

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eleventh  
Legislature***

OF THE

STATE OF MAINE

**Volume I**

**FIRST REGULAR SESSION**

**December 1, 1982 to May 13, 1983**

STATE OF MAINE  
 One Hundred and Eleventh Legislature  
 First Regular Session  
 JOURNAL OF THE SENATE  
 August, Maine  
 January 31, 1983  
 Senate called to order by the President.

Prayer by Father John Marquis of St. John the Baptist Catholic Church in Brunswick.

FATHER MARQUIS: O'God, the source of all wisdom, Who's statutes are good and gracious, and Who's law is truth, guide and direct our State Senate that by just and prudent laws, it may promote the well-being of all our people.

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, compassion, and protect the weak, and lead us in constructing institutions for our peace and mutual aid. Amen.

Reading of the Journal of Friday, January 14, 1983.

**Communications**

The Following Communication:  
**The Maine Development Foundation**  
**One Memorial Circle, Augusta, Maine 04330**  
**207/622-6345**  
 January 25, 1983

Senator Gerald Conley  
 President of the Senate  
 State House Station #3  
 Augusta, ME 04333

Dear President Conley:

Accompanying this letter are 35 copies of the Maine Development Foundation's 1982 Report to Corporators. The report is to be distributed to each member of the Legislature pursuant to MRSA c. 107 §925 of the Foundation's enabling legislation.

Thank you, and if you have any questions or comments concerning the report, please call me at any time.

Sincerely,  
 S NATHANIEL H. BOWDITCH  
 President

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

The Following Communication:  
**The Senate of Maine**  
**Augusta**  
 January 26, 1983

To the Members of the Senate  
 111th Legislature

Pursuant to Senate Order relative to appointment of subordinate officers of the Senate, this is to inform you that the President of the Senate has appointed David Young as the Assistant Postmaster, Theresa Morrison as the Senate Supply Clerk and John Plestina as the Senate Courier.

The Secretary of the Senate has appointed Maureen Johnson, Marilyn Canavan, Nancy Simpson and Angela Morin as Office Secretaries; Helen Wing, Kimberly Monaghan, Rachel Hatch and Rosemary Thomas as Senate Stenographers; Linda Howe as Senate Reporter and Charlotte Clark as Assistant Senate Reporter.

Sincerely,  
 /S/ JOY J. O'BRIEN  
 Secretary of the Senate  
 Which was Read and Ordered Placed on File.

The Following Communication:  
**State of Maine**  
**Senate Chamber**  
**President's Office**  
**Augusta, Maine 04333**  
 January 26, 1983

The Honorable Joy J. O'Brien  
 Secretary of the Senate

State House  
 Augusta, Maine 04333  
 Dear Ms. O'Brien:

Pursuant to Senate Rule 5, I hereby appoint Paul Zendzian to serve as Legal Counsel to the President for the First Regular Session of the 111th Legislature.

Pursuant to Senate Rule 32, I hereby appoint the following to serve during the First Regular Session of the 111th Legislature: Mary Pitcher as Sargeant-at-Arms, Lori Murphy as Assistant Sargeant-at-Arms, James Gormley as Postmaster, Thomas Hickey as Doorkeeper, Kevin McVey and Susan Rosenthal as Pages.

Respectfully yours,  
 /S/ GERARD P. CONLEY  
 President of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:  
 Committee on Aging, Retirement and Veterans  
 January 26, 1983

The Honorable Gerald P. Conley  
 President of the Senate  
 State House  
 Augusta, Maine 04333  
 Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Aging, Retirement and Veterans has had under consideration the nomination of Patricia M. McDonough of South Portland for appointment as a member of the Board of Trustees of the Maine State Retirement System.

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 10
NAYS:	Senators 0	Representatives 0
ABSENT:	0	

Thirteen 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 Patricia M. McDonough of South Portland to the position as a member of the Board of Trustees of the Maine State Retirement System be confirmed.

Sincerely,  
 /S/ CHARLES G. DOW, Senate Chairman  
 /S/ DANIEL B. HICKEY, House Chairman  
 Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Aging, Retirement and Veterans has recommended that the nomination of Patricia McDonough be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Aging, Retirement and Veterans be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th 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**

YEAS—Baldacci.  
 NAYS—Brown, Bustin, Carpenter, Charette, Danton, Diamond, Dow, Emerson, Erwin, Gill, Hichens, McBreairty, Minkowsky, Pearson, Perkins, Pray, Shute, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.  
 ABSENT—Clark, Collins, Dutremble, Hayes, Kany, Najarian, Redmond, Sewall, Teague.

Senator Baldacci of Penobscot, was granted permission to change his vote from Yea to Nay. No Senators having voted in the affirmative

and 24 Senators in the negative, with 9 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 Patricia McDonough is confirmed.

The Secretary was directed to inform the Speaker of the House.

The Following Communication:  
**Committee on Education**

January 25, 1983

The Honorable Gerard P. Conley  
 President of the Senate of Maine  
 State House  
 Augusta, Maine 04333  
 Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Education has had under consideration the nomination of Joseph Sewall to the Board of Trustees of the Maine Maritime Academy.

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 2	Representatives 10
NAYS:		0
ABSENT:	1—Senator Nancy Randall Clark—Cumberland	

Twelve members of the Committee having voted in the affirmative and none in the negative with one being absent, it was the vote of the Committee that the nomination of Joseph Sewall of the Board of Trustees of the Maine Maritime Academy be confirmed.

Sincerely,  
 /S/ KENNETH P. HAYES  
 Senate Chairman  
 /S/ STEPHANIE LOCKE  
 House Chairwoman  
 Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Education has recommended that the nomination of Joseph Sewall be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Education be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th 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**

NAYS—Baldacci, Brown, Bustin, Carpenter, Charette, Collins, Danton, Diamond, Dow, Dutremble, Emerson, Erwin, Gill, Hayes, Hichens, Kany, McBreairty, Minkowsky, Pearson, Perkins, Pray, Shute, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Clark, Najarian, Redmond, Sewall, Teague.

No Senators having voted in the affirmative and 28 Senators in the negative, with 5 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 Joseph Sewall is confirmed.

The Secretary was directed to inform the Speaker of the House.

(Off Record Remarks)

**Recess**

**After Recess**

The Senate called to order by the President.

The Following Communication:  
The Joint Standing Committee on State Government

January 25, 1983

The Honorable Gerard P. Conley  
President of the Senate of Maine  
State House

Augusta, Maine 04333

Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on State Government has had under consideration the nomination of Leo M. Loiselle as a member of the Maine Guarantee Authority.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 111th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee clerk called the roll with the following result:

YES:	Senators	1
	Representatives	10
NAYS:	Senators	0
	Representatives	0

ABSENT: Senator Hichens of York

ABSTAINING: Senator Baldacci of Penobscot  
11 members of the Committee having voted in the affirmative and 0 in the negative, it was the vote of the Committee that the nomination of Leo M. Loiselle as a member of the Maine Guarantee Authority be confirmed.

Sincerely,  
/S/ DAN A. GWADOSKY  
House Chairman  
/S/ PAUL E. VIOLETTE  
Senate Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on State Government has recommended that the nomination of Leo M. Loiselle be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on State Government be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th 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 Chair recognizes the Senator from Penobscot, Senator Baldacci.

Senator BALDACCI: Mr. President, I would request permission to abstain from voting on the nomination of Mr. Loiselle, because of a possible conflict of interest.

The PRESIDENT: The Senator from Penobscot, Senator Baldacci requests leave of the Senate to abstain from voting on this nominee.

Is this the pleasure of the Senate?

It is a vote.

The Secretary will call the roll.

**ROLL CALL**

YEA—None.

NAY—Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Dumble, Emerson, Erwin, Gill, Hayes, Hichens, Kany, McBreairty, Minkowsky, Pearson, Perkins, Pray, Redmond, Sewall, Shute, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Najarian, Teague.

No Senators having voted in the affirmative and 30 Senators in the negative, with 2 Senators being absent, and 1 Senator being excused, 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 Leo M. Loiselle is confirmed.

The Secretary was directed to inform the

Speaker of the House.

The Following Communication: (S. P. 96)

The Senate of Maine  
Augusta

January 17, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
111th Legislature

The Honorable John L. Martin  
Speaker of the Maine House  
111th Legislature

Dear President Conley and Speaker Martin:

Please be advised that today seven bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, bills were referred to the Joint Standing Committees and ordered printed on January 17, 1983 as follows:

**Audit and Program Review**

Bill, "An Act Relating to Periodic Justification of Departments and Agencies of State Government under the Maine Sunset Laws" (S. P. 76) (L. D. 187) (Presented by Senator DIAMOND of Cumberland) (Cosponsor: Representative ROLDE of York)

**Business Legislation**

Bill, "An Act to Increase the Supervised Loan Threshold and to Conform Maine Consumer Credit Laws to Federal Laws" (S. P. 77) (L. D. 188) (Presented by Senator CHARLETTE of Androscoggin) (Cosponsors: Senator SEWALL of Lincoln, Representative TELOW of Lewiston, Representative COTE of Auburn)

**Judiciary**

Bill, "An Act Relating to Criminal Offenses by Indians on the Penobscot Reservation." (S. P. 80) (L. D. 191) (Presented by Senator PEARSON of Penobscot) (Cosponsor: Representative CASHMAN of Old Town)

Bill, "An Act Relating to Training Penobscot Law Enforcement Officers" (S. P. 81) (L. D. 192) (Presented by Senator PEARSON of Penobscot) (Cosponsor: Representative CASHMAN of Old Town)

Bill, "An Act Relating to Penobscot Nation Trust Land Designation." (S. P. 82) (L. D. 193) (Presented by Senator PEARSON of Penobscot) (Cosponsor: Representative CASHMAN of Old Town)

**Legal Affairs**

Bill, "An Act to Require Wholesale Malt Liquor Prices to Remain in Effect for 90 Days." (S. P. 79) (L. D. 190) (Presented by Senator DANTON of York)

**Transportation**

Bill, "An Act to Clarify Motor Vehicle Laws Affected by Federal Legislation" (S. P. 78) (L. D. 189) (Presented by Senator USHER of Cumberland) (Cosponsor: Representative CLARK of Millinocket)

Sincerely,  
/S/ JOY J. O'BRIEN  
Secretary of the Senate  
/S/ EDWIN H. PERT  
Clerk of the House

Read and Ordered Placed on File.

Sent down for concurrence.

The Following Communication: (S. P. 97)

The Senate of Maine  
Augusta

January 18, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
111th Legislature

The Honorable John L. Martin  
Speaker of the Maine House  
111th Legislature

Dear President Conley and Speaker Martin:

Please be advised that today thirteen bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, bills were referred to the Joint Standing Committees and ordered printed on January 18, 1983 as follows:

**Agriculture:**

Bill, "An Act to Make More Efficient the

Enforcement of Laws Relating to Cruelty to Animals." (S. P. 87) (L. D. 218) (Presented by Senator WOOD of York)

**Business Legislation:**

Bill, "An Act to Amend the Consumer Credit Code Regarding Mobile Homes." (S. P. 86) (L. D. 217) (Presented by Senator CHARETTE of Androscoggin) (Cosponsors: Representative PERKINS of Brooksville, Senator SEWALL of Lincoln, Representative MARTIN of Van Buren)

Bill, "An Act Concerning Charges for Certain Credit Cards." (S. P. 92) (L. D. 223) (Presented by Senator SEWALL of Lincoln)

Bill, "An Act to Amend the Mortgage Exemption in the Maine Consumer Credit Code." (S. P. 94) (L. D. 225) (Presented by Senator SEWALL of Lincoln)

**Energy and Natural Resources:**

Bill, "An Act Placing the Burden of Justification for any Land Use Control Measure on Municipalities once a Prima Facie Showing of Exclusion has been Demonstrated." (S. P. 83) (L. D. 214) (Presented by Senator TWITCHELL of Oxford)

Bill, "An Act Limiting all Dimensional Requirements in Land Use Control Ordinances and Regulations to those Necessary to Protect the Public's Health and Safety." (S. P. 85) (L. D. 216) (Presented by Senator TWITCHELL of Oxford)

**Judiciary:**

Bill, "An Act Requiring the Attorney General to Seek the Amendment of or Judicial Review of any Exclusionary Land Use Controls." (S. P. 84) (L. D. 215) (Presented by Senator TWITCHELL of Oxford)

Bill, "An Act Relating to Penobscot Game and Conservation Wardens." (S. P. 93) (L. D. 224) (Presented by Senator PEARSON of Penobscot) (Cosponsor: Representative CASHMAN of Old Town)

**Local and County Government:**

Bill, "An Act to Permit the Location of Manufactured Housing on Lots Zoned for Single-family Residential Use." (S. P. 89) (L. D. 220) (Presented by Senator TWITCHELL of Oxford)

Bill, "An Act to Permit Mobile Home Parks in Maine Towns." (S. P. 90) (L. D. 221) (Presented by Senator TWITCHELL of Oxford)

Bill, "An Act Requiring Municipalities to Make Reasonable Provision for all Public and Private Housing Alternatives." (S. P. 91) (L. D. 222) (Presented by Senator TWITCHELL of Oxford)

Bill, "An Act to Clarify the Authority of Municipal Officers to Charge Interest on Delinquent Sewer Accounts." (S. P. 95) (L. D. 226) (Presented by Senator BROWN of Washington)

**State Government:**

Bill, "An Act to Repeal the Maine Guarantee Authority." (S. P. 88) (L. D. 219) (Presented by Senator TWITCHELL of Oxford)

Sincerely,  
/S/ JOY J. O'BRIEN  
Secretary of the Senate  
/S/ EDWIN H. PERT  
Clerk of the House

Which was Read and Ordered Placed on File.  
Sent down for concurrence.

The Following Communication: (S. P. 99)

State of Maine  
Senate Chamber  
President's Office  
Augusta, Maine 04333

January 19, 1983

The Honorable John E. Baldacci

The Honorable Harry L. Vose

Chairs, Joint Standing Committee on

Public Utilities

State House

Augusta, ME 04333

Dear Senator Baldacci and Representative

Vose:

Please be advised that on January 18, 1983

Governor Joseph E. Brennan nominated Paul A. Fritzsche of Pownal for the position of Public Advocate.

Pursuant to Title 35 MRSA, Section 1-A, subsection 1, this nomination will require review by the Joint Committee on Public Utilities and confirmation by the Senate.

Sincerely,  
/S/ GERARD P. CONLEY  
President of the Senate  
/S/ JOHN L. MARTIN  
Speaker of the House

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

The Following Communication: (S. P. 100)  
**The Senate of Maine**  
Augusta

January 19, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
111th Legislature  
The Honorable John L. Martin  
Speaker of the Maine House  
111th Legislature

Dear President Conley and Speaker Martin:  
Please be advised that today one bill was received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, this bill was referred to the Joint Standing Committee on Judiciary and ordered printed on January 19, 1983 as follows:

**Judiciary:**  
Bill, "An Act to Promote Early Diagnosis of Child Abuse or Neglect." (S. P. 98) (L. D. 227)

Sincerely,  
/S/ JOY J. O'BRIEN  
Secretary of the Senate  
/S/ EDWIN H. PERT  
Clerk of the House

Which was Read and Ordered Placed on File.  
Sent down for concurrence.

The Following Communication: (S. P. 106)  
**The Senate of Maine**  
Augusta

January 21, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
111th Legislature  
The Honorable John L. Martin  
Speaker of the Maine House  
111th Legislature

Dear Mr. President and Mr. Speaker:  
Please be advised that today five bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, bills were referred to the Joint Standing Committees and ordered printed on January 21, 1983 as follows:

**Appropriations and Financial Affairs:**  
Bill, "An Act Making Additional Appropriations from the General Fund for the Current Fiscal Year Ending June 30, 1983 and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government." (S. P. 101) (L. D. 233) (Emergency) (Submitted by the Department of Finance and Administration pursuant to Joint Rule 24.) (Presented by Senator NAJARIAN of Cumberland) (Cosponsors: Representative CARTER of Winslow, Representative JALBERT of Lewiston, Representative C.W. SMITH of Mars Hill)

**Business Legislation:**  
Bill, "An Act to Amend the Investment Provisions and Certain Related Sections of the Maine Insurance Code." (S. P. 104) (L. D. 236) (Presented by Senator CLARK of Cumberland)

Bill, "An Act to Amend the Banking Code Regarding the Trust Powers of Thrift Institutions." (S. P. 105) (L. D. 237) (Presented by Senator CLARK of Cumberland)

**Election Laws:**  
Bill, "An Act to Change the Date of the Primary Election to the First Tuesday in September." (S. P. 103) (L. D. 235) (Presented by Senator DIAMOND of Cumberland) (Cospon-

sors: Representative McGOWAN of Pittsfield, Senator PRAY of Penobscot and Senator PEARSON of Penobscot.)

**Public Utilities:**  
Bill, "An Act Relating to the Charter of the Van Buren Water District." (S. P. 102) (L. D. 234) (Emergency) (Presented by Senator VIOLETTE of Aroostook) (Cosponsor: Representative MARTIN of Van Buren)

Sincerely,  
/S/ JOY J. O'BRIEN  
Secretary of the Senate  
/S/ EDWIN H. PERT  
Clerk of the House

Which was Read and Ordered Placed on File.  
Sent down for concurrence.

The Following Communication: (S. P. 109)  
**The Senate of Maine**  
Augusta

January 24, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
111th Legislature  
The Honorable John L. Martin  
Speaker of the Maine House  
111th Legislature

Dear Mr. President and Mr. Speaker:  
On January 24, 1983 two Bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on January 24, 1983 as follows:

**Legal Affairs:**  
Bill, "An Act Relating to the Term Wholesaler and Taste Activities under the Liquor Law." (S. P. 107) (L. D. 260) (Presented by Senator DANTON of York)

**Transportation:**  
Bill, "An Act to Establish a Sign on the Maine Turnpike for Bates College." (S. P. 108) (L. D. 261) (Presented by Senator MINKOWSKY of Androscoggin) (Cosponsored by: Representative LEWIS of Auburn)

Sincerely,  
/S/ JOY J. O'BRIEN  
Secretary of the Senate  
/S/ EDWIN H. PERT  
Clerk of the House

Which was Read and Ordered Placed on File.  
Sent down for concurrence.

The Following Communication: (S. P. 114)  
Augusta

January 25, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
111th Legislature  
The Honorable John L. Martin  
Speaker of the Maine House  
111th Legislature

Dear Mr. President and Mr. Speaker:  
On January 25, 1983, four Bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these Bills were referred to the Joint Standing Committees on January 25, 1983 as follows:

**Business Legislation:**  
Bill, "An Act to Conform Maine Garnishment Laws to the United States Code, Title 15, Section 1673, the Federal Consumer Credit Protection Act." (S. P. 110) (L. D. 262) (Presented by Senator HICHENS of York)

**Election Laws:**  
Bill, "An Act to Change the Deadline for Holding Municipal Caucuses." (S. P. 113) (L. D. 265) (Presented by Senator PEARSON of Penobscot) (Cosponsors: Representative KANE of South Portland, Representative MICHAUD of East Millinocket, Representative ERWIN of Rumford)

**Judiciary:**  
Bill, "An Act to Prohibit the Dissemination of Obscene Material." (S. P. 112) (L. D. 264) (Presented by Senator HICHENS of York) (Cosponsors: Representative McPHERSON of Eliot, Representative A. MARTIN of Brunswick)

**State Government:**  
Bill, "Resolution, Proposing an Amendment to the Constitution of Maine to Extend the Tenure for Sheriffs from Two Years to Four Years." (S. P. 111) (L. D. 263) (Presented by Senator HICHENS of York) (Cosponsors: Representative MASTERTON of Cape Elizabeth, Senator CARPENTER of Aroostook, Representative J. DIAMOND of Bangor)

Sincerely,  
/S/ JOY J. O'BRIEN  
Secretary of the Senate  
/S/ EDWIN H. PERT  
Clerk of the House

Which was Read and Ordered Placed on File.  
Sent down for concurrence.

The Following Communication: (S. P. 116)  
**The Senate of Maine**  
Augusta

January 25, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
111th Legislature  
The Honorable John L. Martin  
Speaker of the Maine House  
111th Legislature

Dear Mr. President and Mr. Speaker:  
Please be advised that today one bill was received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, this bill was referred to the Joint Standing Committee on Appropriations and Financial Affairs and ordered printed on January 25, 1983 as follows:

**Local and County Government:**  
Bill, "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1984, and June 30, 1985." (S. P. 115) (L. D. 281) (Emergency) Submitted by the Department of Finance and Administration pursuant to Joint Rule 24. (Presented by Senator NAJARIAN of Cumberland) (Cosponsors: Representative KELLEHER of Bangor and Senator PERKINS of Hancock)

Sincerely,  
/S/ JOY J. O'BRIEN  
Secretary of the Senate  
/S/ EDWIN H. PERT  
Clerk of the House

Which was Read and Ordered Placed on File.  
Sent down for concurrence.

The Following Communication: (S. P. 119)  
**The Senate of Maine**  
Augusta

January 26, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
111th Legislature  
The Honorable John L. Martin  
Speaker of the Maine House  
111th Legislature

Dear President Conley and Speaker Martin:  
Please be advised that today two bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on January 26, 1983 as follows:

**Local and County Government:**  
Bill, "An Act Concerning Fees Charged by Sheriffs and Deputies for Service of Certain Documents." (S. P. 117) (L. D. 295) (Presented by Senator VIOLETTE of Aroostook)

**Taxation:**  
Bill, "An Act to Remove Webster Plantation from the Maine Forestry District." (S. P. 118) (L. D. 296) (Presented by Senator PEARSON of Penobscot) (Cosponsored by Representative DUDLEY of Enfield)

Sincerely,  
/S/ JOY J. O'BRIEN  
Secretary of the Senate  
/S/ EDWIN H. PERT  
Clerk of the House

Which was Read and Ordered Placed on File.  
Sent down for concurrence.

The Following Communication: (S. P. 119)  
**The Senate of Maine**  
Augusta

January 26, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
111th Legislature  
The Honorable John L. Martin  
Speaker of the Maine House  
111th Legislature

Dear President Conley and Speaker Martin:  
Please be advised that today two bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on January 26, 1983 as follows:

Sent down for concurrence.

The Following Communication: (S. P. 120)

**State of Maine**  
**Director of Legislative Research**  
**Augusta, Maine 04333**

January 10, 1983

The Honorable Joy J. O'Brien  
Secretary of the Senate  
111th Maine Legislature  
State House  
Augusta, Maine 04333

Dear Joy,  
The following is the report of the Director of Legislative Research, pursuant to the Maine Revised Statutes Annotated, Title 3, section 164, subsection 10.

On December 1, 1982, the Maine Legislature convened in the First Regular Session of the 111th Legislature. This session marked the second time in the state's history that the Legislature convened in regular session during the month of December. This event, preceded by a Pre-legislative Conference led to an earlier organization of the Legislature and the enactment of three bills.

For citation purposes, the legislation passed in December will be included in the laws of Maine for 1983. Any other disposition would be inconsistent with the biennial numbering systems currently maintained by the Legislature.

The Legislature, as the law-making branch of State Government, has continued its republication program for statutes in order to keep the law as nearly complete and current for public use as possible in the least costly manner. Since 1973, 16 volumes, including the general index volumes, of the Maine Revised Statutes Annotated have been republished. This updating program should be continued and it is therefore recommended, within the limits of available funds, that volume one of the statutes containing the Constitution of Maine and the United States Constitution should be republished over the coming biennium with an ultimate goal, upon completion of the republication of all volumes, of enacting the updated set into positive law.

Although it may not be obvious, since the last report, this office, assisted by the Legislative Council, has worked diligently to improve the capability of the Legislature through use of computer technology. This valuable tool is presently available in three major areas providing new levels of speed, accuracy and cost savings never before achieved, in processing and printing in this State. As staffs perfect their skills in this area, the Legislature will come to realize and take pride in the capability of this unique system which is composed of the following subsystems.

1. **ALTER—Automated Legal Text Entry and Revision System.** The ALTER text processing system, or bill drafting system, is designed to permit bills and resolves to be drafted, amended, redrafted and engrossed quickly, yet accurately and to accommodate the legislative workload during the busiest days of the session. Proposed statutes must be typed and proofread only for the initial draft. Subsequent changes and amendments are inserted with simple text editing operations and only the changes must be proofread at a substantial saving of time and effort. Legislation can be easily reformatted for reproduction or publication with standard margins, page length, right margin justification and pages and line numbering at any stage of the process without need for retyping.

2. **SIRS—Search and Information Retrieval System.** The Statutory retrieval system makes it possible to access the constantly expanding mass of legal materials on a very selective basis. With this system, approximately 4 million words contained in the Maine Revised Statutes were entered and verified in a data base during the past

summer. Now it is possible to retrieve any portion of the statutes, then alter and integrate it into a legislative document. This system replaced the age old cut and paste methods which were dependent upon time consuming typeset in hot metal by commercial printers. The development of SIRS places the Legislature in tune with modern methods of printing which utilizes a quick and direct camera-ready copy for off-set printing.

3. **Legislative Bill Statute Systems.** This system provides the Legislature and the public with fast, accurate status information on a continuous basis. Hundreds of inquiries are directed daily to this system freeing other offices and staffs from the burdens arising from the ever expanding need and right to know. The present system is not new and is in need of updating, but with all its faults a remarkable job still is being done at very little cost.

In connection with these developments, there is still much more that remains to be done. I, therefore, recommend that the following actions be considered and authorized at the earliest possible time.

1. The two most recent subsystems (ALTER and SIRS) were installed on a lease basis. Now that the project has stabilized and appears to justify the costs involved, it would be economically advantageous as soon as possible to purchase both the hardware and software.

2. The current bill status system, built in 1974, would better serve the Legislature if it were reconstructed and enlarged. The enlarged system would enable direct hook-ups to the public sector and other legislative offices for such things as journals and calendars, to name a few.

3. It would be very helpful if a bill status display terminal could be stationed in the Senate in the same manner as presently operated in the House. This would eliminate duplication of time and effort by allowing direct entry into the system from the Senate chambers.

4. The Legislature may be wise to avoid the pitfall of developing within itself incompatible computer equipment. This mistake is easy to make but costly to correct. Already several state agencies have started to build systems that are incompatible with the Legislature's and learn with surprise that they cannot take advantage of the many benefits offered by integrating into the legislative system. In addition to those benefits, sound planning would suggest multiple use and cost-sharing among users as a goal well worthy of achieving and would help the Legislature curtail costs.

Two other areas of major concern to this office and the Legislature should be noted.

1. In order to reduce the present ever-expanding number of errors and omissions, this office maintains a computerized title and section program which enables most conflicts in pending legislation to be caught before the conflict becomes enacted into law. The success of this program depends heavily upon each standing committee, as well as the Committee on Bills in the Second Reading in each House, requiring the clearance of all conflicts listed on the title and section program before legislation containing those conflicts receive further legislative action. As in the past, your full support will be greatly appreciated in this effort.

2. All errors and omissions in the statutes discovered or brought to the attention of the Director of Legislative Research since the previous Legislature will be submitted in bill form to the Judiciary Committee for clarification and correction during this session. The "errors bill" as it is generally known, is customarily sponsored by the committee chairman and contains no substantive matters when initially introduced. Once this bill is before a committee, a hearing will be scheduled at which time both substantive and nonsubstantive amendments will be considered. It should be remem-

bered that this bill serves a dual purpose which contributes to its unusual size and length. It is the only means of quality control the Legislature has in order to make needed corrections and clarifications of current and past errors. Also, of equal importance, the bill provides the only opportunity for needed revision work and the many housekeeping tasks to update the statutes that other states accomplish in a separate bill.

The State Manual for Legislative Drafting is in the process of being revised and updated and soon will be conveniently available on video terminals as a part of the computer system. This guide to drafting is not a best seller, but for those who are called upon to do legislative drafting, it can be a very important tool. In addition to the availability of the manual by video terminal, a limited number of copies have been placed on file in the State Law Library for reference purposes.

As a final note, in order to continue to promote uniformity of procedure, avoid confusion and to permit an orderly transition from revision to revision, it is important that all bills be checked by the Office of the Director of Legislative Research before presentation to the Legislature. Also, it would be helpful if all criticisms of the 1964 revision and of the current methods of updating statutes could be forwarded to the Director to aid in planning future republications or revisions.

Thank you for your kind attention and favorable consideration of this report.

Sincerely,  
/S/ DAVID S. SILSBY  
Director

Which was Read and Ordered Placed on File.  
Send down for concurrence.

The Following Communication: (S. P. 123)

**The Senate of Maine**  
**Augusta**

January 27, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
111th Legislature  
The Honorable John L. Martin  
Speaker of the Maine House  
111th Legislature

Dear President Conley and Speaker Martin:

Please be advised that today two bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on January 27, 1983 as follows:

**Taxation**

Bill, An Act to Provide an Income Tax Checkoff for Voluntary Support of Nongame Wildlife Management. (S. P. 122) (L. D. 298) (Presented by Senator WOOD of York. (Co-sponsored by Senator CLARK of Cumberland, Representative LIVESAY of Brunswick and Representative JACQUES of Waterville)

**Transportation**

Bill, An Act to Prohibit Radar Detectors. (S. P. 121) (L. D. 297) (Presented by Senator CARPENTER.)

Sincerely,  
/S/ JOY J. O'BRIEN  
Secretary of the Senate  
/S/ EDWIN H. PERT  
Clerk of the House

Which was Read and Ordered Placed on File.  
Send down for concurrence.

**Senate Papers**

BILL, "An Act Concerning Local Leeway Under the School Finance Law." (S. P. 124) (Presented by Senator McBREAIRTY of Aroostook)

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

Sent down for concurrence.

BILL, "An Act to Increase the Number of Voting Booths Required in Maine Elections." (S. P. 125) (Presented by Senator PEARSON of

Penobscot) (Cosponsors: Representative MI-CHAEL of Auburn, Senator USHER of Cumberland and Representative VOSE of Eastport.)

Which was referred to the Committee on Election Laws and Ordered Printed.  
Sent down for concurrence.

**BILL, "An Act Concerning Persons Who Assist in Mitigating the Effects of Discharge of Hazardous Materials."** (S. P. 126) (Presented by Senator DIAMOND of Cumberland) (Cosponsors: Senator KANY of Kennebec, Senator McBREAIRTY of Aroostook and Representative HALL of Sangerville.)

**BILL, "An Act Concerning Open Burning When There is Snow on the Ground."** (S. P. 127) (Presented by Senator PERKINS of Hancock) (Cosponsors: Representative DEXTER of Kingfield, Representative HALL of Sangerville and Representative JACQUES of Waterville.)

Which were referred to the Committee on Energy and Natural Resources and Ordered Printed.

Sent down for concurrence.

**BILL, "An Act to Revise the Mark-up Percentage for Maine Produced Products under the Liquor Laws."** (S. P. 128) (Presented by Senator CHARETTE of Androscoggin) (Cosponsor: Senator DANTON of York.)

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

Sent down for concurrence.

**BILL, "An Act to Permit Towns to Raise Money for Snow Removal from Private Ways and Driveways."** (S. P. 129) (Presented by Senator TWITCHELL of Oxford)

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

Sent down for concurrence.

**BILL, "An Act to Increase the Income and Benefit Limitations Under the Elderly Householders Tax and Rent Refund Act."** (S. P. 130) (Presented by Senator McBREAIRTY of Aroostook) (Cosponsor: Representative MATTHEWS of Caribou.)

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

Sent down for concurrence.

**BILL, "An Act to Make the Single Axle Limit Uniform."** (S. P. 131) (Presented by Senator USHER of Cumberland.)

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

Sent down for concurrence.

#### **Reports of Committees Senate**

The following Ought Not to Pass report shall be placed in the legislative files without further action pursuant to Rule 15 of the Joint Rules:

**BILL, "An Act Concerning Annual Automobile Inspection"** (S. P. 19) (L. D. 20)

#### **Ought to Pass**

Senator CHARETTE for the Committee on Legal Affairs on **BILL, "An Act Relating to the Annual Observance of Saint Jean-Baptiste"** (S. P. 21) (L. D. 22) reported that the same Ought to Pass.

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

Senator VIOLETTE for the Committee on State Government on **Bill, "An Act to Amend the Maine Guarantee Authority Act to Allow for More Expansive Development in the State."** (S. P. 72) (L. D. 178) reported that the same Ought to Pass.

Which Report was Read and Accepted, in

concurrence, and the Bill Read Once.

On motion by Senator Violette of Aroostook, Under Suspension of the Rules, the Bill Read A Second Time and Passed to be Engrossed.

Sent down for concurrence.

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

#### **Reports of Committees House**

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

The Committee on Local and County Government on **Bill, "An Act to Deorganize Eliotsville Plantation,"** (Emergency) (H.P.101)(L.D.-108) Reported that the same Ought to Pass in New Draft under same title. (H.F. 283) (L. D. 308)

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

Which Report was Read and Accepted, in concurrence, and the Bill, in New Draft, Read Once.

On motion by Senator Pray of Penobscot, Under Suspension of the Rules, the Bill Read a Second Time and Passed to be Engrossed, in concurrence.

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

The Committee on Local and County Government on **BILL, "An Act to Provide for the Surrender by Plantation 21 of Its Organization,"** (Emergency) (H. P. 126) (L. D. 134) Reported that the same Ought to Pass in New Draft under New Title, **BILL, "An Act to Deorganize Plantation 21,"** (Emergency) (H. P. 284) (L. D. 309)

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

Which Report was Read and Accepted in concurrence, and the Bill, in New Draft under New Title, Read Once.

On motion by Senator PRAY of Penobscot, Under Suspension of the Rules, the Bill, Read a Second Time and Passed to be Engrossed in concurrence.

There being no objections all items previously acted upon were sent forthwith.

#### **(Off Record Remarks)**

Senator Collins of Knox was granted unanimous consent to address the Senate, On the Record.

Senator COLLINS: Mr. President, I want to express my great appreciation to Members of the Senate, Members of the Senate Staff, the Lobby, a lot of folks here in the State House for their kindness to me during my lay up, especially appreciate the cards, messages, flowers, donations of blood.

You have been a very wonderful support, and I'm still a little wobbly, but it won't be long before I'll be in there pitching with you.

Thanks very much.

Senator Hichens of York was granted unanimous consent to address the Senate, Off the Record.

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

On motion by Senator Carpenter of Aroostook, Adjourned until 9:30 o'clock tomorrow morning.