

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Tenth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 3, 1980 to May 1, 1981

KJ PRINTING
AUGUSTA, MAINE

HOUSE

Monday, February 2, 1981

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

Prayer by Father Thomas Joyce of St. Mary's Catholic Church, Augusta.

The members stood at attention during the playing of the National Anthem by the Monmouth Academy Band.

The journal of the previous session was read and approved.

The SPEAKER: The Chair would ask the Sergeant-at-Arms to escort the gentleman from Fairfield, Mr. Gwadosky, to the rostrum for the purpose of acting as Speaker pro tem.

Thereupon, Mr. Gwadosky assumed the Chair as Speaker pro tem and Speaker Martin retired from the Hall.

Papers from the Senate

Bill "An Act to Amend the Group Life Insurance Law" (S. P. 190) (L. D. 514)

Bill "An Act to Establish Insurance Information and Privacy Protection Standards" (S. P. 194) (L. D. 515)

Came from the Senate referred to the Committee on Business Legislation and ordered printed.

In the House, were referred to the Committee on Business Legislation in concurrence.

Bill "An Act to Amend the Maine Certificate of Need Act of 1978" (S. P. 193) (L. D. 506)

Came from the Senate referred to the Committee on Health and Institutional Services and ordered printed.

In the House, was referred to the Committee on Health and Institutional Services in concurrence.

Bill "An Act Relating to the Employment of Minors and Overtime Pay" (S. P. 188) (L. D. 490)

Bill "An Act to Require the Workers' Compensation Commission to Conduct a Data Systems Study" (S. P. 189) (L. D. 491)

Came from the Senate referred to the Committee on Labor and ordered printed.

In the House, was referred to the Committee on Labor in concurrence.

Bill "An Act Relating to Compensatory Telecommunication Toll Call Rates for Deaf and Hearing Impaired Persons" (S. P. 191) (L. D. 492)

Came from the Senate referred to the Committee on Public Utilities and ordered printed.

In the House, was referred to the Committee on Public Utilities in concurrence.

RESOLVE, Authorizing and Directing the Department of Transportation to Report on the Effect of the 1980 Census in Establishing Compact Areas (S. P. 192) (L. D. 493)

Came from the Senate referred to the Committee on Transportation and ordered printed.

In the House, was referred to the Committee on Transportation in concurrence.

Divided Report

Majority Report of the Committee on Agriculture reporting "Ought to Pass" as amended by Committee Amendment "A" (S-4) on Bill "An Act to Amend the Maine Pesticide Control Act of 1975 to Fund Research Relating to Public Health" (S. P. 21) (L. D. 19)

Report was signed by the following members:

Messrs. HICHENS of York
WOOD of York

— of the Senate.

Messrs. MICHAEL of Auburn
LISNIK of Presque Isle
SMITH of Island Falls

Mrs. LOCKE of Sebec

Mr. MAHANY of Easton

— of the House.

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.

Report was signed by the following members:

Mr. SHUTE of Waldo

— of the Senate.

Messrs. CONARY of Oakland
CALLAHAN of Mechanic Falls
NELSON of New Sweden
SHERBURNE of Dexter
McCOLLISTER of Canton

— of the House.

Came from the Senate with the Majority "Ought to Pass" as amended Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-4)

In the House: Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Easton, Mr. Mahany.

Mr. MAHANY: Mr. Speaker and Members of the House: I move we accept the Majority "Ought to Pass" Report on L.D. 19.

The SPEAKER pro tem: The gentleman from Easton, Mr. Mahany, moves that the Majority "Ought to Pass" Report be accepted in concurrence.

The Chair recognizes the gentleman from Dexter, Mr. Sherburne.

Mr. SHERBURNE: Mr. Speaker, Ladies and Gentlemen of the House: I am on the other side of the vote by the committee. I am not strongly opposed to this bill but we do have some concerns.

The price of registration in the last year or two has gone from \$10 per pesticide to \$50, which was a 500 per cent increase, and this bill is proposing another \$10 increase, which would make a 600 per cent increase.

I think we do need to study the results of pesticides, but I am concerned about the big increase in the registration fees. Naturally, these fees will be passed on to the farmer, and from the farmer they have got to be passed on to the consumer. This is my main concern with this bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Canton, Mr. McCollister.

Mr. McCOLLISTER: Mr. Speaker and Members of the House: We are dealing here with hidden taxes. If a department wishes to provide a new service or new program, let them go through the normal channels of asking for an increase in taxes instead of putting them under the table and applying these in the manner which they have done here.

The SPEAKER pro tem: The Chair recognizes the gentleman from Sebec, Mrs. Locke.

Mrs. LOCKE: Mr. Speaker, Men and Women of the House: Yes, it is true that the pesticide registration fee has gone up quite a number of per cent in the last year, but the reason for that was, last summer the Board of Pesticide Control was put into effect and that additional money, \$40 as opposed to \$10, is used for the Board of Pesticide Control. They have to use that money in order to function. They have staff and they have expenses and whatever. This additional \$10, which would be paid by the manufacturer who registers his pesticide within the state, and, by the way, there are about 3,000 who register in the state each year, will be used solely for research into the complaints that the department has every year. That is all that it is supposed to be used for. It will be used for a little bit of research because actually, probably the \$30,000 that it would generate would not cover everything and all of the research that should be done.

But it seems to me that the people who register their pesticides, such as Dupont, Union Carbide, should be bearing the cost of research into the safety of the pesticides they register.

Now, we know that that money will trickle down to the consumer, but if you take into consideration that the \$10 is spread over a large portion of the population, for instance, everybody who buys a can of Raid will share in that

\$10, the amount of money that the consumer will bear will be minimal; it may be a few cents or it may be a portion of one cent. It seems to me that maybe we, the user of the pesticides, should be contributing a little bit of money toward research into the safety of the pesticides we use. That research would help us as a family if we are using Raid to know whether we are using a pesticide that is safe or if we are applying it correctly, and it should be a help to the farmer to know whether or not they are using it correctly.

Also, it may do away with some of the complaints. If good research is done and we find that some of the complaints are empty and perhaps the reason that the tops of the gardens in Dennysville were brown for some other reason, I am sure that the Department of Conservation and the users of the pesticides that were used at that time, which was the budworm spraying, would be happy to know that that was not the cause of the defoliation or whatever happened to the gardens in Dennysville.

I can't see what the complaint is to add \$10 to the registration of 3,000 pesticides that are used in the state each year, or registered.

The SPEAKER pro tem: The Chair recognizes the gentleman from Cape Elizabeth, Mrs. Masterton.

Mrs. MASTERTON: Mr. Speaker, the question that I would like to pose to anyone who would care to answer—in the past two years in this legislature, we have had a lot of discussion about an environmental health team, and my question is whether laying on this additional fee at this time would not preclude our consideration of that health team again in this legislature—is it a little premature?

The SPEAKER pro tem: The gentleman from Cape Elizabeth, Mrs. Masterton, has posed a question through the Chair to anyone who may care to answer.

The Chair recognizes the gentleman from Sebec, Mrs. Locke.

Mrs. LOCKE: Mr. Speaker, I don't think we can wait. If the environmental health unit is put together and if they can do the job reasonably, at a reasonable cost, most likely it would be used, but there is no assurance that that will happen, and the complaints continue and the use of pesticides continue every day, winter, summer, whatever, and we feel that we have to start, we have to get going on this project because we don't have the answers. So, it would not preclude that particular unit.

The SPEAKER pro tem: The Chair recognizes the gentleman from Presque Isle, Mr. Lisnik.

Mr. LISNIK: Mr. Speaker and Members of the House: First of all, Mr. McCollister, this is not a new program. Research is presently being done but by volunteers from the Maine Medical. We cannot expect these doctors to continue this effort indefinitely.

As to the cost, first, the manufacturers will be asked to pay the \$10 registration fee, not the distributors—I want to make that clear. When you take into account the worldwide nature of sales and the widespread use of pesticides by housewives, store personnel, pet owners, foresters, farmers, florists and weekend gardeners, the added cost, if any, would be minimal.

I took the liberty of checking on the various companies and corporations that we register in this state, such as Abbott Laboratories, Agway, Chevron, the sales of these companies are staggering—\$1.4 billion for Abbott; \$2.4 billion for Agway; \$8.2 billion for Dow Chemical; Hart's Mountain Corporation grossed \$14 billion in annual sales. I think you can see the registration fee will affect these companies very little.

The SPEAKER pro tem: The Chair recognizes the gentleman from Presque Isle, Mrs. MacBride.

Mrs. MacBRIDE: Mr. Speaker, Ladies and Gentlemen of the House: Just to answer Representative Masterton's question, we do have

an environmental health bill coming in very shortly. It is ready to be printed and you will have a report, which should have been on your desks last week but I guess that isn't quite ready yet either, but that will be on your desks sometime in the next week or so with a presentation for their future.

The SPEAKER pro tem: The Chair recognizes the gentleman from Mechanic Falls, Mr. Callahan.

Mr. CALLAHAN: Mr. Speaker, Members of the House: I am in opposition to this bill mainly because we are one of the poorest states in the nation and this fee will be the highest in the nation; California will be second at \$40 for a permit.

I would like to request a division.

The SPEAKER pro tem: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: It so happens that I buy pesticides. We have an agricultural enterprise known as Alderwood Farms, Inc., and the chemical companies and Agway, who have grown by leaps and bounds, have ripped us off now for the last five years, socked it right to us. They have made tremendous profits and they haven't hesitated to up the ante every year. They have walked it right to us, don't you think, they haven't and don't you think we ought to take a little bit away from them? I say, let them ante up at the table just like the rest of us.

They charge us 18½ percent and they will even tack interest on interest. They will take and figure out what you owe them for a 30 day period, then walk right back over it and charge you interest from the 1st and 31st. If you don't think we are being ripped off, you come down and look at my books. They walk it right to us. Looking at their profits. I get a 1 percent dividend from Agway and when I belonged to Eastern States, I got about 15 percent, and you say they are working for the farmer. Who is working for the farmer? That is what I want to know. Where are all these farmers here that belong to Agway? Why don't they get up and tell you just what I am telling you, how they are ripping us off? They have lobbyists out here running around. He isn't running around for us farmers; he is running around making sure those that run Agway do the same as some of our state bureaucrats, rip off us people.

I can tell you that \$10 isn't going to break them.

The gentleman over here on the right, Mr. Sherburne, I think he is a fine man, but I think they are misleading him, because when you talk about a 600 percent increase on what they are paying, when they started off paying nothing, how can you hurt them? All we are asking to do is pay a little bit into this fund so when they come around to tell me — now Carroll, you should use this spray, it is going to kill all them weeds, and I use this spray and it doesn't kill any of the weeds, I want them to know it is going to be a two way street. We are going to protect the health of the people but also let them know whether they are selling anything that is any good. I think that is what is worrying them, they don't want anybody looking over their shoulder and find out what they are selling isn't any good.

I say that the Agricultural Department not only should be doing this but they should be weighing every grain truck that goes down the road. They weigh that truck up, send it out to the farm — how do you know what they are getting out there, we don't? They pour it in bins and say you have 6,000 pounds — maybe I have 4,800. That truck has never been weighed, no sir. In New York state, they weigh them, they almost put them out of business out there because they found they were rooking the farmer.

I am all for this bill and I don't think we should hide behind 600 percent interest, because 600 percent of one cent isn't anything. We are not asking them to pay anything, we are

just asking them to ante up at the table just like they ask me to and don't you think they don't walk it to me because they do. They put the old interest right to me.

The SPEAKER pro tem: The Chair recognizes the gentleman from New Sweden, Mr. Nelson.

Mr. NELSON: Mr. Speaker, Ladies and Gentlemen of the House: I was a spray material salesman for about 35 years and we had many meetings with representatives from the pesticide and spray material companies showing us how it was put together and the research that was put into it. There were millions of dollars and there is still millions of dollars put into research. Like my friend Mr. Carroll says, \$10 isn't going to hurt anybody but it has to stop somewhere.

I don't think this bill is necessary, and I would like to see you vote with the minority.

The SPEAKER pro tem: The Chair will order a vote. The pending question before the House is on the motion of the gentleman from Easton, Mr. Mahany, that the House accept the Majority "Ought to Pass" Report in concurrence. Those in favor will vote yes, those opposed will vote no.

A vote of the House was taken.

Thereupon, Mr. Smith of Mars Hill requested a roll call vote.

The SPEAKER pro tem: For the Chair to order a roll call, it must have the expressed desire of one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one-fifth of the members having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER pro tem: The pending question before the House is on the motion of the gentleman from Easton, Mr. Mahany, that the House accept the Majority "Ought to Pass" Report in concurrence. Those in favor will vote yes, those opposed will vote no.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Falmouth, Mrs. Huber.

Mrs. HUBER: Mr. Speaker, I would like to pair my vote with the gentlewoman from Bangor, Miss Aloupis. If she were here, she would be voting no and I would be voting yes.

The SPEAKER pro tem: The gentlewoman from Falmouth, Mrs. Huber wishes to pair her vote with the gentlewoman from Bangor, Miss Aloupis. If Miss Aloupis were here, she would be voting no and Mrs. Huber would be voting yes.

ROLL CALL

YEA — Baker, Beaulieu, Benoit, Boisvert, Boyce, Brannigan, Brennerman, Brodeur, Brown, A., Cahill, Carrier, Carroll, Carter, Chonko, Clark, Connolly, Cox, Crowley, Davies, Diamond, G. W.; Diamond, J. N., Dudley, Erwin, Fitzgerald, Foster, Fowlie, Gowen, Hall, Hickey, Higgins, Jacques, Jalbert, Joyce, Kany, Kelleher, Kilcoyne, Lancaster, LaPlante, Laverriere, Lisnik, Livesay, Locke, MacEachern, Macomber, Mahany, Manning, Martin, A.; Martin, H.C.; Masterman, Matthews, McGowan, McHenry, McKean, McSweeney, Michaud, Mitchell, E. H.; Mitchell, J.; Murphy, Nadeau, Nelson, M.; Norton, Paradis, P.; Paul, Pearson, Perry, Post, Pouliot, Prescott, Racine, Randall, Reeves, P.; Richard, Ridley, Roberts, Rolde, Salsbury, Small, Smith, C. B.; Soule, Stover, Swazey, Thompson, Tuttle, Twichell, Vose, Walker, Webster, Wentworth.

NAY — Armstrong, Austin, Bell, Berube, Bordeaux, Brown, D.; Brown, K.L.; Callahan, Conary, Connors, Cunningham, Curtis, Damren, Davis, Day, Dexter, Dillenback, Drinkwater, Gavett, Gillis, Hanson, Higgins, L. M.; Holloway, Hutchings, Ingraham, Jackson, Jordan, Kiesman, Leighton, Lewis, MacBride, Masterton, McCollister, McPherson, Nelson, A.; O'Rourke, Paradis, E.; Perkins,

Peterson, Reeves, J.; Sherburne, Smith, C.W.; Stevenson, Strout, Studley, Telow, Treadwell, Weymouth.

ABSENT — Gwadosky, Hayden, Hobbins, Hunter, Kane, Ketover, Lund, Michael, Moholland, Soulas, Tarbell, Theriault, The Speaker.

PAIRED — Aloupis—Huber.

Yes, 88; No, 48; Absent, 13; Paired, 2.

The SPEAKER pro tem: Eighty-eight having voted in the affirmative and forty-eight in the negative, with thirteen being absent and two paired, the motion does prevail.

The Bill was read once.

Committee Amendment "A" (S-4) was read by the Clerk and adopted in concurrence and the Bill assigned for second reading tomorrow.

Messages and Documents

The following Communication: (H. P. 513)

State of Maine

Department of State

State House Station 101

Augusta, Maine

Division of Public Administration

January 29, 1981

To the Honorable 110th Legislature of the State of Maine

Attention: House of Representatives, Clerk Pert

I have the honor to transmit herewith an initiated bill, "AN ACT to Create the Maine Energy Commission," and the results of the examination by this office of the initiative petitions relating to it.

The minimum number of valid signatures required to initiate this legislation is 37,026. On January 22, 1981, our office received 1,767 petitions said to contain 43,268. After extensive review we have determined the number of valid signatures to be 43,214.

In view of the foregoing determination, I hereby certify that these petitions have met the constitutional requirements of the minimum of 37,026 valid signatures. Since the petitions have previously satisfied the constitutional requirements in all other respects, under the provision of Article IV, Part Third, Section 18, of the Constitution of Maine, I do hereby declare this initiative petition to be valid.

In the event that the Legislature rejects this initiative proposal, a referendum election will be called for November, 1981.

Respectfully,
S/JAMES S. HENDERSON
Deputy Secretary of State

The Communication was read and ordered placed on file and sent up for concurrence.

On motion of Mrs. Mitchell of Vassalboro, the Bill, "An Act to Create the Maine Energy Commission" I. B. 1, L. D. 522, was tabled pending reference and later today assigned.

The following Communication:

February 2, 1981

To the Honorable Senate and House of Representatives of the 110th Legislature

In response to a Resolve of the 109th Legislature (L. D. 199) which authorized and directed the Maine Department of Transportation to conduct a study, in cooperation with the Town of Skowhegan, to reexamine the location of an additional river crossing in the Town of Skowhegan, the State Department of Transportation herewith submits the enclosed report entitled, "Reevaluation of River Crossing Needs, Skowhegan" prepared by the Department's Bureau of Planning.

Respectfully,
S/GEORGE N. CAMPBELL, JR.
Commissioner of Transportation

Was read and with accompanying report ordered placed on file.

The following Communication:

Department of Business Regulation
State Claims Board

State House Station 35
Augusta, Maine

January 29, 1980

The Honorable John L. Martin
Speaker of the House
House of Representatives
State House
Augusta, Maine 04333

Re: Report of Small Claims to the Legislature

Dear Representative Martin:

Herewith is Report of Small Claims which were received in this office during 1980 and which is being submitted to you for your information and records in accordance with Title 5 M.R.S.A., Section 1510-A, Subsection 8.

A similar report is also being submitted to the Honorable Joseph Sewall, President of the Senate, and if you or your staff would have any questions in connection with this report please communicate with this office.

Very truly Yours,
RONALD M. ROY
Chief Counsel

Was read and with accompanying report ordered placed on file.

Petitions, Bills and Resolves Requiring Reference

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

Aging, Retirement and Veterans

Bill, "An Act to Permit Knox County to Withdraw from the Maine State Retirement System" (H. P. 487) (Presented by Mr. Jordan of Warren) (Cosponsor: Mr. O'Rourke of Camden)

(Ordered Printed)

Sent up for concurrence.

Taxation

RESOLVE, to Reimburse the Frenchmans Bay Flying Club for Part of the Sales Tax Paid on the Purchase Price of Replacement Aircraft (H. P. 488) (Presented by Mr. Perkins of Brooksville)

Committee on Appropriations and Financial Affairs was suggested.

On motion of Mr. Pearson of Old Town, was referred to the Committee on Taxation, ordered printed and sent up for concurrence.

Business Legislation

Bill "An Act to Require an Examination for Real Estate Brokers Seeking Credit for Continuing Education Attendance" (H. P. 489) (Presented by Mr. Leighton of Harrison)

Bill "An Act Relating to Credit Disability Insurance Under the Consumer Credit Code" (H. P. 490) (Presented by Mr. Jackson of Yarmouth) (Cosponsor: Senator Pray of Penobscot)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act to Permit Schools to Suspend a Student's Right to Ride a School Bus for Disciplinary Reasons" (H. P. 491) (Presented by Mr. Twitchell of Norway)

(Ordered Printed)

Sent up for concurrence.

Health and Institutional Services

Bill "An Act to Amend the Hospital Inspection Law" (H. P. 492) (Presented by Mrs. Berube of Lewiston)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act to Protect Works of Art" (H. P. 493) (Presented by Mrs. Nelson of Portland)

Bill "An Act Relating to Certain Zoning Appeals" (H. P. 494) (Presented by Mr. Macomber of South Portland) (Cosponsor: Mrs.

Thompson of South Portland)

Bill "An Act Relating to Clarification of Notices for Rental Arrearages" (H. P. 495) (Presented by Miss Bell of Paris)

Bill "An Act to Amend the Appeals Procedure Regarding Special Entertainment Licenses" (H. P. 496) (Presented by Mrs. Beaulieu of Portland)

Bill "An Act to Prohibit Drinking in Public under the Criminal Code" (H. P. 497) (Presented by Mr. Joyce of Portland)

Bill "An Act Providing an Alternative to the Warrant of Habitability Law where Dangerous Conditions Require Minor Repairs to a Dwelling Unit" (H. P. 498) (Presented by Mr. Nadeau of Lewiston) (Cosponsor: Senator Du Tremble of York)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act to Clarify the Designation of the Practice of Chiropractic under the Chiropractic Licensing Law" (H. P. 499) (Presented by Mr. Boyce of Auburn) (Cosponsors: Senator Hichens of York, Senator Pray of Penobscot and Mr. Michael of Auburn)

Committee on Labor was suggested.

On motion of Mrs. Beaulieu of Portland, tabled pending reference and tomorrow assigned.

Labor

Bill "An Act to Encourage Training of Handicapped Workers" (H. P. 500) (Presented by Mr. Martin of Eagle Lake)

Bill "An Act to Clarify the Spousal-leaving Provision of the Employment Security Law" (H. P. 501) (Presented by Mrs. Beaulieu of Portland)

Bill "An Act Concerning Workers' Compensation Cost Containment" (H. P. 520) (Presented by Mr. Dexter of Kingfield)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act Relating to the Licensing of Pin Ball Machines" (H. P. 503) (Presented by Mr. Macomber of South Portland) (Cosponsor: Mrs. Thompson of South Portland)

Bill "An Act Relating to Games of Chance Sponsored by Charitable Organizations" (H. P. 504) (Presented by Mrs. Masterton of Cape Elizabeth) (Cosponsor: Senator Pierce of Kennebec)

Bill "An Act to Permit Liquor Sales on Election Day" (H. P. 505) (Presented by Mr. Soulas of Bangor)

RESOLVE, Authorizing Thomas J. Levesque, of Guilford, Administrator of the Estate of Shelby Lynn Levesque, to Bring Civil Action Against the State of Maine (H. P. 512) (Presented by Mr. Sherburne of Dexter)

(Ordered Printed)

Sent up for concurrence.

Local and County Government

Bill "An Act to Amend the Fee Schedule for the Payment of Appointed Forest Fire Wardens" (H. P. 506) (Presented by Mr. Twitchell of Norway) (Cosponsor: Miss Bell of Paris)

(Ordered Printed)

Sent up for concurrence.

State Government

RESOLUTION, Proposing an Amendment to the Constitution of Maine Abolishing the Second Regular Session of the Legislature (H. P. 507) (Presented by Mr. Leighton of Harrison) (Cosponsors: Mrs. Berube of Lewiston, Mr. Brown of Livermore Falls and Mr. Dudley of Enfield)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Change the Term of Office for State Legislators from Two years to Four Years" (H. P. 508) (Presented by Mrs. Nelson of Portland) (Cosponsor: Mr. Cox of

Brewer)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act to Authorize Certain Crossings of Public Ways under the Highway Laws" (H. P. 509) (Presented by Mr. Martin of Eagle Lake)

Bill "An Act to Retain the Motor Vehicle Operator License and Examination Fees and Motor Vehicle Title Fees Currently in Effect" (Emergency) (H. P. 510) (Presented by Mr. Carroll of Limerick) (Cosponsor: Senator Usher of Cumberland) (Submitted by the Department of Transportation pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

RESOLVE, Authorizing and Directing the Department of Transportation to Report on the Effect of the 1980 Census in Establishing Compact Areas (Emergency) (H. P. 511) (Presented by Mr. Carroll of Limerick)

Committee on Transportation was suggested.

On motion of Mr. Carroll of Limerick, tabled pending reference and tomorrow assigned.

House Reports of Committees

Leave to Withdraw

Mr. Day from the Committee on Taxation on Bill "An Act to Prevent Electric Companies from Collecting More in Sales Tax than They Pay to the State" (H. P. 115) (L. D. 147) reporting "Leave to Withdraw"

Mr. Macomber from the Committee on Transportation on Bill "An Act to Increase the Minimum Age for Motor Vehicle Operators to 16" (H. P. 122) (L. D. 154) reporting "Leave to Withdraw"

Mr. Davies from the Committee on Public Utilities on Bill "An Act to Change the Name of the Kennebunk Sewer District to the Kennebunk Sanitary District" (H. P. 113) (L. D. 146) reporting "Leave to Withdraw"

Reports were read and accepted and sent up for concurrence.

Consent Calendar

First Day

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

(H. P. 69) (L. D. 118) Bill "An Act Relating to Safety and Health Regulation of Compressed Air Work, Public Sector Farm Workers and Variance Procedures" Committee on Labor reporting "Ought to Pass"

(H. P. 45) (L. D. 51) Bill "An Act to Provide for the use of Flashing White Lights on Ambulances" Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-3)

No objections being noted, the above items were ordered to appear on the Consent Calendar of February 3, under listing of Second Day.

Consent Calendar

Second Day

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

(S. P. 72) (L. D. 109) Bill "An Act to Amend the Maine Nonprofit Corporation Act"

(H. P. 51) (L. D. 65) Bill "An Act to Provide Free Access for Disabled Veterans to State Parks, Camping Areas and Beaches"

No objections having been noted at the end of the Second Legislative Day, the Senate Paper was passed to be engrossed in concurrence and the House Paper was passed to be engrossed and sent up for concurrence.

Passed to Be Enacted

An Act to Make Confidential Discussion of

Settlement Made Prior to Maine Human Rights Commission Determination (H. P. 33) (L. D. 38) (C. "A" H-1)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Orders of the Day

The Chair laid before the House the first tabled and today assigned matter:

BILL, "An Act to Change the Head of Tide on the Penobscot River" (S. P. 186) (L. D. 464) —In Senate, referred to Committee on Fisheries and Wildlife

Tabled—January 29, 1981 by Mr. Fowlie of Rockland.

Pending—Reference in concurrence.

On motion of Mr. Fowlie of Rockland, was referred to the Committee on Fisheries and Wildlife in concurrence.

The Chair laid before the House the second tabled and today assigned matter:

Bill, "An Act Concerning the Regulation of Atlantic Salmon" (H. P. 474)

(Committee on Marine Resources suggested)

Tabled—January 29, 1981 by Mr. Fowlie of Rockland

Pending—Reference.

Thereupon, the Bill was referred to the Committee on Marine Resources, ordered printed and sent up for concurrence.

The Chair laid before the House the third tabled and today assigned matter:

Bill, "An Act to Provide for the Regulation and Licensure of Guard Dogs and their Trainers, Sellers and Handlers" (H. P. 468)

Tabled—January 29, 1981 by Mr. Cox of Brewer.

Pending—Motion of the same gentleman to reconsider Reference to Committee on Legal Affairs.

On motion of Mr. Cox of Brewer, the House reconsidered its action whereby the Bill was referred to the Committee on Legal Affairs.

On motion of the same gentleman, the Bill was referred to the Committee on Agriculture, ordered printed and sent up for concurrence.

The Chair laid before the House the following matter:

Bill "An Act to Create the Maine Energy Commission" (I. B. 1) (L. D. 522) which was tabled earlier in the day pending reference.

On motion of Mrs. Mitchell of Vassalboro, the Bill was referred to the Committee on Public Utilities and sent up for concurrence.

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

The following Communication:

STATE OF MAINE

DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES

Augusta 04333

January 28, 1981

TO: Edwin Pert, Clerk of the House

May Ross, Secretary of the Senate

G. William Buker, State Budget Officer

FROM: Harold Raynolds, Jr., Commissioner

RE: Recommendation for 1981-1982 Funding Level for Adult Education

Pursuant to the provisions of Title 20, M.R.S.A., Chapter 308A, Section 2385, I am required to certify annually prior to February 1 to the Legislature and to the Bureau of the Budget a recommendation for the funding levels for the various program categories in Adult Education.

Please see the recommendation below:

EDUCATION—ADULT EDUCATION

1981-1982

All Other Category 6300

(Grants to Cities and Towns) \$1,705,787.77

The Communication was read and ordered placed on file.

Special Sentiment Calendar

In accordance with House Rule 56, the following item (Expression of Legislative Sentiment):

Recognizing:

the Town of Vinalhaven, which has successfully built a municipal owned fish processing facility and is joined by state and federal officials in dedication of this outstanding accomplishment; (H. P. 514) by Mrs. Post of Owl's Head.

There being no objections, this item was considered passed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

(Off Record Remarks)

On motion of Mr. Fitzgerald of Waterville, Adjourned until ten o'clock tomorrow morning.