LEGISLATIVE RECORD

OF THE

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OF THE

STATE OF MAINE

Volume II

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LOW a number of our personal preferences. We have to take, what, for many of us, is a second best solution. So, I am going to support this Bill. I hope the Senate will support this Bill, and that we will move ahead toward completing our business.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Minkowski.

Senator MINOWSKY: Mr. President and Members of the Senate. I also was very concerned about the condition of this legislation, and I certainly appreciate their endeavors and their efforts. I think they were working with some of the existing bills we've had, if I understood correctly.

I do not concur with the final results of the pieces of legislation before us. Number one, I don't think we should be pilfering any further the General Fund of the State of Maine to the tune of $5 million or any other amount. I know the people of the State of Maine, in my discussions with them in various parts outside of my District, even are fed up, fed up wholeheartedly with their motor vehicle registration, examinations, drivers licenses, regardless of what class.

Those people say one thing. Maybe this is the time to emphasize that right now, we've had a 9 cent Gasoline Tax for many years. We've had a 9 cent Gasoline Tax when gas was 35 cents a gallon. Today it runs from $1.41 to, or $1.45 a gallon. We have to look at the long term of this particular legislation, not to immediate stopgap, measures, or as I referred to in caucus yesterday, a band-aid approach.

I realize the Governor wants to move this legislation on this particular Bill. He has his ideas. Maybe he has much more expertise surrounding his office than we do, but it is clear to me that the people of Maine are fed up. I talked to the people of Maine on the phone, and I spend a lot of time listening to the people of Maine, and I realize the Governor's position on this particular legislation, and that is addressing this constructively, facing up front, what the people of the State of Maine fully expect and fully want. That is the devasting situation in the Department of Transportation. We know the devastating effects it's going to have upon our municipalities in the State of Maine.

There's only one legislative solution. I'm going to try and work on this particular manner, and that is addressing it constructively, facing up front, what the people of the State of Maine fully expect and fully want. That is the devasting situation in the Department of Transportation. We know the devastating effects it's going to have upon our municipalities in the State of Maine. That is taking that 2 cent increase in the Gasoline Tax, you can't buy a 2 cent increase, at least buy a 1 cent increase, which is $5 million, or $800,000 paid by your out-of-staters, and address it that way. Then recognize the people of the State of Maine with these fee increases.

I'll never be satisfied with this piece of legislation, only because I've been so deeply hurt by the strategies used in the Turnpike issue, where we are fully cognizant of one thing. That was simply that when those bonds were paid off, that road would be toll free, as in the existing law. Yet, we are being deprived of that and doing this as a vehicle that addresses everybody else's problems, but never addressing our particular problem which is, in a constructive fashion, our people, our municipal policy, and addressing what it can do for the State of Maine and its people as a whole.

This morning, the way this thing stands at the present time, an election upon the people who drafted this, because they did it in good conscience based upon what material they had to work with. Unless there's some change in this particular Bill. I can assure you right now this morning that I'm not voting for it. The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Collins.

Senator CONLEY: Mr. President and Members of the Senate, it is the 102nd day, I believe, of this Legislative Session, or the 103rd. Every-thing is in the last 10 days, that has been confronted in this Legislative Session, as well as the previous Legislature, the 109th, with respect to funding highways. The political realities are that there will be no gas tax passed in this Session of the legislature. The political realities are that there will be no large sums of General Fund money being used to finance DOT over the next two years.

Last week, when we were coming to a conclusion, to this Session, we said, let's try, let's try even one more time, to see how the type of a package can be put together free of input from those of us who share different political views with respect to the financing of this package. The fact that Commissioner Campbell, MR. SCHLOSSER, and a former Commissioner of DOT, got together and worked for a number of days. Personally, I must commend them. I commend him, not just to the people of our State of Maine, but to all the people of our state.

Unspeakable as the Turnpike is concerned, just a few short days ago, we discussed this in depth. I indicated, I was one of this. It was the Governor, addressing the proposal of the Turnpike, that that would be used as a vehicle, that would be used as a vehicle to address potholes and snow removal and everything else. I think that today, the Governor and I are in agreement in our caucus yesterday, addressing the area of additional jobs being produced Sales Tax Revenue, Income Tax Revenue, yes, and utilizing the skills and talents of the State, in our VTIs, which we are bonding ourselves to the point of oblivion. The end result is by the time kids get a job, they have to go out-of-state. By that time, when we'll be paying off these bond issues, that educated them.

There only one logical constructive way, I'm going to try one more time to see if some type of a package can be put together free of input from those of us who share different political views with respect to the financing of this package. The political realities are that there will be no large sums of General Fund money being used to finance DOT over the next two years.
The PRESIDENT: A Roll Call has been requested. Under the Constitution, in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting. Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

Obviously more than one-fifth having arisen a Roll Call is ordered.

The Chair recognizes the Senator from Androscoggin, Senator Minkowski.

Senator MINKOWSKY: Mr. President and Members of the Senate, let me make one point clear to the good Senator from Cumberland, Senator Conley, relevant to the City of Portland, who endorsed the concept that my City had at the time. The whole city council endorsed the concept of a barrier system on the Turnpike. Whether their delegation to Augusta did is not the point here.

It’s not a matter of picking here or picking there. The matter is very simple, that Portland, in the highway budget, has $50 million going for roads, and the area of Lewiston and Auburn has about $13.6 million going to it. What I’m saying about this whole thing is fair and equitable. By no indication of the Governor, the political realities. The Senator from Penobscot, Senator Trotzky, is somewhere around 12.

Senator SHELTON: Mr. President and Members of the Senate, Senator Pray mentions that he has 560 miles of roads in his District. People who buy a new car today, it costs $6000 or more. When people have bad roads, they may not be paying the Gas Tax, but they’re paying it in fees for garage mechanics and so on to maintain their cars. The front ends get out of line and everything else takes place with the car.

On this Bill here, it also does everything else. I want to state first of all, I’m voting for this Bill because I realize the political realities that Senator Conley mentioned. There is no choice, there is no choice. We’ve got to do something. Conley, by the Governor, the Governor has asked for the use of the Gas Tax. We’re going to have to use the term “fee,” and charge the people of Maine increased fees. There’s no difference whether it comes out of the Gas Tax or it comes out of their pockets, out of their pockets.

I want to say something because I think it’s important. This Bill today is $1.1 million going to it. That’s $3.5 million out of the General Fund, to fund highways. I stood on this floor before and I said again, that we’re funding Local Leeway, support the Leeway program, $2 million going to the Local Leeway Program less than we funded it last year. Last year! $2 million less. Yet we can afford, by not increasing the Gas Tax, to take money from the Gas Tax and we would have gone to funding Local Leeway, at least at the level that it was funded last year. We couldn’t seem to fund it that way.

I would like to vote against this Bill, because I think it’s important. This Bill today is $1.1 million going to it. That’s $3.5 million out of the General Fund, to fund highways. I stood on this floor before and I said again, that we’re funding Local Leeway, support the Leeway program, $2 million going to the Local Leeway Program less than we funded it last year. Last year! $2 million less. Yet we can afford, by not increasing the Gas Tax, to take money from the Gas Tax and we would have gone to funding Local Leeway, at least at the level that it was funded last year. We couldn’t seem to fund it that way.

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provement Program calls for practically no major programs to Route 1, Aroostook County’s primary artery. Transportation is one of the key factors affecting Aroostook’s economy and lifestyle. Northern Maine has an inadequate highway network. There is a need, which, for whatever reasons, this administration has not considered a priority. That need is to upgrade the major arterial highways and connector. There is an immediate need to improve US Route 1 in Aroostook County. This would vastly improve the economic vitality of northern Maine. The only county in the State of Maine, also, the lowest county in the State of Maine when it comes to the average State wage, only 77 percent of the State average.

I’m very concerned about the continued economic vitality of northern Maine. The transportation network is vital to the stabilization of an economically deteriorating region. I’m, also, concerned about the present emphasis on reducing the State’s obligation to rural roads by turning them over to municipalities under the guise of a so-called ‘block grant program,’ will cost small towns more money, and a further deterioration of the transportation network.

The use of General Funds tends to be a stop gap measure and requires annual legislative action, unless there is a permanent legislation of the dedication of those General Funds. I can not support additional General Funds and fee increases going to the Department until the priority of that Department changes. Thank you.

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

Senatorault: Mr. President, and Members of the Senate, I am one of many friends and constituents who work in the Department of Transportation. Their livelihood depends on what we do here in the Legislature. I voted for a Gas Tax increase last winter, due directly to the fact that the Department of Transportation had not sanded this so-called compromise, which the President recognized.

Rev. John F. Crozier, Pastor of St. Mary’s Church, Omano, for his devoted service to parishioners and townspeople of Orono. (S. P. 706) presented by Senator DEVOE of Penobscot.

Robert J. Shinnors of Millinocket, Vice President of Operations, Great Northern Paper Company, an outstanding leader in industry and public service. (S. P. 707) presented by Senator PRAY of Penobscot (Cosponsors: Representative REEVES of Newport).

Lila G. Lincoln, who is retiring after 40 years of dedicated service to the Town of Wayne, including service as town clerk and tax collector. (S. P. 704) presented by Senator AULT of Kennebec (Cosponsor: Representative DAMREN of Belgrade).

Wendy B. Brown, of Brunswick, Miss Teen Maine for 1981. (S. P. 705) presented by Senator CLARK of Cumberland (Cosponsors: Representative MARTIN of Brunswick and Representative VISSA of Lincoln).

In the process of making this change, the entire Bill was redrafted. Most of this is merely a change in writing style rather than a change in substance. For example, the legislative intent and purpose in Subsection 1 was not changed to make any substitutive changes in Section 1 of LD 1594, as approved by a majority of the Judiciary Committee.

In addition, the House Amendment changed the title to use modern language to reflect the fact that this is a Release or Quitclaim Conveyance of the State’s interests.

Finally, I wish to explain the source of the October 1, 1975 date. This is the effective date of the Submerged Lands Act of 1975. In an opinion of the Attorney General, dated March 26, 1981, it was concluded that the emergency clause included on the Submerged Lands Act was unconstitutional, therefore, the effective date of that Act was October 1, 1975. 90 days after the legislature. Rather than May 19, 1975, the date the Act was finally passed. Thank you.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Kerry.

Senator Kerry: Just very briefly Mr. President and Ladies and Gentlemen of the Senate, as I indicated to you before that as a member of the Judiciary Committee, I opposed this legislation not because of the intent of it, per se, but because I believe this is a matter of sufficient importance to be considered by the Supreme Court. There were many unanswered questions here that deal with the 3000 miles of our coastline and our great ponds.

Once again, I would encourage the Governor, once it reaches his desk, to submit this question to the Supreme Court to remove all clouds and doubt and ambiguity from this issue. Thank you.

The PRESIDENT: The Chair recognizes the