

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD
OF THE
One Hundred And Fifteenth Legislature
OF THE
State Of Maine

VOLUME I

FIRST REGULAR SESSION

House of Representatives
December 5, 1990 to May 16, 1991

ONE HUNDRED AND FIFTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION
10th Legislative Day
Tuesday, January 22, 1991

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

Prayer by Reverend James O'Brien, South Parish Congregational Church, Augusta.

Pledge of Allegiance.

The Journal of Thursday, January 17, 1991, was read and approved.

COMMUNICATIONS

The following Communication: (S.P. 78)

DEPARTMENT OF CONSERVATION
STATE HOUSE STATION 22
AUGUSTA, MAINE 04333

January 15, 1991

Senator Charles P. Pray
President of the Senate
State House Station 3
Augusta, Maine 04333

Dear Senator Pray:

Title 12 MRSA, Section 8906, Paragraph 2 requires the Maine Forest Service to notify the Legislature of any proposed changes to the Fire Tower system and reason for those changes. As part of the FY 1991 budget reduction submitted in December, we proposed to close 27 forest fire towers. While we realize that the Joint Standing Committee on Appropriations & Financial Affairs is currently discussing our proposed budget, we are submitting this notice in case any towers are closed.

We have done an extensive review of the Maine Forest Service budgets and responsibilities and have proposed the closing of these towers only after careful consideration.

We do not plan to dismantle any towers, but rather we will not have MFS employees in towers on a routine basis. We are working with municipalities and county governments to make arrangements for allowing their employees to staff towers at times they feel are appropriate.

Over the years the function of towers has changed significantly from detection to a major emphasis on communication. We know that the vast majority of fires are reported by the general public even where towers are now occupied. Municipalities and county governments do relay messages through MFS towers, though where towers do not exist, governments have developed their own networks quite successfully.

To replace the towers, we propose to contract for two additional aerial reconnaissance routes. This is the approach currently used in 75% of the State where towers are no longer in operation. The reconnaissance routes are predetermined flight paths established by the Maine Forest Service. The

decision to have a flight or flights on any given day is based on local fire danger conditions.

The average cost for an aerial reconnaissance flight is approximately \$10,000 per year per route, so the total additional cost of aerial detection would be \$20,000 to \$25,000 annually. In contrast, staffing the 27 towers costs the Maine Forest Service approximately \$500,000 per year. The significant savings of closing the towers allows us to keep several additional frontline forest rangers (12-15) in the field.

Enclosed is a list of each tower we propose to close, along with its location. I would be glad to discuss this matter more fully with you or other members of the Legislature.

Sincerely,

s/Thomas C. Doak
Acting Director
Maine Forest Service

Came from the Senate, read and with accompanying papers ordered placed on file.

Was read and with accompanying papers ordered placed on file in concurrence.

**PETITIONS, BILLS AND RESOLVES
REQUIRING REFERENCE**

The following Bills and Resolve were received and, upon the recommendation of the Committee on Reference of Bills, were referred to the following Committees, Ordered Printed and Sent up for Concurrence:

Later Today Assigned

Bill "An Act to Require a State Police Station to Be Located within Five Miles of a State Maximum Security Prison" (H.P. 102) (L.D. 145) (Presented by Representative MAYO of Thomaston) (Cosponsored by Representative MELENDY of Rockland, Representative SPEAR of Nobleboro and Senator BUSTIN of Kennebec)

(The Committee on Reference of Bills had suggested the **Joint Select Committee on Corrections**.)

On motion of Representative Anthony of South Portland, tabled pending reference and later today assigned.

Energy and Natural Resources

An Act to Establish Wastewater Management Districts (H.P. 110) (L.D. 153) (Presented by Representative HOLT of Bath) (Cosponsored by Senator CLARK of Cumberland, Representative COLES of Harpswell and Representative RYDELL of Brunswick)

Bill "An Act to Assist in the Cleanup of Contaminated Property" (H.P. 113) (L.D. 156) (Presented by Representative KETOVER of Portland)

(Cosponsored by Representative MICHAUD of East Millinocket, Representative JACQUES of Waterville and Representative LORD of Waterboro)

Ordered Printed.
Sent up for Concurrence.

Fisheries and Wildlife

Bill "An Act to Expand the Law Concerning Failure to Wear a Flotation Device" (H.P. 105) (L.D. 148) (Presented by Representative HASTINGS of Fryeburg) (Cosponsored by Senator TWITCHELL of Oxford and Representative CARROLL of Southwest Harbor)

Bill "An Act to Amend the Laws Governing Operation of a Watercraft" (H.P. 106) (L.D. 149) (Presented by Representative HASTINGS of Fryeburg) (Cosponsored by Senator TWITCHELL of Oxford and Representative CARROLL of Southwest Harbor)

Ordered Printed.
Sent up for Concurrence.

Human Resources

Bill "An Act to Establish a Statewide Area Health Education Centers System" (H.P. 112) (L.D. 155) (Presented by Representative PARADIS of Frenchville) (Cosponsored by Speaker MARTIN of Eagle Lake, Senator ESTES of York and Representative AULT of Wayne)

Ordered Printed.
Sent up for Concurrence.

Labor

Bill "An Act to Encourage Safety in the Workplace" (H.P. 109) (L.D. 152) (Presented by Representative McHENRY of Madawaska)

Ordered Printed.
Sent up for Concurrence.

Legal Affairs

Bill "An Act to Regulate Petitioners at the Polls on Election Day" (H.P. 107) (L.D. 150) (Presented by Representative SHELTRA of Biddeford) (Cosponsored by Representative GRAHAM of Houlton, Representative GURNEY of Portland and Representative DiPIETRO of South Portland)

Resolve, Authorizing Paul Wiegleb to Bring a Civil Action Against the State (H.P. 104) (L.D. 147) (Presented by Representative MAYO of Thomaston) (Cosponsored by Representative SKOGLUND of St. George and Senator HOLLOWAY of Lincoln)

Ordered Printed.
Sent up for Concurrence.

State and Local Government

Bill "An Act Concerning Succession to the Position of Treasurer of State" (H.P. 103) (L.D. 146) (Presented by Representative MAYO of Thomaston) (Cosponsored by Representative JOSEPH of Waterville, Senator BERUBE of Androscoggin and Senator KANY of Kennebec)

Bill "An Act to Authorize Residents of Municipalities to Amend Proposed Ordinances at Town Meetings" (H.P. 108) (L.D. 151) (Presented by Representative MAYO of Thomaston) (Cosponsored by Representative SKOGLUND of St. George and Representative MARSANO of Belfast)

Ordered Printed.
Sent up for Concurrence.

Taxation

Bill "An Act Concerning Reimbursement to Municipalities for Property Taxes Lost Due to the Classification of Property in Farmland and Open Space Programs" (EMERGENCY) (H.P. 111) (L.D. 154) (Presented by Representative MAYO of Thomaston) (Cosponsored by Representative GRAY of Sedgwick, Representative COLES of Harpswell and Representative NASH of Camden)

Ordered Printed.
Sent up for Concurrence.

ORDERS

On motion of Representative HICHBORN of Howland, the following Order:

ORDERED, that Representative Carol A. Kontos of Windham be excused December 21 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Bradford E. Boutilier of Lewiston be excused December 21 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Margaret Pruitt Clark of Brunswick be excused December 21 and 22 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative B. Carolyne T. Mahany of Easton be excused January 3 to 9 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Cushman D. Anthony of South Portland be excused January 7 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Mary R. Cathcart of Orono be excused January 7 to 10 for health reasons.

AND BE IT FURTHER ORDERED, that Representative M. Ida Luther of Mexico be excused January 8, 10 and 11 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Maria Glen Holt of Bath be excused January 11 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Peter Hastings of Fryeburg be excused January 11 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Joseph W. Mayo of Thomaston be excused January 13 through 25 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Richard P. Ruhlin of Brewer be excused January 14 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Nathaniel J. Crowley, Sr., of Stockton Springs be excused January 17 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Alvin L. Barth, Jr., of Bethel be excused January 17 to 22 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative John M. Nutting of Leeds be excused January 17 to 23 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Robert J. Tardy of Palmyra be excused January 21 to 31 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Elmer N. Savage of Union be excused January 25 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative William B. O'Gara of Westbrook be excused January 27 to 30 for legislative business.

Was read and passed.

Special Sentiment Calendar

Marguerite H. Smith, formerly of Falmouth, long time owner and operator of the Smith Farm Restaurant, and former 8-year member of the Maine Legislature, whose success as a restaurateur and political leader earned her the respect and admiration of people throughout the State; (HLS 47) by Representative REED of Falmouth. (Cosponsors: Representative BUTLAND of Cumberland, Senator RICH of Cumberland)

On motion of Representative Reed of Falmouth, the House reconsidered its action whereby HLS 47 was adopted.

Was read.

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Reed.

Representative REED: Mr. Speaker, Ladies and Gentlemen of the House: Marguerite Smith was a wonderful lady who had extremely strong opinions, which she shared with me frequently.

She was very proud of her accomplishments, not

only in the private sector operating her own business for over 40 years but in the public sector as well, having served for 8 years in this House of Representatives and having been, to the best of my recollection assisted by the Clerk, the first lady to ever be appointed Chairman of the Joint Standing Committee on Appropriations and Financial Affairs. Her list of accomplishments are long and, after consultation with the Clerk, he pointed out to me that Representative Smith would appreciate it if we did this in a simplistic way that didn't cost much in the way of state dollars so I have exceeded to what I know would be her request but I would ask respectfully, Mr. Speaker, that when the House adjourns today that it do so in memory of the Honorable Marguerite Smith.

Subsequently, was adopted and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

(At Ease)

The House was called to order by the Speaker.

The following item appearing on Supplement No. 1 was taken up out of order by unanimous consent:

SENATE PAPERS

The following Joint Order: (S.P. 88)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until the call of the President of the Senate and the Speaker of the House when there is need to conduct legislative business.

Came from the Senate, read and passed.

Was read and passed in concurrence.

On motion of Representative Reed of Falmouth, Adjourned at 4:39 p.m. pursuant to Joint Order (S.P. 88) in memory of the Honorable Marguerite Smith.
