

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eleventh  
Legislature***

OF THE

**STATE OF MAINE**

**Volume I**

**FIRST REGULAR SESSION**

**December 1, 1982 to May 13, 1983**

chance maybe to go to church and not have to hurry to get to the restaurants, I think that the State might be just as well off. I opposed the Ought to Pass motion and hope that you accept the Ought Not to Pass motion.

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

Senator CHARETTE: I would like to explain the reason perhaps on the Committee Amendment is also the original bill, opened 11 a.m. sales to all types of sales of liquor, or beer. The Amendment now restricts that to Class "A" restaurants and hotels.

I look at this as a Bill for convenience and a Bill, also, that would help and the reasons to expand this to the summer months, it would also be a Bill that is for tourists, who travel the State of Maine.

Many restaurants offer three meals a day, and for most part breakfast ends around 11 a.m. or 11:30 a.m. and then goes into the noon luncheon period and it is customary during the noon luncheon for many people to have their favorite liquor as a beverage during lunch. I am not saying that I think that this would expand drinking by one more hour on Sunday. I think that it is a convenience bill for those people who choose to having an early luncheon.

I don't think, as pointed out that church people, this Bill doesn't affect that part, for the most part. In some religions, church occurs during the week, any week day really. The Lord's day for every denomination is in some respect is not all on Sunday.

This is why this report has been increased from the three Sundays as originally submitted. I would hope that the convenience part of it for those people who are tourists, and for those people who wish to have an early luncheon, I would hope that the Senate passes the Majority Ought to Pass Report.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Hichens.

Senator HICHENS: Mr. President, I request a Roll Call.

The PRESIDENT: A Roll Call has been requested. Under the Constitution, in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

Obviously more than one-fifth having arisen a Roll Call is ordered.

The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Charette, that the Senate Accept the Majority Ought to Pass, as amended, Report of the Committee.

A Yes vote will be in favor of Accepting the Majority Ought to Pass Report.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

#### ROLL CALL

YEA—Brown, Charette, Dow, Pray, Sewall, Violette, The President-Gerard P. Conley.

NAY—Baldacci, Bustin, Carpenter, Clark, Collins, Danton, Diamond, Dutremble, Emerson, Erwin, Gill, Hayes, Hichens, Kany, McBreaity, Minkowsky, Najarian, Pearson, Perkins, Redmond, Shute, Teague, Trafton, Twitchell, Usher, Wood.

ABSENT—None.

A Roll Call was had.

7 Senators having voted in the affirmative and 26 Senators in the negative, with No Senators being absent, the motion to Accept the Majority Ought to Pass, as amended, Report of the Committee, Failed.

The Minority Ought Not to Pass Report of the Committee was Accepted.

Sent down for concurrence.

#### Second Readers House

The Committee on Bills in the Second Reading reported the following:

RESOLVE, to Authorize the Commissioners of Cumberland County to Reimburse the Town of Harrison \$2,368.86 for Unexpended Retirement Funds. (H. P. 1065) (L. D. 1403)

RESOLVE, Prohibiting the Issuance of Fish Weir Licenses for One Year. (H. P. 1133) (L. D. 1486)

BILL, "An Act Concerning a Judge Hearing a Case where his Town or County is a Party." (H. P. 890) (L. D. 1155)

BILL, "An Act to Amend the Habitual Offender Law." H. P. 956) (L. D. 1237)

BILL, "An Act to Establish Municipalities as Agents for Utilities within their Jurisdictions for the Purpose of Charges Assessed for Use of Railroad Crossings." (H. P. 1002) (L. D. 1310)

BILL, "An Act Relating to Nomination Petitions for Municipal Office." (H. P. 387) (L. D. 470)

BILL, "An Act to Amend the Election Laws Concerning Signatures and Names." (H. P. 196) (L. D. 240)

BILL, "An Act to Strengthen the Laws Relating to the Sexual Exploitation of Minors." (H. P. 320) (L. D. 379)

BILL, "An Act to Amend Certain Aspects of Post-conviction Review." (H. P. 844) (L. D. 1094)

BILL, "An Act Concerning the Qualifications of Attorneys Moving to Maine from Other Jurisdictions." (H. P. 326) (L. D. 385)

BILL, "An Act to Limit the Personal Liability of Municipal Employees under the Maine Tort Claims Act." (H. P. 399) (L. D. 482)

BILL, "An Act to Protect the Quality of Lobsters." (H. P. 1111) (L. D. 1456)

BILL, "An Act to Provide a Sales Tax Exemption for Certain Church Affiliated Residential Homes." (H. P. 1128) (L. D. 1483)

BILL, "An Act to Amend the Statutes Relating to Itinerant Sellers." (H. P. 1134) (L. D. 1487)

BILL, "An Act to Designate the Director of Area Reference and Resource Centers as Permanent, Nonvoting Members of the Maine Library Commission." (H. P. 919) (L. D. 1198)

BILL, "An Act to Revise the Salaries of Certain County Officers." (H. P. 1135) (L. D. 1488)

BILL, "An Act to Prohibit Smoking in Jury Rooms." (H. P. 1110) (L. D. 1455)

BILL, "An Act to Amend the Statute of Limitations for the Probate of Estates under the Maine Probate Code." (H. P. 1122) (L. D. 1466)

Which were Read a Second Time and Passed to be Engrossed in concurrence.

BILL, "An Act to Protect the Health of Children by Prohibiting the Free Distribution of Cigarettes." (H. P. 395) (L. D. 478)

Which was Read a Second Time.

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

Senator CARPENTER: Mr. President, I present an amendment under filing number S-67 and move its Adoption.

The PRESIDENT: The Senator from Aroostook, Senator Carpenter offers Senate Amendment "A" (S-67) and moves its Adoption.

Senate Amendment "A" (S-67) was Read and Adopted.

Which was Passed to be Engrossed, as amended, in non-concurrence.

Sent down for concurrence.

BILL, "An Act to Permit the Employment Security Commission Wider Discretion in Determining Eligibility for Unemployment Compensation Benefits." (H. P. 1123) (L. D. 1467)

Which was Read a Second Time.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Danton.

Senator DANTON: I offer Senate Amendment "A" to LD 1467 under filing number S-69 and move its Adoption.

The PRESIDENT: The Senator from York,

Senator Danton offers Senate Amendment "A" (S-69) and moves its Adoption.

Senate Amendment "A" (S-69) was Read and Adopted.

Which was Passed to be Engrossed, as amended, in non-concurrence.

Sent down for concurrence.

BILL, "An Act Requiring an Annual Report on Safety Problems by Nuclear Power Plants." (H. P. 1129) (L. D. 1484)

Which was Read a Second Time.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Danton.

Senator DANTON: Mr. President, I present Senate Amendment "A" to LD 1484 under filing number S-68 and move its Adoption.

Mr. President I would like to tell the Members of the Senate that these amendments are being offered for the Committee on Bills in their Second Reading to clear whatever technicalities have to be cleared up.

The PRESIDENT: The Senator from York, Senator Danton offers Senate Amendment "A" to LD 1484 and moves its Adoption.

Senate Amendment "A" (S-68) Read.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Baldacci.

Senator BALDACC: Mr. President is it possible to have this item tabled for 1 Day?

The PRESIDENT: The Senator stated a parliamentary inquiry, the Chair would have to respond in the affirmative.

On motion by Senator Pray of Penobscot, Tabled until later in today's session, pending Adoption of Senate Amendment "A".

#### House-As Amended

BILL, "An Act Relating to Deposits and Termination of Utility Service for Nonresidential Customers." (H. P. 746) (L. D. 958)

BILL, "An Act to Amend the Law Relating to Games of Chance." (H. P. 1014) (L. D. 1339)

BILL, "An Act to Amend the Termination of Parental Rights Law." (H. P. 591) (L. D. 735)

BILL, "An Act to Reincorporate and Amend the Charter of the North Berwick Water District." (H. P. 929) (L. D. 1208)

BILL, "An Act to Regulate Striped Bass Fishing." (H. P. 636) (L. D. 787)

BILL, "An Act to Provide Equity for Former Military Wives." (H. P. 554) (L. D. 705)

BILL, "An Act to Enable Law Enforcement Agencies to Dispose of Certain Property." (H. P. 926) (L. D. 1205)

BILL, "An Act to Prohibit Control of Financial Institutions as Closely Related Activities." (H. P. 787) (L. D. 1029)

BILL, "An Act to Amend the Lines of Credit and Commercial Loans to Individual Borrowers." (H. P. 786) (L. D. 1028)

BILL, "An Act to Amend the Law Governing Construction Permits and the Examination of Plans by the Office of State Fire Marshal." (H. P. 744) (L. D. 956)

BILL, "An Act Relating to Time Shares." (H. P. 468) (L. D. 568)

BILL, "An Act to Amend Maine's Abandoned Property Law." (H. P. 816) (L. D. 1056)

BILL, "An Act to Promote Apprenticeship and Training Opportunities in State Government and to Assist Qualified Recipients of Aid to Families with Dependent Children to Compete for State Apprenticeships." (H. P. 1125) (L. D. 1469)

BILL, "An Act to Deregulate Motor Carriers of Passengers for Hire." (H. P. 781) (L. D. 1010)

Which were Read a Second Time and Passed to be Engrossed as Amended in concurrence.

BILL, "An Act to Promote Safe Solid Fuel Burning Practices." (H. P. 521) (L. D. 646)

Which was Read a Second Time.

On motion by Senator Diamond of Cumberland Tabled until later in today's session, pending Passage to be Engrossed.

BILL, "An Act to Conform the Requirements for Construction of Generating Facilities or