

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Tenth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 3, 1980 to May 1, 1981

KJ PRINTING
AUGUSTA, MAINE

STATE OF MAINE
One Hundred and Tenth Legislature
First Regular Session
JOURNAL OF THE SENATE

January 5, 1981

Senate called to order by the President.

Prayer by the Reverend Millett E. Cummings of the Bethel United Methodist Church.
REVEREND CUMMINGS: Almighty God, our Heavenly Father, the Fountain of All Wisdom, we humbly beseech Thee that Thou wilt be with the Members of the 110th Session of the Legislature of the State of Maine. That Thou wilt guide and direct the hearts and minds of all those who have been elected by the people of this State to be their Representatives and Senators.

Grant, we pray Thee, that as they face and cope with the myriad problems of inflation, energy shortages, unemployment, public welfare, and many others, that their legislation, resulting from their deliberations, may promote the welfare of all the citizens of our great State. Illuminate their minds, give them courage, steadfastness, and the desire to speak the truth in accordance with the dictates of their own consciences. May they ever be mindful that the prosperity and well-being of our State to a large extent depends on the integrity of those elected and appointed to high positions in government. May they ever be faithful to their oaths of office and always humbly and with contrite hearts place the welfare of people beyond personal ambition and party loyalty. To this end, our Heavenly Father, we ask Thy Divine Guidance and Blessings upon our Governor, the Speaker of the House, and the President of the Senate, and upon each and every member of these bodies. We ask this in the name of Jesus Christ, our Lord and Saviour. Amen.

Reading of the Journal of December 4, 1980.

Communications
University of Maine
At Orono

December 12, 1980

Ms. May Ross
Secretary of the Senate
State House
Augusta, Me
Dear Ms. Ross:

Enclosed please find 40 copies of the annual report on the operation of the State Government Internship Program as required by the Maine State Statutes, Chapter 14, paragraph 294.

Sincerely,
S/KATHRYN H. GODWIN, Director
Bureau of Public Administration

Which was Read and, with accompanying papers, Ordered Placed on File.

State of Maine
Senate Chamber
President's Office

December 17, 1980

Honorable May M. Ross
Secretary of the Senate
State House
Augusta, Me.

Dear Madam Secretary:

Please be advised that I am making the following appointments to the Joint Standing Committees of the 110th Maine Legislature:

Aging, Retirement and Veterans

Senator Thomas M. Teague, Chairman
Senator Samuel W. Collins, Jr.
Senator Larry M. Brown

Agriculture

Senator Walter W. Hichens, Chairman
Senator Melvin A. Shute
Senator Frank P. Wood

Appropriations and Financial Affairs

Senator David G. Huber, Chairman
Senator Thomas R. Perkins
Senator Mary Najarian

Audit and Program Review

Senator James A. McBreairty, Chairman
Senator Charlotte Z. Sewall
Senator Carroll E. Minkowsky

Business Legislation

Senator Roland L. Sutton, Chairman
Senator Charlotte Z. Sewall
Senator Nancy Randall Clark

Education

Senator Howard M. Trotzky, Chairman
Senator Richard H. Pierce
Senator Nancy Randall Clark

Election Laws

Senator Richard H. Pierce, Chairman
Senator Charles P. Pray
Senator Michael E. Carpenter

Energy and Natural Resources

Senator James A. McBreairty, Chairman
Senator Andrew J. Redmond
Senator Donald R. O'Leary

Fisheries and Wildlife

Senator Andrew J. Redmond, Chairman
Senator Walter W. Hichens
Senator Ronald E. Usher

Health and Institutional Services

Senator Barbara A. Gill, Chairman
Senator Walter A. Hichens
Senator Beverly Bustin

Judiciary

Senator Dana C. Devoe, Chairman
Senator Gerard P. Conley
Senator John M. Kerry

Labor

Senator Charlotte Z. Sewall, Chairman
Senator Roland L. Sutton
Senator Dennis L. Dutremble

Legal Affairs

Senator Melvin A. Shute, Chairman
Senator Richard R. Charette
Senator Paul E. Violette

Local and County Government

Senator Thomas R. Perkins, Chairman
Senator David R. Ault
Senator Richard E. Charette

Marine Resources

Senator Melvin A. Shute, Chairman
Senator Larry M. Brown
Senator Dennis L. Dutremble

Public Utilities

Senator Howard M. Trotzky, Chairman
Senator Dana C. Devoe
Senator Barbara M. Trafton

State Government

Senator David R. Ault, Chairman
Senator Barbara A. Gill
Senator Paul E. Violette

Taxation

Senator Thomas M. Teague, Chairman
Senator Jerome A. Emerson
Senator Frank P. Wood

Transportation

Senator Jerome A. Emerson, Chairman
Senator Donald R. O'Leary
Senator Ronald E. Usher

Sincerely,

S/JOSEPH SEWALL

Which was Read and Ordered Placed on File.

State of Maine
Senate Chamber
President's Office

December 22, 1980

Honorable David R. Ault

Honorable Judy C. Kany
Chairmen, Joint Standing
Committee on State Government
State House
Augusta, Me

Please be advised that Governor Joseph E. Brennan is nominating Charles P. Harriman of Falmouth for appointment to the Maine Guarantee Authority.

Pursuant to Title 10 M.R.S.A. 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 L. MARTIN
Speaker of the House
(S. P. 34)

Which was Read and referred to the Committee on State Government.
Sent down for concurrence.

State of Maine
Senate Chamber
President's Office

December 22, 1980

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

Please be advised that on December 19, 1980, Governor Joseph E. Brennan nominated David W. Bustin of Augusta to serve as Commissioner of the Department of Personnel.

Pursuant to Title 5 M.R.S.A. Section 631, this appointment is subject to review by the Joint Standing Committee on State Government and confirmation by the Senate.

Sincerely,

S/JOSEPH SEWALL
President of the Senate
S/JOHN L. MARTIN
Speaker of the House
(S. P. 35)

Which was Read and referred to the Committee on State Government.
Sent down for concurrence.

State of Maine
Senate Chamber
President's Office

December 23, 1980

Honorable Dana C. Devoe
Honorable Barry J. Hobbins
Chairmen, Joint Standing
Committee on the Judiciary
State House
Augusta, ME

Please be advised that Governor Joseph E. Brennan is nominating Sumner J. Goffin of Portland for reappointment as a Superior Court Justice.

Pursuant to Title 4 MRSA Section 152, this nomination will require review by the Joint Standing Committee on the Judiciary and confirmation by the Senate.

Sincerely,

S/JOSEPH SEWALL
President of the Senate
S/JOHN L. MARTIN
Speaker of the House
(S. P. 36)

Which was Read and referred to the Committee on Judiciary.
Sent down for concurrence.

State of Maine
Senate Chamber
President's Office

December 23, 1980

Honorable Dana C. Devoe
Honorable Barry J. Hobbins
Chairmen, Joint Standing
Committee on the Judiciary
State House
Augusta, ME

Please be advised that Governor Joseph E. Brennan is nominating Elmer H. Violette of Van Buren for reappointment as a Superior Court Justice.

Pursuant to Title 4 MRSA 152, this nomination will require review by the Joint Standing Committee on the Judiciary and confirmation by the Senate.

Sincerely,

S/JOSEPH SEWALL
President of the Senate
S/JOHN L. MARTIN
Speaker of the House
(S. P. 37)

Which was Read and referred to the Committee on Judiciary.

tee on Judiciary.
Sent down for concurrence.

**State of Maine
Senate Chamber
President's Office**

December 23, 1980

Honorable Dana C. Devoe
Honorable Barry J. Hobbins
Chairmen, Joint Standing
Committee on the Judiciary
State House
Augusta, Me

Please be advised that Governor Joseph E. Brennan is nominating Harriet P. Henry of Standish for reappointment to the District Court.

Pursuant to Title 4 MRSA Section 157, this nomination will require review by the Joint Standing Committee on the Judiciary and confirmation by the Senate.

Sincerely,
S/JOSEPH SEWALL
President of the Senate
S/JOHN L. MARTIN
Speaker of the House
(S. P. 38)

Which was Read and referred to the Committee on Judiciary.

Sent down for concurrence.

**State of Maine
Senate Chamber
President's Office**

December 23, 1980

Honorable Thomas M. Teague
Honorable Merle Nelson
Chairmen, Joint Standing Committee
on Aging, Retirement and Veterans
State House
Augusta, Me

Please be advised that Governor Joseph E. Brennan is nominating Nathan W. Watson of Bath for reappointment to the Maine State Retirement System Board of Trustees.

Pursuant to Title 5 MRSA Section 1031, this nomination will require review by the Joint Standing Committee on Aging, Retirement and Veterans and confirmation by the Senate.

Sincerely,
S/JOSEPH SEWALL
President of the Senate
S/JOHN L. MARTIN
Speaker of the House
(S. P. 39)

Which was Read and referred to the Committee on Aging, Retirement and Veterans.

Sent down for concurrence.

**State of Maine
Senate Chamber
President's Office**

December 30, 1980

Honorable Charlotte Z. Sewall
Honorable Edith S. Beaulieu
Chairmen, Joint Standing
Committee on Labor
State House
Augusta, Me

Please be advised that Governor Joseph E. Brennan is nominating Charles G. Dow of West Gardiner for appointment to the State Employees Appeals Board.

Pursuant to Title 5 M.R.S.A. Section 751, this appointment is subject to review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,
S/JOSEPH SEWALL
President of the Senate
S/JOHN L. MARTIN
Speaker of the House
(S. P. 40)

Which was Read and referred to the Committee on Labor.

Sent down for concurrence.

**State of Maine
State Treasurer**

December 8, 1980

Members of the Maine Senate
and House of Representatives
State House

Augusta, Maine
Ladies and Gentlemen:

I am forwarding herewith in accordance with Article V, Part Fourth of the Maine Constitution and Title 5, Chapter 7, of the Maine Revised Statutes two letters from Charles E. Downing Co. stating that I have been bonded in the amount of \$500,000.

Very truly yours,
S/SAMUEL SHAPIRO
Treasurer of State of Maine
(S. P. 46)

Which was Read and, with accompanying papers, Ordered Placed on File.

Sent down for concurrence.

**State of Maine
Office of the Governor**

December 29, 1980

The Honorable Senate and
House of Representatives
of the 109th Legislature:

Enclosed please find two bonds for Samuel D. Shapiro, Treasurer of the State of Maine, as required by Article V, Part 4, Section 2 of the Maine Constitution. These bonds have been examined by me and are in the requisite amount of \$500,000.

Yours very truly,
S/JOSEPH E. BRENNAN
Governor
(S. P. 47)

Which was Read and Ordered Placed on File.
Accompanying papers Placed on File with State Auditor.

Sent down for concurrence.

Senate Papers

Senator TROTZKY of Penobscot presented, Bill, "An Act Removing the Union Security Provision in the University of Maine Labor Relations Act and Prohibiting Certain Conditions of Employment." (S. P. 42)

Which was referred to the Committee on Labor and Ordered Printed.

Sent down for concurrence.

Senator VIOLETTE of Aroostook presented, Bill, "An Act to Increase the Licensing Fee for Beano." (S. P. 32)

Submitted by the Department of Public Safety pursuant to Joint Rule 24.

Senator COLLINS of Knox presented, Bill, "An Act to Lower Certain Distance Restrictions on Enlargement of Cemeteries and Burying Grounds." (S. P. 41)

Which were referred to the Committee on Legal Affairs and Ordered Printed.

Sent down for concurrence.

Senator TROTZKY of Penobscot presented, Bill, "An Act to Abolish the Position of County Treasurer in Penobscot County and Replace it with a Full Time Finance Officer." (S. P. 43)

Senator CONLEY of Cumberland presented, Bill, "An Act to Increase the Salary of the Cumberland County Treasurer." (S. P. 44)

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

Senator CONLEY: Mr. President, as I've just read the reference on these two bills there certainly seems to be a conflict with respect to the bills. I wonder if the good Senator from Penobscot might explain the reasoning for this particular bill from Penobscot?

The PRESIDENT: The Senator from Cumberland, Senator Conley, has posed a question through the Chair to a certain Senator whose absence must be noted.

Which were referred to the Committee on Local and County Government and Ordered Printed.

Sent down for concurrence.

Senator WOOD of York presented, Bill, "An Act to Preserve Maine's Archaeological Heritage." (S. P. 45)

Submitted by the Department of Educational and Cultural Services pursuant to Joint Rule 24.

Which was referred to the Committee on State Government and Ordered Printed.

Sent down for concurrence.

Orders

On motion by Senator COLLINS of Knox, ORDERED, that the Secretary of the Senate be authorized to employ one additional stenographer.

Which was Read and Passed.

On motion by Senator COLLINS of Knox, ORDERED, the House concurring, that any tax supported public library may upon written request to the Document Clerk receive without charge copies of all printed bills, so that there may be available to the public during the legislative session a complete and convenient file of all printed bills. (S. P. 33)

Which was Read and Passed.

Sent down for concurrence.

On motion by Senator PIERCE of Kennebec, Adjourned until 10 o'clock tomorrow morning.