

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Ninth
Legislature***

OF THE

STATE OF MAINE

Volume II

First Regular Session

May 7, 1979 to June 15, 1979

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STROUT of Corinth
ELIAS of Madison
LOUGEE of Island Falls
HUTCHINGS of Lincolnville
McPHERSON of Eliot
McKEAN of Limestone

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass.

Signed:

Representative:

JACQUES of Lewiston

Comes from the House, the Minority Report Read and Accepted.

Which Reports were Read.

The Majority Ought Not to Pass Report of the Committee, Accepted, in concurrence.

Divided Report

The Majority of the Committee on Health and Institutional Services on, RESOLVE, Relating to the Provision of Mental Health Services for Children and Families. (H. P. 808) (L. D. 1011)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-516).

Signed:

Representatives:

NORRIS of Brewer
PRESCOTT of Hampden
CURTIS of Milbridge
BRENERMAN of Portland
CLOUTIER of South Portland
PAYNE of Portland
BRODEUR of Auburn

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Senators:

GILL of Cumberland
CARPENTER of Aroostook
HICHENS of York

Representatives:

MacBRIDE of Presque Isle
MATTHEWS of Caribou

Comes from the House, the Minority Report Read and Accepted.

Which Reports were Read.

The Minority Ought Not to Pass Report of the Committee, Accepted, in concurrence.

Divided Report

The Majority of the Committee on Labor on, Bill, "An Act Concerning Eligibility Under the Second Injury Fund Under the Workers' Compensation Statutes." (H. P. 825) (L. D. 1026)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-451).

Signed:

Senator:

PRAY of Penobscot

Representatives:

McHENRY of Madawaska
FILLMORE of Freeport
TUTTLE of Sanford
WYMAN of Pittsfield
MARTIN of Brunswick
BAKER of Portland
BEAULIEU of Portland

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Senators:

SUTTON of Oxford
LOVELL of York

Representatives:

LEWIS of Auburn
CUNNINGHAM of New Gloucester
DEXTER of Kingfield

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A" (H-451).

Which Reports were Read.

On motion by Senator Sutton of Oxford, the

Minority Ought Not to Pass Report of the Committee, Accepted, in non-concurrence.

Sent down for concurrence.

Committee of Conference

The Committee of Conference on the disagreeing action of the two branches of the Legislature on, Bill, "An Act to Require that Persons Convicted of Habitually Sexually Molesting a Child under the Age of 14 May be Asexualized" (H. P. 816) (L. D. 1018) have had the same under consideration, and ask leave to report: that they are unable to agree.

On the Part of the Senate:

Senators:

COLLINS of Knox
DEVOE of Penobscot
CLARK of Cumberland

On the Part of the House:

Representatives:

HUGHES of Auburn
NORRIS of Brewer
JOYCE of Portland

Comes from the House, the report Read and Accepted.

Which Report was Read and Accepted, in concurrence.

Senate Ought to Pass

Senator Collins for the Committee on Judiciary on, Bill, "An Act to Make Additional Corrections of Errors and Inconsistencies in the Laws of Maine." (Emergency) (S. P. 581) (L. D. 1639)

Reported pursuant to Joint Order (S. P. 577) that the same Ought to Pass.

Which Report was Read.

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

Senator COLLINS: Mr. President, the procedure is just a little different, this time on the Errors Bill. The Legislature passed an Order telling us to report this bill out so here it is, but the work is not all done on it yet.

The Committee is working on amendments to it. A lot of people ask me why the Errors Bill is so large. I want to just explain that for the benefit of some of the newer members of the Senate. Years ago we used to revise all of our statutes every 10 years. We would put out a contract and it would be a massive job and all of the statutes were revised in 'fell swoop'.

Now we do it differently. We use our regular staff to revise one or 2 volumes each year. Intensive work is done on those 1 or 2 volumes, and all the commas and periods and misspellings and everything are put together and made a part of this Errors Bill. 99% of the bill before you is that sort of thing, correcting spelling and punctuation, and misnumbering and mislabeling of various kinds. About 1% of the bill has inconsistency problems where different committees have reported material on the same area and have given material that conflicts and the Attorney General's Office or someone in the department has helped us resolve the conflict and it seems clear to us what the Legislature intended.

Now there are always offered a few items by individuals which get into a gray area of whether or not there is any policy involved. We are careful to see that those matters come in as floor amendments so that everyone has the chance to see them in broadlight.

I would urge the Chairman of each Committee to either personally or through a staff member to look at the sections of the bill that cover your particular area of expertise. The bill is arranged in that fashion. If you're dealing with Business Legislation, for example, there are a couple of titles that contain nearly all of your work. If your staff person will look at the 8 or 10 sections in that area of the bill, and report to you if they see any problems it will be very helpful so that we don't make any mistakes, as we try to correct these errors.

I understand from the leadership that the

plan is to let this bill have First Reading. Then it would be Tabled so that on next Monday we may have an opportunity for people to come before the Committee, then proceed with action on the floor.

The Ought to Pass Report of the Committee, Accepted. The Bill Read Once, and Tomorrow Assigned for Second Reading.

Ought to Pass — As Amended

Senator Pierce for the Committee on Election Laws on, Bill, "An Act to Amend the Campaign Finance Law." (S. P. 78) (L. D. 167)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-250).

Senator Ault for the Committee on State Government on, Bill, "An Act to Abolish the Legislative Council." (S. P. 86) (L. D. 171)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-247).

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

(Off Record Remarks)

Senator Chapman for the Committee on Business Legislation on, Bill, "An Act to Regulate the Sale of Franchises." (S. P. 465) (L. D. 1499)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-251).

Which Report was Read and Accepted, and the Bill Read Once. Committee Amendment "A" Read and Adopted. The Bill, as amended, Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Labor on, Bill, "An Act to Clarify the Liability of Employers Under the Workers' Compensation Act." (S. P. 338) (L. D. 999)

Reported that the same Ought Not to Pass.

Signed:

Senator:

PRAY of Penobscot

Representatives:

WYMAN of Pittsfield
MARTIN of Brunswick
BEAULIEU of Portland
TUTTLE of Sanford
BAKER of Portland
McHENRY of Madawaska

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass as amended by Committee Amendment "A" (S-249).

Signed:

Senators:

SUTTON of Oxford
LOVELL of York

Representatives:

CUNNINGHAM of New Gloucester
FILLMORE of Freeport
DEXTER of Kingfield
LEWIS of Auburn

Which Reports were Read.

On motion by Senator Sutton of Oxford, the Minority Ought to Pass Report of the Committee, Accepted, and the Bill Read Once. Committee Amendment "A" Read and Adopted.

On motion by Senator Pray, the Senate voted to Suspend its Rules.

The Bill was Read a Second Time. The Bill, as amended, Passed to be Engrossed.

Sent down for concurrence.

Divided Report

The Majority of the Committee on Legal Affairs on, Bill, "An Act to Make Drinking in an Unlicensed Public Place a Class E Crime." (S. P. 2) (L. D. 2)

Reported that the same Ought to Pass.

Signed: