

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

March 4, 1980

Senate called to order by the President.

Prayer by the Reverend Erle C. Morse of the Fellowship Baptist Church in Augusta.

Reverend MORSE: Dear Heavenly Father, we're told that there are a hundred million stars in the galaxies and space and when we consider what the psalmist said: what is man that thou art mindful of him. Even the very hairs of our head are numbered, and you know when a sparrow falls to the ground.

Father, when we consider that your son, the Lord Jesus Christ left the ivory palaces of heaven to come to this small planet for us, we begin to realize somewhat of our importance to you.

We also realize the high cost of our sin that you should come and die in our place and for our sin. Father we realize that sin was costly, not only to your son, but to us, who have to pay the high cost of supporting jails and many other institutions.

Lord we pray today for our churches and christian schools that seek to save the high cost of crime, and it's results. We pray that this body of chosen Legislators will be wise in their decisions and seek the true wisdom that only comes from above, this very day. We pray this in the Savior's precious name. Amen.

Reading of the Journal of yesterday.

Senator Katz of Kennebec, 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.

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.

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

**Papers from the House
Joint Orders**

Expressions of Legislative Sentiment recognizing:

Sherrye Johnson, of East Brunswick, Maine's 1980 Junior Rodeo Queen. (H. P. 1897)

Rhonda Ricker, of Lisbon, Maine's 1980 Rodeo Queen. (H. P. 1898)

Christine Kine, of Gorham, Maine's 1980 Grange Agricultural Queen. (H. P. 1899)

Cindy Williams, of Pittsfield, Maine's 1980 Egg Princess. (H. P. 1900)

Razelle Smedberg, of South Paris, Maine's 1980 Farm Bureau Queen. (H. P. 1901)

Judith Black, of Belfast, Maine's 1980 Broiler Queen. (H. P. 1902)

Carrie Jo Lothrop, of Ashland, Maine's 1980 Potato Blossom Queen. (H. P. 1903)

Natalie Slefinger, of Rockland, Maine's 1980 Blueberry Queen. (H. P. 1904)

Come from the House, Read and Passed.
Which were Read.

(Off Record Remarks)

The PRESIDENT: The Chair would ask the Sergeant-at-Arms to escort Natalie Slefinger, of Rockland, Maine's 1980 Blueberry Queen to the rostrum, where she may address the Senate on behalf of the several queens here in the Chamber today. We are very pleased to have

you with us Natalie.

The Sergeant-at-Arms escorted Maine's 1980 Blueberry Queen, Natalie Slefinger, of Rockland, to the rostrum where she addressed the Senate.

Miss NATALIE SLEFINGER: Good morning! My name is Natalie. Individually I represent the Blueberry Industry of the State of Maine, but I'm speaking today on behalf of the other girls here. We're here to show support for Maine Agriculture, and we hope you do too.

Maine has a tradition of a work force built of quiet and competent men and women. Independence and self-reliance help create the legend that is the Maine Resident, the traditional Down-Easter.

Maine people have a pride to make them want to say: I've got my house, there is food on my table, I pay my bills.

Maine people are independent. Nowhere is pride, this self-reliance and this skill more evident but in the Agriculture Industry. Whether it's a backyard garden, a small crop with enough produce for one family or a commercial operation serving Maine and other New England States, Maine farmers care.

The work is often back-breaking, coping with Mother-Nature is never easy. Winter is a test for the rugged, summer droughts bring the threat of financial ruin. Getting the needed manpower and transporting the grown vegetables to market can try the patience of any man.

As Agriculture representatives, we help promote our individual industries, but more importantly Maine Agriculture in general. We have travelled as a group, to Massachusetts as participants in the Eastern States Exposition in Springfield. While there we talked about the State, we passed out numerous pamphlets, advertising Maine's camping, Maine's sailing, skiing, anything that Maine has to offer.

We answered questions and laughed at some misconceptions that out-of-stater's seem to have about our State. We've all spent time also in our home towns and in other towns in the state talking up our blueberries, our chickens, our eggs, or whatever.

Maybe we're a bit of window dressing for the Agricultural Industry, but it's a hard working collection of people. Our smiles may just instill confidence in an over-worked farmer. Maybe our answer to a question can prompt someone to come to the State to visit, maybe they'll come here to live, and they'll make Maine better.

Whatever our effect, we're travelling to show the world that Mainers are happier people, we're richer people, and probably wouldn't trade it for the world. Thank you very much for listening.

The Sergeant-at-Arms escorted Miss Slefinger to her seat in the rear of the Chamber.

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

Which were Passed, in concurrence.

(Off Record Remarks)

**Papers from the House
Non-concurrent Matter**

Bill, "An Act Combining the Offices of Justice of the Peace and Notary Public and to Establish their Appointment by the Secretary of State." (H. P. 1718) (L. D. 1829)

In the Senate, February 27, 1980, Passed to be Engrossed, as amended by Committee Amendment "A" (H-798), in concurrence.

Come from the House, Passed to be Engrossed, as amended by Committee "A" and House Amendment "A" (H-808), in non-concurrence.

On Motion by Senator Katz of Kennebec, Tabled until later in today's session, pending Consideration.

Joint Orders

Expressions of Legislative Sentiment recognizing:

The personnel of Loring Air Force Base, who have faithfully operated this major SAC installation during the long period of uncertainty. (H. P. 1893)

David Silk, of Damariscotta, member of the United States Olympic Hockey Team, the Gold Medal Winners at Lake Placid, New York. (H. P. 1896)

Come from the House, Read and Passed.
Which were Read and Passed, in concurrence.

House Paper

RESOLVE, Authorizing the Exchange of Certain Public Reserved Lands, Georgia-Pacific Corporation. (H. P. 1895) (L. D. 1971)

Come 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.

Senate Papers

Senator Hichens of York (Cosponsor: Senator Conley of Cumberland) presented, Bill, "An Act to Amend the Maine Guarantee Authority Act." (Emergency). (S. P. 780)

(Approved by a Majority of the Legislative Council pursuant to Joint Rule 27.)

Which was referred to the Committee on State Government and Ordered Printed.
Sent down for concurrence.

**Committee Reports
House**

Leave to Withdraw

The Committee on Education on, Bill, "An Act Relating to Transfer of Pupils from One Administrative Unit to Another." (H. P. 1802) (L. D. 1923)

Reported that the same be granted Leave to Withdraw.

Come from the House, the Report Read and Accepted.

Which Report was Read and Accepted, in concurrence.

Ought to Pass — As Amended

The Committee on State Government on, RESOLVE, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Lands in the Unorganized Territory. (H. P. 1742) (L. D. 1860)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-814).

Come from the House, the Resolve Passed to be Engrossed as amended by Committee Amendment "A".

Which Report was Read.

On Motion by Senator Pray of Penobscot, Tabled until later in today's session, pending Acceptance of the Committee Report.

Divided Report

The Majority of the Committee on Transportation on, Bill, "An Act to Amend Allocations from the Highway Fund for the Fiscal Years from July 1, 1979 to June 30, 1980 and from July 1, 1980 to June 30, 1981, Decrease the State Aid Bonus from 40% to 20%, and Revise Drivers' License and Examination Fees." (Emergency) (H. P. 1723) (L. D. 1827)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-812).

Signed:

Senators:

EMERSON of Penobscot

O'LEARY of Oxford

USHER of Cumberland

Representatives:

McKEAN of Limestone

JACQUES of Lewiston

CARROLL of Limerick

McPHERSON of Eliot
ELIAS of Madison
HUTCHINGS of Lincolnville
STROUT of Corinth
HUNTER of Benton
BROWN of Mexico

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass as Amended by Committee Amendment "B" (H-813)

Signed:

Representative:

LOUGEE of Island Falls

Comes from the House, Bill and Papers Re-committed to the Committee on Transportation.

Which Reports were Read.

On Motion by Senator Katz of Kennebec, Tabled for 1 Legislative Day, pending Acceptance of Either Committee Report.

Senate

Ought to Pass in New Draft

Senator Clark for the Committee on Taxation on Bill, "An Act Providing for Administrative Modifications to Property Tax Laws Administered by the Bureau of Taxation." (S. P. 414) (L. D. 1314)

Reports that the same Ought to Pass in New Draft under Same Title. (S. P. 779) (L. D. 1970)

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

Divided Report

The Majority of the Committee on Health and Institutional Services on, Bill, "An Act to Amend the Health Facilities Information Disclosure Act." (Emergency) (S. P. 732) (L. D. 1912)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-427).

Signed:

Senators:

GILL of Cumberland
CARPENTER of Aroostook

Representatives:

PRESCOTT of Hampden
NORRIS of Brewer
MacBRIDE of Presque Isle
BRODEUR of Auburn
CURTIS of Milbridge
BRENERMAN of Portland
CLOUTIER of South Portland
MATTHEWS of Caribou

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Senator:

HICHENS of York

Representative:

PAYNE of Portland

Which Reports were Read.

On Motion by Senator Hichens of York, the Majority Ought to Pass, as amended, Report of the Committee, Accepted, and the Bill Read Once. Committee Amendment "A" Read and Adopted, and the Bill, as amended, Tomorrow Assigned for Second Reading.

Second Readers

The Committee on Bills in the Second Reading reported the following:

House

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

Which was Read a Second Time and Passed to be Engrossed, in concurrence.

House — As Amended

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)

Which was Read a Second Time.

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

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:
An Act Establishing Conditions for Forest Management in State Parks. (H. P. 1623) (L. D. 1733)

Which was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Orders of the Day

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

JOINT ORDER — Relative to the Committee on Audit and Program Review studying the operation and proposed expansion of the Office of Energy Resources. (S. P. 772)

Tabled—February 29, 1980 by Senator Huber of Cumberland.

Pending—Passage.

On Motion by Senator Huber of Cumberland, Retabled for 1 Legislative Day.

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine Repealing the Exclusion of Judges of Probate from the Governor's Authority to Appoint all Judicial Officers. (S. P. 778) (L. D. 1969)

Tabled—March 3, 1980 by Senator Collins of Knox.

Pending—Reference.

On Motion by Senator Collins of Knox, referred to the Committee on Judiciary and Ordered Printed.

Sent down for concurrence.

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

Bill, "An Act to Permit the Department of Transportation to Acquire Railroad Operating Equipment." (S. P. 666) (L. D. 1720)

Tabled—March 3, 1980 by Senator Katz of Kennebec.

Pending—Enactment.

On Motion by Senator Pierce, Retabled 1 Legislative Day.

The Chair laid before the Senate:

Bill, "An Act Combining the Offices of Justice of the Peace and Notary Public and to Establish their Appointment by the Secretary of State. (H. P. 1718) (L. D. 1829) tabled earlier in today's session, on Motion by Senator Katz of Kennebec, pending, Consideration.

On Motion by Senator Perkins of Hancock, Retabled for 1 Legislative Day.

The Chair laid before the Senate:

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Lands in the Unorganized Territory. (H. P. 1742) (L. D. 1860) tabled earlier in today's session, on Motion by Senator Pray of Penobscot, pending Acceptance of the Committee Report.

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

Senator PRAY: Mr. President I would like to pose a question through the Chair. I notice that the Chairman of the Committee is gone to whom ever else might be serving on the State Government Committee, if they could let us know basically what type of land is being conveyed? What interests that the State has in it?

The PRESIDENT: The Senator from Penobscot, Senator Pray has posed a question through the Chair to any Senator who may care to answer.

On Motion by Senator Pray of Penobscot, Retabled for 1 Legislative Day.

Senator Danton of York, was granted unan-

imous consent to address the Senate, Off the Record.

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

On Motion by Senator Pierce of Kennebec, adjourned until 10 o'clock tomorrow morning.