

MAINE STATE LEGISLATURE

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

VOLUME IV

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that is better than it is on the property tax. I understand that the municipalities would not like it, because they do not get the money. The town fathers would not like it because they do not get the money. The people who pay the taxes get the money in this case, but they have the right to go to a town meeting and lower or raise their taxes if they want to. I just failed to see where the Circuit Breaker is so much better than the Homestead, there are so many violations, according to reports that I've had, of the Circuit Breaker Tax, by people who are able to show a tax loss on their income tax.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Berube.

Senator BERUBE: Thank you Mr. President. Ladies and Gentlemen of the Senate. I really did not know that I was going to get up at this moment, but Senator Pearson from Penobscot mentioned something that I am familiar with, and it's the position of being in the minority sometimes.

I concur with his views, and I would like to give you two reasons why I am going to be voting for the motion before us. The first of which is that maybe I shouldn't, because I've got a vested interest, I will be getting about \$50, and I don't certainly fit the Bill of being in the millionaire's group. \$50 on my tax bill is not bad, it certainly helps, and as it would help many of the retirees and people of fixed incomes in my district. My second reason I think is more idealistic, if you will, we did make a commitment last year, that this money would be given in Homestead Exemption to the people of our state, and I think we are bound by our word, if it is going to mean anything, we did do it, we knew what we were doing, at the time there were town managers that were saying, oh we can't cope with this, and it is a bad idea, but none the less we passed it. Maybe if there were a proviso to that Bill, that said that rather than return in Homestead Exemption the monies to the individual tax payers, that maybe if does go indeed the way they want to, that is in revenue sharing, that they will assure every tax payer that their property tax will be reduced accordingly, that they will use those monies to reduce the tax. I suspect that many times it goes back into revenue sharing and other forms of grants, and some new thing is very tempting to purchase, or enact, and that is where it gets lost, and those are my reasons. Thank you.

Off Record Remarks

On motion by Senator ANDREWS of Cumberland, ADJOURNED until Friday, March 9, 1990, at 12:00 in the afternoon.

ONE HUNDRED AND FOURTEENTH MAINE LEGISLATURE
SECOND REGULAR SESSION
29th Legislative Day
Friday, March 9, 1990

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

Prayer by Monsignor Paul D. Gleason, Saint Patrick's Catholic Church, Lewiston.

The Journal of Thursday, March 8, 1990, was read and approved.

Quorum call was held.

PAPERS FROM THE SENATE

The following Joint Resolution: (S.P. 954)
JOINT RESOLUTION ON THE OCCASION OF INTERNATIONAL
WOMEN'S DAY

WHEREAS, on March 8, 1990, the world celebrates International Women's Day; and

WHEREAS, this day is set aside to honor women around the globe and commemorates an 1857 march led by Clara Zetkin in New York City for female garment and textile workers; and

WHEREAS, this day was first proclaimed at an international conference of women in Helsinki, Finland in 1910; and

WHEREAS, this day, having originated in the United States, has been widely adopted and observed in other nations; and

WHEREAS, the State of Maine takes pride in the labor force of this State, 57% of whom are women; now, therefore, be it

RESOLVED: That We, the Members of the 114th Legislature of the State of Maine, now assembled in the Second Regular Session, are pleased to recognize the occasion of International Women's Day in 1990.

Came from the Senate, read and adopted.

Was read and adopted in concurrence.

Bill "An Act to Extend the Reporting Date of the Commission to Evaluate the Adequacy of the Aid to Families with Dependent Children Need and Payment Standards" (EMERGENCY) (S.P. 952) (L.D. 2414)

Came from the Senate under suspension of the rules and without reference to a Committee, the Bill read twice and passed to be engrossed.

(The Committee on Reference of Bills had suggested reference to the Committee on Human Resources.)

Under suspension of the rules and without reference to any committee, the Bill was read twice and passed to be engrossed in concurrence.

By unanimous consent, was ordered sent forthwith to the Senate.

Unanimous Leave to Withdraw

Report of the Committee on State and Local Government reporting "Leave to Withdraw" on Resolve, to Implement the Final Report of the Commission on Maine's Future (S.P. 944) (L.D. 2392)

Report of the Committee on State and Local Government reporting "Leave to Withdraw" on Bill "An Act to Institutionalize Strategic Planning in State Government" (S.P. 950) (L.D. 2400)

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

Ought to Pass as Amended

Report of the Committee on Judiciary reporting "Ought to Pass" as Amended by Committee Amendment "A"

(S-536) on Bill "An Act to Promote and Assist Barrier-free Construction in Places of Public Accommodation and Places of Employment" (S.P. 733) (L.D. 1932)

Came from the Senate, with the report read and accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A" (S-536) and Senate Amendment "B" (S-568).

Report was read and accepted, the Bill read once. Committee Amendment "A" (S-536) was read by the Clerk and adopted.

Senate Amendment "B" (S-568) was read by the Clerk and adopted and the Bill assigned for second reading Monday, March 12, 1990.

Ought to Pass as Amended

Report of the Committee on State and Local Government reporting "Ought to Pass" as Amended by Committee Amendment "A" (S-547) on Bill "An Act to Authorize the Annexation of Land Adjacent to the Town of East Millinocket" (EMERGENCY) (S.P. 746) (L.D. 1950)

Came from the Senate, with the report read and accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A" (S-547) as amended by Senate Amendment "A" (S-570) thereto.

Report was read and accepted, the Bill read once. Committee Amendment "A" (S-547) was read by the Clerk.

Senate Amendment "A" (S-570) to Committee Amendment "A" (S-547) was read by the Clerk and adopted.

Committee Amendment "A" as amended by Senate Amendment "A" thereto was adopted and the Bill assigned for second reading Monday, March 12, 1990.

Non-Concurrent Matter

An Act to Ensure the Independence of the Animal Welfare Board (S.P. 691) (L.D. 1830) (C. "A" S-523) which was passed to be enacted in the House on March 6, 1990.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (S-523) as amended by Senate Amendment "A" (S-564) thereto in non-concurrence.

Representative Tardy of Palmyra moved that the House recede.

On further motion of the same Representative, tabled pending his motion to recede and later today assigned.

Non-Concurrent Matter

Bill "An Act to Protect Public Health by Prohibiting Smoking on Public Transportation Buses" (EMERGENCY) (H.P. 1462) (L.D. 2039) which was passed to be engrossed as amended by Committee Amendment "A" (H-817) in the House on March 2, 1990.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-817) as amended by Senate Amendment "A" (S-566) thereto in non-concurrence.

The House voted to recede and concur.

**PETITIONS, BILLS AND RESOLVES
REQUIRING REFERENCE**

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

Joint Select Committee on Corrections

Bill "An Act to Clarify County Responsibility for Support of Prisoners" (H.P. 1756) (L.D. 2419) (Presented by Representative COLES of Harpswell) (Cosponsored by Senator CAHILL of Sagadahoc, Representative CHONKO of Topsham and Representative SMALL of Bath) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

(The Committee on State and Local Government had been suggested.)

On motion of Representative Joseph of Waterville, the Bill was referred to the Joint Select Committee on Corrections, ordered printed and sent up for concurrence.

ORDERS

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 56 and Joint Rule 34, the following item:

Recognizing:
the Scarborough High School Academic Decathlon Team, for their extraordinary efforts which won the State Academic Decathlon Championship; (HLS 1153) by Representative PENDLETON of Scarborough. (Cosponsors: Representative HIGGINS of Scarborough, Representative NADEAU of Saco, Senator HOBBS of York)

On motion of Representative Webster of Cape Elizabeth, was removed from the Special Sentiment Calendar.

On further motion of the same Representative, tabled pending passage and specially assigned for Monday, March 12, 1990.

REPORTS OF COMMITTEES

Unanimous Ought Not to Pass

Representative GRAHAM from the Committee on Business Legislation on Bill "An Act to Amend the Sunday Sales Law" (I.B. 3) (L.D. 2371) reporting "Ought Not to Pass"

Representative O'GARA from the Committee on Education on Bill "An Act to Establish Financial Incentives for the Promotion of Gender Equity in Public School Administration" (H.P. 1696) (L.D. 2344) reporting "Ought Not to Pass"

Representative NADEAU from the Committee on Taxation on Bill "An Act to Apply Property Tax Relief more Equitably to Municipalities with Respect to Educational Funding" (H.P. 1631) (L.D. 2258) reporting "Ought Not to Pass"

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

Unanimous Leave to Withdraw

Representative SWAZEY from the Committee on Taxation on Bill "An Act Providing for the Protection and Preservation of Rail Transportation in the State" (H.P. 1701) (L.D. 2350) reporting "Leave to Withdraw"

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 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:

(S.P. 496) (L.D. 1370) Resolve, to Study the Feasibility of Establishing a Piscataqua River Basin

Compact between Maine and New Hampshire (EMERGENCY) Committee on Energy and Natural Resources reporting "Ought to Pass" as amended by Committee Amendment "B" (S-552)

(S.P. 861) (L.D. 2210) Bill "An Act to Increase the Capacity of the State to Provide Mental Health Services" Committee on Human Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (S-557)

(S.P. 899) (L.D. 2289) Bill "An Act to Prohibit the Development of Spaghetti-1ot Subdivisions" (EMERGENCY) Committee on Energy and Natural Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (S-553)

(H.P. 1437) (L.D. 2007) Bill "An Act to Strengthen and Fund Organic Food Certification in Maine" Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-895)

(H.P. 762) (L.D. 1066) Bill "An Act Concerning Educational Enhancement" Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "B" (H-896)

(H.P. 1661) (L.D. 2301) Bill "An Act to Amend the Law on Intermediate Sanctions in Long-term Care Facilities" Committee on Human Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-897)

There being no objections, the above items were ordered to appear on the Consent Calendar of Monday, March 12, 1990, 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:

(S.P. 823) (L.D. 2099) Bill "An Act to Clarify the Maine Juvenile Code" (C. "A" S-550)

(H.P. 1679) (L.D. 2320) Bill "An Act to Further Clarify the Relationship Between Woodcutters and Landowners" (EMERGENCY) (C. "A" H-882)

(H.P. 1666) (L.D. 2307) Bill "An Act to Provide Legislative Oversight of Transactions Dealing with State Held Lands and Property" (C. "A" H-883)

(H.P. 1342) (L.D. 1859) Bill "An Act Concerning the Definition of Security Guard" (C. "A" H-886)

(H.P. 1635) (L.D. 2268) Bill "An Act to Conform Maine Antifouling Paint Law to Federal Standards" (EMERGENCY) (C. "A" H-888)

(H.P. 1533) (L.D. 2118) Bill "An Act Regarding Municipal Shellfish Regulations" (C. "A" H-887)

(H.P. 1738) (L.D. 2402) Resolve, to Designate the Quoddy Loop as a Scenic Way (EMERGENCY)

(H.P. 1543) (L.D. 2128) Bill "An Act to Replace the Large Lot Exceptions under the Site Location of Development Law with a Low-density Exemption" (C. "A" H-889)

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

PASSED TO BE ENGROSSED

As Amended

Resolve, to Create the Commission to Study the Establishment of a State and Tribal Partnership to Encourage Economic Development (S.P. 607) (L.D. 1701) (S. "A" S-558 to C. "B" S-551)

Bill "An Act Addressing Consecutive Terms of Imprisonment Involving Probation" (S.P. 902) (L.D. 2296) (S. "A" S-559)

Bill "An Act Concerning Contact Lenses" (H.P. 1415) (L.D. 1967) (C. "A" H-871)

Bill "An Act to Establish Mediation for Mobile Home Park Operators and Tenants" (H.P. 1595) (L.D. 2212) (C. "A" H-879)

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

PASSED TO BE ENACTED

Emergency Measure

An Act Related to Smoking in Facilities for the Mentally Ill (S.P. 723) (L.D. 1898) (C. "A" S-532)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 105 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Amend the Law Governing Family Medical Leave (H.P. 1377) (L.D. 1908) (C. "A" H-821)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 110 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Expand and Extend the Maine Managed Care Insurance Plan Demonstration Project (H.P. 1509) (L.D. 2089) (C. "A" H-823)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 111 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

ENACTOR

Emergency Measure

Tabled and Assigned

An Act Concerning the Travel Information Advisory Council (H.P. 1512) (L.D. 2092) (C. "A" H-761)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Representative Gwadosky of Fairfield, tabled pending passage to be enacted and specially assigned for Monday, March 12, 1990.

PASSED TO BE ENACTED

Emergency Measure

An Act to Amend the Maine Agricultural Marketing and Bargaining Act of 1973 (H.P. 1574) (L.D. 2181) (C. "A" H-828)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an

emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 109 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED
Emergency Measure

An Act Allowing the Yarmouth Water District to Acquire the Assets and Liabilities of the North Yarmouth Water District (H.P. 1665) (L.D. 2305)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 111 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED
Emergency Measure

An Act Regarding Excepted Employees of the Judicial Department (H.P. 1325) (L.D. 1827) (C. "A" H-854)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 101 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED
Emergency Measure

An Act to Make Improvements in the Operation of the Judicial Department of the State (H.P. 1382) (L.D. 1913) (C. "A" H-848)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 109 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED
Emergency Measure

An Act to Implement Changes for the Deferred Collection of Homestead Property Taxes (H.P. 1620) (L.D. 2242)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 105 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED
Emergency Measure

An Act to Aid in the Enforcement of Crimes Relating to Forest Fire Control (H.P. 1654) (L.D. 2290) (C. "A" H-844)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 106 voted in favor of the same and none

against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

FINALLY PASSED
Emergency Measure

Resolve, Authorizing the Kennebec County Commissioners to Issue Bonds in the Amount of \$650,000 for the Renovation of the Hill House County Building in Augusta (H.P. 1719) (L.D. 2375)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 108 voted in favor of the same and none against and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

FINALLY PASSED
Emergency Measure

Resolve, to Require a Comprehensive Study to Equalize Maine State Retired Teachers Health Insurance Premium Payments (H.P. 1417) (L.D. 1969) (C. "A" H-839)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 114 voted in favor of the same and none against and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

An Act to Amend County Jail Transfers and the Community Corrections Laws (S.P. 277) (L.D. 723) (S. "A" S-537 to C. "B" S-519)

An Act to Permit Changes in the Charter of the City of Ellsworth School District (S.P. 720) (L.D. 1895) (C. "A" S-531)

An Act to Allow State Employees and Teachers to Buy Back Time Spent in Certain Programs (S.P. 787) (L.D. 2033) (S. "A" S-541 to C. "A" S-496)

Were 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.

PASSED TO BE ENACTED

An Act to Increase Eligibility for Imprisonment with Intensive Supervision (S.P. 822) (L.D. 2098) (C. "A" S-539)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Greenlaw.

Representative GREENLAW: Mr. Speaker, Members of the House: By referendum last November, the people of Maine defeated a bond issue for \$45 million to build more bed space in our prisons. I do not question their action but due to that action, the Corrections Committee and this body have been mandated to find other methods rather than incarceration and prison cells to rehabilitate people who have violated our laws. L.D. 2098 is one of the several bills that you will hear in the near future to take care of this situation.

There is a great risk in doing this. When you do not incarcerate people, you leave them in programs on the street or in your back yard, who probably should be incarcerated. Some of these people will strike again, one more woman will be raped, one more person will be robbed, one more child will be murdered.

After this happens, I hope the people that helped defeat the bond issue last November will step forward and help carry the cross of responsibility.

The SPEAKER: The Chair recognizes the Representative from Thomaston, Representative Mayo.

Representative MAYO: Mr. Speaker, Men and Women of the House: As one of those individuals who helped defeat the bond issue last November, I would like to respond to the remarks of the Representative from Standish, Representative Greenlaw, to assure this House that this legislation is not going to lead to repeat offenses and lead to the type of things that have been alluded to in his remarks.

This bill is here as a result of actions taken by the Department of Corrections. It was sponsored by a member of the other body of the Minority party. It is a bipartisan attempt, it is a unanimous report to strengthen and more fully utilize our intensive supervision program. We should not fear this, it is not going to cause great disruptions, this is not going to result (in my opinion) in putting people on the streets who don't belong there.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Paradis.

Representative PARADIS: Mr. Speaker, I would like to pose a question through the Chair.

I would like to pose a question to Representative Greenlaw from Standish. If I were to vote to enact this bill at this stage, the administration bill, would I be voting to let prisoners out on the streets to commit grievous criminal acts? By supporting this legislation, would I be endangering my own constituency?

The SPEAKER: The Representative from Augusta, Representative Paradis, has posed a question through the Chair to the Representative from Standish, Representative Greenlaw, who may respond if he so desires.

The Chair recognizes that Representative.

Representative GREENLAW: Mr. Speaker, Men and Women of the House: I will try to answer the question. I think I made myself clear that I will be voting for this issue. I think I made myself clear that there would be more built into a package, this being one of the first ones. There are two or three left on the calendar that was moved forward today.

In general, we are going to have to move by the mandate of the people, either to incarcerate people or let them out. If we do not have a place to incarcerate them, we have to come up with other alternative plans, hopefully that will work, but I do not feel that they will all work. When that time comes, I don't think this body should be blamed for what happened.

Subsequently, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

An Act to Change the Name of the Committee for the Interdepartmental Coordination of Services to Children and Families (S.P. 826) (L.D. 2134)

An Act to Amend and Improve the Education Laws of Maine (S.P. 830) (L.D. 2138) (C. "A" S-534)

An Act to Amend Spinal Screening Laws (S.P. 833) (L.D. 2141)

An Act Concerning the Driving of Deer or Moose (S.P. 842) (L.D. 2161) (H. "A" H-857 to C. "A" S-501)

An Act Allowing Water Utilities to Sue for Injunctive Relief Regarding Lake Water Quality (S.P. 858) (L.D. 2194) (C. "A" S-535)

An Act Related to the Provision of Care for Adults with Long-term Needs (S.P. 887) (L.D. 2263) (C. "A" S-533)

Were 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.

ENACTOR

Indefinitely Postponed

An Act to Require Disclosure of Parents' Social Security Numbers at the Time of a Child's Birth and to Amend the Provisions of the Law Concerning Disclosure of Information (S.P. 889) (L.D. 2265) (C. "A" S-540)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the Representative from Island Falls, Representative Smith.

Representative SMITH: Mr. Speaker, I would like to pose a question through the Chair.

Under this law, does not an unmarried woman need to give the Social Security number of the alleged father at the time of birth when she is in the hospital?

The SPEAKER: The Representative from Island Falls, Representative Smith, has posed a question through the Chair to anyone who may respond if they so desire.

The Chair recognizes the Representative from Portland, Representative Manning.

Representative MANNING: Mr. Speaker, Ladies and Gentlemen of the House: The answer is yes if she knows the person.

The SPEAKER: The Chair recognizes the Representative from Island Falls, Representative Smith.

Representative SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I believe I know what we are up to here and it is to get these weasels and make them pay. I do question the method being used.

At the present time, an unmarried woman gives birth to a child in the hospital, she cannot put the father's name on that birth certificate unless that father, in writing, allows that to happen. Given the same scenario, the Social Security number to me is doing the same thing. I don't believe anyone is guilty until proven so.

Imagine if you will, a young couple out on a date and I will use some terminology of which I am not familiar with but has been handed on to me by younger persons, they are engaged in heavy dating and the girl says to the boy, "Mikey, Mikey, I love you, I love you so much — by the way, what is your Social Security number?"

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Manning.

Representative MANNING: Mr. Speaker, Ladies and Gentlemen of the House: 005-52-7684. This was a piece of legislation brought in by the Human Services Department asking us to put this piece of legislation into effect because the federal government is mandating that they do this. I will tell you that the committee as a whole didn't feel very strongly about this. However, knowing that we are in a situation where if the federal government came down and found out that the Department of Human Services was not in compliance with the rules and regulations of the Department of Human Services of the federal government, we then could be losing some Medicaid funding. In a year when we are strongly looking for every cent that we can possibly get, I think the committee decided (and I won't say the whole committee, it was a 11-2 split report) to put as strong a language in this piece of legislation that

we could without really doing away with the whole complete bill.

Granted, even the Department of Human Services is not comfortable with this piece of legislation. However, they are under the mandate by federal law to go along with it. That is the reason why the bill is in.

The SPEAKER: The Chair recognizes the Representative from York, Representative Rolde.

Representative ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I was the one member of this body on the committee that would not sign "Ought to Pass" on this Report. I guess I did that at the time as a general protest against what I feel is continual and expanded government on intrusion to our privacy and that is the use of Social Security numbers, which is almost leading into the direction of having a national identity card. That is something that Americans have resisted throughout our history. This happens in many other countries in the world. The government seems to be working more and more in the area of using Social Security numbers to do this. So that is why I, as a sort of philosophical point of view, voted against this bill.

I did not make a fuss on this when the report was originally brought in here, but since then, I have talked to a number of members of this body who feel very much the same way that I do.

I would request a roll call, Mr. Speaker, when we vote on this so that those people who do have the same objections that I do to the use of Social Security numbers and I realize that this is a federal mandate and there are some of us who might like to try to change that in the future.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of more than 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 present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The Chair recognizes the Representative from Wilton, Representative Heeschchen.

Representative HEESCHEN: Mr. Speaker, Ladies and Gentlemen of the House: Eastern Europe has many things going on there, great steps towards Democracy, freedom, human rights, and we all applaud that. Sometimes I think we very smugly applaud that thinking that everything is okay here, we applaud that as we consentingly, step by innocuous step, walk our way into a police state. Eastern Europe isn't about economics, it isn't about Communism versus Capitalism, it is about freedom, it is about civil rights and human rights.

I think it is very interesting that a lot of these innocuous steps are cleverly tied to federal money. It is a federal mandate or we will get penalized, we won't get this federal money. Well, that is our money to begin with, I think it is about time we started to say no to this kind of large scale behavior modification. I am always amazed at the hot arguments that come out during debates on (say) seat belts, where there is a presumption that you are taking away some of our freedom by asking people to wear seat belts and be responsible. There is a choice there, you can choose to wear it or not. You might not get caught, you probably won't get caught, but what this bill is all about is catching somebody. This is all about getting caught, all about being tracked, about being monitored — you are going to be subject to future laws you don't even envision now.

I just want to read a little bit out of the paper yesterday — Bangor Daily News. "Immigration and Nationalization Service Chief Discusses ID Card." He told reporters that he was not proposing a national ID card but would consider the concept if it were advanced by others. At some point, it is going to be said, well, we are using Social Security numbers for everything under the sun, so what is your problem? Why are you worried about a national ID card? Some people don't really care if their Social Security number gets bantered all over the place. I do. About fifteen years ago, this state tried to mandate the use of Social Security numbers for our drivers licenses. I refused to do that. It was a pain in the neck for several years but the legislature finally repealed that mandate. I think it is time to say no.

The technologies are here to track us all, give us a national identity card, plant something in a microchip under our skin at birth and keep track us from the day we are born until the day we die.

On motion of Representative Heeschchen of Wilton, L.D. 2265 and all accompanying papers were indefinitely postponed in non-concurrence and sent up for concurrence.

PASSED TO BE ENACTED

An Act to Amend the Reporting Procedures for the Governmental Ethics Laws (S.P. 951) (L.D. 2401)

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.

ENACTOR

Tabled and Assigned

An Act to Amend the Procedure for Approval of the Lincoln County Budget (H.P. 1250) (L.D. 1748) (S. "A" S-544)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Representative Gwadosky of Fairfield, tabled pending passage to be enacted and specially assigned for Monday, March 12, 1990.

PASSED TO BE ENACTED

An Act to Amend the Maine Human Rights Act to Prohibit Educational Discrimination on the Basis of National Origin (H.P. 1360) (L.D. 1877) (C. "A" H-825)

An Act to Improve Maine Occupational Safety and Health Provisions (H.P. 1367) (L.D. 1884) (C. "A" H-826)

Were 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.

PASSED TO BE ENACTED

An Act to Establish Certain Positions within the Department of Mental Health and Mental Retardation as Unclassified State Positions Subject to the State Employees Labor Relations Act (H.P. 1380) (L.D. 1911) (H. "A" H-849 to C. "A" H-819)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

Representative Wentworth of Wells requested a roll call.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of more than 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 present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question before the House is passage to be enacted.

The Chair recognizes the Representative from Thomaston, Representative Mayo.

Representative MAYO: Mr. Speaker, pursuant to House Rule 7, I request permission to pair my vote with the Representative from Old Town, Representative Cashman. If he were present and voting, he would be voting nay; I would be voting yea.

The SPEAKER: The pending question before the House is passage to be enacted. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 184

YEA - Adams, Aliberti, Anthony, Ault, Bell, Boutilier, Brewer, Burke, Cahill, M.; Carroll, D.; Carter, Cathcart, Chonko, Clark, H.; Clark, M.; Coles, Conley, Crowley, Curran, Daggett, DiPietro, Dore, Duffy, Dutremble, L.; Farnsworth, Foster, Gould, R. A.; Graham, Gurney, Gwadosky, Hale, Handy, Heeschen, Hichborn, Hickey, Hوجلund, Holt, Hussey, Jacques, Jalbert, Joseph, Kilkelly, Lawrence, Lisnik, Luther, Macomber, Mahany, Marston, Martin, H.; McGowan, McHenry, McKeen, McSweeney, Melendy, Michaud, Mitchell, Moholland, Nadeau, G. R.; Norton, O'Dea, O'Gara, Oliver, Paradis, J.; Paradis, P.; Paul, Pineau, Plourde, Pouliot, Priest, Richard, Ridley, Rolde, Rotondi, Ruhlin, Sheltra, Sherburne, Simpson, Skoglund, Smith, Stevens, P.; Swazey, Tammaro, Tardy, Townsend, Tracy, Walker, The Speaker.

NAY - Aikman, Anderson, Bailey, Begley, Butland, Carroll, J.; Dellert, Dexter, Farren, Foss, Greenlaw, Hastings, Hepburn, Hutchins, Lebowitz, Libby, Look, Lord, MacBride, Manning, Marsano, Marsh, McCormick, McPherson, Merrill, Murphy, Paradis, E.; Parent, Pederson, Pendleton, Pines, Reed, Richards, Seavey, Small, Stevens, A.; Stevenson, Strout, B.; Strout, D.; Telow, Tupper, Webster, M.; Wentworth, Whitcomb.

ABSENT - Allen, Constantine, Cote, Donald, Erwin, P.; Farnum, Garland, Hanley, Higgins, Jackson, Ketover, LaPointe, Larrivee, Mills, Nadeau, G. G.; Nutting, Rand, Rydell.

PAIRED - Cashman, Mayo.

Yes, 87; No, 44; Absent, 18; Paired, 2; Excused, 0.

87 having voted in the affirmative and 44 in the negative with 18 being absent and 2 paired, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

ENACTOR

Tabled and Assigned

An Act to Authorize the Department of Human Services to Impose Civil Penalties on Vendors Who Violate the Requirements of the Women, Infants and Children Special Supplemental Food Program (H.P. 1521) (L.D. 2106) (C. "A" H-830)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Representative Gwadosky of Fairfield, tabled pending passage to be enacted and specially assigned for Monday, March 12, 1990.

PASSED TO BE ENACTED

An Act to Require Mitigation for Land Use Violations within the Shoreland Zones (H.P. 1329) (L.D. 1846) (C. "A" H-803)

An Act Concerning Investigation of Allegations by the Office of Advocacy (H.P. 1609) (L.D. 2225)

An Act to Ensure the Effective Use of Grants in the Office of the State Archivist (H.P. 1624) (L.D. 2246) (S. "A" S-545)

An Act to Ensure that Child Support Payments Benefit the Family (H.P. 1001) (L.D. 1390) (C. "A" H-847)

Were 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.

ENACTOR

Tabled and Assigned

An Act to Correct the Subdivision Laws (H.P. 1357) (L.D. 1874) (C. "A" H-843)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed

On motion of Representative Gwadosky of Fairfield, tabled pending passage to be enacted and specially assigned for Monday, March 12, 1990.

PASSED TO BE ENACTED

An Act to Further Facilitate the Conversion of the Records of the Maine State Retirement System to an Automated System (H.P. 1383) (L.D. 1914) (H. "A" H-850 to C. "A" H-838)

An Act to Require the Department of Human Services to Set Child Welfare Fee-for-service Rates Based on Yearly Negotiations with Private Nonprofit Community Residential Treatment Providers (H.P. 744) (L.D. 1027) (C. "B" H-829)

An Act to Authorize Discretion in the Use of Sirens on Ambulance Vehicles (H.P. 1507) (L.D. 2087) (C. "A" H-837)

An Act to Strengthen Drug Abuse Services for Children of School Age (H.P. 1504) (L.D. 2084) (C. "A" H-840)

An Act to Establish the Wells National Estuarine Research Reserve Management Authority (H.P. 1457) (L.D. 2031) (C. "A" H-853)

An Act to Amend the Laws Affecting the Operations of the Department of the Secretary of State (H.P. 1388) (L.D. 1918) (C. "A" H-833)

An Act to Provide Access to Preventive Dental Care Services to Adults Eligible for Medicaid (H.P. 1398) (L.D. 1934) (H. "A" H-861 to C. "A" H-831)

Were 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.

ENACTOR

Tabled and Assigned

An Act to Protect Consumer Privacy by Regulating Automated Telephone Solicitations (H.P. 1421) (L.D. 1973) (H. "A" H-855; C. "A" H-835)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Representative Gwadosky of Fairfield, tabled pending passage to be enacted and specially assigned for Monday, March 12, 1990.

ENACTOR

Tabled and Assigned

An Act to Protect Consumers Against Unsolicited Telefacsimile Transmissions (H.P. 1423) (L.D. 1975) (C. "A" H-845)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Representative Gwadosky of Fairfield, tabled pending passage to be enacted and specially assigned for Monday, March 12, 1990.

PASSED TO BE ENACTED

An Act Concerning Trafficking in Prison Contraband (H.P. 1453) (L.D. 2027) (C. "A" H-846)
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.

**ENACTOR
Tabled and Assigned**

An Act to Amend the Operating-under-the-influence Laws (H.P. 1535) (L.D. 2120) (C. "A" H-834)
Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.
On motion of Representative Gwadosky of Fairfield, tabled pending passage to be enacted and specially assigned for Monday, March 12, 1990.

**ENACTOR
Tabled and Assigned**

An Act to Amend the Laws Governing the Military and Naval Children's Home (H.P. 1610) (L.D. 2226) (C. "A" H-842)
Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.
On motion of Representative Manning of Portland, tabled pending passage to be enacted and specially assigned for Monday, March 12, 1990.

PASSED TO BE ENACTED

An Act to Provide Greater Compliance with General Assistance Laws (H.P. 1617) (L.D. 2239) (C. "A" H-841)
An Act to Discourage Public Competition with Private Enterprise (H.P. 1626) (L.D. 2248) (H. "A" H-856 to C. "A" H-832)
Were 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
TABLED AND TODAY ASSIGNED**

The Chair laid before the House the first tabled and today assigned matter:
Bill "An Act Regarding Homeowners' Rights When Mobile Home Parks are Sold" (H.P. 1563) (L.D. 2169)
TABLED - March 8, 1990 by Representative PRIEST of Brunswick.
PENDING - Adoption of Committee Amendment "A" (H-875)
Representative Hastings of Fryeburg offered House Amendment "B" (H-899) to Committee Amendment "A" (H-875) and moved its adoption.
House Amendment "B" (H-899) to Committee Amendment "A" (H-875) was read by the Clerk and adopted.
Committee Amendment "A" as amended by House Amendment "B" thereto was adopted.
The Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "B" thereto and sent up for concurrence.

The Chair laid before the House the second tabled and today assigned matter:
An Act to Enhance Enforcement of the Driving Under the Influence of Alcohol and Drug Laws (H.P. 814) (L.D. 1126) (H. "A" H-801 to C. "A" H-775)
TABLED - March 8, 1990 by Representative MAYO of Thomaston.
PENDING - Passage to be Enacted.

On motion of Representative Priest of Brunswick, retabled pending passage to be enacted and specially assigned for Monday, March 12, 1990.

At this point, Representative Sherburne of Dexter was added to the roll for the 114th Second Regular Session of the Legislature.

Representative Jacques of Waterville was granted unanimous consent to address the House:

Representative JACQUES: Mr. Speaker, Men and Women of the House: In reference to the Calendar on Page 13 today we enacted a bill, L.D. 2161, An Act Concerning Driving of Deer or Moose. I appreciate the support and the fact that no one questioned that bill because it is quite different from the original bill that was introduced. The committee replaced the bill with a Committee Amendment and I want to make it clear for the Record, if it is ever looked into, that the committee never had any intent to make the driving of deer or moose easier. We find it socially and ethically inappropriate and not something we like to have done.

What we attempted to do, and I think we did using our recent Law Court decision, was make it very clear that in the State of Maine, we still understand that there is a difference between the traditional type of hunting where a family group, father, son, grandson or brothers, would be out hunting and some might be sitting, standing or moving — we want to make it clear that we do recognize that driving deer in an organized attempt to drive deer is, indeed, a violation. We want it to stay a violation. We never tried to make that less of a violation, we just hope that those involved will understand that there is a difference between you and your family hunting together and a group of guys who make a deliberate attempt to scare and drive moose and deer to make it easier to kill them.

I appreciate the support of the House in our deliberations.

Representative Farnsworth of Hallowell was granted unanimous consent to address the House:

Representative FARNSWORTH: Mr. Speaker, Men and Women of the House: I just rise to correct a statement that I made yesterday when speaking in support of L.D. 1967. I was compelled to check the law after I spoke yesterday and I had said I believed there was a difference in the treatment between ophthalmologists and optometrists in respect to medical records and I was mistaken and I just wish to report to people that, in fact, they have been and will be treated the same under the law with respect to that record. I apologize for any confusion that that created.

On motion of Representative Martin of Van Buren, Adjourned until Monday, March 12, 1990, at twelve o'clock noon.