

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Tenth

Legislature

OF THE

STATE OF MAINE

SECOND REGULAR SESSION

January 6, 1982 to April 13, 1982

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FOURTH SPECIAL SESSION

April 28, 1982 and April 29, 1982

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FIFTH SPECIAL SESSION

May 13, 1982

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July 16, 1982

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

Augusta, Maine

January 27, 1982

Senate called to order by the President.

Prayer by the Reverend Lester S. Dow, Jr., of the Fayette Baptist Church of Fayette Corner.

REVEREND DOW: Let us bow together in prayer. Eternal God, loving heavenly Father, thank You for the privilege of being here in this Chamber today. Thank You for our Senators, our Representatives, our Governor, our local officials, our Congressmen, our President.

Thank You for the freedom that we enjoy in this country as a blessing from God, the freedom to assemble and to speak out and to worship, and we pray that that freedom may be preserved in the coming days as we have enjoyed it in our past.

We ask for Your wisdom and direction for this Body today, and we pray the decisions that are theirs to make will be made for the good of all of us. We thank You for their dedication in serving the citizens of our State.

We pray, Father, for our nation, that You will continue to bless it with strength and wisdom and character, and the desire to work and to accomplish and to achieve. We thank You for our past, but we know that greater things are possible in the days ahead.

We pray we will not fall short of all that we can do and accomplish and be for the benefit of our citizens, and for the glory of God.

I pray these things in Jesus' name. Amen.

Reading of the Journal of yesterday.

**Papers From The House
House Paper**

Bill, "An Act Making Appropriations and Allocations for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1982 and June 30, 1983." (Emergency) (H. P. 1890) (L. D. 1870)

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.

Joint Orders

Expressions of Legislative Sentiment recognizing:

The dedication of the \$197,000,000 expansion project at Madison Paper Industries making the plant the largest producer of supercalendered paper in North America. (H. P. 1884)

Kenneth Knowles, town manager of Hodgdon and Linneus, who has received the Lincoln Stackpole Manager of the Year Award for 1981. (H. P. 1885)

Mike Taylor, of Sanford, most valuable wrestler of the 8th Annual Redskin New England Invitational Wrestling Championship. (H. P. 1886)

The Sanford High School Wrestling Team, coached by John Caramihalis for finishing 1st in the 1982 Sanford High School New England Invitational Wrestling Championship. (H. P. 1887)

The team members of Daigle's School of Gymnastics for their fine showing as representatives of Penobscot Valley in the Down East Open Gymnastics meet. (H. P. 1888)

Francis Roderick, Consultant, Fire Service Training, Bureau of Vocational Education, who is retiring after 15 years in the Bureau of Vocational Education. (H. P. 1889)

Come from the House, Read and Passed.

Which were Read and Passed, in concurrence.

**Communications
Department of Business Regulation
State Claims Board**

January 21, 1982

The Honorable Joseph Sewall
President of the Senate
Senate Post Office
State House
Augusta, Maine

Re: Report of Small Claims to Legislature
Dear Senator Sewall:

Herewith is Report of Small Claims which were received in this office during 1981 and which is being submitted to you for your information and records in accordance with Title 5 M.R.S.A., Section 1510-A, Subsection 8.

A similar report is also being submitted to the Honorable John L. Martin, Speaker of the House, and if you or your staff should have any questions in connection with this report, please communicate with this office.

Yours very truly,

S./RONALD M. ROY

Chief Counsel

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

Office of Energy Resources

January 20, 1982

The Honorable Joseph Sewall
President of the Senate
State House
Augusta, Maine

Dear Senator Sewall:

As required by 5 MRSA, Section 5006, I am submitting a report on the Maine Energy Resources Development Fund for 1981.

For the first time since the establishment of the fund, OER has been able to obtain financial resources to be deposited in it. A sum of \$80,010 was received from Standard Oil of California (Chevron) in the form of a gift to the fund for energy conservation purposes pursuant to a consent agreement between Chevron and the U.S. Department of Energy.

During 1981, an amount of \$145.20 was allocated for establishing a Weatherization Demonstration Program and identifying participants. No other expenditures were made from the fund. It is anticipated that in 1982 all funds will be expended for the purpose of the Weatherization Demonstration Program in accordance with the terms of the consent agreement payment.

Sincerely,

S./GORDON L. WEIL

Which was Read and Ordered Placed on File.

Senate Paper

Senator CLARK of Cumberland (Cosponsors: Senator COLLINS of Knox, Representative BRANNIGAN of Portland and Representative JACKSON of Yarmouth) presented, Bill, "An Act to Make Possible Interstate Bank Ownership." (Governor's Bill) (S. P. 804)

Senator TRAFTON of Androscoggin (Cosponsors: Senator CLARK of Cumberland and Representative PERKINS of Brooksville) presented, Bill, "An Act to Regulate the Sale of Franchises and Business Opportunities." (S. P. 806)

(Submitted by the Department of Business Regulation pursuant to Joint Rule 24.)

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

Sent down for concurrence.

Orders

Expressions of Legislative Sentiment recognizing:

Captain Clyde Chapman and Firefighter Gregory Peters, of the Westbrook Fire Department, who were selected as Firefighters of the Year for 1981. (S. P. 802) presented by Senator USHER of Cumberland (Cosponsors: Representative DAY of Westbrook and Representa-

tive CARRIER of Westbrook).

The East Auburn Baptist Church and its congregation on the 175th anniversary of its founding, February 17, 1807. (S. P. 805) presented by Senator TRAFTON of Androscoggin.

Annie Allen, a member of the George Stevens Academy Girls' Basketball Team, who has scored 1,000 points in her high school basketball career. (S. P. 807) presented by Senator PERKINS of Hancock (Cosponsors: Representative BORDEAUX of Mount Desert and Representative PERKINS of Brooksville).

Which were Read and Passed.

Sent down for concurrence.

Joint Resolution

A Joint Resolution in Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of the Honorable Armand Duquette, of Biddeford, who served with great distinction as a member of the 85th, 86th, 94th, 95th, 96th, 97th, 98th, 99th, 102nd, 103rd and 104th Maine Legislatures. (S. P. 801) presented by Senator DUTREMBLE of York (Cosponsors: Representative NORTON of Biddeford, Representative RACINE of Biddeford and Representative LAVERRIERE of Biddeford).

Which was Read.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Senator MINKOWSKY: Mr. President, and Members of the Senate, I think this is a very fitting tribute to a former colleague that I wholeheartedly respected and admired.

In 1969, it was the first opportunity I had to serve in the Maine Senate. One of the finest individuals I ever encountered was Armand Duquette. He was a genuine, sincere, hard-working, compassionate person. Also, I might add, a very knowledgeable person that you could communicate very easily with, who was not wrapped up with biases, but was fair and very objective.

I think that was one of the motivations I had to continue in this particular Body, knowing full well that we had this caliber of person, in the State of Maine, who could actually analyze and evaluate things from a very fair perspective.

The term "dean" sometimes is used to exemplify a person standing for longevity. I looked up the word this morning in the dictionary, and I have a different connotation to the word "dean". The dean of a body, such as the Maine Senate, in my estimation could be classified as an experienced and preeminent member of that particular group.

Then I looked up the word "preeminent." I was pleased to see it fit Armand Duquette with, every bit of respect and admiration that I and other Members had for him, and that was excelling above others.

Armand Duquette met that particular criteria. Sometimes it is said, after a person passes on, that they are forgotten. I can assure you, as far as I am concerned, and Members of this Body who have served with Armand Duquette, this gentleman will never be forgotten. Thank you, Mr. President.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Dutremble.

Senator DUTREMBLE: Mr. President, Ladies and Gentlemen of the Senate, Armand Duquette has always been considered to be a person of high integrity and high stature with the people of my City of Biddeford. He was, also, considered that way by all the people who knew him, as the good Senator from Androscoggin just related.

While growing up personally in a political family, I heard Armand Duquette's name mentioned time and time again, always with a high degree of respect and honor. He was a person that many aspiring politicians looked up to and admired. He was elected a total of eleven times to serve as either a Member of the House

or the Maine Senate, and during that time, he served the people of his constituency with a great degree of devotion. The people of our area benefited by it.

He is a person who will be sadly missed, but he will also be always remembered. Thank you.

The PRESIDENT: The Chair would ask the Senate to rise and observe a moment of silence and of respect for our departed colleague. He was one of the finest.

(A moment of Silence.)

Which was Adopted.

Sent down forthwith for concurrence.

(Off Record Remarks)

Orders of the Day

The President laid before the Senate the Tabled and specially assigned matter:

Joint Order relative to Joint Select Committee on Alcoholism Services. (H. P. 1857)

Tabled—January 26, 1982 by Senator Collins of Knox.

Pending—Passage.

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

Senator COLLINS: Mr. President, yesterday I mentioned an ambiguity in this Order as being the reason for further consideration. Since that time, members of leadership have discussed the matter with those who are concerned and studied the language. I think we are now clear that: (1) this is a Committee consisting entirely of legislators; (2) the number of Senators is not more than four, and (3), all of these appointments are to be made jointly by the President and Speaker of the House, who will confer together and select the list, having regard to the committee categories for eight of the thirteen members on the committee.

I think with that explanation on the record, the matter can now proceed. I would ask that we would Pass the Order along.

Which was Passed, in concurrence.

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:

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

Emergency

AN ACT Converting West Forks Plantation into the Town of West Forks. (H. P. 1784) (L. D. 1774)

This being an emergency measure and having received the affirmative votes of 24 members of the Senate, with No Senators having voted in the negative, was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

AN ACT to Provide Emergency Powers to the Superintendent of the Bureau of Banking to Expedite Mergers and Consolidations of Financially Troubled State-chartered Financial Institutions. (H. P. 1808) (L. D. 1793)

This being an emergency measure and having received the affirmative votes of 24 Members of the Senate, with No Senators having voted in the negative, was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

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

Papers from the House

Joint Order

An Expression of Legislative Sentiment recognizing:

ognizing:

Firefighter Harold Stoddard and Firefighter Stephen Hastings, of the Portland Fire Department, who have been selected as Firefighters of the Year for 1981. (H. P. 1895)

Comes from the House, Read and Passed.

Which was Read and Passed, in concurrence.

Joint Resolution

A Joint Resolution in Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of the Honorable Camille V. Bedard, of Saco, who served with great distinction as a member of the 100th, 101st, 102nd, 103rd, 104th and 105th Legislatures of this State. (H. P. 1897)

Comes from the House, Read and Adopted from York, Senator Wood.

Senator WOOD: Mr. President, Men and Women of the Senate, Camille Bedard was a very special person to me, not only was he a legislator from York County, but he was my uncle in marriage. Camille was one of those people who never had a high office. He was never a Chairman, or a Minority or Majority Floor Leader. He simply believed that people should serve their governments. He'd served local government in Saco for many years, and then came to the House and served in the House for many years.

He was one of those people that did not benefit from public service in terms of financial reward. He lived in the working-class neighborhood of Saco, the working-class neighborhood he was born in, and the working-class neighborhood he died in. He never forgot those people that elected him. He worked for them over the years.

If he was one of those people from the old school, he was a Democrat true and blue. He could never understand anyone not being a Democrat, and would be very upset with me occasionally when I would stray from the party line. He believed in party loyalty. He believed that you should work for a party all the time.

He was, in York County, what we would consider the father of the Area Vocational School in Biddeford. He was the one that gave birth to that bill and saw it through the House and the Senate when other people said it simply could not be passed. Those students that now go that Vocational School, those students that have a little better life, owe it to the efforts of Camille Bedard.

I, for one, will miss his conversations, the times that he would call me up short, and his very sage advice.

Which was Adopted, in concurrence.

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