

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Fourteenth Legislature

OF THE

State Of Maine

VOLUME I

FIRST REGULAR SESSION

December 7, 1988 to May 10, 1989

**ONE HUNDRED AND FOURTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION
34th Legislative Day
Tuesday, March 28, 1989**

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

Prayer by Father Renaud LaBarre, St. Philip's Catholic Church, Auburn.

The Journal of Monday, March 27, 1989, was read and approved.

Quorum call was held.

PAPERS FROM THE SENATE

Bill "An Act to Establish a Comprehensive Service Delivery System for Persons with Head Injuries" (S.P. 350) (L.D. 927)

Came from the Senate, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Was referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill "An Act Concerning Political Activities by Retiring State Employees" (S.P. 349) (L.D. 926)

Came from the Senate, referred to the Committee on State and Local Government and Ordered Printed.

Was referred to the Committee on State and Local Government in concurrence.

Reported Pursuant to Public Law

Report of the Commission to Study the Regulation of Health Care Expenditures, pursuant to Public Law 1987, Chapter 440, section 5 ask leave to submit its findings and to report that the accompanying Bill "An Act to Implement Recommendations Proposed by the Blue Ribbon Commission on the Regulation of Health Care Expenditures" (S.P. 348) (L.D. 920) be referred to the Joint Standing Committee on Human Resources for public hearing and printed pursuant to Joint Rule 18.

Came from the Senate with the report read and accepted and the bill referred to the Committee on Human Resources and ordered printed.

Report was read and accepted and the bill referred to the Committee on Human Resources and ordered printed in concurrence.

Non-Concurrent Matter

Bill "An Act Regarding Voluntary Return to Service by Teachers" (H.P. 636) (L.D. 870) which was referred to the Committee on Education in the House on March 22, 1989.

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

The House voted to recede and concur.

**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:

Agriculture

Bill "An Act to Clarify the Farmland Adjacency Law" (H.P. 697) (L.D. 949) (Presented by Representative TARDY of Palmyra) (Cosponsored by Representative WHITCOMB of Waldo, Senator PERKINS of Hancock and Representative RIDLEY of Shapleigh)

(Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 24.)

Ordered Printed.

Sent up for Concurrence.

Appropriations and Financial Affairs

Bill "An Act to Provide a Cost-of-living Adjustment for Residential Treatment of Emotionally Disturbed Children" (H.P. 687) (L.D. 939) (Presented by Representative NADEAU of Saco) (Cosponsored by Senator CLARK of Cumberland, Representative AULT of Wayne and Representative FOSTER of Ellsworth)

Ordered Printed.

Sent up for Concurrence.

Human Resources

Bill "An Act to Provide Funds for the Establishment of the Community Service Center for the Deaf and Hearing-Impaired" (H.P. 688) (L.D. 940) (Presented by Representative KETOVER of Portland) (Cosponsored by Senator CLARK of Cumberland, Representative HANDY of Lewiston and Representative ANTHONY of South Portland)

Bill "An Act to Provide Needed Services Identified by the Task Force on Incapacitated and Dependent Adults, and Required by the United States Omnibus Budget Reconciliation Act of 1988" (H.P. 691) (L.D. 943) (Presented by Representative PINES of Limestone) (Cosponsored by Representative RIDLEY of Shapleigh and Representative CLARK of Brunswick)

Bill "An Act to Establish a Demonstration Project in York County to Provide a System of Resources for Children in Need" (H.P. 695) (L.D. 947) (Presented by Representative ROLDE of York) (Cosponsored by Representative RIDLEY of Shapleigh, Representative MURPHY of Berwick and Representative FARNUM of South Berwick)

(The Committee on Appropriations and Financial Affairs had been suggested.)

On motion of Representative Lisnik of Presque Isle, were referred to the Committee on Human Resources, ordered printed and sent up for concurrence.

Business Legislation

Bill "An Act to Provide for the Licensing of Counseling Professionals and to Create a Board of Counseling Professionals Licensure" (H.P. 684) (L.D. 936) (Presented by Representative ALLEN of Washington) (Cosponsored by Speaker MARTIN of Eagle Lake, Senator PERKINS of Hancock and Senator CLARK of Cumberland)

Ordered Printed.

Sent up for Concurrence.

Energy and Natural Resources

Bill "An Act to Improve the Management of Solid Waste in Maine" (EMERGENCY) (H.P. 681) (L.D. 932) (Presented by Representative MICHAUD of East Millinocket) (Cosponsored by Senator LUDWIG of Aroostook, Representative AIKMAN of Poland and Representative JACQUES of Waterville)

Ordered Printed.

Sent up for Concurrence.

Fisheries and Wildlife

Bill "An Act to Provide Free Hunting and Fishing Licenses to Persons 65 Years of Age or Older" (H.P. 689) (L.D. 941) (Presented by Representative

FARNSWORTH of Hallowell) (Cosponsored by Representative CLARK of Millinocket and Senator BRAWN of Knox)

Bill "An Act to Amend the Hunting Laws" (H.P. 696) (L.D. 948) (Presented by Representative SMITH of Island Falls) (Cosponsored by Representative RICHARD of Madison, Representative LEBOWITZ of Bangor and Senator EMERSON of Penobscot)

Ordered Printed.
Sent up for Concurrence.

Human Resources

Bill "An Act to Increase Protection for Clients of the Department of Mental Health and Mental Retardation" (H.P. 692) (L.D. 944) (Presented by Representative HEPBURN of Skowhegan) (Cosponsored by Representative CLARK of Brunswick, Senator GILL of Cumberland and Senator GAUVREAU of Androscoggin)

Ordered Printed.
Sent up for Concurrence.

Judiciary

Bill "An Act to Promote the Best Interests of the Child in Divorce Proceedings" (H.P. 683) (L.D. 935) (Presented by Representative DELLERT of Gardiner) (Cosponsored by Representative WEBSTER of Cape Elizabeth and Representative ROLDE of York) (Submitted by the Department of Human Services pursuant to Joint Rule 24.)

Ordered Printed.
Sent up for Concurrence.

Legal Affairs

Bill "An Act to Change the Date for Statewide Primary Elections" (H.P. 690) (L.D. 942) (Presented by Representative McCORMICK of Rockport) (Cosponsored by Senator BRAWN of Knox, Senator BALDACCI of Penobscot and Representative PLOURDE of Biddeford)

Ordered Printed.
Sent up for Concurrence.

Marine Resources

Bill "An Act Making It Illegal to Possess Lobsters Caught Illegally" (H.P. 693) (L.D. 945) (Presented by Representative COLES of Harpswell) (Cosponsored by Representative SKOGLUND of St. George, Representative HUTCHINS of Penobscot and Senator ESTES of York)

Ordered Printed.
Sent up for Concurrence.

State and Local Government

Bill "An Act to Amend the Boundary Line Between the Towns of Albion and Benton" (H.P. 699) (L.D. 951) (Presented by Representative PARENT of Benton) (Cosponsored by Senator MATTHEWS of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Ordered Printed.
Sent up for Concurrence.

Taxation

Bill "An Act to Change the Premium on Alcoholic Beverages" (H.P. 686) (L.D. 938) (Presented by Representative ROLDE of York) (Cosponsored by Senator BUSTIN of Kennebec, Senator MATTHEWS of Kennebec and Representative NORTON of Winthrop) (Approved for

introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Bill "An Act to Amend the Excise Tax Law for Motorboats" (H.P. 694) (L.D. 946) (Presented by Representative NORTON of Winthrop) (Cosponsored by Representative AULT of Wayne, Representative GOULD of Greenville and Representative KILKELLY of Wiscasset)

Bill "An Act Concerning Tax Deductions on the Purchase of a Motor Vehicle" (H.P. 698) (L.D. 950) (Presented by Representative LAWRENCE of Kittery) (Cosponsored by Representative McPHERSON of Eliot)

Resolve, Exempting the Meduxnekeag Ramblers Snowmobile Club, Inc. from Paying Sales Tax on the Purchase of Snow Grooming Equipment (H.P. 685) (L.D. 937) (Presented by Representative GRAHAM of Houlton) (Cosponsored by Senator LUDWIG of Aroostook)

Ordered Printed.
Sent up for Concurrence.

Transportation

Bill "An Act to Make Allocations from the Transportation Safety Fund for the Fiscal Years Ending June 30, 1990, and June 30, 1991" (EMERGENCY) (H.P. 700) (L.D. 952) (Presented by Representative FOSTER of Ellsworth) (Cosponsored by Senator BRANNIGAN of Cumberland, Representative POULIOT of Lewiston and Senator PERKINS of Hancock)

Ordered Printed.
Sent up for Concurrence.

Utilities

Bill "An Act to Protect the Water Quality of Hobbs' Pond and Fish's Pond" (H.P. 682) (L.D. 934) (Presented by Representative ALLEN of Washington) (Cosponsored by Speaker MARTIN of Eagle Lake, Representative DEXTER of Kingfield and Senator CLARK of Cumberland)

Ordered Printed.
Sent up for Concurrence.

REPORTS OF COMMITTEES

Unanimous Leave to Withdraw

Representative MANNING from the Committee on Human Resources on Bill "An Act to Reestablish the Requirement that Couples Receive a Blood Test before Obtaining a Marriage License" (H.P. 285) (L.D. 397) reporting "Leave to Withdraw"

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

Divided Report

Tabled and Assigned

Majority Report of the Committee on State and Local Government reporting "Ought Not to Pass" on Bill "An Act to Annex Township 4, Range 3 WELS to the Town of Island Falls" (H.P. 164) (L.D. 229)

Signed:

Senators:

CARPENTER of York
BERUBE of Androscoggin
ESTY of Cumberland
LARRIVEE of Gorham
HEESCHEN of Wilton
WENTWORTH of Wells
McCORMICK of Rockport
HANLEY of Paris

Representatives:

Minority Report of the same Committee reporting "Ought to Pass" on same Bill.

Signed:

Representatives:

JOSEPH of Waterville

DAGGETT of Augusta
BEGLEY of Waldoboro
CAHILL of Mattawamkeag
ROTONDI of Athens

The House was called to order by the Speaker.

(Off Record Remarks)

Reports were read.

On motion of Representative Mayo of Thomaston, tabled pending acceptance of either report and specially assigned for Wednesday, March 29, 1989.

CONSENT CALENDAR

First Day

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

(H.P. 288) (L.D. 400) Bill "An Act to Authorize Issuance of Complimentary Hunting, Trapping and Fishing Licenses for Residents 70 Years of Age at Any Time During the Calendar Year in Which They Attain the Age of 70" Committee on Fisheries and Wildlife reporting "Ought to Pass" as amended by Committee Amendment "A" (H-20)

There being no objections, the above item was ordered to appear on the Consent Calendar of Wednesday, March 29, 1989, under the 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:

(H.P. 185) (L.D. 250) Bill "An Act to Eliminate the Registration Fee on Municipal Dams" (C. "A" H-15)
(H.P. 349) (L.D. 468) Bill "An Act to Ban the Use of Chlorofluorocarbons in All Plastic Foam Boards" (C. "A" H-19)

(H.P. 182) (L.D. 247) Bill "An Act to Establish the Maine Greenbelt Commission" (C. "A" H-18)

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

(H.P. 239) (L.D. 351) Bill "An Act to Prohibit the Use of Plastic Beverage Stirrers in State Facilities" (C. "A" H-17)

On motion of Representative Tamaro of Baileyville, was removed from the Consent Calendar, Second Day.

Whereupon, the Committee report was read and accepted, the Bill read once.

Committee Amendment "A" (H-17) was read by the Clerk and adopted and the Bill assigned for second reading Wednesday, March 29, 1989.

PASSED TO BE ENGROSSED

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Oxford County for the Year 1989 (EMERGENCY) (H.P. 679) (L.D. 930)

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Hancock County for the Year 1989 (EMERGENCY) (H.P. 680) (L.D. 931)

Were reported by the Committee on Bills in the Second Reading, read the second time, Passed to be Engrossed and sent up for concurrence.

(At Ease)