

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Ninth
Legislature***

OF THE

STATE OF MAINE

SECOND REGULAR SESSION

January 2 to April 3, 1980

THIRD SPECIAL SESSION

May 22, 1980

THIRD CONFIRMATION SESSION

July 17, 1980

FOURTH CONFIRMATION SESSION

July 24, 1980

FIFTH CONFIRMATION SESSION

September 12, 1980

**REPORT, HEARING TRANSCRIPT AND
RELATED MEMORANDA OF THE JOINT
SELECT COMMITTEE ON INDIAN LAND
CLAIMS**

HOUSE

Wednesday, January 2, 1980

Pursuant to Article IV, Part 3, Section 1 of the Constitution and Laws of the State of Maine, the Representatives to the One Hundred Ninth Legislature assembled in the hall of the House and were called to order by John L. Martin of Eagle Lake, Speaker of the House.

Prayer by Father Paul Pare of the Notre Dame Catholic Church of Waterville.

Father PARE: Let us pray. O God, Almighty Father, we come to you this morning to give you praise and honor and to ask your blessing on the Speaker and the members of the 109th Legislature as they resume their sessions to frame good and just laws for their fellow citizens of this great State of Maine. As we enter the decade of the 1980's, we pause to give you thanks for your wonderful gifts of creation and we pledge ourselves to preserve and manage fruitfully these generous gifts of nature.

Nearly 800 years ago, in the year 1224, your dear friend and nature lover, Saint Francis of Assisi, wrote the Canonical of the Sun, a joyful prayer of praise and thanksgiving which we find very fitting to repeat this morning.

"O Most High, Almighty, Good Lord God, to Thee belong praise, glory, honor and all blessing. Praise be my Lord God with all his creatures and especially our brother, the sun, who brings us the day and who brings us the light. Fair is he and he shines with a very great splendor. O Lord, he signifies us to Thee.

Praise be my Lord for our sister, the moon, and for the stars which he has set clear and lovely in the heavens. Praise be my Lord for your brother, the wind, and for air and clouds, calms in all weather, by which Thou upholdest life and all creatures. Praise be my Lord for our sister water who is very serviceable to us and humble and precious and clean. Praise be my Lord for our brother fire through whom Thou givest us light in the darkness and he is bright and pleasant and very mighty and strong. Praise be my Lord for our mother, the earth, which does sustain us and keep us and bring up forth diverse fruits and flowers of many colors and grass. Praise be my Lord for all those who pardon one another love's sake and who endure weakness and tribulation. Blessed are they who peacefully shall endure, for Thou, Most High, will give them a crown. Praise Ye and bless the Lord and give thanks to him and serve him with great humility. Amen.

The members stood at attention during the playing of the National Anthem by the Windham Junior-Senior High School Band of Windham.

A roll call was taken. 138 members answered to their names and accordingly a quorum was found to be present.

Those absent were: Ms. Benoit of South Portland and Mr. Jalbert of Lewiston.

On motion of Mr. Garsoe of Cumberland, it was

ORDERED, that a Committee of seven be appointed to wait upon His Excellency, the Governor, and inform him that a quorum of the House of Representatives was assembled in the Hall of the House for the consideration of such business as may come before the House.

The Speaker appointed the following members:

Mr. CARTER of Winslow
Mrs. REEVES of Pittston
Mr. HICKEY of Augusta
Ms. BROWN of Gorham
Messrs. NELSON of New Sweden
DELLERT of Gardiner
Mrs. LEWIS of Auburn

Subsequently, Mr. Carter of Winslow reported that the Committee had delivered the message with which it was charged.

On motion of Mr. Tierney of Lisbon, it was ORDERED, that a message be conveyed to the Senate that a quorum of the House of Representatives was present for the consideration of such business as may come before the House.

Mr. Tierney of Lisbon Falls was appointed to convey the message.

Subsequently, Mr. Tierney reported that he had delivered the message with which he was charged.

Messages and Documents

The following Communication:
MAINE DEPARTMENT OF AGRICULTURE
Stewart N. Smith, Commissioner
To: Governor Joseph E. Brennan
Mr. Joseph Sewall, President of the Senate
Mr. John Martin, Speaker of the House
From: S/FREDERICK E. HUTCHINSON,
Chairman

The Maine Food and Farmland Study Commission was established by the 108th Legislature with specific instructions to study the problem of farmland conversion to other uses and to recommend actions which would strengthen Maine agriculture. The Commission membership included legislators, department commissioners, university administrators, farmers and agricultural businessmen.

Initially the Commission held twelve public hearings at which representatives of the various agricultural industries in the state expressed their views of the primary constraints to the economic viability of agriculture. Following these hearings, the Commission studied the comments and then structured subcommittees to study each of the four problem areas which emerged. These subcommittees were specifically instructed to study and make recommendations on **land preservation, entrance to farming, marketing and transportation, and finance.**

Early in the deliberations of the Commission there was considerable discussion concerning the feasibility of developing a food policy for Maine. The Commission members recognized the consumer interest in such a policy, but the majority did not feel it was feasible to undertake such a comprehensive study within the time and resources available to the project. Therefore there are no recommendations in this report relative to consumerism.

The reports submitted by the subcommittees were reviewed, modified and eventually combined by the whole Commission into a draft report which was released for public scrutiny. Public reaction was gathered at three hearings and the comments were reviewed by the Commission and incorporated into this final report which is submitted to you.

The recommendations are intended to be specific and practicable. The Commission feels strongly that the vitality of the family farm is essential to the future of Maine agriculture and this report is aimed to that end.

The Communication was read and with accompanying Report ordered placed on file.

At this point, a message was received from the Senate, borne by Senator Pierce of Kennebec, informing the House that a quorum was present and that the Senate was ready to transact such business as might properly come before it.

The following Communication:
ROBERT N. HASKELL
33 State Street
Bangor, Maine 04401
November 14, 1979

Edwin H. Pert
Clerk of the House
State House
Augusta, Maine 04333
Dear Ed:

This note will certify to you that consistent with the provisions of Section 7 of Chapter 63,

Private and Special Laws of 1979, Mr. W. Scott Fox, Jr., whose business address is 700 Maine Savings Plaza, Portland, Maine 04101, has been selected by the respective appointees of the President of the Senate and the Speaker of the House as the third member of the Committee to study the Maine State Retirement System.

Very truly yours,
S/ R.N. HASKELL
Committee Member

The Communication was read and ordered placed on file.

The following Communication:
ROBERT N. HASKELL
33 State Street
Bangor, Maine 04401
November 21, 1979

Edwin H. Pert
Clerk of the House
State House
Augusta, Maine 04333
Dear Ed:

Consistent with the provisions of Chapter 63, Private and Special Laws of 1979, the Joint Committee to Study the Maine State Retirement System have selected Committee member Haskell as Chairman and former Director of State Personnel, Ober C. Vaughn, as Committee Clerk.

S/ W. SCOTT FOX, JR.
ROBERT N. HASKELL
JOHN MENARIO

The Communication was read and ordered placed on file.

Order Out of Order

On motion of Mr. Pearson of Old Town, the following Joint Resolution: (H. P. 1561) (Cosponsor: Senator Sewall of Penobscot)

STATE OF MAINE

In the Year of Our Lord One Thousand Nine Hundred and Eighty

JOINT RESOLUTION IN MEMORY OF REPRESENTATIVE STEPHEN R. GOULD
WHEREAS, on October 26, 1979 this Legislature lost a very special friend and colleague with the unexpected death of the Honorable Stephen R. Gould of District 80; and

WHEREAS, he joined our ranks as a former law enforcement officer of long standing who could not do enough on his own time to brighten the day of the sick and afflicted; and

WHEREAS, he appeared harmless and unarmed except for a toothbrush, a bean sandwich and an old horn but in no time he completely disarmed us with his loving and witty nature; and

WHEREAS, each of us have felt his infectious warmth as Steve mended fences or adjusted our perspective with twinkling eyes and timely tales sharp as the new Trac II; now, therefore, be it

RESOLVED, that we the members of the Senate and House of Representatives of the 109th Legislature, now assembled in Second Regular Session, pause in our deliberations to pay this tribute to our beloved colleague, the late Stephen R. Gould of Stillwater, and to recall in the lingering beat of his music the words "To live in the hearts of those we leave behind is not to die;" and be it further

RESOLVED, that a suitable copy of this Joint Resolution be sent forthwith to the immediate family on behalf of the Legislature and the people of the State of Maine and that when the Legislature adjourns this date it do so in honor and lasting tribute to the deceased.

The Resolution was received out of order by unanimous consent and read.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Pearson.

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: When Stephen Gould died, the City of Old Town lost one of its finest citizens.

I come from a sad town this morning but in a real sense a better place because he lived

there. I can't remember, and most people in Old Town can't remember, ever having a memory that didn't include Steve Gould—he was always there. It seemed that he has always been in Old Town and everybody knew him.

This wonderful, sunny man who we remember today was a man who took much enjoyment in his music, in his humor and his love of people, in his son and his two daughters and in this House.

The Sunday before he passed away, he attended, as he often and usually did, the Stillwater Federated Church, and the Pastor of the church, in the course of the service, asked if anybody had a request for a hymn. And in his usual very loud and friendly way, he announced to the congregation his choice. The last line of the first stanza of that particular hymn that he had chosen had these words in it: "When I am sad, he makes me glad; he is my friend." I think that is a very appropriate memory for us to have of Stephen Gould, or "Tot", as we called him in Old Town.

Stephen Gould conducted himself so that all of us here might very well intone that ancient benediction—"Well done, Thou good and faithful servant, well done."

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Garsoe.

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: I wish to add my ineffective words here today. I would specifically like to commend the gentleman from Old Town, Mr. Pearson, for his preparation of this Joint Resolution and for the remarks he made at the services. It is, I think, a recollection of Steve, that the things we say about him are the things he said and did, and I think this is the mark of the man, that he was a force that we were aware of each and every day, and although we will adjourn today specifically and officially in his memory, I don't think we are going to adjourn many days here but what we will have had a thought of Steve and what he meant to all of us.

Thereupon, the Joint Resolution was adopted and sent up for concurrence. By unanimous consent, ordered sent forthwith to the Senate.

At this point, a message came from the Senate, borne by Senator Conley of Cumberland, proposing a Convention of both branches of the Legislature to be held at 11:00 a.m. in the Hall of the House for the purpose of extending to His Excellency, Joseph E. Brennan, Governor of Maine, an invitation to attend the Convention and to make such communication as he may be pleased to make.

Thereupon, the House voted to concur in the proposal for a Joint Convention to be held at 11:00 a.m. in the Hall of the House, and the Speaker appointed Mrs. Mitchell of Vassalboro to convey the message to the Senate.

Mrs. Mitchell subsequently reported that she had delivered the message with which she was charged.

The following Communication:
State of Maine
OFFICE OF THE SECRETARY OF STATE
December 27, 1979

To the Honorable John L. Martin, Speaker of the House of Representatives of the One Hundred and Ninth Legislature:

In compliance with the Constitution and laws of the State of Maine, I have the honor to herewith report the return of votes cast for Representative to the One Hundred and Ninth Legislature in Representative District 115(2) at a Special Election held on November 6, 1979, according to a review of the returns made by the Governor, to fill the vacancy that existed in that district, as follows:

John R. Bolduc, Biddeford	308
J.P. Marcel Lizotte, Biddeford	1,204
Other	1

S/ RODNEY S. QUINN
Secretary of State

The Communication was read and ordered placed on file.

The following Communication:
State of Maine
OFFICE OF THE SECRETARY OF STATE
December 27, 1979

To Edwin H. Pert, Clerk of the House of Representatives of the One Hundred and Ninth Legislature:

In compliance with the Constitution and laws of the State of Maine, I hereby certify that a Special Election was held on November 6, 1979, in Representative District 115(2) for the purpose of electing a Representative to the One Hundred and Ninth Legislature; that J.P. Marcel Lizotte of Biddeford having received a plurality of all votes cast in District 115(2), as contained in a report to the Governor on November 26, 1979, appears to have been elected a Representative to the One Hundred and Ninth Legislature.
(Seal)

In witness whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed this twenty-seventh day of December in the year of our Lord, One Thousand Nine Hundred and Seventy-nine.

S/ RODNEY S. QUINN
Secretary of State

The Communication was read and ordered placed on file.

At this point, the Speaker announced the presence in the hall of the House of Representative-elect Lizotte from Biddeford.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Garsoe.

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: I rise to present a challenge to the election of Mr. Lizotte from House District 115-2 based on a question of residency as required by the Constitution.

And now, ladies and gentlemen, having disposed of my official statement, I want to make it very clear that this is not a personal matter. There is perhaps no one in this body I would less rather raise this question against than Mike Lizotte, but for the reasons that I have stated, I feel that I have to. I have talked to Mike, he knows of my action. I have talked to the Speaker and I have talked to the Majority Floor Leader, so we had hoped to have this right up front and dispose of it in as quick a manner as possible.

The SPEAKER: The Chair recognizes the gentleman from Lisbon Falls, Mr. Tierney.

Mr. TIERNEY: Mr. Speaker, Men and Women of the House: I move that the gentleman from Biddeford, Mr. J.P. Marcel Lizotte, be seated temporarily and that the question of his eligibility to remain in this house be referred to the House Committee on Elections so they might make a recommendation to this body for a vote, and I wish to speak to that motion.

The SPEAKER: The gentleman from Lisbon Falls, Mr. Tierney, moves that the gentleman from Biddeford, Representative-elect Lizotte, be seated temporarily pending investigation by the Committee on House Elections and final disposition by this body.

The gentleman may proceed.
Mr. TIERNEY: Mr. Speaker, Men and Women of the House: Those of us who have served in this body for a series of terms know that no issue is more crucial and in many ways more troubling than the question as to ruling on objections as to who shall and who shall not sit with us in the weeks and months ahead.

We know the obvious importance of this issue to Mike Lizotte and to his family, we know the importance of this issue to the people of Biddeford who by such an overwhelming margin selected him to serve with us in the rest of the 109th Legislature. Yet, the issue of seating transcends both of those importances because the issue as to who will sit with us not only af-

fects every issue and every vote that we will take in the weeks and months ahead, but more important, it strikes at the root of our very constitutional process, because like it or not, ladies and gentlemen of the House, and some of you may not be aware of this, like it or not, the Constitution places those of us here, 150 of us who have not been challenged, to decide as judge and jury in exercising our responsibility to the Constitution that we swore to uphold when we took our oath of office, to ultimately decide the very thorny and very difficult factual question which has been presented before us.

My motion entails a procedure to handle this problem which I feel members of both parties can feel quite comfortable with. We refer the question to our House Committee on Elections. The facts will be fully developed. The law will be analyzed and explained and explored, and the committee will make a recommendation to us, and in my personal hope, and I speak to those of you who are on the committee, I would hope that this be done just as soon as possible so that we may remove the cloud which will rest over Mike Lizotte's head as he does sit and join us and debate with us and vote with us pending the outcome of this decision. I would hope there would be no delay because the issue is too important, too important to us all, to allow hanging.

The SPEAKER: The pending motion is on the motion of the gentleman from Lisbon Falls, Mr. Tierney, that J.P. Marcel Lizotte be administered the oath of office and be permitted to assume the seat pending a final determination by the House of the aforementioned election.

Thereupon, the motion prevailed and was referred to the Committee on House Elections.

The following Communication:
State of Maine
OFFICE OF THE SECRETARY OF STATE
December 27, 1979

To the Honorable John L. Martin, Speaker of the House of Representatives of the One Hundred and Ninth Legislature:

In compliance with the Constitution and laws of the State of Maine, I have the honor to herewith report the return of votes cast for Representative District 80 at a Special Election held on December 11, 1979, according to a review of the returns made by the Governor, to fill the vacancy that existed in that district, as follows:

Richard P. Needham, Old Town	366
Eugene J. Paradis, Old Town	645
Others	5

S/ RODNEY S. QUINN
Secretary of State

The Communication was read and ordered placed on file.

The following Communication:
State of Maine
OFFICE OF THE SECRETARY OF STATE
December 27, 1979

To Edwin H. Pert, Clerk of the House of Representatives of the One Hundred and Ninth Legislature:

In compliance with the Constitution and laws of the State of Maine, I hereby certify that a Special Election was held on December 11, 1979, in Representative District 80 for the purpose of electing a Representative to the One Hundred and Ninth Legislature; that Eugene J. Paradis of Old Town having received a plurality of all votes cast in District 80, as contained in a report to the Governor on December 26, 1979, appears to have been elected a Representative to the One Hundred and Ninth Legislature.
(Seal)

In Witness Whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed this twenty-seventh day of December in the year of our Lord, One Thousand Nine Hundred and Seventy-nine.

S/ RODNEY S. QUINN
Secretary of State

The Communication was read and ordered placed on file.

At this point, the Speaker announced the presence in the hall of the House of Representative-elect Paradis from Old Town.

The Speaker asked the gentleman from Old Town, Mr. Pearson, to escort the Representative-elect to the Office of the Governor where the Governor will enable him to receive and subscribe the oath necessary to qualify him to enter upon his official duties, and also ask the gentlemen from Biddeford, Mr. D. Dutremble and Mr. L. Dutremble to escort the Representative-elect, the gentleman from Biddeford, Mr. J.P. Marcel Lizotte, to the office of the Governor to receive and subscribe the necessary oath to qualify him to enter upon his official duties.

Petitions, Bills and Resolves Requiring Reference

The following 38 Bills and 3 Resolves were transmitted by the Clerk of the House of the 109th Legislature in accordance with the provisions of Joint Rule 26 and were referred to the following Committees:

Aging, Retirement and Veterans

RESOLVE, Concerning the Disability Retirement of Stephen Bearce of Lincoln (H. P. 1600) (L. D. 1711) (Presented by Mr. MacEachern of Lincoln)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act to Permit Optional Credit Life Insurance for the Comaker of a Debt" (H. P. 1599) (L. D. 1710) (Presented by Mr. Whittemore of Skowhegan)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act to Amend the School Administrative Districts Reapportionment Procedure" (H. P. 1619) (L. D. 1729) (Presented by Mr. Birt of East Millinocket) (Governor's Bill)

Bill "An Act to Amend the Laws Relating to the Maine Student Incentive Scholarship Program" (H. P. 1622) (L. D. 1732) (Presented by Mr. Rolde of York) (Governor's Bill)

(Ordered Printed)

Sent up for concurrence.

Aging, Retirement and Veterans

Bill "An Act to Make Corrections in the Law with Respect to Bridgton Academy, Gould Academy and North Yarmouth Academy" (H. P. 1597) (L. D. 1708) (Presented by Mr. Leighton of Harrison)

Committee on Education was suggested.

On motion by Mr. Connolly of Portland, was referred to the Committee on Aging, Retirement and Veterans, ordered printed and sent up for concurrence.

Education Cont'd.

Bill "An Act Relating to Publication of School Records Under the Education Laws" (H. P. 1595) (L. D. 1706) (Presented by Mrs. Kany of Waterville) (Cosponsor: Mrs. Mitchell of Vassalboro)

Bill "An Act to Dissolve Patten Academy" (H. P. 1604) (L. D. 1715) (Presented by Mr. Birt of East Millinocket)

Bill "An Act Relating to Budgetary Hardship in Maintaining Special Education Students" (H. P. 1594) (L. D. 1705) (Presented by Mrs. Reeves of Pittston)

Bill "An Act Concerning the Temporary Certification of Driver Education Teachers" (H. P. 1592) (L. D. 1702) (Presented by Mrs. Lewis of Auburn)

Bill "An Act to Change the Name of the Glen Cove Bible School to the New England Baptist Bible College" (H. P. 1591) (L. D. 1701) (Pre-

ented by Mr. Gray of Rockland)
(Ordered Printed)
Sent up for concurrence.

Energy and Natural Resources

Bill "An Act to Establish \$10,000,000 as the Limit of the Maine Coastal Protection Fund" (H. P. 1618) (L. D. 1728) (Presented by Mrs. Post of Owl's Head) (Governor's Bill)

(Ordered Printed)

Sent up for concurrence.

Fisheries and Wildlife

Bill "An Act Relating to Hunter Safety" (H. P. 1612) (L. D. 1722) (Presented by Mr. Dow of West Gardiner) (Governor's Bill)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act to Amend the Law Regarding the Reporting of Accidents under the Motor Vehicle Laws" (H. P. 1626) (L. D. 1736) (Presented by Mr. Joyce of Portland) (Governor's Bill)

(Ordered Printed)

Sent up for concurrence.

Tabled Unassigned

Bill "An Act to Amend Certain Provisions of the Labor Laws" (H. P. 1621) (L. D. 1731) (Presented by Mrs. Prescott of Hampden) (Governor's Bill)

Committee on Labor was suggested.

(On motion of Mr. Tierney of Lisbon Falls, tabled unassigned pending reference).

Labor

Bill "An Act to Expand the State's Program to Promote Apprenticeships" (H. P. 1617) (L. D. 1727) (Presented by Mrs. Chonko of Topsham) (Cosponsors: Mr. Wyman of Pittsfield and Mr. Tuttle of Sanford) (Governor's Bill)

(Ordered Printed)

Sent up for concurrence.

Marine Resources

Bill "An Act to Limit the Activities Authorized by the Wholesale Seafood License" (H. P. 1625) (L. D. 1735) (Presented by Mr. Fowlie of Rockland) (Governor's Bill)

Bill "An Act to Clarify Procedures Involved with the Municipal Shellfish Conservation Program" (H. P. 1613) (L. D. 1723) (Presented by Mr. Nelson of Roque Bluffs) (Governor's Bill)

Bill "An Act to Repeal the Marine Worm Tax" (Emergency) (H. P. 1632) (L. D. 1742) (Presented by Mr. Hanson of Kennebunkport) (Governor's Bill)

Bill "An Act to Allow Limited Use of Hydraulic Dredges in the Taking of Soft Shell Clams or Quahogs" (H. P. 1633) (L. D. 1743) (Presented by Mr. Bowden of Brooklin) (Governor's Bill)

Bill "An Act to Limit Possession of Lobsters on board Boats Rigged for Otter or Beam Trawling, Seining or Netting" (H. P. 1631) (L. D. 1741) (Presented by Mrs. Post of Owl's Head) (Governor's Bill)

Bill "An Act to Allow the Commissioner of Marine Resources to Exercise Limited Authority over the Conservation of Atlantic Salmon" (H. P. 1630) (L. D. 1740) (Presented by Mr. Blodgett of Waldoboro)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act Concerning Membership on the Board of Trustees of the Van Buren Light and Power District" (Emergency) (H. P. 1607) (L. D. 1718) (Presented by Mr. Violette of Van Buren)

Bill "An Act to Revise the Van Buren Light and Power District Charter" (H. P. 1608) (L. D. 1719) (Presented by Mr. Violette of Van Buren)

Bill "An Act to Increase the Borrowing Ca-

capacity of the Winterport Sewerage District" (Emergency) (H. P. 1602) (L. D. 1713) (Presented by Mr. Lowe of Winterport)

Bill "An Act Amending the Charter of the Paris Utility District" (H. P. 1601) (L. D. 1712) (Presented by Mr. Immonen of West Paris)

Bill "An Act Clarifying the Authority of Municipalities to Acquire and Operate Water Systems" (Emergency) (H. P. 1605) (L. D. 1716) (Presented by Mr. Birt of East Millinocket)

Bill "An Act to Clarify the Statutes Relating to Natural Gas Pipeline Companies" (H. P. 1593) (L. D. 1704) (Presented by Mr. Kelleher of Bangor) (Cosponsor: Mr. Garsoe of Cumberland)

Bill "An Act to Amend the Charter of the Harrison Water District" (H. P. 1596) (L. D. 1707) (Presented by Mr. Leighton of Harrison) (Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act Pertaining to the Granting of Preference in the Letting of State Contracts to State of Maine Resident Bidders" (H. P. 1620) (L. D. 1730) (Presented by Mr. Dow of West Gardiner) (Cosponsor: Mr. Rolde of York) (Governor's Bill)

Bill "An Act Concerning the Director of the Division of Special Investigations and Membership on the Board of Directors" (H. P. 1624) (L. D. 1734) (Presented by Mr. Joyce of Portland) (Governor's Bill)

(Ordered Printed)

Sent up for concurrence.

Energy and Natural Resources

Bill "An Act to Authorize Cutting of Trees on State Park Lands" (H. P. 1623) (L. D. 1733) (Presented by Mr. Hall of Sangerville) (Governor's Bill)

Committee on State Government was suggested.

On motion of Mrs. Kany of Waterville, was referred to the Committee on Energy and Natural Resources, ordered printed and sent up for concurrence.

Later Today Assigned

Bill "An Act Revising the Maine Capital Corporation" (H. P. 1616) (L. D. 1726) (Presented by Mr. Rolde of York) (Cosponsors: Mr. Pearson of Old Town, Mr. Dow of West Gardiner and Mrs. Masterton of Cape Elizabeth) (Governor's Bill)

Committee on State Government was suggested.

On motion of Mr. Jackson of Yarmouth, tabled pending reference and later today assigned.

Energy and Natural Resources

RESOLVE, Authorizing the State to Convey its Interest in the Public Lots in the Town of Osborn to the Inhabitants of Osborn (H. P. 1603) (L. D. 1714) (Presented by Mrs. Curtis of Milbridge) (Cosponsor: Mr. Silsby of Elsworth)

(Ordered Printed)

Sent up for concurrence.

State Government Cont'd

RESOLVE, Authorizing the Attorney General to Convey the State's Interest in a Certain Parcel of Land and Buildings in Augusta to the Community Shelters for Children, Inc. (H. P. 1606) (L. D. 1717) (Presented by Ms. Lund of Augusta)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act to Amend the Law Regarding the Issuance of Registration Permits under the Motor Vehicle Laws" (H. P. 1629) (L. D. 1739) (Presented by Mr. Jacques of Lewiston) (Governor's Bill)

Bill "An Act Relating to Enforcement of the-

Truck Weight Requirements Under the Motor Vehicle Laws" (H. P. 1628) (L. D. 1738) (Presented by Mr. McPherson of Eliot) (Governor's Bill)

Bill "An Act Concerning the Brake Requirements on Farm Registered Vehicles under the Motor Vehicle Laws" (H. P. 1627) (L. D. 1737) (Presented by Mr. McKean of Limestone) (Governor's Bill)

Bill "An Act Relating to the Reconstruction of Interstate and International Bridges" (Emergency) (H. P. 1614) (L. D. 1724) (Presented by Mr. Carroll of Limerick) (Cosponsor: Mr. McPherson of Eliot) (Governor's Bill)

Bill "An Act to Provide the Issuance of a Nonconformance Sticker under Motor Vehicle Laws" (H. P. 1615) (L. D. 1725) (Presented by Mr. Davies of Orono) (Governor's Bill)

Bill "An Act to Require that Children under 15 Years of Age Wear Helmets when they are Passengers on Motorcycles" (H. P. 1590) (L. D. 1700) (Presented by Mrs. Lewis of Auburn)

Bill "An Act Concerning the Category of Modified Antique Autos under the Motor Vehicle Statutes" (H. P. 1598) (L. D. 1709) (Presented by Mr. Twitchell of Norway)

(Ordered Printed)

Sent up for concurrence.

Orders

On motion of Mr. Birt of East Millinocket, the following Joint Order: (H. P. 1609)

ORDERED, the Senate concurring, that Bill, "An Act Relating to the Vocational-technical Institutes," House Paper 1393, Legislative Document 1613, be recalled from the Governor's desk to the House.

The Order was read and passed and sent up for concurrence.

On motion of Mr. LaPlante of Sabattus, the following Joint Order: (H. P. 1610)

ORDERED, the Senate concurring, that Bill, "An Act to Provide for County Self-government," House Paper 831, Legislative Document 1038, be recalled from the Governor's desk to the House.

The Order was read and passed and sent up for concurrence.

On motion of Mr. Connolly of Portland, the following Joint Order: (H. P. 1611)

ORDERED, the Senate concurring, that Bill, "An Act to Clarify the Education Law," House Paper 1534, Legislative Document 1683, be recalled from the Governor's desk to the House.

The Order was read and passed and sent up for concurrence.

All matters acted upon requiring Senate concurrence were ordered sent forthwith.

House Reports of Committees Ought to Pass — (Held over from the First Regular Session) Reported from the Committee Pursuant to Joint Order (S. P. 638)

Mr. Howe from the Committee on Business Legislation on Bill "An Act to Improve Private Remedies for Violations of the Antitrust Laws" (H. P. 1077) (L. D. 1330) reporting "Ought to Pass"

Report was read and accepted, the Bill read once and assigned for second reading tomorrow.

Recommitted to Committee on Health and Institutional Services

Mrs. Prescott from the Committee on Health and Institutional Services on Bill "An Act to Provide for Licensing and Regulation of Adult Foster Homes" (H. P. 1089) (L. D. 1466) reporting "Ought to Pass"

Report was read.

On motion of Mrs. Prescott of Hampden, was recommitted to the Committee on Health and Institutional Services, and sent up for concur-

rence.

Recommitted to Committee on Business Legislation

Mr. Howe from the Committee on Business Legislation on Bill "An Act to Establish the Insurance Regulatory Commission" (H. P. 1305) (L. D. 1586) reporting "Ought to Pass"

Report was read.

On motion of Mr. Howe of South Portland, was recommitted to the Committee on Business Legislation and sent up for concurrence.

By unanimous consent, the two foregoing matters were ordered sent forthwith to the Senate.

The SPEAKER: The Chair is pleased to recognize in the back of the hall of the House the two Representatives-elect, having been sworn in by the Governor. First, the newly elected Representative from Biddeford, Representative Lizotte, the Chair is pleased to recognize him. He is accompanied by the gentleman from Biddeford, Mr. Dutremble. He is assigned to Seat 148.

Thereupon, Mr. Dutremble escorted Representative Lizotte to Seat 148.

The SPEAKER: The Chair is also pleased to recognize the newly elected and sworn in Representative from Old Town, Representative Paradis, accompanied by Representative Mr. Pearson of Old Town. The Chair would like to appoint the gentleman from Old Town, Mr. Paradis, to Seat 68.

Thereupon, Mr. Pearson escorted Representative Paradis to Seat 68.

At this point, the Chair removed Mr. Brown of Livermore Falls from the Committee on Local and County Government and appointed him to the Committee on Election Laws.

The Chair appointed Mr. Paradis of Old Town to the Committee on Local and County Government.

The Chair appointed Mr. Lizotte of Biddeford to the Committee on Business Legislation.

The Chair appointed Mr. Stetson of Wiscasset to the House Committee on Elections.

At this point, the Senate entered the Hall of the House and a Joint Convention was formed.

In Convention

The President of the Senate, Joseph Sewall, in the Chair.

On motion of Senator Katz of Kennebec, it was

ORDERED, that a Committee be appointed to wait upon the Honorable Joseph E. Brennan, Governor, and to inform him that the two branches of the Legislature are in Convention assembled in the Hall of the House of Representatives and extend to him an invitation to attend the Convention and present such communication as he may be pleased to make.

The Chairman appointed:

Sensors:

KATZ of Kennebec
PIERCE of Kennebec
CONLEY of Cumberland

Representatives:

TIERNEY of Lisbon Falls
MITCHELL of Vassalboro
GARSOE of Cumberland
TARBELL of Bangor
JALBERT of Lewiston
GOWEN of Standish
KELLEHER of Bangor

Senator Katz, for the Committee, subsequently reported that the Committee had attended to the duty assigned to it, and the Governor was pleased to say that he would forthwith attend the Convention.

Whereupon, Governor Joseph E. Brennan entered the Convention Hall amid prolonged applause, the audience rising.

The Governor then addressed the Convention as follows:

Mr. President, Mr. Speaker, Ladies and Gentlemen of this Joint Convention:

It gives me great pleasure to welcome you back to Augusta. To each of you, to your families, your friends, your neighbors and all those you represent, I am happy to extend my warmest greetings for a new year of public service and personal achievement.

We have survived a decade devastated by Vietnam, Watergate, and, more recently, the insatiable greed of the OPEC nations, a decade that has drained the public's confidence and its institutions, a decade when many lost faith in our national purpose, and a decade in which our collective pride has been diminished.

Today, on the first business day of this new decade, let us commit ourselves to a new era of strength and purpose, of pride and of hope. The challenges of the 1980's are those of restoring our faith in ourselves, of creating a new and better standard of living for the people of our state, of overcoming our energy problems and of ensuring the health and the well-being of our people. We welcome those challenges, for we in Maine have the talent, the initiative, the imagination and, indeed, the will to overcome these problems.

We have convened here today to begin the work of facing these challenges, and we have helped lay the groundwork for the task.

We have met with the leadership of both parties to discuss our legislative program as it has been developed, so that the leadership could offer their counsel.

Today, State government is faced with demands on our resources that amount to some \$45 million. These demands come from the retirement system, the high program, labor negotiations, the revenue shortfall of the Department of Inland Fisheries and Wildlife, increased fuel costs, rising costs in Human Services and others.

At the same time, we only have only \$18 million to divide among these demands.

Together, we will find the necessary compromises.

For it is the very essence of the responsibilities of Governors and Legislatures to work together and choose wisely among competing demands for our limited resources.

Working together, I believe we have already made progress on these great and continuing problems.

Let us continue, together, to face the challenges, to build on our record of progress and to represent the one million, one-hundred-thousand people who sent us here to act in their behalf.

And let us take actions that ensure that when this new decade ends, Maine will be a better place to live, to raise a family, to work and to enjoy the rewards of retirement.

The bills I am submitting today are gathered under four general categories—economic development, energy, environmental health and justice.

I. ECONOMIC DEVELOPMENT

I believe my Administration, working with the Legislature and with private enterprise, made significant strides in economic development in 1979.

With your help, and with the ratification of the voters, we passed bond issues to fund an ambitious program of coastal development, highway and bridge improvements and other transportation work that will significantly upgrade the facilities necessary for the movement of goods.

We worked closely with the tourist industry to address their continuing problems and to minimize the impact of last summer's gasoline shortage.

We called together businesses that deal in foreign trade and investment for an assessment of what Maine can offer and how we can help our firms expand their marketing hori-

zons.

This year, we will continue efforts to assist Maine businesses to grow and to expand.

This year, as last year, we approach economic development with the understanding that we achieve more when government works together with the private sector.

Perhaps the most important bill I will offer in economic development seeks to address the long-standing problems of agriculture, an important industry in this State that is now enduring serious difficulties.

Our vital potato industry has been in decline for 20 years, and has fallen from a role of national leadership.

Traditional practices have led to soil erosion and a product of diminished quality, while an antiquated marketing system has failed to keep us competitive with other regions of this country.

One major poultry processing plant is close to bankruptcy and the rest of that segment of agriculture is experiencing serious cost and price difficulties.

Moreover, transportation generally is inadequate for the movement of our farm products and supplies.

Financing is often unavailable for those who might want to enter farming or for those who need capital to maintain their operations.

Despite all these problems, farming remains extremely important to Maine.

The industry contributes nearly \$1.25 billion a year to the State's economy, including more than \$400 million in direct income to more than 7,500 farm families.

Thousands more are employed in related areas such as processing, transportation and services.

Commissioner Stu Smith, your former colleague in the House, and I are determined to reverse the decline of Maine agriculture.

Together, we are submitting a Maine Agricultural Development Act of 1980 because we believe the time has come for Maine to commit its support and resources to Maine agriculture and Maine's rural community.

The Act seeks to accomplish several major objectives.

First, it would establish a State policy of encouraging the preservation and conservation of agricultural lands, funding for the State's Direct Marketing Act, to create an identity for Maine produce like the Maine lobster now enjoys and to strengthen our farmers' ability to get good prices for their produce.

Third, it would create within the Department a Farm Financing Advisory Council to assist in the crucial and troublesome area of farm financing.

Finally, the Act proposes a consolidation of the Department into four bureaus. This is intended to correct and to provide for genuine accountability.

My economic development program asks for an appropriation of \$300,000 to develop and implement a promotion, advertising and marketing campaign for industrial development.

We know that we have much to offer businesses that might consider moving to Maine. Our attractions include a scenic and generally healthy environment, a hardworking labor force, a cooperative government and cities that are relatively free from crime and urban blight that so many other places accept as a normal part of life.

But, despite the highly competitive industrial promotion effort of other states, Maine is not telling its story.

We need these funds to do that job.

I am also proposing that we amend the law creating the Maine Capital Corporation in order to give it greater operating flexibility.

This would enable the Corporation to borrow federal funds for reinvestment in Maine businesses helping to create jobs and additional income.

I am asking this Legislature to amend the

Municipal Securities Act and the Maine Guarantee Authority Revenue Obligation Securities Act to help bolster downtown revitalization efforts which have achieved marked success in several cities and towns.

I am asking for passage of a \$5 million bond issue for new facilities at the Southern Maine, Kennebec Valley and Northern Maine VTI's.

This will strengthen an already outstanding program.

Behind each of these bills lies my firm belief that we must do whatever we can to provide ever-better training for our work force.

I believe these bills are the beginning of a strong program of economic growth and revitalization for the 1980's.

II. ENERGY

Nineteen-Seventy-Nine will be remembered as the year when Maine and the nation finally became serious about energy conservation, the year during which the public finally recognized the problem as the permanent part of life that it had gradually become during the decade.

We experienced a serious home heating oil shortage in northern and easternmost Maine.

We went through a gas shortage that touched our neighbors more than it hurt us, but left its impact on our tourist industry.

We saw the cost for home heating oil rise 60 per cent.

To their great credit, Maine people remained calm throughout the year.

We never had to impose mandatory gas restrictions. And the public responded admirably by heeding our calls for conservation and by seeking out large and small ways to make every drop of home heating oil go further. The events of the past 60 days have underscored our experience and during the 1980's we must continue to reduce our dependence on foreign oil.

We must try to find a way to afford energy without destroying our standard of living.

We must tap our abundant natural resources without sacrificing our environment.

These are enormous challenges, but they are challenges which Maine people are able to meet—perhaps better than people in other states—for we bring to the task traditions of sacrifice, of innovation, of helping our neighbors.

We were the first State to adopt an emergency assistance program and the first State to adopt a conservation program for schools and State buildings.

We are turning increasingly to our forest for fuel and starting to rebuild our water power resources.

We are investigating the energy potential in peat and solid waste.

Quite properly, we have given conservation a top priority.

But in the 1980's we will have to do more than conserve. We will have to do more to develop our resources, to begin the process of shifting our reliance to our waters and forests and to the sun and away from foreign oil, in order to achieve true energy independence.

The energy legislation which I am submitting to you today steps up our conservation efforts and begins to take the initiatives to move us beyond conservation.

Our package includes a plan to encourage low-interest energy conservation loans for homeowners.

We propose lowering interest rates for energy conservation loans for households with incomes of \$25,000 a year or less through the Maine State Housing Authority.

We are establishing as a goal of this Administration nothing short of the weatherization of every Maine home during the course of the next ten years.

It is a difficult goal, but we can and should and will meet that objective.

We will also request bonding authority to accelerate our efforts to conserve energy in our schools.

Again, we have already made progress but

we have to do more.

Our other major initiative in conservation is to seek your approval of the State Energy Building Standard and to establish that standard as a mandatory one in order to see to it that all new construction is consistent with our energy goals.

But, as I have already noted, we also have measures that go beyond conservation.

My program includes proposals to give the State the tools to influence and encourage the development of energy within Maine.

One would create an Energy Grants Program to encourage research, demonstration and energy development projects.

This program's goal is to stimulate energy resource development on a scale and of a nature that will meet Maine's long-term energy needs.

Another significant bill would permit the use of municipal revenue bonds and the Maine Guarantee Authority for energy development projects.

This would encourage conversion, co-generation, district heating, wood energy systems, hydro-electric power and natural gas distribution systems.

I am also asking you to approve legislation to clarify the laws governing the sale and purchase of electricity from small power producers.

Finally, I am requesting approval for financial incentives for the use of renewable energy systems such as solar and wood furnaces.

I believe this energy package will bring us closer to our goals.

And with your cooperation, and that of the private sector, we can move away from fossil fuels as the prime source of our heat and lights toward our abundant resources.

We can create a new energy era for ourselves and set an example for the rest of the country.

III. ENVIRONMENTAL HEALTH

We in Maine are fond of pointing to our magnificent wilderness, our clean air, pure water and blue skies as our greatest attractions.

But, as you know, the sad truth is that in some parts of Maine, for decades the air has not been so clean, the water has not been so pure, and the sky has not been so blue.

Both the State and Federal governments have taken enormous strides in the past ten years to restore the vitality of environment, but our work is far from done.

An emerging concern of the 1980's is that of the synthetic substances we are and have been introducing into our environment, often without adequate knowledge of the potential harm these materials might cause to human health and safety.

Therefore, my program includes five bills under the general heading of environmental health.

Throughout last year, serious and legitimate concerns were raised about some herbicide and pesticide control operations.

These concerns arose from the conflict between the reliance industry and agriculture have developed on chemicals and the real or perceived harm to human health from these same chemicals.

As a result of these problems, I am asking this session to restructure the mechanism by which the State regulates insecticides and herbicides.

Our experience has found that the State cannot now regulate these substances in a way that adequately serves the public health needs of our people. Therefore, I am submitting legislation to create a new panel similar in structure and authority to the Board of Environmental Protection.

I am proposing a five-member public authority to license and oversee the use of sprays.

It would have the authority to ban any substance when its use would pose unacceptable health risks.

It would have the ability to establish strict

conditions on the use of sprays.

I am submitting this bill because of my firm conviction that we have a responsibility to protect the health of our people.

A second important piece of environmental health legislation is intended to plug a major hole in the State's ability to respond to environmental health hazards.

We are proposing the creation of an environmental health program in the Department of Human Services.

The staff would identify all diseases that are related to environmental factors, advise all users and regulators of potentially toxic substances, and investigate the relationship between environmental problems and health.

Another important environmental health bill would dramatically improve the State's ability to respond quickly to the discharge of a hazardous substance.

We have seen a number of potentially disastrous situations within the past year.

A truck load with propane gas overturned in Falmouth a few days ago;

A quantity of the chemical "Tris" was carried into the Piscataquis River in a flood;

Mercury was found in the Royal River.

The need is clear, and we are recommending legislation, using the Oil Conveyance Act as a model, to require those who create the risk to bear the cost of training the personnel who respond and of cleaning up spills of hazardous materials.

The problems of the Town of Gray with groundwater, of Dennysville with herbicides, of South Berwick with hazardous wastes, and Falmouth with dangerous cargoes, make addressing these new threats to public health and to human life an especially urgent priority.

IV JUSTICE

As I have stated here in the past, I am committed to improvements in our criminal justice system.

I believe many of you would agree with me that no part of that system more urgently needs our attention than prisons.

We have made progress in the past year.

Renovations at the Stevens School in Hallowell created a pre-release center that enabled us to take some of the inmates out of Thomaston, reducing the crowding and decreasing the pressure on that facility.

Much more needs to be done.

I have given the problem a great deal of time and attention in the past year.

I have talked often and at length with our top corrections officials.

I have visited our corrections facilities and seen the problems first-hand.

And I have reached the conclusion that the first thing we need to do to address the problem is to give special status to the Bureau of Corrections, distinguishing it from Mental Health and Mental Retardation because of the very special problems it faces right now.

I am therefore proposing the creation of a separate Department of Corrections.

We should elevate corrections to its proper standing, making it far more likely than our prisons will receive the attention they need from all of us.

But this is merely the first step toward overcoming the problems that have been allowed to grow until they represent one of the major priorities that a responsible Administration must face.

Some may question this need.

Some may say that prisoners deserve their lot — no matter how crowded, dehumanized or intolerable conditions may become.

I cannot agree.

Many of you have heard me express in the past my belief that the way we treat our prisoners is a test of our society's humanity.

Providing decent conditions at Thomaston strain existing program and staff resources, effectively hindering our efforts to manage worthwhile programs there.

So my corrections program includes a bill to provide approximately \$1.5 million for improvement in our corrections facilities.

This includes the start of a long-term effort to improve facilities and programs, to meet fire safety standards at Thomaston and the Men's Correctional Center, to provide additional treatment staffs at both facilities, to upgrade our ability to classify inmates for treatment and to match our resources with security and program needs.

We are also proposing a bill to help counties meet the financial burden of their jails.

Our proposal would enable county commissioners to use funds they receive for boarding prisoners to go to a special jail improvement fund.

Finally, let me address my continuing effort to streamlining our criminal court system.

As you recall, last year I recommended that we eliminate the two-level court system which allows two separate trials for the most routine criminal offenses. I still believe this is a waste of the taxpayers' monies and an impediment to the smooth functioning of the criminal justice system.

So, today I am proposing the interim step of eliminating the system that allows two trials for drunken driving and similar offenses. My proposal would give defendants the option of waiving their right to a jury trial in favor of a hearing at the District Court. Under my proposal, a person would get one trial and one trial only. This would mean that no longer would the State of Maine be compelled to convict a drunken driver twice before he is really convicted. By making this change in the law, we can eliminate one of the major causes for delay, waste of time and lack of confidence in our courts and begin in a modest but effective way the long overdue unification of our courts.

It is appropriate at this time also to comment briefly on the status of the litigation concerning the claims of the Passamaquoddy and Penobscot Indian tribes to Maine land, for it affects some of the choices you will have to make during this session.

The Attorney General has advanced to the tribes a comprehensive proposal for settling this case. If those proposals are accepted, they will form a foundation for a new relationship between Maine and its Indians based on the mutual respect and equality of all Maine citizens. We would anticipate proposing to you enabling legislation to carry out the terms of the agreement.

However, to prepare against the possibility the agreement cannot be achieved, the Administration is recommending the appropriation of \$200,000 to the Attorney General to fund the costs of an expert defense of the largest and most complicated legal claim in Maine's history.

Likewise, in the event no settlement is reached, I will later submit a supplementary appropriation measure to continue services at the existing reservations, for I believe that the basic necessities of life for any citizen should not be dependent upon the outcome of legal negotiations.

Finally, let me express my genuine hope that the tribes will accept the settlement offer the State has made so that we can finally conclude this emotional, expensive, and protracted dispute, and commence a new era of human dignity for all our people.

The special task force on Highway and Bridge Financing has presented its report to me.

I am actively working with my staff, the Acting Commissioner of the Department of Transportation, who was appointed last Friday, and the Department of Finance and Administration to prepare our final recommendations to address the critical highway issues.

We are working to complete these recommendations and they will be transmitted to you for your consideration in the near future.

In addition to the bills that are part of my program, I am providing, in the printed version of this message, reference to additional series of bills.

First, departmental bills.

All the bills submitted in behalf of executive departments are a part of the program of this Administration.

We believe that they address matters worthy of your consideration during this Second Regular Session.

Many of them are every bit as important as the bills I have identified as the "Governor's Program" earlier in this message.

However, we thought it best to limit that portion of the message to a few especially pressing themes, rather than attempting to address every concern in detail in this message.

Second, independent agency bills.

This Administration has agreed as an accommodation to other branches of the government, on a non-partisan basis, to submit the legislation they regard as their highest priorities.

This cooperation does not imply an endorsement for any particular item, although there are many the Administration does believe would be useful.

As we undertake this initial Second Regular Session, I do believe the Legislature should have the opportunity to consider these measures advanced by other departments of the government.

In closing, let me wish you well as we work together. And on behalf of the people of Maine, let me thank you in advance for the concern and the willingness to serve that marks the attendance of each of you now present.

This chamber is a bit emptier today because of the absence of Steve Gould.

In our deliberations, let us remember the warmth, the genuine affection, and sincere desire to be of service that he brought to this House.

And if we permit his measure of human kindness to be with us, then we will do honor to our fine profession and act honorably by the people who sent us here.

Thank you very much.

At the conclusion of the Governor's address, he withdrew amid applause, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Chairman declared the same dissolved and the Senate retired to its Chambers, amid applause of the House, the members rising.

In the House

The House was called to order by the Speaker.

The Chair laid before the House the following matter:

Bill "An Act Revising the Maine Capital Corporation" (H. P. 1616) (L. D. 1726) (Governor's Bill) which was tabled earlier in the day and later today assigned pending reference.

On motion of Mr. Jackson of Yarmouth, referred to the Committee on State Government, ordered printed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

The following items appearing on Supplement No. 1 were taken out of order by unanimous consent:

Papers from the Senate

Bill "An Act to Validate Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 37" (Emergency) (S. P. 659) (L. D. 1697)

Bill "An Act to Validate Proceedings Authorizing the Issuance of Bonds and Notes by the Town Council of the Town of Orono" (Emergency) (S. P. 652) (L. D. 1699)

Came from the Senate referred to the Committee on Education and ordered printed.

In the House, referred to the Committee on Education in concurrence.

Bill "An Act to Provide Arthritic Drugs to Eligible Individuals under the Low Cost Drug Program" (S. P. 654) (L. D. 1693)

Bill "An Act to Limit the Department of Human Services from Mandating X-ray Requirements in Regard to Chiropractic Treatment" (S. P. 656) (L. D. 1695)

Came from the Senate referred to the Committee on Health and Institutional Services and ordered printed.

In the House, referred to the Committee on Health and Institutional Services in concurrence.

Bill "An Act to Make Corrections of Errors and Inconsistencies in the Laws of Maine" (Emergency) (S. P. 660) (L. D. 1703)

Came from the Senate referred to the Committee on Judiciary and ordered printed.

In the House, referred to the Committee on Judiciary in concurrence.

Bill "An Act to Establish the Boundary between Rockport and Rockland" (S. P. 658) (L. D. 1698)

Came from the Senate referred to the Committee on Local and County Government and ordered printed.

In the House, referred to the Committee on Local and County Government in concurrence.

Bill "An Act to Provide Individual Staff Assistants for Members of the Public Utilities Commission" (S. P. 653) (L. D. 1692)

Bill "An Act Relating to the Provision of Telephone Equipment by Telephone Companies to the Hearing Impaired and their Families" (S. P. 655) (L. D. 1694)

Bill "An Act to Amend the Charter of the Lewiston-Auburn Water Pollution Control Authority" (Emergency) (S. P. 657) (L. D. 1696)

Came from the Senate referred to the Committee on Public Utilities and ordered printed.

In the House, referred to the Committee on Public Utilities in concurrence.

Bill "An Act to Permit the Department of Transportation to Acquire Railroad Operating Equipment" (S. P. 666) (L. D. 1720)

Came from the Senate referred to the Committee on Transportation and ordered printed.

In the House, referred to the Committee on Transportation in concurrence.

Bill "An Act Relating to School Buses and the Transportation of School Children" (S. P. 667) (L. D. 1721)

Came from the Senate referred to the Committee on Transportation and ordered printed.

In the House, on motion of Mrs. Mitchell of Vassalboro, tabled unassigned pending reference.

The following items appearing on Supplement No. 2 were taken up out of order by unanimous consent:

The following Joint Orders:

(S. P. 661) ORDERED, the House concurring, that the Clerk of the House and the Secretary of the Senate be authorized to furnish 100 15¢ stamps for each member of the House and Senate for the purpose of distributing various reports of the Departments of State and other public documents such as they may desire to mail to the citizens of the State.

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

(S. P. 662) ORDERED, the House concurring, that the Secretary of the Senate and Clerk of the House be directed to furnish each morning to each member of the Senate and the House, a copy of a newspaper published in the State of Maine, chosen by the member during

the Second Regular Session of the Legislature. Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

(S. P. 663) ORDERED, the House concurring, that there be paid to the members of the Senate and House as advances on account of compensation established by statute, the amount of Two Hundred and Fifty Dollars (\$250) a week, payable bi-weekly, according to lists certified to the State Controller by the President of the Senate and Speaker of the House, respectively.

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

(S. P. 664) ORDERED, the House concurring, that three hundred twenty-five (325) copies of the Legislative Record for the session of 1980 be printed, one copy for each of the members of the Senate, House of Representatives, the Secretary of the Senate and Clerk of the House, and the remainder to be deposited with the State Law Librarian for exchange and library use; and be it further

ORDERED, that suitable index be prepared for such Legislative Record, under the direction of the Director of Legislative Research.

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

(S. P. 665) ORDERED, the House concurring, that there be prepared, after adjournment of the present session, by the Legislative Information Officer, a Register of all the Bills and Resolves considered by both branches of the Legislature, showing the history and final disposition of each Bill and Resolve and that there be printed 600 copies of the same. The Legislative Information Officer shall mail a copy of the Register to each member and officer of the Legislature and the State Law and Legislative Reference Library shall receive such number of copies as may be required.

Came from the Senate read and passed.

In the House, the order was read and passed in concurrence.

The following items appearing on Supplement No. 3 were taken up out of order by unanimous consent:

The following Bills and Resolution were received and referred to the following Committees:

Election Laws

Bill "An Act to Revise the Administration of the Election Laws" (Emergency) (H. P. 1641) (Presented by Mr. Nadeau of Lewiston) (Governor's Bill)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act to Provide Supplemental Funds to the Judicial Department" (Emergency) (H. P. 1635) (Presented by Mr. Hobbins of Saco) (Governor's Bill)

Bill "An Act to Provide for Per Diem Compensation for Active Retired Judges" (Emergency) (H. P. 1636) (Presented by Mrs. Sewall of Newcastle) (Governor's Bill)

Bill "An Act to Eliminate the Requirement for Certain Adjudicatory Proceedings before the Board of Registration in Medicine" (H. P. 1642) (Presented by Mr. Silsby of Ellsworth) (Governor's Bill)

Bill "An Act to Increase the Amount which the District Court is Allowed to Deposit into the District Court Building Fund from \$3,000 per Month to \$120,000 Per Year" (Emergency) (H. P. 1640) (Presented by Mr. Hobbins of Saco) (Governor's Bill)

Bill "An Act Relating to Suspension on Non-appearance under the Motor Vehicle Laws" (H. P. 1644) (Presented by Mr. Davies of

Orono) (Governor's Bill)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act to Prohibit Radar Detectors" (H. P. 1634) (Presented by Mr. Marshall of Millinocket) (Cosponsor: Mr. Nadeau of Lewiston) (Governor's Bill)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act to Require Public Utilities Commission Review of Proposed Construction Plans by Telephone, Electric and Gas Utilities" (H. P. 1637) (Presented by Mr. Wood of Sanford) (Governor's Bill)

(Ordered Printed)

Sent up for concurrence.

State Government

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Amend the Referendum and Initiative Provisions (H. P. 1638) (Presented by Mrs. Kany of Waterville) (Governor's Bill)

Bill "An Act to Amend the Lobbyists Disclosure Law" (H. P. 1639) (Presented by Mrs. Bachrach of Brunswick) (Governor's Bill)

Bill "An Act Concerning Recording, Comments and Notice Dates Under Administrative Procedure Laws" (H. P. 1643) (Presented by Mr. Tozier of Unity) (Governor's Bill)

(Ordered Printed)

Sent up for concurrence.

The following item appearing on Supplement No. 4 was taken up out of order by unanimous consent:

Report of the Committee on Taxation reporting "Ought to Pass" on Bill "An Act Providing for Administrative Modifications to Property Tax Laws Administered by the Bureau of Taxation" (S. P. 414) (L. D. 1314)

Came from the Senate with the Report read and the Bill recommitted to the Committee on Taxation.

In the House, on motion of Mrs. Mitchell of Vassalboro, was recommitted to the Committee on Taxation in concurrence.

By unanimous consent, all matters previously acted upon were ordered sent forthwith to the Senate.

On motion of Mr. LaPlante of Sabattus, recessed until two o'clock in the afternoon.

After Recess

2:00 p.m.

The House was called to order by the Speaker.

(Off Record Remarks)

On motion of Mrs. Locke of Sebec, adjourned until nine-thirty o'clock tomorrow morning.