

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Tenth  
Legislature***

OF THE

STATE OF MAINE

**SECOND REGULAR SESSION**

**January 6, 1982 to April 13, 1982**

**INDEX**

**FOURTH SPECIAL SESSION**

**April 28, 1982 and April 29, 1982**

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**FIFTH SPECIAL SESSION**

**May 13, 1982**

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**SECOND CONFIRMATION SESSION**

**July 16, 1982**

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**HOUSE**

Wednesday, February 10, 1982

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

Prayer by Pastor Leroy C. Pinkham of the Steuben Union Church.

The journal of yesterday was read and approved.

**Papers from the Senate  
Non-Concurrence Matter  
Tabled and Assigned**

Bill "An Act to Create Manpower Distribution Incentives in the Fields of Medicine, Dentistry, Optometry and Veterinary Medicine" (H. P. 1948) (L. D. 1925) which was referred to the Committee on Education in the House on February 4, 1982.

Came from the Senate referred to the Committee on Appropriations and Financial Affairs in non-concurrence.

In the House: On Motion of Mr. Connolly of Portland, tabled pending further consideration and tomorrow assigned.

**Messages and Documents**

The following Communication:  
Maine Turnpike Authority  
17 Bishop St. — Portland, Maine  
February 3, 1982

Hon. Joseph E. Brennan  
Governor, State of Maine  
Hon. Joseph Sewall  
President of the Senate  
Hon. John L. Martin  
Speaker of the House  
Gentlemen:

On June 19, 1981, the last day of the first session of the 110th Legislature, the Legislature enacted and the Governor subsequently approved LD 1691 — legislation to provide funding for the State's highway program. (This bill was entitled AN ACT to make Allocations from the Highway Fund and Appropriations from the General Fund for the Fiscal Years Ending June 30, 1982, and June 30, 1983; to Establish a local Road Assistance Program; to Continue the Maine Turnpike Authority; and to Adjust Highway Fund Revenue.)

Part D of LD 1691, now identified as Chapter 492 — Public Laws of 1981, contains provisions relating to the future of the Maine Turnpike and also several provisions expressing the intent of the Legislature relating to the objectives of the Maine Turnpike Authority.

The Authority, recognizing its responsibilities in this regard, did authorize as of the effective date of the act, procedures for the selection of a Consulting Engineer to review the toll schedules in effect on the Turnpike and to develop information relating to revenues and the cost of maintenance and operations for the purpose of carrying out the provisions of Chapter 492.

This report is being made to advise you of the results of the efforts of the Maine Turnpike Authority to cooperate with the Governor and the Legislature in developing a plan to implement the provisions of Chapter 492.

The members of the Maine Turnpike Authority are hopeful that information contained in the report will —

- assist the Governor in making a determination as to whether or not he wishes to place before the Legislature proposed legislation developed by Legal Counsel\* for the Authority which provides the basis for implementing the plan proposed by the Authority; and
- provide information to the members of the Legislature explaining the plan by the Maine Turnpike Authority to implement Chapter 492.

If there are questions in regard to the report, the Authority would be pleased to attempt to answer such questions.

Very truly yours,

S/HAROLD T. WILEY, Chairman  
Maine Turnpike Authority

The Communication was read.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Higgins.

Mr. HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: Before we place the report on file, I just wanted to draw your attention to it because I think it is one of the more interesting documents and it is rather small. I just hope you would have an opportunity to read it.

One section that I think is of particular importance is the fact that this commission is making a recommendation that we amend our law that we passed last year dealing with the Maine Turnpike Authority, and as I was reading it over last night, I was surprised to see that rather than continue with what we adopted relative to the Turnpike Authority in turning over \$4.7 million a year, or 25 percent of their revenues, which is what we intended to do with the legislation we passed last June, they are now saying that they would like to turn over just \$4.7 million, which would leave the highway fund even shorter than what we had planned down the road.

Before we placed this on file, I just wanted to bring that to your attention. I think you should read it over. There are some other changes in there, but that is one of the more significant ones, and I think you will find it on your desks. It is pretty good reading.

Thereupon, the Communication and accompanying report were ordered placed on file.

**Petitions, Bills and Resolves  
Requiring Reference**

The following Bills were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

**Education**

Bill "An Act to Provide for the Direct Election of Community School District School Committees" (Emergency) (H. P. 1983) (Presented by Representative Smith of Island Falls) (Cosponsor: Senator Carpenter of Aroostook) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26)

Bill "An Act Relating to State Entitlement of Certain School Administrative Districts" (H. P. 1984) (Presented by Representative Rolde of York) (Cosponsors: Senator Perkins of Hancock and Representative Martin of Brunswick) (Approved for introduction by a Majority of the Legislative Council pursuant to Joint Rule 27) (Ordered Printed)

Sent up for concurrence.

**Public Utilities**

Bill "An Act to Incorporate the Farmington Falls Water District" (Emergency) (H. P. 1985) (Presented by Representative Webster of Farmington) (Approved for introduction by a Majority of the Legislative Council pursuant to Joint Rule 27) (Ordered Printed)

Sent up for concurrence.

**Study Report  
Committee on Labor**

Representative Beaulieu from the Committee on Labor, to which was referred the Study Order relative to Occupational disease and hearing loss, pursuant to Joint Order H. P. 1629, have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill "An Act to Revise the Workers' Compensation Laws Relating to Occupational Hearing Loss" (H. P. 1981) (L. D. 1952) be referred to this Committee for public hearing and printed pursuant to Joint Rule 18.

Report was read and accepted, the Bill referred to the Committee on Labor, ordered printed and sent up for concurrence.

**Study Report  
Committee on Marine Resources**

Representative Fowlie from the Committee on Marine Resources to which was referred the Study Order relative to the Regulation of Atlantic Salmon pursuant to H. P. 1693 have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill "An Act Concerning the Regulation of Atlantic Salmon" (H. P. 1986) (L. D. 1953) be referred to the Committee for public hearing and printed pursuant to Joint Rule 18.

Report was read and accepted, the bill referred to the Committee on Marine Resources, ordered printed and sent up for concurrence.

**Orders**

On motion of Representative Mitchell of Vassalboro, the following Joint Order: (H. P. 1987)

ORDERED, the Senate concurring, that Joint Rule 32 be amended as follows:

32. **Form.** All bills and resolves, including initiated bills, shall be corrected as to matters of form and allocation to the Revised Statutes by the Director of Legislative Research before printing.

The Order was read.

The SPEAKER: The Chair recognizes the gentlewoman from Vassalboro, Mrs. Mitchell.

Mrs. MITCHELL: Mr. Speaker, Men and Women of the House: This is a rule change to bring our Joint Rule into compliance with an Attorney General's opinion.

We already have the authority as a legislative body to have the Legislative Director make changes to form, not substance but just to form, like a section number in a piece of legislation. It was not clear that our Joint Rule was also talking about initiated bills and petitions, and if someone starts an amendment to the statutes on petition drives and then we change the statute number, then the petition comes in and it is not up to date to form.

This rule change would allow the Legislative Director to simply change a section number to make sure that the petition drive bill was also acceptable. That is all the rule change does.

The SPEAKER: The Chair will order a vote. This requires a two-thirds vote of all the members present and voting. All those in favor of the Order receiving passage you will vote yes; those opposed will vote no.

A vote of the House was taken.

122 having voted in favor of same and none against, the Order received passage and was sent up for concurrence.

**Special Sentiment Calendar**

In accordance with House Rule 56, the following items (Expressions of Legislative Sentiment) Recognizing:

Pam Gee, a senior and honor student at Nokomis High School in Newport, who is the first student to score over 1000 points in 4 years of basketball as a Nokomis Warrior; (S. P. 834)

There being no objections, this item was considered passed in concurrence.

Timothy Reed, of Augusta, Troop 603, who has attained the high rank and distinction of Eagle Scout; (H. P. 1982) by Representative Paradis of Augusta. (Cosponsors: Senator Bustin of Kennebec, Representatives Hickey of Augusta and Lund of Augusta)

On the request of Mr. Paradis of Augusta, was removed from the Special Sentiment Calendar.

Thereupon, the order was read and passed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

**Consent Calendar  
First Day**

In accordance with House Rule 49, the following item appeared on the Consent Calendar for the First Day:

(H. P. 1931) (L. D. 1914) Bill "An Act to