

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Tenth
Legislature***

OF THE

STATE OF MAINE

Volume II

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MAY 4, 1981 to JUNE 19, 1981

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AN ACT for the Assessment of Watercraft. (H. P. 1100) (L. D. 1297)

AN ACT to Require Immediate Public Notification of Radioactive Releases and Other Safety Related Events at Nuclear Power Plants. (H. P. 1181) (L. D. 1405)

AN ACT to Amend the Probate Laws. (H. P. 1232) (L. D. 1457)

AN ACT to Promote Tourism by Providing Directional Signs for Publicity Bureau Offices. (S. P. 352) (L. D. 995)

AN ACT Making Certain Changes in the Law on Boilers and Pressure Vessels. (H. P. 1447) (L. D. 1588)

AN ACT Concerning Insurance Proceeds under the Maine Insurance Code. (H. P. 1266) (L. D. 1481)

AN ACT to Regulate Motorized Bicycles. (H. P. 906) (L. D. 1073)

AN ACT Concerning Land Conveyed by the State to the Town of Bridgton. (H. P. 887) (L. D. 1056)

AN ACT to Regulate Entrance Fees Charged by Mobile Home Parks. (H. P. 779) (L. D. 924)

AN ACT to Reduce the Bonding Authority of the Maine Guarantee Authority. (H. P. 756) (L. D. 893)

AN ACT to Amend the Municipal Securities Approval Act. (H. P. 711) (L. D. 836)

AN ACT to Encourage Solar Easements. (H. P. 775) (L. D. 920)

AN ACT to Provide for an Offset for Holiday Pay under the Employment Security Law. (H. P. 879) (L. D. 1048)

AN ACT to Amend the Campaign Reporting Law. (H. P. 974) (L. D. 1162)

AN ACT to Clarify the Statutory Provisions for the Registration of Motor Vehicles in Maine. (H. P. 1214) (L. D. 1382)

AN ACT to Allow Out-of-State Credit for Teachers Entering the Retirement System on or After January 1, 1976. (H. P. 1385) (L. D. 1562)

AN ACT to Amend the Municipal Securities Approval Act. (H. P. 371) (L. D. 409)

AN ACT Concerning Energy Efficiency in Buildings Financed with Public Funds. (S. P. 480) (L. D. 1363)

AN ACT to Forbid Payments for Signing or Distributing State Referendum Petitions or Absentee Ballots. (S. P. 198) (L. D. 566)

AN ACT to Permit the Opportunity for Continuing Health Insurance. (S. P. 477) (L. D. 1360)

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

AN ACT to Provide Greater Local Control over Liquor Licensings. (H. P. 1452) (L. D. 1592)

On motion by Senator Violette of Aroostook, Tabled for 1 Legislative Day, pending Enactment.

AN ACT to Provide for Notification of Employees When a Business Plant Leaves the State. (H. P. 322) (L. D. 351)

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

Senator COLLINS: Mr. President, I noted in the Sunday papers 2 articles which listed, among others, Bills in this Legislature that were detrimental to business.

I'm not sure whether this is one of the ones that was intended to be referred to or not, but I looked at the enactor version of this Bill, and found that if a plant wants to relocate out of state, it has to give a 60 day notice or it is subject to a \$500 fine.

I have considerable doubt about how that fits in under the Commerce Clause of the United States Constitution, and I am curious whether that was considered. I'm also curious as to what the answer would be of the Committee to the accusation that this is the kind of thing that promotes a bad business climate and lowers your rating in the national sweepstakes of best

business climate, and that sort of thing. I don't necessarily oppose the general idea that it's good to know in advance, but I'd appreciate knowing more about the committee's views on this.

The PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Sewall.

Senator SEWALL: Thank you, Mr. President, Members of the Senate: This is the compromise Bill on notification, and as the law reads now, we have a 60 day notice provision given to the Department of Labor. This Bill simply says that the 60 day notice must go to the employees, and to the municipality.

All members of the Committee felt this was fair. The other new section was now if someone was in violation there was no penalty, and we did add a penalty.

Where the 60 days has already been in the law, I don't think that that is a problem with the Commerce Clause. If it's the penalty provisions that the Senator's referring to I wish he would tell me. Thank You.

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

AN ACT to Amend the Maine Unfair Trade Practices' Laws. (H. P. 707) (L. D. 832)

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

Senator HUBER: Mr. President, I move the pending question.

The PRESIDENT: The pending question is Enactment.

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

AN ACT to Increase the Bonding Limit on Maine State Housing Authority Bonds Secured by the Housing Reserve Fund. (S. P. 418) (L. D. 1241)

On motion by Senator Pierce of Kennebec, Tabled for 1 Legislative Day, pending Enactment.

Emergency

AN ACT to Simplify the Requirements for the Granting of Permission to Additional Institutions to Use Established Satellite Facilities. (H. P. 998) (L. D. 1221)

Emergency

AN ACT Concerning Secondary Vocational Education. (H. P. 1454) (L. D. 1593)

Emergency

AN ACT Clarifying the Authority of the Caribou Utilities District to Acquire the Caribou Water Works Corporation. (H. P. 1451) (L. D. 1591)

Emergency

AN ACT to Amend the Short Form Deeds Act. (S. P. 599) (L. D. 1595)

These being emergency measures and having received the affirmative votes of 27 Members of the Senate, with No Senators having voted in the negative, were Passed to be Enacted, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

Emergency

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Androscoggin County for the Year 1981. (H. P. 1358) (L. D. 1540)

This being an emergency measure and having received the affirmative votes of 25 Members of the Senate, with 1 Senator voting in the negative, was Finally Passed, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Out of Order and Under Suspension of the Rules, the Senate voted to consider the follow-

ing:

Committee Reports House Leave to Withdraw

The Committee on Transportation on, Bill, "An Act to Establish a Fee for the Purchase of New Number Plates." (H. P. 337) (L. D. 376)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

Which Report was Read.

On motion by Senator Collins of Knox, Tabled for 1 Legislative Day, pending Acceptance of the Committee Report.

The Committee on Public Utilities on, Bill, "An Act to Partially Deregulate Water Districts from Regulation by the Public Utilities Commission." (H. P. 754) (L. D. 891)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Taxation on, Bill, "An Act to Prohibit State Mandates and Tax Shifts." (H. P. 1115) (L. D. 1366)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

Which Reports were Read and Accepted, in concurrence.

Ought to Pass — As Amended

The Committee on Education on, Bill, "An Act Authorizing Reasonable Fees for Nonresident Users of Public Libraries." (H. P. 548) (L. D. 624)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-415).

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

Which Report was Read.

On motion by Senator Pierce of Kennebec, Tabled until later in today's session, pending Acceptance of the Committee Report.

The Committee on State Government on, Bill, "An Act Relating to the Maine Sardine Council." (H. P. 1192) (L. D. 1416)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-408).

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

The Committee on Fisheries and Wildlife on, Bill, "An Act to Make Allocations from the Department of Inland Fisheries and Wildlife for the Fiscal Years Ending June 30, 1982 and June 30, 1983." (H. P. 317) (L. D. 383)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-414).

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

Which Reports were Read and Accepted, in concurrence. The Bills Read Once. Committee Amendments "A" Read and Adopted, in concurrence, the Bills, as amended, Tomorrow Assigned for Second Reading.

Ought to Pass in New Draft

The Committee on Local and County Government on, Bill, "An Act to Abolish the Position of County Treasurer in York County and Create a Finance Officer." (H. P. 780) (L. D. 925)

Reported that the same Ought to Pass in New Draft under New Title, "An Act to Permit the Abolition of the Position of Elected County Treasurer and Allow the Appointment of a Treasurer by the County Officers." (H. P. 1488) (L. D. 1615)

Comes from the House, the Bill, in New