

# 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  
March 18, 1982  
Senate called to order by the President.

Prayer by the Reverend Paul Cote of Newman Center at Colby College and Thomas College.

REVEREND COTE: Let us pray. Almighty God, our Father, You have charged us with the task of building on this earth a home where all nations dwell in unity, liberty, and justice.

We pray for strength and purpose to make officers in every branch of government accountable to all the people, fulfilling roles of service and responsibility, that they may seek justice and protect the weak, and lead us in constructing institutions for our peace and mutual aid. Amen.

Reading of the Journal of yesterday.

(Off Record Remarks)

#### Paper from the House House Paper

Bill, "An Act to Open State Collective Bargaining to the Public." (H. P. 2183) (L. D. 2067)  
Comes from the House, referred to the Committee on Labor and Ordered Printed.

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

#### Communications

Kennebec Valley Chamber of Commerce  
March 17, 1982

Honorable Members of the Senate  
State House  
Augusta, Maine

It is with great pride that we offer our congratulations on this special day in Augusta. For over 150 years this area has been honored to have the Capitol stand as the symbol of the strength and vitality of our community.

Back in 1829, the leaders of Maine saw the importance of the State House in Augusta. They visualized that through the halls of the capitol building concerned men and women would enact legislation that would shape the lives of the people of our great state. They believed in the democratic system and strength of the governmental process.

We in Kennebec Valley are especially proud of the role state government has played. In this community, no other single factor has had more of an impact on the well-being of our citizens. Our lives have been touched socially, culturally and economically. We can say with admiration that the community-state relationship has been both positive and rewarding.

You should all stand tall on this special day. Although only one of many before you, and most likely many more in the future, you are all in a unique position to shape a bright and rewarding future for us all.

Again, congratulations and best wishes with all your future endeavors.

Sincerely,  
S/JOHN J. CORSA  
Executive Director

Which was Read and Ordered Placed on File.

#### Committee on Election Laws

March 17, 1982

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

Dear President Sewall:

The Committee on Election Laws is pleased to report that it has completed all business placed before it by the second regular session of the 110th Legislature.

Total number of bills received 1  
Divided Report 1

Respectfully submitted,  
S/RICHARD H. PIERCE  
Senate Chairman

Which was Read and Ordered Placed on File.

#### Senate Chamber Presidents' Office

March 17, 1982

Honorable David R. Ault  
Honorable Judy C. Kany  
Chairmen  
Joint Standing Committee on State Government

State House  
Augusta, Maine

Dear Committee Chairmen:

Please be advised that Governor Joseph E. Brennan is renominating Roderick E. Farnham of Hampden and Annalee Z. Rosenblatt of Scarborough for appointment to the State Personnel Board.

Pursuant to Title 5 MRSA Section 591, these nominations 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. 928)

Which was Read and referred to the Committee on State Government.

Sent down forthwith for concurrence.

#### Senate Chamber President's Office

March 17, 1982

Honorable David R. Ault  
Honorable Judy C. Kany  
Chairmen  
Joint Standing Committee on State Government

State House  
Augusta, Maine

Dear Committee Chairmen:

Please be advised that Governor Joseph E. Brennan is renominating Ronald E. Russell of Bangor for appointment to the Maine District Court Judge-at-Large seat.

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

Sincerely,  
S/JOSEPH SEWALL  
President of the Senate  
S/JOHN L. MARTIN  
Speaker of the House  
(S. P. 929)

Which was Read and referred to the Committee on Judiciary.

Sent down forthwith for concurrence.

#### Committee Reports

##### House

##### Leave to Withdraw

The Committee on Fisheries and Wildlife on, Bill, "An Act to Eliminate Discrimination in the Granting of Hunting, Fishing and Trapping Licenses." (H. P. 1740) (L. D. 1729)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

Which Report was Read.

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

Senator REDMOND: I'd like to speak on the record.

The PRESIDENT: The Senator has the floor. Senator REDMOND: Thank you, Mr. President. This Bill had to do with Title 12, Subtitle 7076 in the statutes, and Chapters 701 to 721, through which Fisheries and Wildlife were authorized to give free hunting and fishing licenses to the Indians.

I'd like to pass on into the record my

thoughts on this Bill. It was introduced quite a while ago in my Committee on Fisheries and Wildlife. I believe it came from the Governor's call. It had a short public hearing. The tribes or their representatives asked us to wait a while, and they were not quite ready to present their views.

My understanding was that they wanted us to wait until the Maine Tribal Commission was completed, although the State did not need the Commission to enact the Bill, the tribes were so new they asked us to extend to them that courtesy.

The proponent introduced the Bill and asked the Committee to Table it until the Tribal Council was formed. There was no input whatsoever from anyone else. Those present who were interested in the Bill agreed to attend the work session to present their views. At the scheduled work session, the Indians presented their entire side of the story. Allegations of verbal agreements which were made and were not incorporated in the settlement regarding deals whereby the State would continue to issue free hunting licenses after the settlement. I did not agree with the interpretations of those representatives.

An amendment was offered in the work session by a Committee member that would give a Leave to Withdraw if the Penobscots would not charge a fee to State license holders to hunt on their lands. The Indian representatives spoke at length in objection to the Bill. Some of the proponents, namely the Democratic Representatives from Old Town and Eastport argued very strongly in favor of the Indians' request.

The work session was closed and the sportsmen of Maine did not even have a chance to express their views. Then, at the next work session, I was not present and the Committee had taken the vote of Leave to Withdraw. Some correspondence between the House Chairman and the Penobscot Governor stating the Bill was given a Leave to Withdraw, and that a vote was taken in the tribes, and that they would not charge people holding a Maine hunting license to hunt on their lands.

I do not believe that this Bill stood a fair chance. I went along with the Leave to Withdraw out of courtesy to the members of my Committee and the House Chairman, whom I have enjoyed a super harmonious work relation with and I hold in very great esteem.

Although there was a fiscal note of \$41, 792, that was only if all the Indians bought a license to hunt and fish. Members of my Committee and other House members, also the Governor's representative, advised me that under the circumstances it would be best to bring it back next year.

I just wanted to record to clearly show that the Indian Land Claim Settlement is one that is clearly a fait accompli, signed and sealed by Congress, the tribes, and the State of Maine, and that in no way, shape, or manner, do we want to feel bound to any allegations or hearsays regarding the settlement, nor should we.

Which Report was Accepted, in concurrence.

#### Divided Report

The Majority of the Committee on Health and Institutional Services on, Bill, "An Act to Ensure Consistency in State and Federal Laws Concerning Job Opportunities for Welfare Recipients." (H. P. 1811) (L. D. 1796)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-646)

Signed:  
Senators:

GILL of Cumberland  
BUSTIN of Kennebec

Representatives:

NELSON of Portland  
MacBRIDE of Presque Isle  
KETOVER of Portland  
MANNING of Portland  
RICHARD of Madison

BRODEUR of Auburn  
RANDALL of East Machias  
McCOLLISTER of Canton  
WEBSTER of Farmington  
HOLLOWAY of Edgecomb

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:  
Senator:

HICHENS of York

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A" (H-646).

Which Reports were Read. The Majority Ought to Pass, as amended, Report of the Committee was Accepted, in concurrence. The Bill Read Once. Committee Amendment "A" was Read and Adopted, in concurrence, and the Bill, as amended, Tomorrow Assigned for Second Reading.

#### Senate

The following Ought Not to Pass report shall be placed in the legislative files without further action pursuant to Rule 22 of the Joint Rules:

Bill, "An Act to Amend the Maine Guarantee Authority Act." (S. P. 781) (L. D. 1849)

(Rep. HOLLOWAY of Edgecomb abstained).

#### Leave to Withdraw

Senator AULT for the Committee on State Government on, Bill, "An Act to Amend the Membership of the Governor's Advisory Council on Alcoholism and Drug Abuse Prevention and Treatment." (S. P. 740) (L. D. 1725)

Reported that the same be granted Leave to Withdraw.

(Rep. HOLLOWAY of Edgecomb abstained).

Senator GILL for the Committee on State Government on, Bill, "An Act Amending the Code of Fair Practices and Affirmative Action." (S. P. 886) (L. D. 2032)

Reported that the same be granted Leave to Withdraw.

Which Reports were Read and Accepted.  
Sent down for concurrence.

#### Ought to Pass

Senator TEAGUE for the Committee on Aging, Retirement and Veterans on, Bill, "An Act to Equalize Health Insurance Benefits for Retired State Employees." (S. P. 850) (L. D. 1983)

Reported that the same Ought to Pass.

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

#### Ought to Pass — As Amended

Senator WOOD for the Committee on Agriculture on, Bill, "An Act to Address the Potential Conflict of Interest of the Board of Pesticides Control. (Emergency)" (S. P. 738) (L. D. 1723)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-409).

Which Report was Read and Accepted, and the Bill Read Once. Committee Amendment "A" was Read and Adopted and the Bill, as amended, Tomorrow Assigned for Second Reading.

Senator NAJARIAN for the Committee on Appropriations and Financial Affairs on, Bill, "An Act to Provide Financial Assistance to Students of Osteopathic Medicine." (S. P. 831) (L. D. 1939)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-412).

Which Report was Read and Accepted, in concurrence, and the Bill Read Once. Committee Amendment "A" was Read.

On motion by Senator Conley of Cumberland, Tabled for 1 Legislative Day, pending Adoption of Committee Amendment "A".

#### Divided Report

The Majority of the Committee on Education on, Bill, "An Act Authorizing Husson College to Confer a Degree of Bachelor of Science in Nursing." (S. P. 786) (L. D. 1851)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-410).

Signed:  
Senators:

PIERCE of Kennebec  
CLARK of Cumberland

Representatives:

CONNOLLY of Portland  
BROWN of Gorham  
LOCKE of Sebec  
MURPHY of Kennebec  
MATTHEWS of Caribou  
BROWN of Livermore Falls  
THERIAULT of Fort Kent  
GOWEN of Standish  
ROLDE of York

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:  
Senator:

TROTZKY of Penobscot

Representative:

THOMPSON of Portland

Which Reports were Read.

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

Senator TROTZKY: Mr. President, this Bill authorizes Husson College to confer a degree of Bachelor Science in Nursing. It, also, states in the Bill, something to the extent that they must be in conformance with the National League of Nursing Standards.

I have a note here from the legislative staff saying "a representative from the National League of Nursing will conduct a site visit to the Husson EMMC, (Eastern Maine Medical Center), on March 22-23 to evaluate their proposed programs in relation to National League of Nursing standards."

I wonder if someone would Table this for 2 Legislative Days?

On motion by Senator Collins of Knox, Tabled for 2 Legislative Days, pending Acceptance of Either Committee Report.

#### Second Readers

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

#### House

Bill, "An Act to Amend the Medical Practice Act." (H. P. 2070) (L. D. 2011)

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

#### House — As Amended

Bill, "An Act to Provide a Directional Sign at Exit 11 of the Maine Turnpike Indicating Sunday River Recreational Area." (H. P. 1800) (L. D. 1790)

Bill, "An Act to Permit Physicians' Assistants to Take Blood Samples in Cases Involving Operating Under the Influence." (H. P. 2028) (L. D. 2004)

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

#### Enactors

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

AN ACT to Revise the Fair Credit Reporting Act and to Conform it to Recent Maine Judicial Decisions. (H. P. 1727) (L. D. 1712)

Which 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 Fund and Implement Collective Bargaining Agreements Relating to Vocation-

al-Technical Institute Employees." (H. P. 2084) (L. D. 2023)

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 Amend the Maine Turnpike Authority Statutes. (H. P. 2165) (L. D. 2064)

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

Senator MINKOWSKY: Mr. President and Members of the Senate: I held aside this Bill before its Enactment this morning to discuss very briefly some of the concerns I have had ever since I sponsored the original bill back in 1977.

At that particular segment of time, the Cities of Lewiston and Auburn were both concerned, as then Governor Longley was concerned, that the Maine Turnpike should be toll free upon the final payment of the bonds in June of 1982.

I disagreed with the Governor at the particular segment of time. We thought we had a more innovative approach to addressing the needs of the State of Maine and the citizens along the Turnpike's 106 miles corridor.

At that time the bill we originally submitted called for the Maine Turnpike Authority to be dissolved. It implemented a toll barrier system, and it addressed the concerns of southern Maine that they could utilize the Turnpike at reduced fees.

This Bill, over the Governor's objection, Governor Longley's objection, did become law. In the last session of the Legislature, a move got under way by the Maine State Employee's Association, not because they were concerned with the welfare of the Cities of Lewiston or Auburn, not because of a concern with the welfare of all the towns and cities along its 106 mile corridor, but their major concern was only with the toll takers who were allegedly going to lose their jobs if the Maine Turnpike Authority was dissolved, and subsequently if we had gone to a toll barrier system.

We fought a very diligent fight at the time. We felt that my City, and I'm sure the City of Auburn, had been shortchanged on this entire issue.

The agreement came out that in the present bill before us this morning, we would be given an egress or ingress road from either the City of Lewiston or the City of Auburn into our industrial parks.

The short term effect of that particular legislation as it stands here this morning sounds very enticing. But my concern, Ladies and Gentlemen, of the Senate, is not the immediate short-term effects of this legislation, but the long-term effects of the legislation, which I feel will be deleterious to the development of industrial parks, commercial developments in both the Cities of Lewiston and Auburn.

It appears, at the present time, that we are getting a deal. My only evaluation or assumption on this entire thing is that we are being ripped off. The end result of this; two things are going to materialize. We will, as the Bill states on page 21, be given top consideration. Number two, the fees will be increased somewhere in the area of 50%.

Number three, why the Bill went down the tube in the last session of the Legislature was simply because many people felt here's one way of getting excess revenues from the Maine Turnpike to be utilized to fill potholes and snow removal in other parts of the State of Maine to the tune of \$4,700,000. They bought this on a very impulsive and emotional point-of-view, not taking into consideration exactly what the effects would be upon my community and the communities along that corridor.

One of the major arguments advanced previously, when I-95 was built from Augusta north, the Maine Turnpike at that particular segment of time was to be dissolved because they could not expand any further. Yet, when you look along I-95, and let me use the City of Bangor as an example, here we have at least five or six egress and ingress roads into every major part of that community, at no expense at all to the citizens who want to have commercial or industrial development, or residential development.

From this point-of-view, keeping the Maine Turnpike closed, as a closed corridor, will have serious long term impacts in my community, I assure you. I think, basically, this little token that is being given to us today should be given future consideration by other sessions of the Maine Legislature.

I can assure those concerned, either by lobbyists, or the administration, or the Maine Department of Transportation who, at that particular segment of time, would have retained the Maine Turnpike Authority as a subsidiary of the Department of Transportation, I think they better start changing their posture on this whole thing.

It would seem the most logical thing to do would be to move for the Indefinite Postponement of this particular piece of legislation, but I assured people before discussing this, this morning, I would not do such a thing as that. It is too seriously, deeply involved at the present time.

I assure you, Ladies and Gentlemen of the Senate, this thing is not going to rest idle from this point forward. We will take very positive action in the future, to be sure one or two things will materialize. That is, number one, that the Maine Turnpike will not stay as under an authority. Number two, that it will revert to the citizens of the State of Maine as a free toll road, along with I-95.

I'm going back to the original concept I had at that time. I thought I was doing the citizens in all parts of the State of Maine a very dear favor, because my only objective for that particular segment of time was this. If we had followed Governor Longley's advice making this a toll free road, and eventually building roads along that corridor, we would not have collected revenues. That would have reverted upon the gasoline tax in the State of Maine.

I felt it was of significant value to let the users pay for it, provided that the people along the corridor had access to the utilization, whether on a token system, a transfer or a pass system, or a reduced toll system. We didn't care how it was going to work out. We had built in specific toll free zones into that particular system at the time. I thought, basically, it had a few bugs that could have been ironed out, but eventually it would have served the interests of everybody concerned. The end result, it would not have been placed upon the taxpayers in the State of Maine.

This way here, we're paying off the bonds, we're pilfering \$4,700,000, to be utilized by the Department of Transportation for other purposes throughout the State of Maine. The Cities of Lewiston and Auburn were given a bone in the meantime, by building egress and ingress roads. I have managed to see exactly how beneficial that will be in the future.

I want to thank you, Mr. President and Members of the Senate, for allowing me this opportunity to get these particular feelings on record, because I am totally disenchanted with what I've seen materialize since 1977 to the present legislation before us this morning.

This being an emergency measure and having received the affirmative vote of 25 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.

#### Orders of the Day

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

Bill, "An Act to Adjust the Eating, Lodging and Recreational Place Licensing Fee." (S. P. 811) (L. D. 1907)

Tabled—March 12, 1982 by Senator COLLINS of Knox

Pending—Motion of Senator McBREAIRTY of Aroostook to Reconsider Passage to be Engrossed

On motion by Senator McBreairsty of Aroostook, Retabled for 2 Legislative Days.

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

HOUSE REPORTS—from the Committee on Legal Affairs—Bill, "An Act Relating to the Closing of State Liquor Stores in Communities with One Store." (Emergency) (H. P. 1996) (L. D. 1972)—MAJORITY REPORT Ought to Pass as amended by Committee Amendment "A" (H-641); MINORITY REPORT Ought to Pass as amended by Committee Amendment "B" (H-642)

Tabled—March 15, 1982 by Senator COLLINS of Knox

Pending—Acceptance of Either Report.

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: I move the Acceptance of the Majority Ought to Pass Report, as amended.

The PRESIDENT: The Senator from Waldo, Senator Shute, now moves that the Senate Accept the Majority Ought to Pass, as amended by Committee Amendment "A", Report of the Committee.

The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Senator MINKOWSKY: Mr. President, would the good Chairman of the Legal Affairs Committee, Senator Shute, give us at least a brief explanation as to what the rationale is on behalf of the Committee as to why they want to Accept Report "A"?

The PRESIDENT: The Senator from Androscoggin, Senator Minkowsky, has posed a question.

The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: Mr. President, Ladies and Gentlemen of the Senate, at the present time, if a State Liquor store is closed in a community, and that community is within ten miles of another State store or agency store, the Commission can no reopen the State store or another agency store.

What Committee Amendment "A" does is to allow the Commission to reopen another State store, if they are within the ten mile radius that was set out in the previous law. So they have one year to reopen another State store in that same community, but they don't have the option of opening an agency store in that community.

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

Senator MINKOWSKY: Mr. President and Members of the Senate, there seems to be a great deal of concern relevant to this particular Bill insofar as a town, and I think the town is Winslow, that has a present State store, that will be closed down. I guess that they do serve a vital purpose in that area of the community, according to the people who I've spoken to from Kennebec County, that are concerned with that particular store.

As you may recall, in the last session of the Legislature, the Governor introduced a bill, which basically said we wanted the State to get out of the liquor business, close down the State stores, and let it go into the free enterprise system. Subsequently, open more agency stores, provided they comply with the existing laws in the State of Maine. Subsequently to that, we will then still retain anywhere from

60% to 75% return on our investment, meaning the markup on the booze. These stores could handle it in a very, very safe fashion.

The end result of that was the fact that again, the State employees got involved in the entire issue. They felt that they would be discriminated against and they were going to lose their jobs and their security in the State government.

I think the Town of Winslow is really saying, in this particular case, and as they did in the other branch, the unmentionable branch, if I can refer to it, that they substituted the Bill for the Report, which gave them the option, number one, of retaining or opening the State store in another area; Or, if that doesn't work, to use Report "B", which then will give the community the option of either opening the State store, or an agency store.

I think in the name of fairness this morning, Mr. President and Members of the Senate, that we should reject the Majority Report, and at least consider very closely Report "B" under H-642, which would give that community that particular option.

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

Senator TEAGUE: In answer to the good Senator's question, Winslow is in my District. Probably if the Commissioner had done his job two or three months ago, we would not have this Bill in front of us today.

I talked with a man, and he was down here on Monday, by the name of Mr. Cookson. He owns a mini-mall in Winslow. He had made arrangements with the Commissioner for a location across the street, and so forth. The Commissioner stood him up three different times.

So finally, this Mr. Cookson came to myself, asked me if I could get him in to see the Commissioner. I did, and this Mr. Cookson has made a proposal. He and the Commissioner are meeting up in Winslow on Tuesday of this coming week. The decision will be made on this location.

I feel we should go along with the Majority of the Committee Report at this time. It will go back to the other Body in non-concurrence. By that time, the Commissioner and probably the owner of the mini-mall will have this situation straightened out.

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: Mr. President, Ladies and Gentlemen of the Senate, we're not only talking about Winslow store in this Bill. The reason for the, one of the reasons given that the Winslow store should be closed was number one, the proprietor of that establishment put the rent up, the square footage, price per square foot.

Number two, the profit ratio was low in the Winslow store. It was 11.16%. So we're not talking about one store here. We have 20 stores with a worse profit ratio than Winslow does. We have 6 other stores that are right on the borderline. So we're talking about 26 stores, not one store. If you want to pass special legislation just for the Town of Winslow, that's something different. I think you'll find a lot of special bills in here if you do that. We are talking about 26 stores here, not one store.

The PRESIDENT: The Chair will order a Division.

Will all those Senators in favor of the motion by the Senator from Waldo, Senator Shute, that the Senate Accept the Majority Ought to Pass, as amended by Committee Amendment "A", Report of the Committee please rise in their places to be counted.

Will all those Senators opposed, please rise in their places to be counted.

29 Senators having voted in the affirmative, and No Senator having voted in the negative, the motion to Accept the Majority Ought to Pass, as amended by Committee Amendment "A" Report of the Committee in non-concurrence does prevail. The Bill Read Once. Committee Amendment "A" was Read and

Adopted, in non-concurrence. The Bill, as amended, Tomorrow Assigned for Second Reading.

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

#### **Papers from the House Joint Orders**

Expressions of Legislative Sentiment recognizing:

Mary Ann McCrea, of Fort Fairfield, State President of Maine Association of Future Farmers of America. (H. P. 2188)

The following Agricultural Nobility: Tina St. Pierre, of Clinton, Egg Queen; Wilma Sawyer, of Albion, Farm Bureau Queen; Barbara Hoeffler, of Phillips, Miss Rodeo Maine; Trina Lavertu, of East Eddington, Jr. Miss Rodeo Maine; Marlayne Corson, of Strong, Grange Queen; Christine Colbath, of Presque Isle, Potato Queen; and Carol Higgins of Owls Head, Sea Goddess. (H. P. 2189)

Maine Farmers and the State's agricultural industry on Maine Agricultural Day, March 18, 1982. (H. P. 2190)

Ella G. Kelly, of Island Falls, on the 90th anniversary of her birth. (H. P. 2186)

Lyda M. Banton, of Island Falls, on the 89th anniversary of her birth. (H. P. 2187)

The Honorable Melvin "Doc" Simon, of White River Junction, Vermont, National Vice Commander of the American Legion, on the occasion of his visit to Maine. (H. P. 2191)

Come from the House, Read and Passed.  
Which were Read and Passed, in concurrence.

The PRESIDENT: The Chair is very pleased to recognize in the rear of the Chamber the so-called Agricultural Nobility, who have been referred to in HP 2189 on the supplemental calendar. We are very pleased to welcome these young ladies to the Senate. I would ask the Chairman of the Agricultural Committee, Senator Hichens, to approach the rostrum and introduce these young ladies to the Senate. We are very pleased to have them with us. We would ask the Potato Queen, Christine Colbath, to speak to the Senate after the other queens have been introduced.

The Sergeant-at-Arms escorted the Senator from York, Senator Hichens, to the rostrum.

Senator HICHENS: Thank you, Mr. President. Our queens are Tina St. Pierre of Clinton, the Egg Queen; Wilma Sawyer, of Albion, Farm Bureau Queen; Barbara Hoeffler, of Phillips, Miss Rodeo Queen; Trina Lavertu, of East Eddington, Jr. Miss Rodeo Maine; Marlayne Corson, of Strong, Grange Queen; Christine Colbath, of Presque Isle, Potato Queen; the President of the Future Farmers of America of Maine, Mary Ann McCrea from Fort Fairfield; and Angie Emery, Franklin County Farm Bureau Queen.

The Sergeant-at-Arms escorted the Agricultural Queens to the front of the Chamber. (Applause, the Members rising).

Senator HICHENS: The Chair recognizes Miss Colbath.

CHRISTINE COLBATH: Thank you. I am very, very pleased to be here today. I must say I'm a bit nervous, though. I'm sure that most of you are aware of the immense contribution of Maine agriculture to our economy. Until I was crowned Potato Queen, all I knew was that Maine grew potatoes and blueberries, had a seafood and a lobster industry, sometimes.

I'm pleased and relieved, actually, to say that I have learned a lot more about Maine agriculture and its substantial contribution to our everyday lives. For example, I represent 1100 potato farms in northern Maine, which produce a total of 28,000,000 bags of potatoes yearly.

Last year Maine potatoes brought in \$160,000,-000 worth of revenue. There are now 2,500 jobs in potato processing in northern Maine alone.

I'm sure I speak for all the queens when I say that Maine agriculture holds a special place in our hearts. When you're an Agricultural Queen, a whole new world with its own language opens up to you. I'm a veteran potato picker, and until this year, I had no idea what a seed potato meant, or what a chip plant was.

Being an Agricultural Queen is a lot of work, because we really must know our products well, but I know that none of us is or ever will be sorry for the amount of time we put in. The new knowledge and the experience we gain far surpasses some of the long hours.

Maine has come a long way with marketing their products, but there still is some distance to be covered. I know I'm really glad I had the opportunity to be involved in the process of promoting Maine agriculture this year. I will sorely miss it when my reign is over, because I really have learned that Maine truly does produce not only great products, but great people, and there is a little bit of Maine in every bite of Maine products.

Thank you for your support of agriculture and for the opportunity for us to be here today.

Mr. President, on behalf of the Maine Potato Industry and the Maine Potato Commission I would like to present you with these disposable barbecue aprons.

The PRESIDENT: Thank you, very much.  
Senator HICHENS: I know that you will all be envious of the fact that I am Chairman of the Agricultural Committee when you realize that I am going to have lunch with these girls this noon time.

The PRESIDENT: Thank you, Senator Hichens.

The Sergeant-at-Arms escorted the Agricultural Queens to the rear of the Senate Chamber. (Applause, the Members rising).

Senator Carpenter of Aroostook was granted unanimous consent to address the Senate, Off the Record.

#### **Communication Senate Chamber President's Office**

March 18, 1982

Honorable Barbara A. Gill  
Honorable Merle R. Nelson  
Chairmen  
Joint Standing Committee on  
Health and Institutional Services  
State House  
Augusta, Maine  
Dear Committee Chairmen:

Please be advised that Governor Joseph E. Brennan is nominating Richard F. Nelson of Portland for appointment as Chair of the State Health Coordinating Council.

Pursuant to Federal Law P. 96-79 Section 1524 (b) (2) of the Health Planning and Resources Development Amendments, this nomination will require review by the Joint Standing Committee on Health & Institutional Services and confirmation by the Senate.

Sincerely,

S/JOSEPH SEWALL  
President of the Senate  
S/JOHN L. MARTIN  
Speaker of the House  
(S. P. 930)

Which was Read and referred to the Committee on Health and Institutional Services.  
Sent down for concurrence.

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

#### **Papers from the House House Papers**

Bill, "An Act to Revise the Definition of Forest Land for Purposes of the Tree Growth

Tax Law and to Require Notification of Landowners' Obligation to Reapply." (H. P. 2178) (L. D. 2068) (Emergency)

Bill, "An Act to Establish the Discount Rate for the Tree Growth Tax Law." (H. P. 2177) (L. D. 2069)

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 Clarify and Make Corrections in the Motor Vehicle Laws." (H. P. 2185) (L. D. 2071)

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.

#### **Committee Reports House**

##### **Ought to Pass**

The Committee on Local and County Government on, Resolve, for Laying of the County Taxes and Authorizing Expenditures of Piscataquis County for the year 1982. (Emergency) (H. P. 2196) (L. D. 2075)

Reported that the same Ought to Pass pursuant to Joint Order (H. P. 1846).

Comes from the House, the Resolve Passed to be Engrossed.

Which Report was Read and Accepted, in concurrence, and the Resolve Read Once and Tomorrow Assigned for Second Reading.

##### **Ought to Pass in New Draft**

The Committee on Taxation on, Resolve, Reimbursing Certain Municipalities on Account of Taxes Lost Due to Lands Being Classified under the Maine Tree Growth Tax Law. (Emergency) (H. P. 1844) (L. D. 1840)

Reported that the same Ought to Pass in New Draft under Same Title. (H. P. 2194) (L. D. 2074).

Comes from the House, the Resolve in New Draft Passed to be Engrossed.

Which Report was Read and Accepted, in concurrence, and the Resolve In New Draft, Read Once and Tomorrow Assigned for Second Reading.

##### **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:

#### **Committee Reports House**

##### **Leave to Withdraw**

The Committee on Business Legislation on, Bill, "An Act to Clarify the First Lien Mortgage Exemption in the Maine Consumer Credit Code." (H. P. 1729) (L. D. 1714)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Health and Institutional Services on, Bill, "An Act to Use Receivership Law as an Enforcement Mechanism" (H. P. 1880) (L. D. 1873)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on State Government on, Resolve, Authorizing the Director of the Bureau of Public Lands to Convey Certain Lands of the State in Gorham, Cumberland County. (H. P. 2009) (L. D. 1980)

Reported that the same be granted Leave to Withdraw.

(Rep. HOLLOWAY of Edgecomb — abstained)

Comes from the House, the Report Read and Accepted.

The Committee on State Government on, Bill, "An Act to Revise the Term of Appointment of Legislative Directors and Officers." (H. P. 2143) (L. D. 2049)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

Which Reports were Read and Accepted, in concurrence.

#### Divided Report

The Majority of the Committee on Judiciary on, Bill, "An Act Relating to Informed Consent and Determination of Best Interest for those Unable to Give Informed Consent for Sterilization." (H. P. 1543) (L. D. 1660)

Reported that the same Ought to Pass in New Draft, (H. P. 2179) (L. D. 2065),

Signed:

Senators:

DEVOE of Penobscot  
CONLEY of Cumberland  
KERRY of York

Representatives:

HOBBINS of Saco  
DRINKWATER of Belfast  
REEVES of Newport  
JOYCE of Portland  
O'ROURKE of Camden  
SOULE of Westport  
LUND of Augusta  
LIVESAY of Brunswick

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Representatives:

CARRIER of Westbrook

Comes from the House, the Bill in New Draft Passed to be Engrossed, as amended by House Amendment "A" (H-650).

Which Reports were Read.

The Majority Ought to Pass, in New Draft, Report of the Committee Accepted, in concurrence, and the Bill, in New Draft, Read Once. House Amendment "A" Read and Adopted, in concurrence. The Bill, as amended, Tomorrow Assigned for Second Reading.

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

#### Senate Paper

Senator CARPENTER of Aroostook (Co-sponsor: Representative INGRAHAM of Houlton) presented, Bill, "An Act to Amend the Maine Implementing Act with Respect to the Houlton Band of Maliseet Indians. (Governor's Bill) (S. P. 931)

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

Sent down forthwith for concurrence.

#### (Off Record Remarks)

Senator Bustin of Kennebec was granted unanimous consent to address the Senate, Off the Record.

On motion by Senator Collins of Knox,

Adjourned until 12:30 o'clock tomorrow afternoon.