Firemen's Association; (H. P. 263) by Mrs. Beaulieu of Portland.

There being no objections these Expressions of Legislative Sentiment are considered passed.

House Reports of Committees**Ought Not to Pass**

Mr. Day from the Committee on Taxation on Bill "An Act to Provide a State Income Tax Exemption of up to \$3,600 for persons Receiving Military Survivors Benefits" (H. P. 26) (L. D. 30) reporting "Ought Not to Pass"

Was placed in the Legislative Files without further action pursuant to Joint Rule 22, and sent up for concurrence.

Leave to Withdraw

Mr. Kilcoyne from the Committee on Taxation on Bill "An Act to Create a Real Property Tax Exemption for Veterans of a Military Confrontation Occurring During Peace Time" (H. P. 30) (L. D. 34) reporting "Leave to Withdraw"

Report was read and accepted and sent up for concurrence.

Passed to Be Enacted

An Act to Amend the Law Relating to Engineers to Provide for a Biennial Publication of a Roster of Registered Professional Engineers (S. P. 18) (L. D. 16)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

On motion of Mr. Kelleher of Bangor, Adjourned until ten o'clock tomorrow morning.