

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Sixteenth Legislature

OF THE

State Of Maine

VOLUME V

SECOND REGULAR SESSION

House of Representatives
January 5, 1994 to April 14, 1994

ONE HUNDRED AND SIXTEENTH MAINE LEGISLATURE
SECOND REGULAR SESSION
7th Legislative Day
Thursday, January 20, 1994

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

Prayer by Reverend Jonathan Appleyard, St. Paul's Episcopal Church, Brunswick.

The Journal of yesterday was read and approved.

SENATE PAPERS

Bill "An Act to Ensure Continued Federal Support for Unemployed Workers during Periods of High Unemployment" (EMERGENCY) (S.P. 625) (L.D. 1744)

Bill "An Act Concerning Independent Contractors" (S.P. 626) (L.D. 1745)

Came from the Senate, referred to the Committee on **Labor** and Ordered Printed.

Were referred to the Committee on **Labor** in concurrence.

Bill "An Act Regarding Municipal Code Enforcement Officers and Enforcement of Penalties" (S.P. 624) (L.D. 1743)

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.

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory (S.P. 627) (L.D. 1746)

Came from the Senate, referred to the Committee on **Taxation** and Ordered Printed.

(The Committee on Reference of Bills had suggested reference to the Committee on **State and Local Government**.)

Was referred to the Committee on **Taxation** in concurrence.

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:

Appropriations and Financial Affairs

Bill "An Act to Maintain State-staffed Crisis Programs" (EMERGENCY) (H.P. 1296) (L.D. 1751) (Presented by Representative CHONKO of Topsham) (Cosponsored by Representatives: ADAMS of Portland, BRENNAN of Portland, CARROLL of Gray, CLEMENT of Clinton, DAGGETT of Augusta, FITZPATRICK of Durham, GEAN of Alfred, GWADOSKY of Fairfield, HATCH of Skowhegan, JOSEPH of Waterville, LEMKE of Westbrook, MARTIN of Eagle Lake, MELENDY of Rockland, MICHAUD of East Millinocket, MORRISON of Bangor, OLIVER of Portland, PARADIS of Augusta, PENDLETON of Scarborough, PINEAU of Jay, SAXL of Bangor, TOWNSEND of Portland, TREAT of Gardiner, Senators: BRANNIGAN of Cumberland, BUSTIN of Kennebec, CONLEY of Cumberland, HANDY of Androscoggin, HARRIMAN of Cumberland, LUTHER of Oxford, O'DEA of Penobscot, PEARSON of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Bill "An Act to Authorize a Department of Inland Fisheries and Wildlife Bond Issue of \$10,000,000 for Fish Hatcheries" (H.P. 1301) (L.D. 1756) (Presented by Representative ROTONDI of Athens) (Cosponsored by Representatives: CLARK of Millinocket, FARREN of Cherryfield, GREENLAW of Standish, HEINO of Boothbay, JACQUES of Waterville, LARRIVEE of Gorham, MICHAUD of East Millinocket, NICKERSON of Turner, REED of Falmouth, SPEAR of Nobleboro, SWAZEY of Bucksport, TRACY of Rome, Senators: HALL of Piscataquis, LUTHER of Oxford, O'DEA of Penobscot, PEARSON of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1994 and June 30, 1995" (EMERGENCY) (H.P. 1306) (L.D. 1761) (Presented by Representative FOSS of Yarmouth) (Cosponsored by Representative CHONKO of Topsham, Senators: FOSTER of Hancock, PEARSON of Penobscot) (Governor's Bill)

Business Legislation

Bill "An Act to Amend the Labeling Requirement of Containers for the Purpose of Recycling" (H.P. 1295) (L.D. 1750) (Presented by Representative KILKELLY of Wiscasset) (Cosponsored by Representative ADAMS of Portland and Representatives: CLEMENT of Clinton, GOULD of Greenville, JOHNSON of South Portland, MORRISON of Bangor, PENDLETON of Scarborough) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Energy and Natural Resources

Bill "An Act Concerning Protective Structures along the Coast in Biddeford" (H.P. 1297) (L.D. 1752) (Presented by Representative CARON of Biddeford) (Cosponsored by Representative PLOURDE of Biddeford, Senator: DUTREMBLE of York) (Approved for

introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Modify the End Disposal of Sharp Waste Products in the Biohazard Disposal Law" (H.P. 1300) (L.D. 1755) (Presented by Representative RUHLIN of Brewer) (Cosponsored by Representative COLES of Harpswell, Senators: ESTY of Cumberland, HANDY of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Amend Certain Laws Pertaining to the Department of Environmental Protection, Bureau of Hazardous Materials and Solid Waste Control" (H.P. 1302) (L.D. 1757) (Presented by Representative ANDERSON of Woodland) (Cosponsored by Senator: LUDWIG of Aroostook) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 24.)

Bill "An Act to Encourage Economic Development Through Investment Incentives for Aquaculture" (H.P. 1304) (L.D. 1759) (Presented by Representative FAIRCLOTH of Bangor) (Cosponsored by Representative TOWNSEND of Eastport, Senator VOSE of Washington and Representatives: COLES of Harpswell, MICHAUD of East Millinocket, SKOGLUND of St. George, Senators: BALDACCI of Penobscot, DUTREMBLE of York, PINGREE of Knox) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Committee on **Housing & Economic Development** suggested and ordered printed.

On motion Representative MITCHELL of Freeport, tabled pending reference and later today assigned.

Human Resources

Resolve, to Extend the Reporting Date of the Healthy Start Task Force Report (EMERGENCY) (H.P. 1298) (L.D. 1753) (Presented by Representative FAIRCLOTH of Bangor) (Cosponsored by Senator PARADIS of Aroostook and Representative: TREAT of Gardiner) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Labor

Bill "An Act to Protect the Rights of Employees and to Ensure the Proper Expenditure of Public Funds" (H.P. 1303) (L.D. 1758) (Presented by Representative CHASE of China) (Cosponsored by Senator HANDY of Androscoggin and Representative: RUHLIN of Brewer, Senator: BUSTIN of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Legal Affairs

Bill "An Act Regarding the Discharge of Mortgages" (H.P. 1299) (L.D. 1754) (Presented by Representative

LIBBY of Kennebec) (Cosponsored by Representatives: BENNETT of Norway, CARLETON of Wells, LIPMAN of Augusta, STEVENS of Sabattus, Senator: HANDY of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Utilities

Bill "An Act to Amend the Utility Location Permit Laws" (H.P. 1305) (L.D. 1760) (Presented by Representative SAXL of Bangor) (Cosponsored by Representatives: ADAMS of Portland, CLARK of Millinocket, HOLT of Bath, MORRISON of Bangor, Senator: CLEVELAND of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

ORDERS

On motion of Representative HICHBORN of LaGrange, the following Order:

ORDERED, that Representative Mary R. Cathcart of Orono be excused January 5 to 18 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Virginia Constantine of Bar Harbor be excused January 13 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Pamela H. Hatch of Skowhegan be excused January 11 for health reasons.

AND BE IT FURTHER ORDERED, that Representative James D. Libby of Buxton be excused January 18 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative David A. Lindahl of Northport be excused January 13 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Joan M. Pendexter of Scarborough be excused January 13 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Charlene B. Rydell of Brunswick be excused January 10 to 21 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Stephen P. Simonds of Cape Elizabeth be excused January 13 and 14 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Louise Townsend of Canaan be excused January 10 to 14 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Sharon Anglin Treat of Gardiner be excused January 20 for legislative business.

Was read and passed.

By unanimous consent, all matters having been acted upon were ordered sent forthwith.

ordered printed and sent up for concurrence. Ordered sent forthwith.

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

SENATE PAPERS

The following Joint Order: (S.P. 632)

Ordered, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 25, 1994, at four o'clock in the afternoon.

Came from the Senate, read and passed.

Was read and passed in concurrence.

At this point, the Speaker recognized the Representative from Oakland, Representative POULIN, and he was added to the quorum call of the Second Regular Session.

On motion of Representative STROUT of Corinth, adjourned at 4:50 p.m., pursuant to Joint Order (S.P. 632).

SENATE PAPERS

Bill "An Act to Limit the Jurisdiction of the Maine Human Rights Act" (S.P. 631) (L.D. 1748)

Came from the Senate, referred to the Committee on **Judiciary** and Ordered Printed.

Was referred to the Committee on **Judiciary** in concurrence.

Bill "An Act to Improve the Notice Provisions for Municipal Development Districts" (S.P. 629) (L.D. 1749)

Came from the Senate, referred to the Committee on **Taxation** and Ordered Printed.

Was referred to the Committee on **Taxation** in concurrence.

Bill "An Act to Protect the Interests of the Town of Otis in Certain Ponds" (EMERGENCY) (S.P. 630) (L.D. 1747)

Came from the Senate, referred to the Committee on **Utilities** and Ordered Printed.

Was referred to the Committee on **Utilities** in concurrence.

The Chair laid before the House the following item which was tabled earlier in today's session:

Bill "An Act to Encourage Economic Development Through Investment Incentives for Aquaculture" (H.P. 1304) (L.D. 1759) which was tabled by Representative MITCHELL of Freeport pending reference.

Subsequently, the Bill was referred to the Committee on **Housing and Economic Development**,