

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Ninth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

January 3, 1979 to May 4, 1979

STATE OF MAINE
One Hundred and Ninth Legislature
JOURNAL OF THE SENATE
January 4, 1979

After Recess

Senate called to order by the President.

At this point a message was received from the House of Representatives through William Garsoe of Cumberland informing the Senate that the House of Representatives was assembled and awaiting the Senate for a Joint Convention of both branches of the Legislature.

The PRESIDENT: The Chair recognizes the Senator from Kennebec Senator Katz.

Senator KATZ: Mr. President, I want to call the Chair's, and the Senate's attention, the fact that this is the recess portion of our first Legislative Session which we began yesterday. In the fulfillment of our constitutional duties as specified by the constitution, we are going to proceed to elect the Treasurer and the Secretary of State, and, probably the Attorney General, also.

At this point, the Senate retired to the hall of the House of Representatives where a Joint Convention was formed.

(For proceedings of Joint Convention, see House Report.)

**After Joint Convention
In Senate**

The Senate called to order by the President; On motion by Senator Pierce of Kennebec Adjourned until 4:41 o'clock in the afternoon.

January 4, 1979
4:41 o'clock in the afternoon.

Senate called to Order by the President.

Prayer by the Honorable Walter W. Hichens of Eliot.

Senator HICHENS: May we pray. Our Lord and our God, we come before Thee this afternoon, in great humility, realizing after the activities of this day, that all things are in Thy hands.

Even though we may question, sometimes, why things are allowed to be and allowed to happen, we do realize that Thou art the every knowing God, the every watchful God. So with that knowledge we go into this new session, asking for divine guidance, forgiveness for our short-comings, and strength for the days ahead, for the sessions which will follow.

We ask these things in Thy name. Amen.

Reading of the Journal of the first session of the Senate.

Out of Order and Under Suspension of the Rules:

On motion by Senator Pierce of Kennebec, ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, January 9, at ten o'clock, in the morning.

(S. P. 28)

Which was Read and Passed.
Sent down forthwith for concurrence.

Out of Order and Under Suspension of the Rules,

Report of Joint Select Committee on GUBERNATORIAL VOTE.

STATE OF MAINE

The Joint Select Committee of the One Hundred and Ninth Legislature on returns of votes for Governor given in the several cities, towns and plantations of this State for the political years 1979, 1980, 1981 and 1982, has attended to its duty and asks leave to report that the whole

number of votes returned for Governor was 370,258; and that Joseph E. Brennan of Portland had 176,493 votes; Herman C. Frankland of Bangor had 65,889 votes; Linwood E. Palmer, Jr. of Nobelboro had 126,862 votes; James B. Longley of Lewiston had 628 votes and Others had 386 votes.

RICHARD H. PIERCE
Chairman on the part of the Senate
EDITH S. BEAULIEU
Chairman on the part of the House
(S. P. 24)

Which Report was Read and Accepted.
Sent down forthwith for concurrence.

**Papers from the House
Joint Order**

ORDERED, the Senate concurring, that the Speaker of the House is authorized, at his discretion, to permit radio or sound television film or live television, or any two or three of these communication media, in the hall of the House of Representatives while the House is in session, or during joint conventions of the Legislature.

(H. P. 11)

Comes from the House, Read and Passed.
Which was Read and Passed, in concurrence.

**Communications
Department of Indian Affairs**

January 2, 1979

Ed Pert
Clerk of the House
State House
Augusta, Maine 04333
Dear Mr. Pert:

This is to notify you that the Legislature Representatives from the Penobscot and Passamaquoddy Reservations are as follows:

Timothy Love - Penobscot Tribe
Reuben Cleaves - Passamaquoddy Tribe

Sincerely,
CHARLES W. RHYNARD
Commissioner
Department of Indian Affairs
(H. P. 10)

Comes from the House, Read and Ordered
Placed on file.

Which was Read and Ordered Placed on file,
in concurrence.

**State of Maine
House of Representatives**

January 3, 1979

Mrs. May M. Ross
Secretary of the Senate
109th Legislature
Augusta, Maine 04333
Dear Madam Secretary:

The Speaker appointed the following members on the part of the House to the Joint Select Committee on Gubernatorial Vote:

Mrs. BEAULIEU of Portland
Messrs. PARADIS of Augusta
ELIAS of Madison
DOUKAS of Portland
PELTIER of Houlton
Mrs. HUBER of Falmouth
Ms. SMALL of Bath

Sincerely,
Edwin H. Pert
Clerk of the House

Which was Read and Ordered placed on file.

Order

On motion by Senator Katz of Kennebec, ORDERED, that a message be sent to the House of Representatives proposing a Convention of both branches of the Legislature to be held at 6:30 P.M. at the Augusta Civic Center for the purpose of administering to the Honorable JOSEPH E. BRENNAN, Governor-elect, the oath required by the Constitution to qualify him to enter upon the discharge of his official duties.

Which was Read and Passed.

The President appointed, Senator Katz of Kennebec, to deliver the message, the Senator then returned to the Hall of the House of Representatives and subsequently reported that he had performed the duties with which he was charged.

On motion by Senator Pray of Penobscot: ORDERED, the House concurring, that a Committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Honorable JOSEPH E. BRENNAN, and inform him that he has been duly elected Governor of the State of Maine for the political years 1979, 1980, 1981 and 1982.

(S. P. 25)

Which was Read and Passed.
Sent down forthwith for concurrence.

At this point a message was received from the House of Representatives, through Representative James E. Tierney of Lisbon Falls, informing the Senate that the House concurs in the recent proposal for a Joint Convention, to be held at the Augusta Civic Center at 6:30 o'clock, for the purpose of administering to the Honorable Joseph E. Brennan, Governor-elect, the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties.

On motion by Senator Pierce of Kennebec, ORDERED, the House concurring, that a Joint Select Committee of three on the part of the Senate with such as the House may join, be appointed to consider the Governor's Message and report a reference of its several subjects to appropriate committees.

(S. P. 029)

Which was Read and Passed.
Sent down forthwith for concurrence.
The President appointed:

Senators:
PIERCE of Kennebec
PRAY of Penobscot
HUBER of Cumberland

Joint Order

An Expression of Legislative Sentiment recognizing that:

The Marshwood High School Hawks of SAD 35 and their coach, Rod Wotton, have won the SYSSA championship for 1978 and have compiled an excellent record of 46 wins out of 47 games and 18 consecutive wins over the past 3 seasons,

(S. P. 26)

Is presented by Senator Hichens from York, co-sponsored by Mr. McPherson from Eliot and Mr. Studley from Berwick.

Which was Read and Passed.
Sent down for concurrence.

Joint Resolution

A Joint Resolution In Memoriam:
WHEREAS, the Legislature has learned with deep regret of the death of Dr. John Alden Woodcock, orthopedic surgeon of Bangor,

(S. P. 27)

Is presented by Senator Trotzky from Penobscot, co-sponsored by Senator Devoe from Penobscot.

Which was Read.

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

Senator DEVOE: Mr. President and members of the Senate. I would just like to make some brief comments, on the record, concerning Dr. John Woodcock.

He was the third generation of his family to give devoted medical attention to people in Eastern Maine. It is with great personal regret that Senator Trotzky and I learned of his death on December 21.

His brother Allen Woodcock, served with great distinction this Legislature. Dr. Woodcock was a person of unselfish devotion to the people in Eastern and Northern Maine, a

person of superior quality. Thank you, Mr.

President:

Which was Adopted.

Sent down for concurrence.

On motion of Senator Pierce of Kennebec

Recessed until 6:30 P.M. this evening, at the
Augusta Civic Center.

Recess

After Recess

In Convention

The President of the Senate, Joseph Sewall,
in the Chair.

Convention called to order by the Chairman.

(For proceedings of the Joint Convention, see
House Report.)

After Joint Convention

In Senate

The Senate called to order by the Secretary.

The Adjournment Order having been re-
turned from the House, Read and Passed, the
Senate adjourned until January 9, 1979, at ten
o'clock in the morning