

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 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

INDEX

FIFTH SPECIAL SESSION

May 13, 1982

INDEX

SECOND CONFIRMATION SESSION

July 16, 1982

INDEX

House

Wednesday, February 3, 1982

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

Prayer by Father John Marquis of St. John the Baptist Catholic Church, Brunswick.

The journal of yesterday was read and approved.

**Papers from the Senate
Non-Concurrent Matter**

Bill "An Act Relating to the Compensation of Public Utilities' Commissioners" (H. P. 1921) (L. D. 1903) which was referred to the Committee on Public Utilities in the House on January 28, 1982.

Came from the Senate referred to the Committee on State Government in non-concurrence.

In the House: The House voted to recede and concur.

Messages and Documents

The following Communication: (H. P. 1941)

**State of Maine
Department of State
Augusta, Maine**

January 29, 1982

The Honorable John L. Martin
Speaker of the House of Representatives of the One Hundred and Tenth Legislature
Dear Mr. Speaker:

In accordance with the provisions of Title 30, Section 253, of the Revised Statutes, as amended in 1979, I have the honor to transmit herewith the budget estimates of expenses of the sixteen counties within the State for the year 1982.

Respectfully,
S/RODNEY S. QUINN
Secretary of State

The Communication was read and with accompanying report referred to the Committee on Local and County Government and sent up for concurrence.

The following Communication: (S. P. 816)

**State of Maine
Senate Chamber
President's Office
Augusta, Maine**

January 28, 1982

Honorable Barbara Gill
Honorable Merle Nelson
Chairmen
Joint Standing Committee on
Health and Institutional Services
State House
Augusta, Maine
Dear Chairmen:

Please be advised that Governor Joseph E. Brennan is nominating Ronald G. Tardif of Gorham for reappointment to the Health Facilities Cost Review Board.

Pursuant to Title 22 MRSA Section 353, this nomination will require review by the Joint Standing Committee on Health and Institutional Services and confirmation by the Senate.

Sincerely,
S/JOSEPH SEWALL
President of the Senate
S/JOHN L. MARTIN
Speaker of the House

Came from the Senate read and referred to the Committee on Health and Institutional Services in concurrence.

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

The following Communication: (S. P. 815)

**State of Maine
Senate Chamber
President's Office
Augusta, Maine**

January 28, 1982

Honorable David R. Ault

Honorable Judy C. Kany
Chairmen
Joint Standing Committee
on State Government
State House
Augusta, Maine 04333
Dear Chairmen:

Please be advised that Governor Joseph E. Brennan has withdrawn his nominations of Roderick E. Farnham of Hampden and Cynthia Murray-Beliveau of Augusta for appointment as members of the State Personnel Board as these individuals were unable to be present at the public hearing on their nominations.

Pursuant to Title 5 MRSA Section 591, these nominations are currently pending before the Joint Standing Committee on State Government.

Sincerely,
S/JOSEPH SEWALL
President of the Senate
S/JOHN L. MARTIN
Speaker of the House

Came from the Senate read and referred to the Committee on State Government.

In the House, the Communication was read and referred to the Committee on State Government in concurrence.

The following Communication:

**Maine Department of Agriculture, Food and
Rural Resources
State Office Building
State House
Station 28
Augusta, Maine 04333**

January 25, 1982

The Honorable John L. Martin
Speaker of the House
Maine State Legislature
State House, Station No. 2
Augusta, Maine 04333
Dear Mr. Speaker:

I am submitting herewith the annual report of the Commissioner of Agriculture, Food and Rural Resources to the Legislature in accordance with the action of the Legislature in enacting P.L. 1975, Chapter 584 requiring that I report yearly on "Methods of Stimulating and Encouraging the Growth and Modernization of Agricultural Enterprises."

Sincerely,
S/STEWART N. SMITH
Commissioner

The Communication was read and with accompanying report ordered placed on file.

The following Communication: (H. P. 1940)

**State of Maine
Office of
Secretary of State**

February 2, 1982

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 Repeal the Control of Milk Prices at the Wholesale and Retail Levels," and the results of the examination by this office of the initiative petitions relative to it.

The minimum number of valid signatures required to initiate this legislation is 37,026. On January 28, 1982, our office received 274 petitions said to contain 44,003 signatures. After extensive review we have determined the number of valid signatures to be 44,414.

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 provisions 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 the Legislature rejects this initiative

proposal, a referendum election will be called for November, 1982.

Respectfully,
S/RODNEY S. QUINN

The Communication was read and ordered placed on file and sent up for concurrence, and the accompanying Bill I.B. 3, Bill "An Act to Repeal the Control of Milk Prices at the Wholesale and Retail Levels"

On motion of Mrs. Mitchell of Vassalboro referred to the Committee on Agriculture and sent up for concurrence.

**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:

Passed to be Engrossed

Bill "An Act to Amend the Maine Potato Quality Control Program" (Emergency) (H. P. 1942) (Presented by Representative Mahany of Easton) (Cosponsors: Senator Hichens of York, Representative Sherburne of Dexter and Smith of Island Falls) (Approved for introduction by a Majority of the Legislative Council pursuant to Joint Rule 27)

Committee on Agriculture was suggested. Under suspension of the rules, the Bill was read twice, passed to be engrossed without reference to any committee and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Business Legislation

Bill "An Act to Amend the Uniform Commercial Code Regarding Investment Securities" (H. P. 1935) (Presented by Representative Tarbell of Bangor) (Cosponsors: Representatives Telow of Lewiston, Racine of Biddeford and Senator Collins of Knox) (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 Create an Independent Health Facilities Review Organization" (Emergency) (H. P. 1934) (Presented by Representative Lund of Augusta) (Cosponsors: Representative MacBride of Presque Isle and Senator Collins of Knox) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26)

(Ordered Printed)
Sent up for concurrence.

Study Report

Committee on Legal Affairs

Representative Cox from the Committee on Legal Affairs to which was referred by the Legislative Council the study relative to the Equalization of Liquor Prices have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill "An Act to Equalize the Price of Liquor Throughout the State and to Determine an Appropriate Price Level" (H. P. 1933) (L. D. 1915) 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 Legal Affairs, ordered printed and sent up for concurrence.

Study Report

**Committees on Energy and Natural
Resources and Public Utilities**

Representative Hall for the Committees on Energy and Natural Resources and Public Utilities to which was referred by the Legislative Council, the study relative to the Continuance of the Residential Conservation Service have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill "An Act to Ensure Continuance of the Residential Conservation Ser-

vices" (H. P. 1936) (L. D. 1916) be referred to the Committee on Energy and Natural Resources for public hearing and printed pursuant to Joint Rule 18.

Report was read.

On motion of Mr. Davies of Orono, the Bill was referred to the Committee on Public Utilities, ordered printed and sent up for concurrence.

Special Sentiment Calendar

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

John Ste. Marie, who has attained the high rank and distinction of Eagle Scout, Troop 74, Old Town; (H. P. 1932) by Representative Pearson of Old Town. (Cosponsor: Representative Paradis of Old Town and Senator Sewall of Penobscot)

Fred and Ida Rose, of West Bath, who celebrated their 65th wedding anniversary on December 23, 1981; (H. P. 1937) by Representative Stover of West Bath. (Cosponsor: Senator Sewall of Lincoln)

Alexander Dority, of Camden, who was named the recipient of the Man of the Year Award by the Camden Chamber of Commerce for his many years of dedicated and faithful service; (H. P. 1938) by Representative O'Rourke of Camden. (Cosponsor: Senator Shute of Waldo)

Mina Rines, of Warren, on the 102nd anniversary of her birth February 3, 1982; (H. P. 1939) by Representative O'Rourke of Camden. (By unanimous consent, ordered sent forthwith to the Senate.)

There being no objections, these items were considered passed.

Consent Calendar

First Day

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

(S. P. 751) (L. D. 1754) Bill "An Act Concerning Annuity Agreements with the University of Maine"—Committee on Business Legislation reporting "Ought to Pass"

No objections being noted, the above item was ordered to appear on the Consent Calendar of February 4, under the listing of the Second Day.

Consent Calendar

Second Day

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

(H. P. 1770) (L. D. 1760) Bill "An Act to Permit the Town of Mexico to Withdraw from the Maine State Retirement System" (Emergency)

(H. P. 1743) (L. D. 1732) Bill "An Act to Create a Revolving Fund for Publications of the Department of Conservation" (C. "A" H-581)

(H. P. 1745) (L. D. 1734) RESOLVE, Authorizing the Transfer of the Care and Custody of Certain Property to Grand Falls Township to the Bureau of Public Lands (C. "A" H-582)

(H. P. 1744) (L. D. 1733) RESOLVE, Authorizing the Bureau of Public Lands to Convey by Bid Sale of the State's Interest in Certain Real Property in the Unorganized Territory in Knox County (C. "A" H-583)

(H. P. 1772) (L. D. 1762) Bill "An Act to Clarify License Requirements for Municipal Work under the Electricians Law" (C. "A" H-585)

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

Tabled and Assigned

(H. P. 1773) (L. D. 1763) Bill "An Act to Clarify the Deposit Authority and Conversion Procedures of Savings and Loan Associations" (C. "A" H-584)

On the request of Mr. McHenry of Madawaska, was removed from the Consent Calendar.

On motion of the same gentleman, tabled pending acceptance of the Committee Report and specially assigned for Tuesday, February 9.

The following papers were taken up out of order by unanimous consent:

The following Communication:

State of Maine
House of Representatives
Speakers' Office
Augusta, Maine 04333

February 2, 1982

Hon. Edwin H. Pert
Clerk of the House
State House Station 2
Augusta, Maine 04333
Dear Clerk Pert:

This is to notify you that pursuant to the Joint order passed in the House of Representatives and Senate on January 20, 1982, and January 21, 1982, respectively, I am appointing the following members to serve on the Joint Select Committee on Alcoholism Services:

Rep. Neil Rolde of York
Rep. Lorraine Chonko of Topsham
Rep. Bonnie Post of Owl's Head
Rep. Alfred Brodeur of Auburn
Rep. Polly Reeves of Pittston
Rep. John Masterman of Milo
Rep. Sylvia Lund of Augusta
Rep. Susan Bell of South Paris
Rep. Russell Day of Westbrook

Sincerely,

S/JOHN L. MARTIN
Speaker of the House

The Communication was read and ordered placed on file.

(Off Record Remarks)

The following Communication:

State of Maine
House of Representatives
Speakers' Office
Augusta, Maine 04333

January 27, 1982

Hon. Edwin H. Pert
Clerk of the House
State House Station 2
Augusta, Maine 04333
Dear Clerk Pert:

This is to notify you that I am today appointing Rep. Richard Davies of Orono to serve on the Joint Standing Committee on Labor for the remainder of the 110th Legislature.

Sincerely,

S/JOHN L. MARTIN
Speaker of the House

Was read and ordered placed on file.

House at Ease

Called to order by the Speaker.

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

Passed to Be Enacted Emergency Measure

An Act to Amend the Maine Potato Quality Control Program (H. P. 1942) (L. D. 1918)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 125 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith.

On motion of Mr. Carroll of Limerick, Adjourned until ten o'clock tomorrow morning.