

# 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 17, 1980

Senate called to order by the President.

Prayer by the Rev. Douglas H. Robbins, Retired, of Augusta.

Reverend ROBBINS: Eternal and infinite spirit in whom we live and move and have our being, we pray that we may be worthy of all of thy gifts, thou who art the author of all that is good.

As we continue the deliberations of this body, may we learn to respect and courageously defend the just rights of all. May we strive to understand those opinions which are different from our own. May we learn to control our tongues when we are tempted to speak unfairly or unkindly of others.

We would thus find a deeper comradeship and a truer happiness through learning to know each other better. Bind, we pray, our citizens together by the glow of neighborly good will, by the thrill of common joys, and the pride of common possessions.

May we ever remember that our nation and state's true wealth consists not in the abundance of the things which we possess, but rather in the justice of her laws and institutions, and in the brotherly way of her citizens.

Lift up O' Lord thy countenance upon us this day, and give us peace. Amen.

Reading of the Journal of yesterday.

(Off Record Remarks)

**Papers from the House  
Joint Orders**

Expressions of Legislative Sentiment recognizing that:

Vi Thelin, an outstanding citizen of Wells-Ogunquit, has for many years been the area's best known and most active participant in civic activities, including 40 years in active service with the Girl Scouts. (H. P. 1704)

Rev. Robert M. Howe of Kennebunkport has served 25 years of continued dedicated service as pastor of the South Congregational Church. (H. P. 1700)

Maude Taylor, of Madison, celebrated her 90th birthday on January 7, 1980. (H. P. 1703)

Come from the House, Read and Passed.

Which were Read and Passed, in concurrence.

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

**Joint Resolutions**

Joint Resolutions in Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of Herman G. Lamoreau of Easton. (H. P. 1702)

WHEREAS, the Legislature has learned with deep regret of the death of Michael N. Anderson of South Portland, former "Officer Friendly" and a life-long law enforcement officer dedicated to youth. (H. P. 1705)

Come from the House, Read and Adopted.

Which were Read and Adopted, in concurrence.

**House Papers**

Bill, "An Act to Establish Visible Emissions Standards and to Adopt and Revise Certain Definitions under the Environmental Laws." (H. P. 1690) (L. D. 1800)

Comes from the House, referred to the Committee on Energy and Natural Resources and Ordered Printed.

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

Bill, "An Act to Require the Department of Mental Health and Corrections to Solicit Bids for Group Health Coverage for its Patients and Inmates." (Emergency) (H. P. 1685) (L. D. 1799)

Comes from the House, referred to the Committee on Health and Institutional Services and Ordered Printed.

Which was referred to the Committee on Health and Institutional Services and Ordered Printed in concurrence.

Bill, "An Act to Increase the Fees for the Driver Education Evaluation Program." (H. P. 1691) (L. D. 1801)

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

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

Bill, "An Act Relating to Confidentiality under the Lottery Law." (H. P. 1692) (L. D. 1802)

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

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

Bill, "An Act to Amend Training Requirements for Corrections Officers." (H. P. 1693) (L. D. 1803)

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

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

**Communication  
COMMITTEE ON ENERGY AND  
NATURAL RESOURCES**

January 16, 1980

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

In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th Maine Legislature, the Joint Standing Committee on Energy and Natural Resources has had under consideration the nomination of John Walker of Livermore Falls to the position of LURC.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 109th 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:

YEAS:

Senators — 2  
Representatives — 8

NAYS:

Senators — 0  
Representatives — 0

ABSENT: Sen. Trotzky, Rep. Michael, Rep. Austin

Ten 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 John Walker to the position of LURC be confirmed.

Sincerely,

S/JAMES McBREAIRTY  
Senate Chairman

S/WILLIAM B. BLODGETT  
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Energy and Natural Resources has recommended that the nomination of John Walker be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on

Energy and Natural Resources be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th 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.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator O'Leary.

Senator O'LEARY: Mr. President, and Members of the Senate: Yesterday we had the nomination of John Walker before us for this position. I must say at this time, he was questioned extensively by the committee.

There was no one who appeared in opposition to his nomination. I was rather impressed by the credentials that this man brings to the position. I say he's perhaps the best nomination that any Governor of this State has ever made to any position.

John Walker was born and raised in Springfield, Massachusetts. After serving with the United States Marine Corps during World War II, he received a B.S. Degree in Forestry from the University of Maine's School of Forestry.

He worked for the Dead River Company, the Sewall Company, and the International Paper Company as a timber cruiser, a land surveyor hypsographer, and aerial photographer interpreter.

He then came to work for the State where he served 25 years with the Maine Forest Service, during which time he was the sole person in charge of the State's public lots throughout the entire unorganized territory.

He was also the person who in the deep of winter ran the lines on the boundaries of Baxter State Park.

I have a lot more here, Mr. President, but I think that I put in the record some of the words that I like to say about this gentleman. I believe he is the best qualified man that could be found for this position. I hope that everyone votes for his nomination.

The PRESIDENT: Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.  
The Secretary will call the Roll.

**ROLL CALL**

YEA—None.

NAY—Ault, Carpenter, Chapman, Conley, Cote, Danton, Devoe, Emerson, Gill, Hichens, Katz, Lovell, Martin, McBreairty, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Pray, Redmond, Shute, Silverman, Teague, Trotzky, Usher, Sewall.

ABSENT—Clark, Collins, Farley, Huber, Sutton, Trafton.

No Senators having voted in the affirmative and 27 Senators in the negative, with 6 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 John Walker is confirmed.

**Senate Papers**

Senator Teague of Somerset presented, Bill, "An Act Relating to the Bonding of Voting Device Vendors." (S. P. 694) (Approved by a Majority of the Legislative Council pursuant to Joint Rule 27.)

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

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

Senator KATZ: Mr. President, and Members of the Senate: If there is one thing we have in common, it is that we are concerned about the education of our constituents' children.

Some years ago, when it was apparent that money was a real barrier, we actually amended the Constitution of the State of Maine

in order to guarantee loans so that our youngsters could walk into local banks and borrow money and help pay for the cost of their own education.

The program started, actually, in the private sector with a bunch of businessmen getting together and putting some seed money so that the loans to students could become bankable, but in those days they were dealing with small numbers.

Subsequently, Congress entered the act and passed a national program, which you read about now and then in the paper and sometimes it's not always advantageous, because you read about an extraordinary rate of default among students who don't pay back their loans.

The thing the papers don't say is that those high default rates pertain to direct programs, operated by the Federal Government, and not to the kind of a program that's operated by the State of Maine, because the State of Maine oversees, within the State, the nature of the loans, the collection process. We hire a firm to administer the program for us. The default rate among your constituents and my constituents is among the lowest in the nation.

But listen to this! During 1979, 9,923, just short of 10,000 Maine kids walked into their local banks, borrowed money on their own signatures to help defray the cost of their own education. It's an extraordinary record. It shows that Maine kids are willing to pay to pursue a course of education and training. This does not necessarily mean they are all going to the University, or Harvard or anyplace else. This involves the Vocational Schools. It shows, I think, extraordinary evidence that Maine kids still believe that an education is a vital asset if they are to succeed in life.

Just a handful of years ago in 1973 the number of loans was less than half that amount. I would advise each of you to become familiar with the loan program so that you can personally actively help kids in your communities to steer into the right banks to borrow the money to help pay for their education costs.

#### **Orders of the Day**

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

On Motion by Senator Pierce of Kennebec, Recessed until the sound of the bell.

#### **Recess**

#### **After Recess**

The Senate called to Order by the President.

The President 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 16, 1980 by Senator Pierce of Kennebec.

Pending—Motion of Senator Pierce of Kennebec to Indefinitely Postpone.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Pierce.

Senator PIERCE: Mr. President, I would withdraw my motion to Indefinitely Postpone, and move that this Bill be referred to the Committee on Labor.

The PRESIDENT: The Senator from Kennebec, Senator Pierce, now requests Leave of the Senate to Withdraw his Motion to Indefinitely Postpone this legislation.

Is it the pleasure of the Senate to Grant this Leave?

It is a vote.

On Motion by Senator Pierce of Kennebec, Referred to the Committee on Labor, and Or-

dered Printed, in concurrence.

On Motion by Senator Pierce of Kennebec, adjourned until 11 o'clock tomorrow morning.