

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**

STATE OF MAINE
One Hundred and Ninth Legislature
Second Regular Session
JOURNAL OF THE SENATE

January 10, 1980

Senate called to order by the President.

Prayer by Father Paul U. Pare of Notre Dame Catholic Church of Waterville.

Father PARE: As you the Members of the 109th Maine Senate are gathered here to resume your sessions for the well-being of your fellow citizens of our great State of Maine, I would like to share with you this appropriate prayer, Psalm 67 from the Good Book.

Let us pray!

O God, be gracious and bless us, and let your face shed its light upon us,

So will your ways be known upon earth, and all nations learn your saving health.

Let the peoples praise you O God, let all the peoples praise you.

Let the nations be glad and exalt, for you rule the world with justice.

With fairness you rule the peoples, you guide the nations on earth.

Let the peoples praise you O God, let all the peoples praise you.

The earth has yielded its fruits for God, our God has blessed us.

May God still give us his blessing, till the ends of the earth revere him. Amen.

Reading of the Journal of yesterday.

**Papers from the House
Joint Orders**

Expressions of Legislative Sentiment recognizing that:

Chanel Bouchard has, with great dedication and enthusiasm, served as Chief of the Van Buren Fire Department for the past 20 years. (H. P. 1668)

Basil Fox of Washburn, Maine, was named the Packer's 1979 "Potato Man of the Year" at the recent annual banquet of the National Potato Council. (H. P. 1670)

Mrs. Ellen Jordan, of Bath, an active member of the Bath Coasters for many years, will celebrate her 101st birthday on January 14, 1980. (H. P. 1671)

Come from the House, Read and Passed.

Which were Read and Passed, in concurrence.

ORDERED, the Senate concurring, that the Joint Standing Committee on Local and County Government report out a bill revising the salaries of county officers and also report out a resolve or resolves for laying of the county taxes for the Year 1980. (H. P. 1676)

Comes from the House, Read and Passed.

Which was Read and Passed, in concurrence.

House Papers

Bill, "An Act to Permit Participating Local Districts of the Maine State Retirement System to Amend Retirement Benefits for Policemen and Fire Fighters Prospectively." (H. P. 1665) (L. D. 1774)

Comes from the House, referred to the Committee on Aging, Retirement and Veterans and Ordered Printed.

Which was referred to the Committee on Aging, Retirement and Veterans and Ordered Printed in concurrence.

Bill, "An Act to Appropriate Funds for Special Election." (Emergency) (H. P. 1672) (L. D. 1779)

Comes from the House, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Which was referred to the Committee on Appropriations and Financial Affairs and Ordered Printed in concurrence.

Bill, "An Act Mandating Risk-sharing

Among Property Insurers." (H. P. 1673) (L. D. 1780)

Bill, "An Act to Add the Commissioner of Educational and Cultural Services to the Energy Testing Laboratory of Maine and to Correct References to the Oil and Solid Fuel Burner Technicians Licensing Board." (H. P. 1674) (L. D. 1781)

Come from the House, referred to the Committee on Business Legislation and Ordered Printed.

Which were referred to the Committee on Business Legislation and Ordered Printed in concurrence.

Bill, "An Act to Exempt any Tree Growth, within 250 feet from Oceans, Lakes, Rivers or Streams in Organized Municipalities, from the Tree Growth Law." (H. P. 1666) (L. D. 1775)

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

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

Bill, "An Act to Revise and Clarify Certain Provisions of the Motor Vehicle Laws." (H. P. 1667) (L. D. 1776)

Bill, "An Act Relating to the Maximum Seating Capacity of School Buses Transporting a Combination of Students Attending Grades Kindergarten through 12." (H. P. 1675) (L. D. 1782)

Come from the House, referred to the Committee on Transportation and Ordered Printed.

Which were referred to the Committee on Transportation and Ordered Printed in concurrence.

Senate Papers

Senator Pierce of Kennebec presented, Bill, "An Act to Amend the Maine Health Facilities Authority Act to Include Certain Educational Institutions." (S. P. 680)

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

Reference to the Committee on Education is suggested.

On Motion by Senator Pierce of Kennebec, referred to the Committee on State Government and Ordered Printed.

Sent down for concurrence.

Senator Silverman of Washington presented, Bill, "An Act Relating to Authority of the Town of Crawford to Sell Lots Within its Public Reserved Lands." (S. P. 681)

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

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

Sent down for concurrence.

(Off Record Remarks)

Committee Reports

Senate

Ought to Pass

Senator Trotzky for the Committee on Education on, Bill, "An Act to Validate Proceedings Authorizing the Issuance of Bonds and Notes by the Town Council of the Town of Orono." (Emergency) (S. P. 652) (L. D. 1699)

Reported that the same Ought to Pass.

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

Orders of the Day

The PRESIDENT: The Chair laid before the Senate the first tabled and specially assigned matter:

Bill "An Act Concerning Right of Access, Performance Standards, Public Farm Workers, Supervisory Salaries and Firemen's Wages Under the Labor Laws." (H. P. 1663) (L. D. 1772)

Tabled—January 9, 1980 by Senator Katz of

Kennebec.

Pending—Reference.

On Motion by Senator Katz of Kennebec, Retabled for 1 Legislative Day.

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

Senator COLLINS: Mr. President, and Members of the Senate, our State Law Librarian, Miss Edith Hary, has brought to our attention, that this year is the 50th Anniversary of the Superior Court of the State of Maine.

Among the exhibits that will commemorate this anniversary is a collection of photographs of judges who have served on the Supreme Judicial and Superior Courts of Maine. It was donated to the State by the late Judge Edward N. Merrill II, the son of a former Chief Justice.

I note in the list of photographs several that I have known, and many that I have not known. I note one from Cumberland County back in 1911 named Connolly, it made me wonder if there was some connection to a Member of this Body.

There are many other persons here of note in the history of our State. I hope that during the coming week that Members of the Senate will take the occasion to drop in to the State Law Library, and take a look at some of the exhibits that commemorate this occasion. Thank you.

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

Senator Huber of Cumberland was granted unanimous consent to address the Senate, On the Record.

Senator HUBER: Mr. President, and Members of the Senate.

I rise to offer as Chairman of the Appropriations Committee a preliminary report on the effectiveness of the Committee's most recent program directed toward positivism payment and energy conservation in Maine State Government.

As you may recall in recent Special Session of the Executive Department and the Legislature, despite unusual cooperation between these branches of government, were unable to successfully repeal the month of February.

In response to this most distressing breakdown in parliamentary process, the Committee on Appropriations and Financial Affairs has undertaken an innovative program to accomplish much to the same ends, within existing budgetary constraints.

I'm delighted to report that as of yesterday, January 9, degree days have been reduced by 6% or 180 degree days, as compared to the corresponding period last year. In addition, anticipating incursions into the General Fund by highway interest, the committee has attempted to reduce expenditures in this area, although not it's primary focus, by reducing snowfall to almost negligible proportions. This has reduced budgeted highway expenditures for sand, salt, and snowplowing by approximately \$625,000.

Substantial additional savings have been realized at the municipal level of government, which may blunt the Maine Municipal Association's attempt to raid the General Fund through the initiated bill, which may reach this session.

The committee realizes that this new initiative still in it's infancy has caused some dislocations, particularly in the Winter Recreation Industry. Despite these unforeseen sort of problems, however, the Members of my Committee have pledged to continue their unstinting efforts to refine, improve, and perfect this new Cost Management Technique to the permanent benefit of Maine citizens, and not incidentally, to the detriment of the OPEC Nations.

In view of the fact that my committee antic-

ipates delivery of few good tidings during this Legislative Session, the committee felt that presentation of this report would be both timely and appropriate. Thank you.

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

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

Senator Conley of Cumberland, was granted unanimous consent to address the Senate, Off the Record.

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

**Paper From the House
Joint Order**

ORDERED, the Senate concurring, that when the Senate and House adjourn, they adjourn to Tuesday, January 15, 1980, at Twelve o'clock noon. (H. P. 1689)

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

On Motion by Senator Pierce of Kennebec, adjourned until Tuesday, January 15, 1980 at Twelve o'clock noon.