

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 18, 1980

Senate called to order by the Secretary

The SECRETARY: Is it the pleasure of the Senate that the Senator from Kennebec, Senator Katz, preside as President Pro-tem?

It is a vote?

The Secretary would ask the Sergeant-at-Arms to escort the Senator from Kennebec, Senator Katz, to the rostrum, to assume the duties of President Pro-tem.

The Sergeant-at-Arms escorted the Senator from Kennebec, Senator Katz to the rostrum, where he acted as President Pro-tem.

Prayer by Father Joseph Holland of the Augusta Mental Health Institute.

Father HOLLAND: Almighty and Eternal God, in your wisdom you foresaw that the best guarantee of freedom would be through parliamentary procedure where freely elected officials would preserve, safeguard and promote the innate longings of the human heart.

Guide these our freely elected Senators, in the performance of their duties. Grant them the visions to see beyond the wording of the bills, to those whose lives will be affected, positively or adversely.

Direct their minds and control their personal feelings to adjust compassionate resolution of the problems presented to them.

We ask you all this, through your fatherly concern. Amen.

Reading of the Journal of yesterday.

Papers from the House
Joint Orders

Expressions of Legislative Sentiment recognizing that:

Barry J. Hobbins, of Saco, who has been named by the State Jaycees as one of 1980's outstanding young men of Maine. (H. P. 1699)

Frank P. Wood, of Springvale, who has been named by the State Jaycees as one of 1980's outstanding young men of Maine. (H. P. 1701)

Come from the House, Read and Passed.

Which was Read and Passed, in concurrence.

House Papers

Bill, "An Act to Assist Private Secular Schools in Complying with the Federal Handicapped Laws on Program Accessibility." (H. P. 1709) (L. D. 1814)

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

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

Bill, "An Act to Amend the Law Dealing with the Identity of Fish Produced by Aquaculture." (H. P. 1710) (L. D. 1815)

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

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

Bill, "An Act Relating to Bonds and Notes Issued by Sanitary Districts." (H. P. 1588) (L. D. 1808)

Bill, "An Act Extending the Time which the Caribou Utilities District has to Take Over the Caribou Water Works Corporation." (Emergency) (H. P. 1706) (L. D. 1809)

Bill, "An Act Relating to the Provisions of the Charter of the Brunswick Sewer District." (H. P. 1707) (L. D. 1810)

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

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

Bill, "An Act to Clarify the Law Relating to Public and Private Driver Education Programs." (H. P. 1708) (L. D. 1811)

Comes from the House, referred to the Committee on Transportation and Ordered Printed. Which was referred to the Committee on Transportation and Ordered Printed in concurrence.

Senate Papers

Senator Pray of Penobscot (Cosponsors: Senators O'Leary of Oxford and Usher of Cumberland) presented, Bill, "An Act to Expand the State's Industrial Development Promotion Program." (S. P. 695)

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

Sent down for concurrence.

Senator McBreaity of Aroostook (Cosponsors: Senators Trotzky of Penobscot, Pray of Penobscot and O'Leary of Oxford) presented, Bill, "An Act to Clarify the Board of Environmental Protection's Responsibility to Regulate Roads under the Site Location Law." (S. P. 696)

(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.

Senator Carpenter of Aroostook presented, Bill, "An Act to Amend the Provisions of the Maine Certificate of Need Act Governing the Issuance of an Emergency Certificate of Need." (S. P. 697)

Senator Carpenter of Aroostook (Cosponsors: Senators Najarian of Cumberland and O'Leary of Oxford) presented, Bill, "An Act to Establish an Environmental Health Program." (S. P. 698)

Which were referred to the Committee on Health and Institutional Services and Ordered Printed.

Sent down for concurrence.

Senator Najarian of Cumberland presented, Bill, "An Act to Require Responsibility to Provide Medical Coverage and Make Support Payments to the Department of Human Services Whenever Children Receive Public Assistance." (S. P. 699)

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

Sent down for concurrence.

Senator Redmond of Somerset presented, RESOLVE, Authorizing the Town of Strong to Sue the State of Maine. (S. P. 700)

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

The same Senator presents, RESOLVE, Authorizing Larry R. Coffren of Strong to Bring Civil Action against the State of Maine. (S. P. 701)

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

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

Sent down for concurrence.

Senator Martin of Aroostook (Cosponsor: Senator Usher of Cumberland) presented, Bill, "An Act Concerning the Membership of the State Energy Resources Advisory Board." (S. P. 702)

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

Sent down for concurrence.

Committee Reports
House

Ought to Pass

The Committee on Education on, Bill, "An

Act to Amend the School Administrative Districts Reapportionment Procedure." (H. P. 1619) (L. D. 1729)

Reported that the same Ought to Pass.

The Committee on Public Utilities on, Bill, "An Act to Increase the Borrowing Capacity of the Winterport Sewerage District." (Emergency) (H. P. 1602) (L. D. 1713)

Reported that the same Ought to Pass.

The Committee on Transportation on, Bill, An Act Relating to the Reconstruction of Interests and International Bridges." (Emergency) (H. P. 1614) (L. D. 1724)

Which Reports were Read and Accepted, in concurrence, and the Bills Read Once and Tomorrow Assigned for Second Reading.

Ought to Pass in New Draft

The Committee on Education on, Bill, "An Act to Change the Name of the Glen Cove Bible School to the New England Baptist Bible College." (H. P. 1591) (L. D. 1701)

Reported that the same Ought to Pass in New Draft under new title, Bill, "An Act to Change the Name of the Glen Cove Bible College to the New England Baptist Bible College." (H. P. 1697) (L. D. 1804)

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 and Tomorrow Assigned for Second Reading.

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

Papers from the House
Joint Orders

ORDERED, the Senate concurring, that when the Senate and House adjourn, they adjourn to Tuesday, January 22, 1980, at Twelve o'clock noon. (H. P. 1725)

Comes from the House, Read and Passed.

Which was Read and Passed, in concurrence.

ORDERED, the Senate concurring, that the Joint Standing Committee on Business Legislation report out a bill at this session of the Legislature making refinements and amendments to the Beverage Container Law. (H. P. 1726)

Comes from the House, Read and Passed.

Which was Read.

On Motion by Senator Pierce, of Kennebec, Tabled for 1 Legislative Day, pending Passage.

Joint Resolution

Joint Resolution in Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of George Meany, giant of the labor movement, whose tireless dedication to democratic principles helped advance the civil rights and social welfare of American workers. (H. P. 1698)

Comes from the House, Read and Adopted.

Which was Read and Adopted, in concurrence.

Committee Reports
House

Ought to Pass

The Committee on Marine Resources on, Bill, "An Act to Repeal the Marine Worm Tax." (Emergency) (H. P. 1632) (L. D. 1742)

Reports that the same Ought to Pass.

Comes from the House, the Bill Passed to be Engrossed.

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

Orders of the Day

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

Senator PIERCE: Mr. President and Members of the Senate: Several of you have approached me this morning, and some House

Members also, in reaction to the rumor that is going around that we are imminently about to recess the Legislature.

I thought it might be appropriate just to bring you up-to-date, on where we are at this moment with it. As you know from the beginning some of us have had some real concerns that the process was starting up much too slow, that legislation wasn't being received in a timely manner, and that once again, all the major issues are going to be pushed off until the last handful of days, when we really can't do proper justice to them.

I understand that some Members of House Leadership, of both parties have decided that to vote for a recess, and that at least one of the House caucuses has by formal vote gone on record asking the Legislature to recess for a week.

The Legislative Council will be meeting immediately after we are out of session here. We will take up the matter at that time. As far as I know no firm decisions have been made. I'm sure there is concern on your parts too, with the public and the taxpayers.

The House has been in session something like 3 hours and 40 minutes, excluding the day that the Governor spoke, at a cost of something like \$210,000. I'm sure at \$70,000 an hour or so, the public doesn't feel that they are getting their money's worth, at this point. I guess I certainly would have to concur with them in that.

One of the problems with adjourning the Legislature or recessing it, rather, is that many of you have made plans, no doubt, for sometime after the middle of March, and it would affect those. We would be getting out at a later date, but there are some real concerns that many people have.

If there are any firm decisions made this afternoon or later this morning by the council we certainly will notify you immediately, of any decisions that we might make.

The PRESIDENT pro tem: The Chair would like to point out that the Joint Order we passed, will adjourn us until Tuesday at 12 o'clock.

There is no attempt, under any circumstances, to make any changes in the advertised public hearings next week, which will go on exactly as scheduled, in any eventuality.

On Motion by Senator Pierce of Kennebec, adjourned until Tuesday, January 22, 1980 at 12 o'clock noon.
