

# 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

**HOUSE**

Friday, February 13, 1981

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

Prayer by Father John Marquis of St. John the Baptist Church, Brunswick.

The journal of yesterday was read and approved.

**Papers from the Senate**

Resolve, Authorizing and Directing the Board of Pesticides Control to Study and Report on Urban Pesticide Usage (S. P. 256) (L. D. 738)

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

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

Bill "An Act to Prevent Requirements that Returned Beverage Containers be Separated" (S. P. 267) (L. D. 749)

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

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

Bill "An Act Withdrawing School Administrative District No. 62 from Participation in Vocational Region No. 10" (S. P. 259) (L. D. 741)

Bill "An Act Relating to the Calculation of State Average Per Pupil Operating Costs" (S. P. 266) (L. D. 748)

Bill "An Act Relating to State Participation in Local Leeway under the School Finance Act" (Emergency) (S. P. 265) (L. D. 747)

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

In the House, referred to the Committee on Education in concurrence.

Bill "An Act Relating to Political Fund-raising by State Employees" (S. P. 258) (L. D. 740)

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

In the House, referred to the Committee on Election Laws in concurrence.

Bill "An Act Relating to the Maine Comprehensive Land Use Guidance Plan" (S. P. 262) (L. D. 744)

Bill "An Act Relating to Standards of the Maine Land Use Regulation Commission" (S. P. 264) (L. D. 746)

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

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

Bill "An Act to Clarify Food Stamp Allotment Calculations in Cases of Immediate Economic Loss" (S. P. 257) (L. D. 739)

Came from the Senate referred to the Committee on Health and Institutional Services and ordered printed.

In the House, referred to the Committee on Health and Institutional Services in concurrence.

Bill "An Act Relating to Law Libraries" (S. P. 260) (L. D. 742)

Bill "An Act Concerning the Protection of Incapacitated and Dependent Adults" (S. P. 268) (L. D. 750)

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

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

Bill "An Act Concerning Meetings of County Commissioners" (S. P. 269) (L. D. 751)

Came from the Senate referred to the Committee on Local and County Government and

ordered printed.

In the House, referred to the Committee on Local and County Government in concurrence.

Bill "An Act to Provide for Competitive Bidding on Design of Public Buildings" (S. P. 263) (L. D. 745)

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

In the House, referred to the Committee on State Government in concurrence.

Bill "An Act to Equalize the Tax Burden of Rural Community Health Centers" (S. P. 261) (L. D. 743)

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

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

Bill "An Act to Make Allocations from the Highway Fund and Appropriations from the General Fund for the Fiscal Years Ending June 30, 1982, and June 30, 1983, and to Establish a Local Road Assistance Program" (Emergency) (S. P. 270) (L. D. 752)

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

In the House, referred to the Committee on Transportation in concurrence. By unanimous consent, ordered sent forthwith.

**Reports of Committees****Leave to Withdraw**

Report of the Committee on Labor reporting "Leave to Withdraw" on Bill "An Act to Increase the Exemption for Agricultural Employees under the Workers' Compensation Laws" (S. P. 160) (L. D. 368)

Came from the Senate with the Report read and accepted.

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

**Divided Report**

Majority Report of the Committee on Judiciary reporting "Ought Not to Pass" on Bill "An Act to Require Restitution by a Criminal Offender to his Victim and to Require Payment of Prosecution and Court Costs" (S. P. 87) (L. D. 184)

Report was signed by the following members:

Senators:

DEVOE of Penobscot  
CONLEY of Cumberland  
KERRY of York

— of the Senate.

Representatives:

BENOIT of South Portland  
REEVES of Newport  
JOYCE of Portland  
O'ROURKE of Camden  
LUND of Augusta  
SOULE of Westport  
LIVESAY of Brunswick  
HOBBINS of Saco

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" on same Bill.

Report was signed by the following members:

Senators:

DRINKWATER of Belfast  
CARRIER of Westbrook

— of the House.

Came from the Senate with the Majority "Ought Not to Pass" Report read and accepted.

In the House, Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Hobbins.

Mr. HOBBINS: Mr. Speaker, I move acceptance of the Majority "Ought Not to Pass" Report.

The SPEAKER: The gentleman from Saco, Mr. Hobbins, moves that the Majority "Ought

Not to Pass" Report be accepted.

The Chair recognizes the gentleman from Belfast, Mr. Drinkwater.

Mr. DRINKWATER: Mr. Speaker and Members of the House: Just a few words in reference to L. D. 184. Yes, we presently have a restitution bill and, yes, it is working, at least it is working well in Waldo County, and I also believe Knox County.

Waldo and Knox County jointly have a victim/witness advocate on board. I believe we have had him for just about a year. Working with the court, he has done a good job of collecting restitution type payments. He is way over 50 percent.

As I understand this bill, it adds to what we already have and will provide that the violator or criminal would pay court costs and other costs that he or she might cause.

In signing this out of committee, I feel it would let those at home, who feel very strongly that they are being had by the criminals, know that we are thinking of them.

Mr. Speaker, when the vote is taken, I would like to request a roll call.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Saco, Mr. Hobbins, that the Majority "Ought Not to Pass" Report be accepted in concurrence. All those in favor will vote yes; those opposed will vote no.

**ROLL CALL**

YEA — Baker, Beaulieu, Bell, Benoit, Berube, Brannigan, Brernerman, Brodeur, Brown, A., Carter, Chonko, Connolly, Cox, Davies, Davis, Diamond, G. W.; Diamond, J. N.; Erwin, Fitzgerald, Gowen, Gwadosky, Hall, Hayden, Hickey, Higgins, Hobbins, Huber, Jackson, Joyce, Kane, Kany, LaPlante, Laverriere, Lisnik, Livesay, Lund, MacEachern, Macomber, Mahany, Manning, Martin, H. C.; Masterton, McGowan, Michael, Mitchell, E. H.; Mitchell, J.; Murphy, Nadeau, Nelson, A.; Nelson, M.; O'Rourke, Paul, Pearson, Pouliot, Randall, Reeves, J.; Ridley, Roberts, Rolde, Soulas, Soule, Theriault, Thompson, Twitchell, Vose, Walker, Wentworth, Weymouth, The Speaker.

NAY — Armstrong, Austin, Boisvert, Bordeaux, Brown, D.; Brown, K. L.; Cahill, Callahan, Carrier, Carroll, Conary, Conners, Crowley, Cunningham, Curtis, Damren, Day, Dexter, Dillenback, Drinkwater, Foster, Fowlie, Gavett, Hanson, Higgins, L. M.; Hunter, Hutchings, Jordan, Kelleher, Kiesenman, Kilcoyne, Lancaster, Leighton, Lewis, Locke, Martin, A.; Masterman, Mathews, McCollister, McHenry, McKean, McSweeney, Michaud, Moholland, Norton, Paradis, E.; Paradis, P.; Perkins, Perry, Post, Prescott, Salisbury, Sherburne, Small, Smith, C. B.; Smith, C. W.; Stevenson, Stover, Strout, Studley, Tarbell, Telow, Treadwell, Tuttle, Webster.

ABSENT — Aloupis, Boyce, Clark, Dudley, Gillis, Holloway, Ingraham, Jacques, Jalbert, Ketover, MacBride, McPherson, Peterson, Racine, Reeves, P.; Richard, Swazey.

Yes, 69; No, 65; Absent, 17.

The SPEAKER: Sixty-nine having voted in the affirmative and sixty-five in the negative, with seventeen being absent, the motion does prevail.

**Non-Concurrent Matter**

Bill "An Act to Provide for Licensing of Dog Groomers and Grooming Shops" (H. P. 590) (L. D. 668) which was referred to the Committee on Agriculture in the House on February 5,

1981.

Came from the Senate referred to the Committee on Business Legislation in non-concurrence.

In the House: The House voted to recede and concur.

#### Messages and Documents

The following Communication:

State of Maine  
House of Representatives  
Speakers Office  
Augusta, Maine

February 11, 1981

Hon. Edwin H. Pert  
Clerk of the House  
House of Representatives  
State House  
Augusta, Maine 04333  
Dear Clerk Pert:

This is to inform you that I am appointing Rep. Alfred Brodeur to the Maine Council on Alcohol and Drug Abuse Prevention and Treatment pursuant to 22 M.R.S.A., Section 7107.

Sincerely,

JOHN L. MARTIN

Speaker of the House

Was read and ordered placed on file.

The following Communication: (S. P. 296)

State of Maine  
Senate Chamber  
President's Office  
Augusta, Maine

February 11, 1981

Honorable James A. McBreairty  
Honorable Donald M. Hall  
Chairmen, Joint Standing  
Committee on Energy and Natural Resources  
State House  
AUGUSTA, ME 04333

Please be advised that Governor Joseph E. Brennan is nominating Richard B. Anderson of Portland to be Commissioner of the Department of Conservation.

Pursuant to Title 12 MRSA Section 5011 this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Sincerely,

JOSEPH SEWALL

President of the Senate

JOHN L. MARTIN

Speaker of the House

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

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

The following Communication: (H. P. 731)

State of Maine  
Office of  
Secretary of State  
Augusta, Maine

Honorable Edwin H. Pert, Clerk  
Maine House of Representatives  
State House  
Augusta, Maine 04333  
Dear Mr. Pert:

Attached please find the 1980 Annual Report on the activities of charitable organizations within this state.

Maine's Charitable Solicitations Act took effect January 1, 1978. Essentially, it requires all charitable organizations to register with our office. Certain types (churches, educational institutions, small charities) are "exempt" from annual filings and financial reports; they submit only an initial registration.

Charitable organizations pay no filing fees; however, professional fundraisers must pay a \$100 fee and post a \$10,000 bond. Organizations grossing more than \$30,000 annually must submit a financial report indicating how much was spent directly for the charity, for administration and for fundraising.

Currently LD 64 proposes transferring the responsibility for administering the Act to the Department of Business Regulation. That Department's regulation of auctioneers and itinerant vendors suggest efficiencies and convenience for the public.

If any legislators have any constituents who are interested in the administration of this law or who need assistance, please feel free to have them contact my Deputy, Dr. James S. Henderson. He will be glad to accept any suggestions that would result in the fairest application of this law to all organizations while avoiding hardship on the smallest charitable groups.

Very truly yours,  
RODNEY S. QUINN  
Secretary of State

Was read and with accompanying Report ordered placed on file.

#### Petitions, Bills and Resolves Requiring Reference

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

##### Aging, Retirement and Veterans

Bill "An Act to Provide for the Retirement of Forest Rangers in Fire Control Work after 20 Years of State Service" (H. P. 716) (Presented by Mr. Connors of Franklin)

(Ordered Printed)

Sent up for concurrence.

##### Agriculture

Bill "An Act Pertaining to Willful Killing and Injuring of Police Dogs and to Licensing Fees for Police Dogs" (H. P. 717) (Presented by Mr. Strout of Corinth)

(Ordered Printed)

Sent up for concurrence.

##### Business Legislation

Bill "An Act Amending the Used Car Information Act" (H. P. 718) (Presented by Mr. Brannigan of Portland) (Cosponsors: Mr. Tarbell of Bangor, Miss Aloupis of Bangor and Senator Clark of Cumberland)

Bill "An Act to Amend the Maine Consumer Credit Code to Increase the Availability of First Mortgage Residential Loan Funds" (Emergency) (H. P. 719) (Presented by Mr. Brannigan of Portland)

Bill "An Act to Limit the Profit on the Resale of Tickets for Certain Performances and Events" (H. P. 720) (Presented by Mr. Tuttle of Sanford) (Cosponsors: Senator Brown of Washington, Mr. Brannigan of Portland and Mr. Gwadnosky of Fairfield)

(Ordered Printed)

Sent up for concurrence.

##### Fisheries and Wildlife

Bill "An Act to Provide for Reduced Hunting and Fishing License Fees for Nonresidents Owning Taxable Property in the State for at Least 5 Years" (H. P. 721) (Presented by Mr. Davis of Monmouth)

(Ordered Printed)

Sent up for concurrence.

##### Judiciary

Bill "An Act Relating to the Jurisdiction of the District Court" (H. P. 722) (Presented by Mr. Telow of Lewiston)

Bill "An Act Concerning Periodic Tenancy" (H. P. 723) (Presented by Mrs. Berube of Lewiston)

Bill "An Act Concerning Causes for 7-day Notices of Termination of Tenancy" (H. P. 724) (Presented by Mrs. Berube of Lewiston)

Bill "An Act Relating to Rental Property" (H. P. 725) (Presented by Mrs. Berube of Lewiston)

Bill "An Act Relating to Security Deposit Notices" (H. P. 726) (Presented by Mr. Telow of Lewiston)

(Ordered Printed)

Sent up for concurrence.

#### Labor

Bill "An Act to Amend the Voluntary Quit Provision of the Employment Security Law" (H. P. 727) (Presented by Mr. Baker of Portland)

(Ordered Printed)

Sent up for concurrence.

#### Public Utilities

Bill "An Act Concerning the Method of Decommissioning Nuclear Power Plants" (H. P. 728) (Presented by Mr. Davies of Orono)

(Ordered Printed)

Sent up for concurrence.

#### State Government

Bill "An Act to Extend the Manager's Position at Popham Beach State Park in Phippsburg from a 9-month Part-time to a 12-month Full-time Position" (H. P. 729) (Presented by Mrs. Cahill of Woolwich)

(Ordered Printed)

Sent up for concurrence.

#### Appropriations and Financial Affairs

Bill "An Act Relating to Powers of the Maine State Housing Authority" (H. P. 730) (Presented by Mrs. Berube of Lewiston)

Committee on State Government was suggested.

On motion of Mr. Pearson of Old Town, the Bill was referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence.

#### House Reports of Committees

##### Ought Not to Pass

Mr. Vose from the Committee on Public Utilities on Bill "An Act to Place Sewer Utilities under the Regulation of the Public Utilities Commission" (Emergency) (H. P. 36) (L. D. 41) reporting "Ought Not to Pass"

Ms. Benoit from the Committee on Election Laws on Bill "An Act to Prohibit Campaigning Within 250 Feet of Voter Registration on Election Day" (H. P. 101) (L. D. 131) reporting "Ought Not to Pass"

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

##### Leave to Withdraw

Mrs. Nelson from the Committee on Aging, Retirement and Veterans on Bill "An Act to Remove Restrictions Preventing Retired Teachers Elected to the Legislature from Receiving Certain Benefits" (H. P. 368) (L. D. 406) reporting "Leave to Withdraw"

Mr. Cox from the Committee on Legal Affairs on Bill "An Act Relating to Eligibility for License under the Private Investigator Law" (H. P. 200) (L. D. 245) reporting "Leave to Withdraw"

Reports were read and accepted and sent up for concurrence.

#### Divided Report Tabled and Assigned

Majority Report of the Committee on Labor reporting "Ought Not to Pass" on Bill "An Act Pertaining to Employment of Minors in Hotels and Motels" (H. P. 28) (L. D. 32)

Report was signed by the following members:

Senator:  
DUTREMBLE of York  
— of the Senate.  
Representatives:

McHENRY of Madawaska  
LAVERRIERE of Biddeford  
HAYDEN of Durham  
BAKER of Portland  
BEAULIEU of Portland  
TUTTLE of Sanford  
MARTIN of Brunswick

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (H-19) on same Bill.

Report was signed by the following members:

Senators:

SEWALL of Lincoln  
SUTTON of Oxford

— of the Senate.

Representatives:

LEIGHTON of Harrison  
LEWIS of Auburn  
FOSTER of Ellsworth

— of the House.

Reports were read.

Mrs. Beaulieu of Portland moved that the Majority "Ought Not to Pass" Report be accepted.

On motion of the same gentlewoman, tabled pending her motion to accept the Majority Report and specially assigned for Tuesday, February 17.

### Consent Calendar

#### First Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the First Day:

(H. P. 307) (L. D. 340) Bill "An Act to Permit Teaching under the Fulbright Exchange Program to be Allowed as Creditable Service under the Retirement System" — Committee on Aging, Retirement and Veterans reporting "Ought to Pass"

(S. P. 41) (L. D. 42) Bill "An Act to Lower Certain Distance Restrictions on Enlargement of Cemeteries and Burying Grounds" — Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-13)

(H. P. 282) (L. D. 321) Bill "An Act to Repeal the Law Barring Minors from Bowling Alleys, Pool Rooms and Shooting Galleries" — Committee on Legal Affairs reporting "Ought to Pass"

(H. P. 140) (L. D. 229) Bill "An Act to Provide a Speedy Procedure to Authorize the Demolition of Unsafe and Irreparable Buildings and Structures" — Committee on Legal Affairs reporting "Ought to Pass"

(H. P. 121) (L. D. 153) Bill "An Act to Create a Special Moped License for Persons 16 Years and Over" — Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-25)

(H. P. 154) (L. D. 178) Bill "An Act to Coordinate and Assign the Responsibility for Conducting Air Search and Rescue Operations in the State Arising from Aeronautical Activities" — Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-26)

No objections being noted, the above items were ordered to appear on the Consent Calendar of February 17, under listing of Second Day.

(H. P. 85) (L. D. 79) Bill "An Act to Exempt Skidders from the Registration Requirement of the Motor Vehicle Laws for Limited Travel" — Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-27)

On the objection of Mr. MacEachern of Lincoln, was removed from the Consent Calendar. Thereupon, the Report was accepted and the Bill read once.

Committee Amendment "A" (H-27) was read by the Clerk.

Mr. MacEachern of Lincoln offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-31) was read by the Clerk and adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

The Bill was assigned for second reading the

next legislative day.

(H. P. 186) (L. D. 228) Bill "An Act to Provide for the Surrender by Barnard Plantation of its Organization" — Committee on Local and County Government reporting "Ought to Pass"

(H. P. 202) (L. D. 247) Bill "An Act Converting Lakeville Plantation into the Town of Lakeville" — Committee on Local and County Government reporting "Ought to Pass"

(H. P. 42) (L. D. 55) Bill "An Act to Provide for the Surrender by Grand Falls Plantation of its Organization" (Emergency) — Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-29)

(H. P. 110) (L. D. 143) Bill "An Act Requiring Certain County Officials to Make Monthly Payments of Fees and Charges to the County Treasurer" — Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-28)

(H. P. 175) (L. D. 224) Bill "An Act to Amend the Statutes Relating to the Development Disabilities Council" — Committee on Health and Institutional Services reporting "Ought to Pass" as amended by Committee Amendment "A" (H-30)

No objections being noted, the above items were ordered to appear on the Consent Calendar of February 17, under listing of Second Day.

### Consent Calendar

#### Second Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the Second Day:

(S. P. 69) (L. D. 106) Bill "An Act to Require Certain Notification in the Case of Tax Liens and Mortgages" (C. "A" S-10)

No objections being noted at the end of the Second Legislative Day, the Senate Paper was passed to be engrossed as amended in concurrence.

(S. P. 54) (L. D. 81) Bill "An Act Concerning Eye Enucleation under the Anatomical Gift Act" (C. "A" S-11)

On the objection of Mr. Diamond of Windham, was removed from the Consent Calendar.

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (S-11) was read by the Clerk and adopted in concurrence and the Bill assigned for second reading the next legislative day.

(H. P. 172) (L. D. 223) Bill "An Act to Clarify Plumbing and Subsurface Sewage Disposal Laws"

(H. P. 225) (L. D. 262) RESOLVE, Authorizing the Commissioner of Mental Health and Corrections to Convey Land at the Augusta Mental Health Institute to the Augusta Sanitary District (C. "A" H-20)

(H. P. 331) (L. D. 371) Bill "An Act to Increase the Borrowing Capacity of the Winterport Water District"

(H. P. 145) (L. D. 171) Bill "An Act to Amend the Disorderly Conduct Statutes to Include Instances of Affray" (C. "A" H-22)

(H. P. 142) (L. D. 168) Bill "An Act Reinstating Littering as a Criminal Offense" (C. "A" H-21)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were passed to be engrossed in concurrence and the House Papers were passed to be engrossed and sent up for concurrence.

### Passed to Be Engrossed

#### Amended Bill

Bill "An Act Relating to Immunization of Children Prior to Entering School" (H. P. 41) (L. D. 54) (C. "A" H-18)

Was reported by the Committee on Bills in the Second Reading, read the second time and the House Paper was passed to be engrossed as

amended and sent up for concurrence.

### Passed to Be Enacted

An Act Relating to the Special Administrative Expense Fund and Errors in Benefit Payments under the Employment Security Law" (S. P. 62) (L. D. 89)

An Act to Amend the Maine Business Corporation Act (S. P. 83) (L. D. 180)

An Act Concerning the Uniform Processing of Employer Contributions into the Retirement System (S. P. 101) (L. D. 210)

An Act to Amend the Maine Insurance Guaranty Association Act to Increase Liability of Association Member Companies (H. P. 52) (L. D. 66)

An Act to Extend the Sunset Provisions on the Regulations of Business Between Motion Picture Distributors and Exhibitors (H. P. 96) (L. D. 126) (C. "A" H-5)

An Act to Increase the Licensing Fees for Chiropractors (H. P. 98) (L. D. 128) (C. "A" H-4)

Were 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.

### Tabled and Assigned

An Act Concerning Identification and Testing of Equine Infectious Anemia on Horses (H. P. 131) (L. D. 158)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Mr. Mahany of Easton, tabled pending passage to be enacted and specially assigned for Tuesday, February 17.

### Tabled and Assigned

An Act to Allow the Exclusion of Covered Persons under a Personal Automobile Policy (H. P. 586) (L. D. 601)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Mr. Brannigan of Portland, tabled pending passage to be enacted and specially assigned for Wednesday, February 18.

### Orders of the Day

The Chair laid before the House the first tabled and today assigned matter:

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)

Tabled — February 12, 1981 by Mr. Brannigan of Portland.

Pending — Passage to be Engrossed.

Mr. Jackson of Yarmouth offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-24) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Yarmouth, Mr. Jackson.

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: This is basically a housekeeping amendment. What we have done with the bill is, we took auctioneers, who are required to put up a double bond when they are acting in a charitable situation and we have made it so they only have to put up one bond. That is not changed by the amendment, but we ran into another problem where there was this kind of a little hole in the bill and there was the possibility that an auctioneer could act as a charitable solicitor and avoid the bonding. In this case, you could get people who could abuse the position of being an auctioneer. It is not a great possibility, but this amendment corrects that.

This has been run in front of the committee and everybody on the committee agrees with it, so I hope you will accept the amendment.

Thereupon, House Amendment "A" was adopted.

The Bill was passed to be engrossed as amended in non-concurrence and sent up for

concurrence.

The Chair laid before the House the second tabled and today assigned matter:

Bill, "An Act to Increase the Licensing Fee for Games of Chance" (H. P. 184) (L. D. 199) (C. "A" H-15)

Tabled — February 12, 1981 by Mr. Cox of Brewer.

Pending — Passage to be Engrossed.

On motion of Mr. Cox of Brewer, retabled pending passage to be engrossed and specially assigned for Tuesday, February 17.

The Chair laid before the House the third tabled and today assigned matter:

Bill, "An Act to Exempt Certain Aquaculture Workers Under the Workers' Compensation Law" (S. P. 74) (L. D. 111)

Tabled — February 12, 1981 by Mr. Diamond of Windham.

Pending — Adoption of House Amendment "A" (H-17)

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Beaulieu.

Mrs. BEAULIEU: Mr. Speaker, Ladies and Gentlemen of the House: That amendment was offered yesterday in error. Therefore, I move its indefinite postponement.

Thereupon, House Amendment "A" was indefinitely postponed.

Mr. Hayden of Durham offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-23) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

#### Bill Held

Bill, "An Act Concerning Medical Payments under the Workers' Compensation Act" (H. P. 708) — In House, Referred to Committee on Labor on February 12, 1981

HELD at the request of Mr. Davis of Monmouth.

On motion of Mr. Davis of Monmouth, the House reconsidered its action of yesterday whereby the Bill was referred to the Committee on Labor.

On motion of the same gentleman, the Bill was indefinitely postponed and sent up for concurrence.

The following paper from the Senate was taken up out of order by unanimous consent: (S. P. 304)

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, February 17, 1981, at ten o'clock in the morning.

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

The following paper appearing on Supplement No. 2 was taken up out of order by unanimous consent:

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Undedicate the Highway Fund" (H. P. 733) (Presented by Mr. Rolde of York) (Cosponsors: Senator Clark of Cumberland, Mr. Soulas of Bangor and Senator Wood of York) (Governor's Bill)

The Resolution was referred to the Committee on Taxation, ordered printed and sent up for concurrence.

The SPEAKER: Is there objection to this matter being sent forthwith to the Senate.

The Chair hears objection, and the Chair will order a vote.

All those in favor of the rules being suspended for the purpose of sending this matter forthwith to the Senate will vote yes; those opposed will vote no. This requires a two-thirds vote of all the members present and voting.

A vote of the House was taken.

110 having voted in the affirmative and 10 in the negative, the motion did prevail.

Thereupon, the Bill was ordered sent forthwith to the Senate.

On motion of Mr. Strout of Corinth,  
Adjourned until Tuesday, February 17, 1981,  
at ten o'clock in the morning.