

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

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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

Tuesday, January 26, 1982
The House met according to adjournment and was called to order by the Speaker.

Prayer by the Reverend Roland Arno of the Second Baptist Church, Sidney.

The members stood at attention during the playing of the National Anthem by the Portland High School Band.

The journal of the previous session was read and approved.

Papers from the Senate

Bill, "An Act Relating to the Selection and Services of Traverse and Grand Jurors" (S. P. 793) (L. D. 1869)

Bill, "An Act Clarifying the Laws Governing Bail in Murder Cases" (Emergency) (S. P. 791) (L. D. 1867)

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

In the House, the Bills were referred to the Committee on Judiciary in concurrence.

Bill, "An Act to Amend the Charter of the East Edgington Public Hall Company" (S. P. 792) (L. D. 1868)

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

In the House, referred to the Committee on Legal Affairs in concurrence.

Messages and Documents

The following Communication:

State of Maine
Executive Department
OFFICE OF ENERGY RESOURCES
State House Station 53
Augusta, Maine 04333

January 20, 1982

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

Dear Representative Martin:

As required by 5 MRSA, Section 5006, I am submitting a report on the Maine Energy Resources Development Fund for 1981.

For the first time since the establishment of the fund, OER has been able to obtain financial resources to be deposited in it. A sum of \$80,010 was received from Standard Oil of California (Chevron) in the form of a gift to the fund for energy conservation purposes pursuant to a consent agreement between Chevron and the U.S. Department of Energy.

During 1981, an amount of \$145.20 was allocated for establishing a Weatherization Demonstration Program and identifying participants. No other expenditures were made from the fund. It is anticipated that in 1982 all funds will be expended for the purpose of the Weatherization Demonstration Program in accordance with the terms of the consent agreement payment.

Sincerely,
S/GORDON L. WEIL

The Communication was read and ordered placed on file.

The following Communication:

State Of Maine
OFFICE OF THE GOVERNOR
Augusta, Maine

January 19, 1982

The Honorable John L. Martin
Speaker of the House
House of Representatives
State House Station 2
Augusta, Maine 04333
Dear John:

In accordance with 12 MRSA 1601, I am submitting to the Legislature a bill stating the total anticipated costs of the Maine Forestry District for the next fiscal year.

The figure in this bill differs from that in the bill I submitted to you determining the municipal cost component. This is because the municipal cost component amount includes an additional cost which was calculated to compensate for underassessment of the municipal cost component in this area in prior years. The enclosed bill, as required by law, sets forth a cost estimate for only fiscal year 1982-83.

I have sent a copy of the enclosed bill to the Legislative Research Office.

Respectfully,
S/JOSEPH E. BRENNAN
Governor

The Communication was read and ordered placed on file.

The following Communication:

THE MAINE DEVELOPMENT
FOUNDATION
One Memorial Circle
Augusta, Maine

January 21, 1982

Representative John L. Martin
Speaker of the House
State House
Augusta, ME 04333

Dear Speaker Martin:

Accompanying this letter are 165 copies of the Maine Development Foundation's 1981 Report to Corporators. The report is to be distributed to each member of the Legislature pursuant to MRSA c.107 § 925 of the Foundation's enabling legislation.

Thank you, and if you have questions or comments concerning the report, please call me at any time.

Sincerely,
S/NATHANIEL H. BOWDITCH
President

The Communication 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 21, 1982

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

Re. Report of Small Claims to Legislature
Dear Representative Martin:

Herewith is report of Small Claims which were received in this office during 1981 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 Sweall, President of the Senate, and if you or your staff should have any questions in connection with this report, please communicate with this office.

Very truly yours,
S/RONALD M. ROY
Chief Counsel

The Communication was read and ordered placed on file.

The following Communication:

State of Maine
House of Representatives
SPEAKER'S OFFICE

January 25, 1982

Hon. Edwin H. Pert
Clerk of the House
House of Representatives
State House
Augusta, Maine 04333
Dear Clerk Pert:

Pursuant to Chapter 493 of the Public Laws of 1981, I am pleased to inform you that I have appointed Representative Peter J. Manning of Portland to complete the unexpired term of Representative Sandra Prescott on the Transition Committee to Create a Department of Corrections.

Sincerely,

S/JOHN L. MARTIN
Speaker of the House

The Communication was read and 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:

Aging, Retirement and Veterans

Bill "An Act to Provide Retired Teachers, State Employees and Beneficiaries with a Cost-of-living Increase" (H. P. 1891) (Presented by Representative Diamond of Windham) (Cosponsors: Representative Pearson of Old Town, Senators Pierce of Kennebec and Teague of Somerset) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26)

(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act Making Appropriations and Allocations for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1982 and June 30, 1983" (Emergency) (H. P. 1890) (Presented by Representative Pearson of Old Town) (Cosponsor: Senator Huber of Cumberland) (Governor's Bill)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act to Provide Flexibility with Respect to the School Entrance Age" (H. P. 1878) (Presented by Representative Connolly of Portland) (Cosponsor: Representative Baker of Portland) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26)

(Ordered Printed)

Sent up for concurrence.

Health and Institutional Services

Bill "An Act to Establish Statutory Guidelines for the Planning and Expenditure of Social Service Funds" (H. P. 1879) (Presented by Representative Kelleher of Bangor) (Cosponsors: Senator Gill of Cumberland and Representative Joyce of Portland) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Use Receivership Law as an Enforcement Mechanism" (H. P. 1880) (Presented by Representative Kelleher of Bangor) (Cosponsors: Representative Richard of Madison and Senator Gill of Cumberland and Hichens of York) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Concerning Look-alike Drugs" (H. P. 1882) (Presented by Representative Matthews of Caribou) (Cosponsors: Representatives Paradis of Old Town, Brown of Livermore Falls, and Ketover of Portland) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26)

Bill "An Act Concerning Negotiating a Worthless Instrument" (H. P. 1881) (Presented by Representative Smith of Island Falls) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26)

(Ordered Printed)

Sent up for concurrence.

Local and County Government

Bill "An Act Concerning Reimbursement of Salaries of Persons Attending the Maine Criminal Justice Academy" (H. P. 1883) (Presented

by Representative Crowley of Stockton Springs) (Cosponsors: Representative Davis of Monmouth, Senators Brown of Washington and Shute of Waldo) (Approved for introduction by a Majority of the Legislative Council pursuant to Joint Rule 27)

(Ordered Printed)

Sent up for concurrence.

Orders

On motion of Representative McSweeney of Old Orchard Beach, it was

ORDERED, that Representative Guy I. Hunter of Benton be excused for the duration of his illness.

Special Sentiment Calendar

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

Roger Michaud, selected by the Maine Jaycees as one of the State's Outstanding Young Men for 1982; (S. P. 794)

Dr. Philip Gray, who has been named Blue Hill "Man of the Year" for 1981; (S. P. 796)

No objections being noted, the above items were considered passed in concurrence.

The dedication of \$197,000,000 expansion project at Madison Paper Industries making the plant the largest producer of supercalendered paper in North America; (H. P. 1884) by Representative Richard of Madison. (Cosponsor: Senator Redmond of Somerset)

On the request of Representative Richard of Madison, was removed from the Special Sentiment Calendar.

Thereupon, the Order was read.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. Richard.

Mr. RICHARD: Mr. Speaker, Ladies and Gentlemen of the House: The people of Madison, the home of Maine's first and only United States astronaut and home of Lakewood Theater, the state theater of Maine, which is the longest continuously operating state theater in Maine, take a special pride today in congratulating Madison paper Industries on becoming North America's largest producer of super-calender paper.

I have said sometimes in the past, if one likes to know where Madison is, it is very simple because it is a place from whence anyone can go anywhere in the world. And today I can seriously state that it would be very easy to identify with Madison, which is now the capital of super-calendar paper in North America.

Thereupon, the order received passage and was sent up for concurrence.

Kenneth Knowles, town manager of Hodgdon and Linneus, who has received the Lincoln Stackpole Manager of the Year Award for 1981; (H. P. 1885) by Representative Smith of Island Falls. (Cosponsor: Senator Carpenter of Aroostook)

Mike Taylor, of Sanford, most valuable wrestler of the 8th Annual Redskin New England invitational Wrestling Championship; (H. P. 1886) by Representative Tuttle of Sanford. (Cosponsors: Senator Wood of York, Representatives Paul of Sanford and Ridley of Shapleigh)

The Sanford High School Wrestling Team, coached by John Caramihalis for finishing 1st in the 1982 Sanford High School New England Invitational Wrestling Championship; (H. P. 1887) by Representative Tuttle of Sanford. (Cosponsors: Senator Wood of York, Representatives Paul of Sanford and Ridley of Shapleigh)

The team members of Daigle's School of Gymnastics for their fine showing as representatives of Penobscot Valley in the Down East Open Gymnastic meet; (H. P. 1888) by Representative Tarbell of Bangor. (Cosponsors: Representative Aloupis of Bangor, Treadwell of Veazie and Kelleher of Bangor)

Francis Roderick, Consultant, Fire Service

Training, Bureau of Vocational Education, who is retiring after 15 years in the Bureau of Vocational Education; (H. P. 1889) by Representative Beaulieu of Portland. (Cosponsor: Representative Swazey of Bucksport)

There being no objections, these items were considered passed.

Consent Calendar

First Day

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

(H. P. 1784) (L. D. 1774) Bill "An Act Converting West Forks Plantation into the Town of West Forks" (Emergency) Committee on Local and County Government reporting "Ought to Pass"

(H. P. 1808) (L. D. 1793) Bill "An Act to Provide Emergency Powers to the Superintendent of the Bureau of Banking to Expedite Mergers and Consolidations of Financially Troubled State-chartered Financial Institutions" (Emergency) Committee on Business Legislation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-580)

No objections being noted, under suspension of the rules, the above items were given Consent Calendar Second Day notification, passed to be engrossed as amended and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

At this point, the Speaker announced that Representative Boisvert of Lewiston would replace Representative Gwadosky of Fairfield on the Committee on Legal Affairs.

On motion of Mr. Racine of Biddeford, Adjourned until ten o'clock tomorrow morning.