

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Ninth
Legislature***

OF THE

STATE OF MAINE

SECOND REGULAR SESSION

January 2 to April 3, 1980

THIRD SPECIAL SESSION

May 22, 1980

THIRD CONFIRMATION SESSION

July 17, 1980

FOURTH CONFIRMATION SESSION

July 24, 1980

FIFTH CONFIRMATION SESSION

September 12, 1980

**REPORT, HEARING TRANSCRIPT AND
RELATED MEMORANDA OF THE JOINT
SELECT COMMITTEE ON INDIAN LAND
CLAIMS**

HOUSE

Friday, February 29, 1980

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Reverend Stuart Price of the Minot Corner Methodist Church, Minot.

Rev. PRICE: Let us pray! Our Lord and Our God, as we pause these moments, we give you thanks for the many blessings that are ours, that we do have the freedom to disagree about issues and their resolutions, that we have the freedom to speak the truth as we believe it to be.

As we are reminded of the American captives in Iran, may their captivity remind us of what we have and what we are.

We pray now that those of this House and their families who are physically ill may feel the power of your healing hand and that it would be known to them that they would be strengthened and that healing would take place.

Remind us anew, O Lord, that whether we are called Democrats or Republicans or Independents, whether we are called conservative, liberal or moderate, that these differences would never overshadow the reality of being first children of yours and secondly American citizens.

We would ask now that your spirit of guidance be on this House for the issues of this session that the welfare of all citizens may be increased. Amen.

The journal of yesterday was read and approved.

Papers from the Senate

The following Communication:

February 28, 1980

The Honorable Edwin H. Pert
Clerk of the House
109th Legislature
Augusta, Maine 04333
Dear Clerk Pert:

The Senate today voted again to indefinitely postpone Joint Resolution Requesting the Attorney General to Examine the Price Increase in Petroleum Products (H. P. 1857).

Respectfully,

S/MAY M. ROSS

Secretary of the Senate

Was read and ordered placed on file.

Non-Concurrent Matter

Bill "An Act to Adopt the Maine Municipal and Rural Electrification Cooperative Agency Act" (H. P. 1871) (L. D. 1961) which was referred to the Committee on Energy and Natural Resources in the House on February 26, 1980.

Came from the Senate referred to the Committee on Public Utilities in non-concurrence.

In the House: The House voted to recede and concur.

Orders

On motion of Mr. Cox of Brewer, the following Order:

ORDERED, that Representative Sidney Maxwell of Jay be excused February 25, 1980, and for the duration of his illness.

The order was read.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Cox.

Mr. COX: Mr. Speaker, Ladies and Gentlemen of the House: Representative Maxwell has been in the hospital all this week. I talked with his wife last night and she expects that he will be released today, but we don't know yet when he will be back.

Thereupon, the Order received passage and was sent up for concurrence.

Special Sentiment Calendar

In accordance with House Rule 56, the following Joint Orders (Expressions of Legis-

lative Sentiment) Recognizing,

The Bangor Christian Patriots, 1979-80 Eastern Maine Girls Class D basketball champions; (S. P. 771)

Mr. and Mrs. Wilbert Nickerson, of Franklin, who celebrated their 50th wedding anniversary on January 20, 1980; (H. P. 1884) by Mrs. Curtis of Milbridge. (Cosponsor: Senator Perkins of Hancock)

The Washington Academy Raiders and Coach Donald Wood, winners of Class C Eastern Maine boys' basketball championship of 1979-80; (H. P. 1885) by Mr. Nelson of Roque Bluffs.

The Medomak Valley High School, winners of the 1979-80 Western Maine Class B boys' basketball championship; (H. P. 1886) by Mr. Blodgett of Waldoboro.

The Van Buren soccer team which won the 1979-80 Eastern Maine Class B soccer championship; (H. P. 1887) by Mr. Violette of Van Buren. (Cosponsor: Senator Martin of Aroostook)

Robert Philbrook, of Portland, the recipient of the 1980 Jefferson award for greatest public service benefiting the disadvantaged; (H. P. 1888) by Mr. Connolly of Portland. (Cosponsors: Senator Conley of Cumberland and Mrs. Nelson of Portland)

Gerald E. Talbot, of Portland, a former member of the House of Representatives, who is the recipient of the 1980 Jefferson Award; (H. P. 1889) by Mr. Connolly of Portland. (Cosponsors: Mr. Brannigan of Portland, Senator Najarian of Cumberland and Senator Conley of Cumberland)

Daniel Morrow, of Van Buren, who has been accepted for membership in the United States Collegiate Wing Band, a highly selective musical organization; (H. P. 1890) by Mr. Violette of Van Buren. (Cosponsor: Senator Martin of Aroostook)

Helen Marshall, of Old Orchard Beach, who has been named an outstanding citizen of that community for 1980; (H. P. 1892) by Mr. McSweeney of Old Orchard Beach.

There being no objections, these expressions of legislative sentiment are considered passed.

House Reports of Committees

Ought Not to Pass

Mr. Vose from the Committee on Fisheries and Wildlife on Bill "An Act to Eliminate Dedicated Revenues for the Department of Inland Fisheries and Wildlife" (H. P. 1828) (L. D. 1932) reporting "Ought Not to Pass"

Was placed in the Legislative Files without further action pursuant to Joint Rule 22, and sent up for concurrence.

Consent Calendar

First Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the First Day:

(H. P. 1745) (L. D. 1861) Bill "An Act to Revise and Strengthen the Bee Industry Law" — Committee on Agriculture reporting "Ought to Pass" as amended by Committee Amendment "A" (H-810)

(H. P. 1742) (L. D. 1860) RESOLVE, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Lands in the Unorganized Territory — Committee on State Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-814)

No objections being noted, the above items were ordered to appear on the Consent Calendar of March 3, under listing of Second Day.

Consent Calendar

Second Day

In accordance with House Rule 49, the following item appeared on the Consent Calendar for the Second Day:

(H. P. 1791) (L. D. 1909) Bill "An Act Concerning the Incorporation of the Mission Congregational Church"

No objections having been noted at the end of the Second Legislative Day, the House Paper was passed to be engrossed and sent up for concurrence.

Passed to Be Enacted

An Act to Permit the Department of Transportation to Acquire Railroad Operating Equipment (S. P. 666) (L. D. 1720) (S. "A" S-422; C. "A" S-411)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

An Act Relating to the Provision of Telephone Equipment by Telephone Companies to the Hearing Impaired and their Families (S. P. 655) (L. D. 1694) (C. "A" S-420)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Pearson.

Mr. PEARSON: Mr. Speaker, I would like to pose a question to the Chair. Does this require a fiscal note?

The SPEAKER: The Chair would advise the gentleman from Old Town, Mr. Pearson, that it does not require a fiscal note.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act to Amend the Pay Schedule of Physicians to Include Actuaries (S. P. 707) (L. D. 1843) (H. "D" H-799)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Orders of the Day

The Chair laid before the House the first tabled and today assigned matter:

Bill "An Act to Allow the Commissioner of Marine Resources to Exercise Limited Authority over the Conservation of Atlantic Salmon" (H. P. 1630) (L. D. 1740) (C. "A" H-785)

Tabled—February 28, 1980 by Mr. Dow of West Gardiner.

Pending—Passage to be Engrossed.

On motion of Mr. Fowle of Rockland, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" was adopted, and on further motion of the same gentleman, the amendment was indefinitely postponed.

The same gentleman offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-809) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Fowle.

Mr. FOWLE: Mr. Speaker, Men and Women of the House: What this amendment does, it is an agreement between the Marine Resources Commissioner and Committee and Fisheries and Wildlife Commissioner and Committee.

As you notice, this is House Amendment "B". In House Amendment "A" there was a drafting error, so it does basically the same thing. House Amendment "B" corrects the drafting error.

Thereupon, House Amendment "B" was adopted.

The Bill was passed to be engrossed as amended by House Amendment "B" and sent up for concurrence.

The Chair laid before the House the second tabled and today assigned matter:

Bill "An Act Relating to the Effective Date of Administrative Changes in the Employment Security Law" (Emergency) (H. P. 1762) (L. D. 1888)

(House Reconsidered Passage to be Engrossed on February 28)

Tabled—February 28, 1980 by Mr. Garsoe of

Cumberland.

Pending—Adoption of House Amendment
“A” (H-806)

On motion of Mr. Wyman of Pittsfield, re-
tabled pending adoption of House Amendment
“A” and specially assigned for Tuesday,
March 4.

(Off Record Remarks)

On motion of Mrs. Martin of Brunswick, ad-
journed until nine thirty o'clock on Monday,
March 3.