

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

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

January 8, 1981

Senate called to order by the President.

Prayer by the Reverend Thomas W. Cahill of the Church of the Nazarene of Oakland.

REVEREND CAHILL: Let us pray. Father, we thank You this morning for the privilege of coming into Your presence. We thank You today that Your wisdom and Your grace has been given to us and the various choices in life. We thank You for these that are in the Senate today, Lord, for their lives and for their commitment. We thank You today that there is an interest in the leading of the people of Maine and meeting the needs of the State. We pray that this day and each transaction, each area of business, each discussion, that the spirit of grace and love shall prevail, and above all, the concerns that we share together for the people of this State will be paramount, that we might exercise this day wisdom and understanding in carrying out the task that has been given to us. Bless each one here Lord, the leadership and each aspect of this day, and we'll give you glory in Jesus' name. Amen.

Reading of the Journal of yesterday.

Out of Order and Under Suspension of the Rules:

On motion by Senator COLLINS of Knox, ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Monday, January 12, 1981, at four o'clock in the afternoon. (S. P. 77)

Which was Read and Passed.

Sent down forthwith for concurrence.

Papers from the House
Joint Orders

Expressions of Legislative Sentiment recognizing: Lynne Hitchcock, Valedictorian, Class of 1980, Washburn High School and daughter of Mr. and Mrs. Preston Hitchcock of Washburn. (H. P. 125)

Keith Fuller, Sanford High School football player, who was selected to the Class AA All State Team. (H. P. 92)

Richard Wilkins, Sanford High School football player, who was selected to the Class AA All State Team. (H. P. 93)

Lori Blackstone, Salutatorian, Class of 1980, Washburn High School and daughter of Mr. and Mrs. Wendall Blackstone of Perham. (H. P. 126)

Come from the House, Read and Passed

Which were Read and Passed, in concurrence.

Joint Resolutions

Joint Resolutions in Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of The Honorable Nicholas W. Danton, Chief Judge of the District Court and member of the 102nd — 104th Legislatures. (H. P. 90)

WHEREAS, the Legislature has learned with deep regret of the death of Florence Steward Jameison, longtime resident of Millinocket. (H. P. 124)

Come from the House, Read and Adopted.

Which was Read and Adopted, in concurrence.

House Papers

Bill, "An Act to Provide Free Access for Disabled Veterans to State Parks, Camping Areas and Beaches." (H. P. 51) (L. D. 65)

Comes from the House, referred to the Committee on Aging, Retirement and Veterans and Ordered Printed.

Which was referred to the Committee on Aging, Retirement and Veterans and Ordered Printed, in concurrence.

Bill, "An Act Making Additional Appropriations from the General Fund for the Current Fiscal Year Ending June 30, 1981, and Changing Certain Provisions of the Law Necessary to the Proper Operation of State Government." (Emergency) (H. P. 91) (L. D. 63)

Comes from the House, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Which was referred to the Committee on Appropriations and Financial Affairs and Ordered Printed, in concurrence.

Bill, "An Act to Amend the Maine Insurance Guaranty Association Act to Increase Liability of Association Member Companies." (H. P. 52) (L. D. 66)

Bill, "An Act to Require that Barber Shops Post Their Prices." (H. P. 53) (L. D. 67)

Come from the House, referred to the Committee on Business Legislation and Ordered Printed.

Which were referred to the Committee on Business Legislation and Ordered Printed, in concurrence.

Bill, "An Act to Require Instruction in the Public Schools on the Ill Effects of Alcohol, Tobacco and other Substances." (H. P. 54) (L. D. 75)

Bill, "An Act to Require the State to Pay its Share of School Funding on the First Day of Each Month." (H. P. 55) (L. D. 68)

Come from the House, referred to the Committee on Education and Ordered Printed.

Which were referred to the Committee on Education and Ordered Printed, in concurrence.

Bill, "An Act Concerning the Inspection of Ballots on Municipal Questions." (H. P. 56) (L. D. 69)

Bill, "An Act to Repeal the Statute Dealing with Failure to File Campaign Finance Reports on Time." (H. P. 57) (L. D. 70)

Come from the House, referred to the Committee on Election Laws and Ordered Printed.

Which were referred to the Committee on Election Laws and Ordered Printed, in concurrence.

Bill, "An Act to Exempt Certain Site Evaluations from License Fee Requirements." (H. P. 58) (L. D. 71)

Comes from the House, referred to the Committee on Energy and Natural Resources and Ordered Printed.

Which was referred to the Committee on Energy and Natural Resources and Ordered Printed, in concurrence.

Bill, "An Act Concerning Fishing by Persons Confined to Wheelchairs." (H. P. 60) (L. D. 72)

Bill, "An Act to Provide that the First Week of Deer Hunting Season in the Northern Zone shall be for Resident Hunters Only." (H. P. 61) (L. D. 73)

Come from the House, referred to the Committee on Fisheries and Wildlife and Ordered Printed.

Which was referred to the Committee on Fisheries and Wildlife and Ordered Printed, in concurrence.

Bill, "An Act to Amend the Eating, Lodging and Recreational Place Licensing Law." (H. P. 62) (L. D. 74)

Comes from the House, referred to the Committee on Health and Institutional Services and Ordered Printed.

Which was referred to the Committee on Health and Institutional Services and Ordered Printed, in concurrence.

Bill, "An Act to Provide a Sales Tax, Trade-in Credit for Loaders and Chainsaws Used to Harvest Lumber." (H. P. 79) (L. D. 76)

Bill, "An Act to Increase the Standard Interest Provision for the Tax Laws from 9% to 12% Per Year." (H. P. 82) (L. D. 77)

Bill, "An Act to Increase the Household Income Eligibility For a Couple Under the Elderly Householders Tax and Rent Refund Act." (H. P. 83) (L. D. 78)

Bill, "An Act to Repeal the Law Requiring a Taxable Year of April to April for Real Estate Taxes which are Prorated between Seller and Purchaser of Real Estate." (H. P. 87) (L. D. 80)

Come from the House, referred to the Committee on Taxation and Ordered Printed.

Which were referred to the Committee on Taxation and Ordered Printed, in concurrence.

Bill, "An Act to Exempt Skidders from the Registration Requirement of the Motor Vehicle Laws for Limited Travel." (H. P. 85) (L. D. 79)

Comes from the House, referred to the Committee on Transportation and Ordered Printed.

Which was referred to the Committee on Transportation and Ordered Printed in concurrence.

Study Report — Audit and Program Review

The Committee on Audit and Program Review to which was referred the study and review of the Maine Sunset Law, pursuant to Title 3, Section 505, have had the same under consideration, and ask leave to report that the accompanying Bill, "An Act Relating to Periodic Justification of Departments and Agencies of State Government under the Maine Sunset Law" (H. P. 89) (L. D. 64) be referred to the Committee on Audit and Program Review for public hearing and printed pursuant to Joint Rule 17.

Comes from the House, the Report Read and Accepted, and the Bill referred to the Committee on Audit and Program Review.

Which Report was Read and Accepted and the Bill referred to the Committee on Audit and Program Review, in concurrence.

Senate Papers

Senator SEWALL of Lincoln presented, Bill, "An Act to Exempt Certain Aquaculture Workers Under the Workers' Compensation Law." (S. P. 74)

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

Sent down for concurrence.

Senator PIERCE of Kennebec (Cosponsor: Senator CONLEY of Cumberland) presented, Bill, "An Act to Index the Income Eligibility Levels Under the Elderly Householders Tax and Rent Refund Program." (S. P. 75)

Senator CHARETTE of Androscoggin presented, Bill, "An Act to Eliminate County Commissioner Hearings for Tax Abatements." (S. P. 76)

Which were referred to the Committee on Taxation and Ordered Printed.

Sent down forthwith for concurrence.

Orders

On motion by Senator CONLEY of Cumberland, ORDERED, the House concurring, that State House Room 334, presently assigned to the Joint Standing Committee on State Government, also be authorized when not in use by that committee, to be used for Senate Democratic Caucuses. (S. P. 78)

Which were Read and Passed.

Sent down for concurrence.

Committee Report

Senate

Ought to Pass

Senator SEWALL for the Committee on Business Legislation on, Bill, "An Act to Amend the Law Relating to Engineers to Provide for a Biennial Publication of a Roster of Registered Professional Engineers." (S. P. 18) (L. D. 16)

Reported that the same Ought to Pass.
Which Report was Read and Accepted, and the Bill Read Once and Tomorrow Assigned for Second Reading.

Orders of the Day

The President laid before the Senate, the first Tabled and specially assigned matter.

Communication—From Office of the Governor relating to Unorganized Territory Educational and Services Tax.

Tabled—January 7, 1981 by Senator McBREAIRTY of Aroostook.

Pending—Consideration.

The PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Teague.

Senator TEAGUE: I notice that Senator McBreairty is not in his chair this morning, but I talked with him yesterday and I think that the problem is all O.K., so I think the report is O.K. to accept.

Ordered Placed on File.

(Senate at Ease)

The Senate called to order by the President.

Out of Order and Under Suspension of the Rules, the Senate voted to consider the following:

Joint Resolution

Joint Resolution in Memoriam,
WHEREAS, the Legislature has learned with deep regret of the death of Joseph Saxl, Superintendent of Bangor Mental Health Institute. (S. P. 79)

is presented by Senator TROTZKY of Penobscot (Cosponsors: Representative PRESCOTT of Hampden, Representative TARBELL of Bangor and Representative ALOUPIS of Bangor.)

Which was Read.

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

Senator TROTZKY: Mr. President and Members of the Senate, I know that all of you are saddened to hear of the loss of Joseph Saxl to the State of Maine.

Joseph Saxl was a friend of mine in Bangor. He was Superintendent of the Bangor Mental Health Institute. Four years ago, or so, the Legislature was faced with a Bill which would have closed Bangor Mental Health Institute. During that time many legislators, many people in the community, many people within the mental health field sought to examine BMHI to see if it was providing quality health services to the people of the State of Maine. At that time, in the examination and the political fight that ensued, Joe Saxl, through his leadership and through the work of all the employees at Bangor Mental Health Institute, achieved accreditation for that institute. It was through his leadership that this accreditation was obtained, and because of this accreditation BMHI was allowed to remain open to serve the people of the State of Maine. Joe Saxl was a man who motivated people, and when I was up to BMHI I saw how he motivated all the State employees in that unit to work together.

I would like to read into the Record, a statement which I see which was a statement from Joseph Brennan. Governor Brennan said, "Joe Saxl proved himself to be a dedicated and innovative administrator and a caring man. His leadership was instrumental in obtaining the first accreditation of BMHI in 1976. He believed that BMHI should be a part of the health care system of the community, not separate and an aloof facility. He worked closely with other service providers to integrate BMHI into the community. He was a leading proponent to the belief that families of those served by BMHI deserved a treatment facility located in Northern Maine, to minimize barriers created by distance." Thank you.

The PRESIDENT: The Chair recognizes the Senator from Penobscot Senator Pray.

Senator PRAY: Mr. President and Members of the Senate, I think it would be very easy to stand up here and laud the accomplishments of Joseph Saxl, but more important than just that is the fact that Joe Saxl, to those of us who knew him, will surely be missed just as a human being. The love that anybody that worked with Joe had for him, the respect, the admiration, and the love for such a man who could accomplish so much with so little, with not only what the State gave him but other people as well. The patients at BMHI and those who worked there and those who are served by that institute will miss Joe more as a human being than as superintendent of the facility.

We receive a number of these memorials that go through here and I think this is, of all the ones I have seen in my 4 terms down here, this is the one that really saddens me the most for what this State has lost.

Which was Adopted.

Sent down forthwith for concurrence.

Senator Conley of Cumberland was granted unanimous consent to address the Senate, Off the Record.

(Senate at Ease)

The Senate called to order by the President.

(Off Record Remarks)

The Adjournment Order having been returned from the House, Read and Passed, in concurrence, on motion by Senator Collins of Knox, Adjourned until Monday, January 12, 1981 at 4 o'clock in the afternoon.