

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eleventh
Legislature***

OF THE

STATE OF MAINE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

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FOURTH CONFIRMATION SESSION

(FIRST CONFIRMATION SESSION – SECOND REGULAR SESSION)

May 31, 1984

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FIFTH CONFIRMATION SESSION

(SECOND CONFIRMATION SESSION – SECOND REGULAR SESSION)

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THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

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HOUSE

Thursday, March 15, 1984

The House met according to adjournment and was called to order by the Speaker.

Prayer by Reverend Reginald Couture, Union Congregational Church of Ellsworth Falls.

The journal of Tuesday, March 13, 1984, was read and approved.

Papers from the Senate

The following Joint Resolution: (S. P. 832)
JOINT RESOLUTION MEMORIALIZING THE HONORABLE WILLIAM F. BOGLER POSTMASTER GENERAL OF THE UNITED STATES, TO ORDER THE ISSUANCE OF A SPECIAL STAMP COMMEMORATING THE ACADIANS OF ST. JOHN VALLEY

WE, your Memorialists, the Senate and House of Representatives of the State of Maine in the Second Regular Session of the One Hundred and Eleventh Legislature now assembled, most respectfully present and petition the Honorable William F. Bolger, as follows:

WHEREAS, there is a deep and meaningful pride in the Acadian cultural heritage that descends from the valley of the mighty St. John, the grandest river of the north; and

WHEREAS, this Nation and this State have been truly enriched by a small group of French Acadians, who pioneered the broad and fertile banks of a new world in June of 1785; and

WHEREAS, history recalls Jean Baptiste Sire as founder of the movement which led to settlement and inevitably to a treaty establishing the northern border of Maine and our great Nation along the southern banks of the St. John River; and

WHEREAS, within the scenic splendor of this beautiful valley, communities sprang up of Acadian ancestry which have reached out across the land providing outstanding contributions and leadership; and

WHEREAS, it would be a fitting tribute to the architect Jean Baptiste Sire and the French Acadian founders of the new world on the 200th anniversary of their historic settlement of the St. John Valley to issue a special stamp commemorating the French Acadians of St. John Valley; and be it

RESOLVED: That we, your Memorialists, in view of these historic pioneers of the New World and their record of accomplishments, recommend and urge the Honorable William F. Bolger, Postmaster General of the United States, to take appropriate action by ordering the issuance of a special stamp commemorating the Acadians of St. John Valley; and be it further

RESOLVED: That copies of this Memorial, duly authenticated by the Secretary of State, be immediately transmitted by the Secretary of State to the Honorable William F. Bolger, Postmaster General of the United States, the President of the United States, the Speaker of the House of Representatives and the President of the Senate of the United States Congress and to each Member of the Maine Congressional Delegation.

Came from the Senate, read and adopted. Was read and adopted in concurrence.

Bill "An Act Relating to Alcohol-related Birth Defects" (S. P. 830) (L. D. 2225)

Came from the Senate, referred to the Joint Select Committee on Alcoholism Services and Ordered Printed.

Was referred to the Joint Select Committee on Alcoholism Services in concurrence.

Bill "An Act Encouraging an Alternative to Landfill Disposal of Solid Waste" (Emergency) (S. P. 833) (L. D. 2234)

Came from the Senate, referred to the Committee on Energy and Natural Resources and Ordered Printed.

Was referred to the Committee on Energy and Natural Resources in concurrence.

Bill "An Act to Provide Immunity to Persons and Institutions who Act as Depositories for Wills" (S. P. 834) (L. D. 2235)

Came from the Senate, referred to the Committee on Judiciary and Ordered Printed.

Was referred to the Committee on Judiciary in concurrence.

Bill "An Act to Increase the Minimum Wage to \$3.55" (S. P. 835) (L. D. 2236)

Came from the Senate, referred to the Committee on Labor and Ordered Printed.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Gwadosky.

Mr. GWADOSKY: Mr. Speaker, does this bill appear before us in violation of Joint Rule 37?

Thereupon, the Bill was tabled pending a ruling by the Chair.

Non-Concurrent Matter

Bill "An Act to Amend Certain Rules of the Emergency Medical Services" (S. P. 709) (L. D. 1955) which was passed to be engrossed as amended by Committee Amendment "A" (S-290) as amended by House Amendment "A" (H-491) thereto in the House on March 12, 1984.

Came from the Senate, passed to be engrossed as amended by Committee Amendment "A" (S-290) as amended by Senate Amendment "B" (S-313) thereto in non-concurrence.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mrs. Nelson.

Mrs. NELSON: Mr. Speaker, I now move that we recede and concur.

The SPEAKER: The Chair recognizes the gentleman from Fryeburg, Mr. Kiesman.

Mr. KIESMAN: Mr. Speaker, I would like to pose a series of questions through the Chair.

I note that Committee Amendment "A" that deals with one issue on this subject has a sunset of January 1986. That came out of the committee and has been adopted by both bodies. I note that this Senate Amendment "B", which replaced House Amendment "A", has a sunset of January 1985. I would like to have someone explain the rationale of having two sunsets, two different sunset dates, in this legislation and whether there is a House Amendment that could be put on that would make the dates consistent?

The SPEAKER: The gentleman from Fryeburg, Mr. Kiesman, has posed a question through the Chair to anyone who may care to answer.

The Chair recognizes the gentleman from Gray, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: In answer to the good gentleman's question, the Committee Amendment has a date of 1986 to allow the department, the Regional Councils of Emergency Medical Services and the people who perform those skills out in the street a chance to do some research and some study to find a performance standard for advanced life support and what level that standard should be placed at.

The 1985 date on Senate Amendment "A" deals with a licensure level between defibrillation and IV skills. After a long consultation, it was felt that if we could look at this whole process of a split in those two levels for a few months, we could develop some type of a trend as to how the people in the state were going, whether they were going for a combination license or an individual license.

We will be looking for a study order to look at the entire emergency medical services process in this state.

I hope that answers his question.

Thereupon, the House voted to recede and concur.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act to Clarify the Licensing Authority of the Board of Registration in Medicine" (H. P. 1665) (L. D. 2197) which was passed to be engrossed as amended by House Amendment "A" (H-512) in the House on March 12, 1984.

Came from the Senate, passed to be engrossed as amended by House Amendment "A" (H-512) as amended by Senate Amendment "A" (S-309) thereto in non-concurrence.

On motion of Representative Nelson of Portland, tabled pending further consideration and tomorrow assigned.

Communications

The following Communication:

To: The Honorable Members of the House of Representatives and Senate of the 111th Legislature:

I am returning without my approval or signature L. D. 2143, "An Act to Increase Legislative Oversight of the Financial Affairs of the Department of Inland Fisheries and Wildlife." This bill would reinstate some of the employees of the Department of Inland Fisheries and Wildlife who were recently laid off.

I appreciate the good intentions of the legislators who voted for this bill.

I understand the concerns of sportsmen who do not want to see reductions in the staff of the department.

However, in enacting this bill, the Legislature made no provision for paying the cost of restoring these positions.

Therefore, as the individual with the duty of administering state government in a responsible manner, I have concluded that I must veto this bill.

There are several other considerations that influenced this decision:

1. The layoffs are part of an effort to balance the Department's budget and restore its long-term financial health. To overturn them will guarantee further fiscal problems in the future within the Department.

2. Because of cash flow problems inherent in a Department limited to dedicated funds from its sale of licenses, responsible funding for the Department with a budget in excess of \$10 million would call for a reserve of at least \$1 million.

If this bill becomes law without additional layoffs or cuts, there would not only be no reserve, but there would be a deficit of \$268,000.

3. The layoffs were ordered by Commissioner Manuel after his management team evaluated every program and activity within the Department. It is their best professional judgment that these cuts will not weaken the Department's ability to carry out its mission.

The Department's duties are to preserve the resource and to enforce the fish and game laws. And the top administrators there have concluded that the Department does not need the positions that are being terminated to do that job. **In fact, Commissioner Manuel and Deputy Commissioner Norman Trask believe these cuts will make Inland Fisheries and Wildlife a better Department.**

The benefits include reorganizational changes, fewer staff in offices, and more in the field.

Ironically, through the exercise of their bumping rights, not a single one of the biologists the Legislature wishes to protect through this bill need be laid off.

The Department's problems did not develop overnight.

For example, because of a lack of resources, Commissioner Manuel has postponed replacing dozens of motor vehicles that have been driven over 100,000 miles on tough Maine back country roads.

Last year, as the financial outlook darkened, we sent up legislation that would have prevented the very situation we face today.

We recommended an increase in the cost of hunting and fishing licenses.

Those increases would have generated an additional \$2.3 million in annual revenues.