

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eighth
Legislature***

OF THE

STATE OF MAINE

Volume II

May 26, 1977 to July 25, 1977

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**Senate Confirmation Session
September 16, 1977**

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**Senate
Committee of Conference**

The Committee of Conference on the disagreeing action of the two branches of the Legislature on, Bill, "An Act to Impose a 4-Quart Limit on the Taking of Smelts Throughout the Entire Smelting Season." (S. P. 320) (L. D. 1077) have had the same under consideration, and ask leave to report: that they are unable to agree.

On the part of the Senate:

Senators:

LEVINE of Kennebec
CHAPMAN of Sagadahoc
HEWES of Cumberland

On the part of the House:

Representatives:

BLODGETT of Waldoboro
NELSON of Roque Bluffs
TYNDALE of Kennebunkport

Which Report was Read.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Merrill.

Mr. MERRILL: Mr. President, I would just like to draw the attention of the Senate to L. D. 1077, and make the observation that sometimes when matters of great principal are involved, a compromise is impossible.

Which Report was Accepted.

Sent down for concurrence.

Enactors

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

"An Act Relating to Secured Transactions under the Uniform Commercial Code." (S. P. 353) (L. D. 1361)

"An Act to Provide for the Evaluation, Counseling and Referral to Treatment of Alcoholics and Alcohol Abusers Arrested for Class C, D and E Offenses." (H. P. 1122) (L. D. 1340)

"An Act to Provide for the Licensing of Mobile Homes and Modular Housing Dealers and Mechanics." (H. P. 1376) (L. D. 1702)

On motion of Mr. Huber of Cumberland, Placed on Special Appropriations Table, pending Enactment.

"An Act Concerning Professional Conduct of Chiropractors, Optometrists, Podiatrists and Dentists." (S. P. 167) (L. D. 572)

"An Act Concerning the Expiration of Motor Vehicle Inspection Stickers." (S. P. 329) (L. D. 1088)

"An Act Concerning Licenses for Camping Areas and Eating Establishments." (H. P. 869) (L. D. 1062)

"An Act Relating to Judicial Review of Public Utilities Commission Decisions." (H. P. 226) (L. D. 290)

"An Act to Permit Municipalities to Levy and Collect Service Charges for Certain Municipal Services from Tax Exempt Residential Property Used to Provide Rental Income." (H. P. 1403) (L. D. 1657)

"An Act to Amend Certain Provisions of the Employment Security Law." (S. P. 504) (L. D. 1789)

"An Act Relating to the Licensure of Plumbers." (S. P. 256) (L. D. 813)

"An Act to Authorize the Establishment of County Charters." (S. P. 437) (L. D. 1648)

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

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, with respect to these several items, I now move that the Senate reconsider its action whereby these Bills were Passed to be Enacted.

The PRESIDENT: The Senator from Cumberland, Senator Conley now moves that the Senate reconsider its action whereby the several items that were just Passed to be Enacted were Enacted.

A viva voce vote being had,
The Motion to reconsider does not prevail.

An Act to Amend the Child Abuse and Neglect Laws. (S. P. 337) (L. D. 1122)

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Snowe.

Mrs. SNOWE: Mr. President, I move that we suspend the rules for purposes of reconsideration.

The PRESIDENT: The Senator from Androscoggin, Senator Snowe, now moves that the Senate suspend the rules. Is it the pleasure of the Senate? It is a vote.

The Senator from Androscoggin, Senator Snowe, now moves that the Senate reconsider its action whereby this Bill was Passed to be Engrossed. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mrs. SNOWE: Mr. President, I now move that we reconsider our action whereby we adopted House Amendment "A".

The PRESIDENT: The Senator from Androscoggin, Senator Snowe, now moves that the Senate reconsider its action whereby it adopted House Amendment "A" to L. D. 1122. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mrs. SNOWE: Mr. President, I now move indefinite postponement of House Amendment "A".

The PRESIDENT: The Senator from Androscoggin, Senator Snowe, now moves that the Senate indefinitely postpone House Amendment "A" to L. D. 1122. Is it the pleasure of the Senate? It is a vote.

This Bill Passed to Be Engrossed, as Amended, in non-concurrence.

Sent down for concurrence.

Resolve, Authorizing the Exchange of Certain Public Reserved Lands with International Paper Company. (H. P. 1704) (L. D. 1879)

Which Resolve was Finally Passed and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

An Act Relating to Approving and Financing School Construction. (H. P. 477) (L. D. 583)

Emergency

An Act to Establish Regional Marine Resources Centers. (H. P. 1564) (L. D. 1778)

On Motion of Mr. Huber of Cumberland, Placed on Special Appropriations Table, Pending Enactment.

Emergency

An Act to Revise the Maine Tort Claims Act. (H. P. 1680) (L. D. 1874)

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Merrill.

Mr. MERRILL: Mr. President, what is the Status of L. D. 1874.

The PRESIDENT: The Chair would advise at the present time it is pending Enactment.

On Motion of Mr. Merrill of Cumberland, Tabled until later in Today's Session. Pending Enactment.

(See Action Later Today.)

Constitutional Amendment

Resolution, Proposing an Amendment to the Constitution to Require the State to Reimburse Municipalities for at least 50% of Property Tax Exemption Losses and Credit Losses Enacted after April 1, 1978. (S. P. 366) (L. D. 1227)

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

Mr. COLLINS: Mr. President, I move that the Senate suspend its rules.

The PRESIDENT: The Senator from Aroostook, Senator Collins, now moves that the Senate suspend its rules. Is it the pleasure of the Senate? It is a vote.

Mr. COLLINS: Mr. President, I move that we reconsider our action whereby this Bill was Passed to be Engrossed.

The PRESIDENT: The Senator from Aroostook, Senator Collins, now moves that the Senate reconsider its action whereby L. D. 1227 was Passed to be Engrossed. Is it the pleasure of the Senate? It is a vote.

Mr. COLLINS: Mr. President, I move that the Senate reconsider its action whereby it adopted House Amendment "A".

The PRESIDENT: The Senator from Aroostook, Senator Collins, now moves that the Senate reconsider its action whereby it adopted House Amendment "A". Is this the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. COLLINS: Mr. President, I now offer Senate Amendment "A" to House Amendment "B" (S-332) and move its adoption.

The PRESIDENT: The Senator from Aroostook, Senator Collins, now offers Senate Amendment "A" and moves its adoption. The Secretary will read Senate Amendment "A".

Senate Amendment "A" Read.

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

Mr. COLLINS: Mr. President, this Amendment is a further attempt to clarify language relating to the Amendment to the Constitution requiring the State to reimburse municipalities for at least 50 percent of the property tax exemption lost. It requires the revenue source granted to the municipalities be sufficient to yield at least 50 percent of the property tax revenue, and it prohibits the State from authorizing the revenue source which already exists to be used to meet the reimbursement obligation.

Senate Amendment "A" Adopted.

House Amendment "B", as amended, Adopted.

This Bill, as amended, Passed to be Engrossed, in Non-concurrence.

Sent down for concurrence.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Merrill.

Mr. MERRILL: Mr. President, I now would ask that L. D. 1874 be taken from the Table.

The PRESIDENT: The Senator from Cumberland, Senator Merrill, now moves that L. D. 1874 be removed from the Tabled Later Table. Is it the pleasure of the Senate? It is a vote.

On motion of Mr. Huber of Cumberland, Placed on Special Appropriation Table Pending Enactment.

Orders of the Day

The President laid before the Senate: Bill, "An Act to Clarify Election Related Laws." (H. P. 1734) (L. D. 1887)

Tabled — Earlier in the Day by Senator Katz of Kennebec

Pending — Consideration

On motion of Mr. Katz of Kennebec,

The Senate voted to Recede and Concur.

The President laid before the Senate:

Bill, "An Act to Clarify Certain Statutory Provisions for the Licensing of Camps, Eating and Lodging Places." (H. P. 1260) (L. D. 1489)

Tabled — Earlier in the Day by Senator Pray of Penobscot

Pending — Motion of Senator Snowe of Androscoggin to Recede and Concur.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Snowe.

Mrs. SNOWE: Mr. President, I now request leave of the Senate to withdraw my motion.

The PRESIDENT: The Senator from Androscoggin, Senator Snowe, now requests leave of the Senate to withdraw her motion to Recede and Concur with the House. Is it the pleasure of the Senate to grant this leave? It is a vote.