

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
INDEX

FOURTH SPECIAL SESSION
April 28, 1982 and April 29, 1982
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FIFTH SPECIAL SESSION
May 13, 1982
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SECOND CONFIRMATION SESSION
July 16, 1982
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STATE OF MAINE
One Hundred and Tenth Legislature
Second Regular Session
JOURNAL OF THE SENATE

Augusta, Maine
February 9, 1982

Senate called to Order by the President.

Prayer by the Reverend Jack Shankel, District Superintendent of Maine District Church of the Nazarene.

REVEREND SHANKEL: Shall we pray. Our heavenly Father, we pause in Your presence this morning to thank You for so many things, the breath of life, for health, for strength, for wisdom and insight, for the privileges that we have as people of God to be of service to Thee.

We would ask today, Lord, Your special blessing upon each Senator, each member of the staff, each member of this Body today, as together we enter into the great task of deliberation of the best and common good for all of our people.

We thank You, O God, for the privileges that are ours. We thank You also for the responsibilities. We do not consider ourselves to be worthy. We are humbled that You have entrusted us with this great weight. Lord, it would be overwhelming to us if we were not also assured that Your promise is You would stay with us. You would guide us, You would support us at our points of weakness, You would not leave us nor forsake us. You assured us that if we would simply call upon You, you would answer us and show us great and mighty things that we know not.

And so, this morning, I would ask that for each member of this Senate, they would enter into these responsibilities with the assurance that there is one who standeth close to them, closer yea than a brother, who is not just a disinterested observer, someone looking on from the sidelines, but a God who is an active participant in all that we set our hand to do.

I would pray today, that You would give special wisdom and guidance to the President of this Body. Help him as he guides this legislation through the maze of parliamentary procedures. Lord, give him strength and courage for his convictions.

And we pray for each member, that today, as we enter into discussion and deliberation and debate, that we might not be just seeking to be pleasing of men, but to our own selves be true, and to be pleasing unto God.

Help us this day. Guide us by the counsel of Thine eye. Sustain us by Your grace, that when all is said and done, and the final period is placed in the annals of time, we might hear Thee say, "Well done, thou good and faithful servant." Meet with us in special measure, we ask, in thanksgiving, and in praise, in Thy holy name. Amen.

Reading of the Journal of yesterday.

**Papers from the House
House Papers**

Bill, "An Act to Create Manpower Distribution Incentives in the Fields of Medicine, Dentistry, Optometry and Veterinary Medicine." (H. P. 1948) (L. D. 1925)

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

On motion by Senator Perkins of Hancock, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed, in non-concurrence.

Sent down for concurrence.

Bill, "An Act to Create a Cumberland County Baseball Stadium." (H. P. 1949) (L. D. 1926)

Comes from the House, referred to the Committee on Local and County Government and Ordered Printed.

Which was referred to the Committee on Local and County Government and Ordered Printed, in concurrence.

Study Report

Aging, Retirement and Veterans

The Committee on Aging, Retirement and Veterans to which was referred by the Legislative Council the study relative to the withdrawal of Participating Local Districts, have had the same under consideration, and ask leave to submit its findings and to report that accompany bill, "An Act to Establish Procedures for Withdrawal of Participating Local Districts from the Maine State Retirement System" (H. P. 1953) (L. D. 1924) be referred to this Committee for public hearing and printed pursuant to Joint Rule 18.

Comes from the House, the Report Read and Accepted, and the Bill referred to the Committee on Aging, Retirement and Veterans.

Which Report was Read and Accepted and the Bill referred to the Committee on Aging, Retirement and Veterans, in concurrence.

Joint Orders

Expressions of Legislative Sentiment recognizing:

Isabelle L. Knowlton, of Rockville, who is retiring on February 12, 1982 after over 40 years of faithful service in all 3 branches of State Government, including service under 3 Secretaries of State, service on the staff of the Clerk of the House and Service as a Clerk of Courts. (H. P. 1943)

Peter Turner, of Sanford, for winning the State Elks Hoop Shoot competition in his age class. (H. P. 1944)

Mrs. Esther Simpson of Sanford, on the celebration of her 100th birthday, February 10, 1982. (H. P. 1945)

Bob McCall, of Sanford, for winning the State Elks Hoop Shoot competition in his age class. (H. P. 1946)

Merle Gammon, of Livermore, who celebrated his 100th birthday on January 27, 1982. (H. P. 1947)

Come from the House, Read and Passed.

Which were Read and Passed, in concurrence.

Joint Resolution

A Joint Resolution in Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of Marietta Atwood, of Bath, a noted and talented entertainer and pianist, who delighted countless audiences in the Bath area. (H. P. 1952)

Comes from the House, Read and Adopted.

Which was Read and Adopted, in concurrence.

**Communications
Department of Educational
and Cultural Services**

February 1, 1982

TO: May Ross, Secretary of the Senate

Edwin Pert, Clerk of the House

G. William Buker, State Budget Office

FROM: Harold Reynolds, Jr., Commissioner
RE: Recommendation for 1981-1982 Funding Level for Adult Education

Pursuant to the provisions of Title 20, M.R.S.A., Chapter 308A, Section 2385, I am required to certify annually prior to February 1 to the Legislature and to the Bureau of the Budget a recommendation for the funding levels for the various program categories in Adult Education.

Please see the recommendation below:

1981-1982
Education: Adult Education *\$1,805,819
All Other Category 6300 (including Grants to Cities and Towns)

*The allocation for the Grants to Cities and Towns is \$1,800,000 available; the adjustment to this level will be accomplished through communications with the local school districts.

Which was Read and Ordered Placed on File.

Committee on Fisheries and Wildlife

February 5, 1982

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

Augusta, Maine

Dear President Sewall:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with the Joint Rules of the 110th Maine Legislature, the Joint Standing Committee of Fisheries and Wildlife has had under consideration the nomination of Marc S. Plourde as a member of the Advisory Council of Inland Fisheries and Wildlife.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee clerk called the roll with the following result:

YEAS: Senators 3

Representatives 8

NAYS: 0

ABSENT: (Rep. Paul of Sanford, Rep. Connors of Franklin)

Eleven members of the Committee having voted in the affirmative and none in the negative it was the vote of the Committee that the nomination of Marc S. Plourde as a member of the Advisory Council of Inland Fisheries and Wildlife be confirmed.

Sincerely,

S/ANDREW J. REDMOND

Senate Chairman

S/ROBERT A. MACEACHERN

House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Fisheries and Wildlife has recommended that the nomination of Marc S. Plourde be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Fisheries and Wildlife be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 110th Legislature, the vote will be taken by the yeas and nays. A vote of YES will be in favor of overriding the recommendation of the Committee. A vote of NO will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA—None.

NAY—Ault, Brown, Bustin, Carpenter, Charrette, Clark, Collins, Conley, Devoe, Dutremble, Emerson, Gill, Hichens, Kerry, McBreairey, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Redmond, Sewall, C.; Shute, Sutton, Teague, Trotzky, Violette, Wood, The President.

ABSENT—Huber, Pray, Trafton, Usher.

No Senators having voted in the affirmative and 29 Senators in the negative, and 4 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of Marc S. Plourde is confirmed.

Senate Papers

Senator BUSTIN of Kennebec (Cosponsors: Senator PERKINS of Hancock, Representative ROLDE of York and Representative BELL of South Paris) presented.

Bill, "An Act Making Allocations Related to the Alcoholism Prevention, Education Treatment, and Research Fund for the Expenditures of State Government for the Fiscal Year ending June 30, 1983." (S. P. 832)

(Submitted by the Department of Finance and Administration pursuant to Joint Rule 24.)

Senator NAJARIAN of Cumberland (Cosponsor: Representative CHONKO of Topsham) presented.

Bill, "An Act Making Authorizations and Allocations Related to Federal Block Grants for

the Expenditures of State Government for the Fiscal Years Ending June 30, 1983. (Emergency) (S. P. 833)

(Submitted by the Department of Finance and Administration pursuant to Joint Rule 24.)

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

Sent down for concurrence.

Senator PIERCE of Kennebec (Cosponsors: Representative NORTON of Biddeford, Representative KETOVER of Portland and Representative HOLLOWAY of Edgecomb) presented.

Bill, "An Act to Provide Financial Assistance to Students of Osteopathic Medicine." (S. P. 831)

(Approved for introduction by the Legislative Council pursuant to Joint Rule 26.)

Reference to the Committee on Education suggested.

On motion by Senator Perkins of Hancock, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

Senator BUSTIN of Kennebec (Cosponsors: Representative GILL of Cumberland, Representative LUND of Augusta and Representative MITCHELL of Vassalboro) presented.

Bill, "An Act to Abolish the Mandatory Reporting of Alcoholism Section of the Board of Registration in Medicine Act." (S. P. 830)

(Approved for introduction by the Legislative Council pursuant to Joint Rule 26.)

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

Sent down for concurrence.

Senator NAJARIAN of Cumberland presented. Bill, "An Act to Provide for Special Warehouse Storage Facilities for Liquor." (S. P. 828)

(Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Senator CONLEY of Cumberland presented. Bill, "An Act to Amend the Definition of Table Wine." (S. P. 829)

(Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

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

Sent down for concurrence.

Order

An Expression of Legislative Sentiment recognizing:

Pam Gee, a senior and honor student at Nokomis High School in Newport, who is the first student to score over 1000 points in 4 years of basketball as a Nokomis Warrior. (S. P. 834)

Presented by Senator REDMOND of Somerset (Cosponsors: Senator EMERSON of Penobscot, Senator TEAGUE of Somerset, and Representative REEVES of Newport).

Which was Read and Passed.

Sent down for concurrence.

Committee Reports

Senate

Ought to Pass

Senator VIOLETTE for the Committee on Legal Affairs on, Bill, "An Act to Clarify the Certificate of Approval Holder and Maine Wholesale Licensee Agreement Act." (S. P. 768) (L. D. 1826)

Reported that the same Ought to Pass.

Which Report was Read and Accepted and the Bill Read Once and Tomorrow Assigned for Second Reading.

Second Readers

The Committee on Bills in the Second Reading reported the following:

House

Bill, "An Act to Permit the Town of Mexico to Withdraw from the Maine State Retirement System." (Emergency) (H. P. 1770) (L. D. 1760)

Which was Read a Second Time and Passed to be Engrossed, in concurrence.

House — As Amended

Bill, "An Act to Clarify License Requirements for Municipal Work under the Electrician's Law." (H. P. 1772) (L. D. 1762)

Bill, "An Act to Create a Revolving Fund for Publications of the Department of Conservation." (H. P. 1743) (L. D. 1732)

Resolve, Authorizing the Transfer of the Care and Custody of Certain Property to Grand Falls Township to the Bureau of Public Lands. (H. P. 1745) (L. D. 1734)

Resolve, Authorizing the Bureau of Public Lands to Convey by Bid Sale of the State's Interest in Certain Real Property in the Unorganized Territory in Knox County. (H. P. 1744) (L. D. 1733)

Which was Read a Second Time and Passed to be Engrossed, as amended, in concurrence.

Orders of the Day

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