

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

April 28, 1982 and April 29, 1982

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FIFTH SPECIAL SESSION

May 13, 1982

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SECOND CONFIRMATION SESSION

July 16, 1982

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STATE OF MAINE
One Hundred and Tenth Legislature
Second Regular Session
JOURNAL OF THE SENATE

Augusta, Maine
February 17, 1982
Senate Called to order by the President.

Prayer by the Reverend Theodore Hersom of the Spears Corner Baptist Church of Gardiner.
REVEREND HERSOM: May we look to God. Our Lord God, we thank You this day. Lord, we ask You to give us wisdom and strength for the trials and the things that are ahead here today. We thank You for our State, our freedoms, and we humbly ask You to guide us all in all the business that comes to our attention here today. Lord, may we conduct this business for the good of our State and its people.

We thank You for the privilege to come into Thy presence saying: Our Father, which art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done, in earth as it is on heaven. And give us this day our daily bread. And forgive us our debts as we forgive our debtors. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom and the power and the glory, forever. Amen.

Reading of the Journal of yesterday.

(Off Record Remarks)

Senator Collins of Knox was granted unanimous consent to address the Senate. Off the Record.

(Off Record Remarks)

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: Mr. President, I move the Senate stand in Recess until 4:30 p.m. today.

The PRESIDENT: The Senator from Knox, Senator Collins, now moves that the Senate be at Recess until 4:30 this afternoon.

Is this the pleasure of the Senate?

The Chair recognizes the Senator from Aroostook, Senator Violette.

Senator VIOLETTE: I object.

The PRESIDENT: Is it now the pleasure of the Senate?

It is a vote.

On motion by Senator Collins of Knox,

Recessed until 4:30 this afternoon.

Recess

After Recess

The Senate called to order by the President.

(Off Record Remarks)

Papers from the House House Papers

Resolve, to Reimburse the Town of Fort Kent for Loss due to Erroneous Increase in the 1981 State Valuation. (H. P. 2005) (L. D. 1976)

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

On motion by Senator Teague of Somerset, referred to the Committee on Taxation and Ordered Printed, in non-concurrence.

Sent down for concurrence.

Bill, "An Act to Reduce Burdensome Fees for Businesses Incorporating or Expanding with No Par Value Stock." (H. P. 2006) (L. D. 1977)

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 Concerning Revisions in the Maine Juvenile Code." (H. P. 2007) (L. D. 1978)
Comes from the House, referred to the Committee on Judiciary and Ordered Printed.

Which was referred to the Committee on Judiciary and Ordered Printed, in concurrence.

Bill, "An Act to Make the State Unemployment Tax Exemption for Individuals Engaged in Fishing Consistent with the Federal Unemployment Tax Exemption for Such Individuals." (Emergency) (H. P. 2008) (L. D. 1979)

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.

RESOLVE, Authorizing the Director of the Bureau of Public Lands to Convey Certain Lands of the State in Gorham, Cumberland County. (H. P. 2009) (L. D. 1980)

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.

Study Report — Business Legislation

The Committee on Business Legislation to which was referred by the Legislative Council the study relative to Competitive Pricing in Workers' Compensation Insurance, have had the same under consideration, and ask leave to Submit its Findings and to report that the accompanying bill, "An Act to Promote Competitive Pricing in Workers' Compensation Insurance", (H. P. 2017) (L. D. 1981) 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.

Joint Orders

Expressions of Legislative Sentiment recognizing:

Joe Quinn, of Bangor, who has been named to the 1981 Maine Class AA All-State Football Team. (H. P. 2018)

Jeff Fahey, of Bangor, who has been named to the 1981 Maine Class AA All-State Football Team, second team. (H. P. 2019)

Gabby Price, of Bangor, coach of the 1981 State Champion Bangor High School Football Team. (H. P. 2020)

Come from the House, Read and Passed.

Which were Read and Passed, in concurrence.

Senate Papers

Senator COLLINS of Knox (Cosponsor: Representative POST of Owls Head) presented, Bill, "An Act to Accept Relinquishment of Exclusive Federal Jurisdiction Over Marshall Point Light Station in the Town of St. George." (S. P. 655)

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

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

Sent down for concurrence.

Senator TRAFTON of Androscoggin presented, Bill, "An Act to Facilitate the Removal of Clouds of Titles to Proposed Unaccepted Streets in Subdivisions." (S. P. 854)

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

Reference to the Committee on Transportation suggested.

On motion by Senator Devoe of Penobscot, referred to the Committee on Judiciary and Ordered Printed.

Sent down for concurrence.

Order

On motion by Senator COLLINS of Knox, WHEREAS, the Secretary of State transmitted to the Legislature on February 2, 1982, an initiated bill, "AN ACT to Repeal the Control of Milk Prices at the Wholesale and Retail Levels," and the results of the examination by his office of the respective initiative petitions; and

WHEREAS, on February 4, 1982, certification of that bill designated by the Legislature as Initiated Bill Number 3, Legislative Document Number 1935 was rescinded by communication from the Secretary of State; and

WHEREAS, a ruling was made by the Superior Court on February 12, 1982, that the Secretary of State could lawfully rescind that certification; now, therefore, be it

ORDERED, the House concurring, that this bill designated as I.B. 3, L.D. 1935, plus all accompanying papers and certification be returned forthwith to the Secretary of State.

(S. P. 856)

Which was Read.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: Mr. President, I call the Senate's attention to Supplemental Senate Journal #1, which is the communication from the Secretary of State in which he rescinded his certification of the Milk Commission Petition Bill. I have, in my hands, received from the Office of the Attorney General this afternoon a copy of the order from the Superior Court in Cumberland County. The essence of it is that the Secretary of State's certification has been rescinded and is, therefore, void and of no effect. Therefore, orderly procedure would seem to indicate that these papers should be returned to the Secretary of State so that he may follow his procedures that he has announced about further time, and then making a new decision about certification.

Which was Passed.

Sent down forthwith for concurrence.

(Off Record Remarks)

Committee Reports House Ought to Pass

The Committee on Judiciary on, Bill, "An Act to Repeal the Sunset Provision of the Family Abuse Law." (H. P. 1828) (L. D. 1810)

Reported that the same Ought to Pass.

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

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

Ought to Pass — As Amended

The Committee on Legal Affairs on, Bill, "An Act to Change the 30-day Notice concerning State Agency Liquor Stores." (H. P. 1829) (L. D. 1811)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-592).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A".

Which Report was Read and Accepted and the Bill Read Once. Committee Amendment "A" was Read and Adopted 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 Allowing Variations on Interest Reflecting Conventional Interest Rates on Overdue Employer Contributions to the Bureau of Employment Security." (H. P. 1741) (L. D.