

# 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

Thursday, January 10, 1980

The House met according to adjournment and was called to order by the Speaker.

Prayer by James Andrew Magnusson of the Missionary to Japan, Gorham.

Mr. MAGNUSSON: Shall we look to Almighty God in prayer? Gracious and eternal Father, we gather humbly before you today. We acknowledge your greatness and our smallness. We are mindful, also, of how you hate wickedness in every way, and we must confess that in our individual lives and in our social institutions, there is a great deal of wickedness. Yet, in your goodness, you grant us life and the gifts to carry on that life.

We thank you especially this morning for the gift of administration and leadership in government. We ask that you will grant this group of leaders the courage and the wisdom that they need. We pray that their decisions will make it possible for our people to live Godly lives. We pray that Godly lives will make our state and our nation strong and healthy. We know that our true strength comes from calling on you for salvation in the strong name of Jesus Christ, in which we pray. Amen.

The journal of yesterday was read and approved.

**Papers from the Senate**

Bill, "An Act Appropriating Funds to Allow Maine State Retirement System Members a Cost-of-Living Increase" (S. P. 677) (L. D. 1784)

Came from the Senate referred to the Committee on Aging, Retirement and Veterans and ordered printed.

Was referred to the Committee on Aging, Retirement and Veterans in concurrence. (Later Reconsidered)

Bill "An Act Establishing Expenditure Limits for Federal Funds Expended by State Departments and Agencies for the Fiscal Year Ending June 30, 1981" (Emergency) (S. P. 675) (L. D. 1773)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs and ordered printed.

Was referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill "An Act to Assure Advocacy Services for Children Committed to the Custody of the State of Maine" (S. P. 676) (L. D. 1783)

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

Was referred to the Committee on Health and Institutional Services in concurrence.

Bill "An Act to Allow the City of Portland to Sell or Lease its Central Fire Station" (Emergency) (S. P. 678) (L. D. 1785)

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

Was referred to the Committee on Judiciary in concurrence.

**RESOLVE**, Authorizing Execution of Leasehold Agreement Between Department of Educational and Cultural Services and the City of South Portland Establishing a Greenbelt and Public Park Area on the Southern Maine Vocational-Technical Institute Campus as Part of the Spring Point Shoreway (Emergency) (S. P. 674) (L. D. 1778)

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

Was referred to the Committee on State Government in concurrence.

Bill "An Act Relating to Winter Closing of Town Ways" (S. P. 673) (L. D. 1777)

Came from the Senate referred to the Com-

mittee on Transportation and ordered printed.

Was referred to the Committee on Transportation in concurrence. (Later Reconsidered)

On motion of Mr. Pearson of Old Town, the House reconsidered its action of earlier in the day whereby Bill "An Act Appropriating Funds to Allow Maine State Retirement System Members a Cost-of-Living Increase" (S. P. 677) (L. D. 1784) was referred to the Committee on Aging, Retirement and Veterans in concurrence.

On further motion of the same gentleman, tabled pending reference in concurrence and specially assigned for Tuesday, January 15.

**Messages and Documents**

The following Communication: (S. P. 679)  
January 8, 1980

Honorable David R. Ault  
Honorable Judy C. Kany  
Chairmen  
State Government Committee  
State House  
Augusta, ME 04333

Please be advised that Governor Joseph E. Brennan is nominating Pamela Gleichman of Portland for membership on the Maine Guarantee Authority.

Pursuant to Title 10 MRSA Section 751, this nomination will require review by the Joint Standing Committee on State Government and confirmation by the Senate.

Sincerely,

S/ JOSEPH SEWALL

President of the Senate

S/ JOHN MARTIN

Speaker of the House

Came from the Senate read and referred to the Committee on State Government.

Was read and referred to the Committee on State Government in concurrence.

**Petitions, Bills and Resolves****Requiring Reference**

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

**Aging, Retirement and Veterans**

Bill "An Act to Permit the Bingham Water District to Withdraw from the Maine State Retirement System" (H. P. 1678) (Presented by Mr. Austin of Bingham) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26)

(Ordered Printed)

Sent up for concurrence.

**Agriculture**

Bill "An Act Concerning Regulation of Milk by the Maine Milk Commission in Municipalities which Vote for Decontrol" (H. P. 1679) (Presented by Mr. Wood of Sanford) (Cosponsor: Mr. Tuttle of Sanford) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26.)

(Ordered Printed)

Sent up for concurrence.

**Appropriations and Financial Affairs**

Bill "An Act to Expand the State's Tourism Promotion Effort" (H. P. 1680) (Presented by Mr. Pearson of Old Town) (Cosponsors: Mr. Rolde of York, Mr. Gillis of Calais, and Mr. Jackson of Yarmouth) (Governor's Bill)

(Ordered Printed)

Sent up for concurrence.

**Business Legislation**

Bill "An Act to Amend the Maine Consumer Credit Code to Exempt Extension of Credit for Agricultural Purposes" (H. P. 1681) (Presented by Mr. Mahany of Easton) (Cosponsors: Mr. Martin of Eagle Lake, Mr. Peterson of Caribou, and Mr. Roope of Presque Isle) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26.)

(Ordered Printed)

Sent up for concurrence.

**Energy and Natural Resources**

Bill "An Act to License Users of Ionizing and Nonionizing Radiation Equipment" (H. P. 1682) (Presented by Mrs. Prescott of Hampden) (Cosponsors: Mr. Tarbell of Bangor, Mrs. Curtis of Milbridge and Mrs. Payne of Portland) (Governor's Bill)

(Ordered Printed)

Sent up for concurrence.

**Health and Institutional Services**

Bill "An Act Providing for Return of Patients to Mental Health Institutions" (H. P. 1683) (Presented by Mrs. Kany of Waterville) (Cosponsors: Mr. Norris of Brewer, Mrs. Prescott of Hampden and Mr. Hickey of Augusta) (Governor's Bill)

Bill "An Act to Eliminate Restrictions on Grants Made by the Bureau of Mental Retardation" (Emergency) (H. P. 1684) (Presented by Mr. Cloutier of South Portland) (Cosponsor: Mr. Brodeur of Auburn) (Governor's Bill)

(Ordered Printed)

Sent up for concurrence.

**Tabled and Assigned**

Bill "An Act to Require the Department of Mental Health and Corrections to Solicit Bids for Group Health Coverage for its Patients and Inmates" (Emergency) (H. P. 1685) (Presented by Mr. Higgins of Scarborough) (Cosponsors: Mr. Pearson of Old Town and Mr. Gillis of Calais) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26.)

Committee on Health and Institutional Services was suggested.

On motion of Mrs. Prescott of Hampden, tabled pending reference and specially assigned for Tuesday, January 15.

**Judiciary**

Bill "An Act Relating to State Liability for Damages Suffered on Certain State Aid Highways" (H. P. 1686) (Presented by Mr. Elias of Madison) (Cosponsors: Mr. Strout of Corinth and Mr. Brown of Mexico) (Governor's Bill)

Bill "An Act to Increase Interest Rates on Judgment Debts" (H. P. 1687) (Presented by Mr. Joyce of Portland) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26.)

(Ordered Printed)

Sent up for concurrence.

**Legal Affairs**

Bill "An Act to Redefine Golf Club, under the Liquor Laws, to Include Clubs with over 1,200 Yards per 9 Holes" (H. P. 1688) (Presented by Mr. Reeves of Newport) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26.)

(Ordered Printed)

Sent up for concurrence.

**State Government**

Bill "An Act to Amend the Capitol Planning Commission Law" (H. P. 1669) (Presented by Mr. Hickey of Augusta) (Cosponsors: Ms. Lund of Augusta, Mr. Paradis of Augusta and Mrs. Mitchell of Vassalboro) (Governor's Bill)

(Ordered Printed)

Sent up for concurrence.

**Orders**

An Expression of Legislative Sentiment (H. P. 1677) recognizing that:

Mike Caramihalis, captain of the Sanford High wrestling team and 3-time Maine Champion swept the 140 pound class and was named most outstanding wrestler at the 5th Annual Redskin Invitational Wrestling Tournament Presented by Mr. Tuttle of Sanford.

Was read and passed and sent up for concurrence.

On motion of Mr. Cox of Brewer, it was ORDERED, Representative Norman Nelson of Roque Bluffs be excused January 9 and 10,

1980 for personal reasons.

On motion of Mr. Tierney of Lisbon, the following Joint Order: (H. P. 1689)

ORDERED, the Senate concurring, that when the Senate and House adjourn, they adjourn to Tuesday, January 15, 1980, at twelve o'clock noon.

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

By unanimous consent, ordered sent forthwith to the Senate.

#### Consent Calendar

##### Second Day

In accordance with House Rule 49, the following item appeared on the Consent Calendar for the Second Day: (H. P. 1604) (L. D. 1715) Bill "An Act to Dissolve Patten Academy"

No objections having been noted at the end of the Second Legislative Day, the House Paper was passed to be engrossed and sent up for concurrence.

On motion of Mrs. Mitchell of Vassalboro, the following matter was removed from the Unassigned Table:

Bill "An Act Relating to School Buses and the Transportation of School Children" (S. P. 667) (L. D. 1721) — In Senate, referred to the Committee on Transportation.

Tabled—January 2, 1980, by Mrs. Mitchell of Vassalboro.

Pending—Reference in concurrence.

The SPEAKER: The Chair recognizes the gentlewoman from Vassalboro, Mrs. Mitchell.

Mrs. MITCHELL: Mr. Speaker and Members of the House: Because this same bill will be sent up in a better version from the Governor's Office, I now move that we indefinitely postpone this bill.

Thereupon, the Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

On motion of Mr. LaPlante of Sabattus, the House reconsidered its action of earlier in the day whereby Bill "An Act Relating to Winter Closing of Town Ways" (S. P. 673) (L. D. 1777) was referred to the Committee on Transportation in concurrence.

On further motion of the same gentleman, the Bill was referred to the Committee on Local and County Government in non-concurrence and sent up for concurrence.

#### (Off Record Remarks)

On motion of Mrs. Martin of Brunswick, adjourned until Tuesday, January 15, at twelve o'clock noon.