

MAINE STATE LEGISLATURE

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

VOLUME I

FIRST REGULAR SESSION

House of Representatives
December 7, 1994 to May 23, 1995

ONE HUNDRED AND SEVENTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION
5th Legislative Day
Tuesday, January 10, 1995

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

Prayer by Reverend Michael Richards, Little Falls Baptist Church, Gorham.

National Anthem by Massabesic High School Choir, Waterboro.

The Journal of Thursday, January 5, 1995 was read and approved.

SENATE PAPERS

Bill "An Act to Grant an Extension of Time to Holders of Sea Urchin Licenses Who Have Attempted to Comply with the Requirement to Take a Competency Course" (EMERGENCY) (S.P. 16) (L.D. 3)

Came from the Senate under suspension of the rules and without reference to a Committee, the Bill read twice and passed to be engrossed as amended by Senate Amendment "A" (S-2).

On motion of Representative JACQUES of Waterville, tabled pending reference and later today assigned.

COMMUNICATIONS

The following Communication: (H.C. 21)
MARGARET CHASE SMITH CENTER FOR PUBLIC POLICY
UNIVERSITY OF MAINE
15 COBURN HALL
ORONO, MAINE 04469

January 6, 1995

Mr. Joseph W. Mayo
Clerk of the House
State House Station #2
Augusta, Maine 04333
Dear Clerk Mayo:

In accordance with 1967 Public Law, Chapter 493, I am enclosing copies of the report for the 1994 Maine State Government Internship Program for the members of the Maine House of Representatives.

I would appreciate your assistance in distributing a copy to each Representative.

If you have any questions or need more than the enclosed 160 copies, please let me know.

Thank you for your assistance.

Sincerely,
S/Kathryn H. Godwin, Ed.D.
Staff Associate and
Director, Maine State
Government Internship Program

Was read and with accompanying report ordered placed on file.

The following Communication: (S.P. 15)
LIPMAN AND KATZ, P.A.
COUNSELLORS AT LAW
227 WATER STREET
P. O. BOX 1051
AUGUSTA, MAINE 04332-1051

December 19, 1994

The Honorable Jeffrey Butland
President of the Senate
117th Maine Legislature
Augusta, ME 04333

Dear President Butland:

I am pleased to submit the final report of the Committee to Study the Feasibility of a Capital Cultural Center, pursuant to Chapter 38, Resolves of 1993.

The Commission was originally established to assess the need for a cultural center in the Augusta Area and, then to determine the feasibility of establishing such a center. In the course of our work, we concluded that our focus should shift from a performing arts center to developing "the State's largest classroom," a multi-purpose facility which can meet the educational, cultural, and telecommunication needs of the region, the State of Maine, the University of Maine System, and the City of Augusta.

On behalf of the entire Commission, I would like to express our appreciation for being given the opportunity to participate in the exploration of this exciting concept.

Very truly yours,

S/Sumner H. Lipman, Chair

Came from the Senate read and with accompanying report ordered placed on file.

Was read and with accompanying report ordered placed on file in concurrence.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act to Continue the Fee on the Handling of Milk" (EMERGENCY) (H.P. 10) (L.D. 4) (Presented by Representative STROUT of Corinth) (Cosponsored by Representatives: AHEARNE of Madawaska, BAILEY of Township 27, CAMERON of Rumford, CAMPBELL of Holden, CARLETON of Wells, CHARTRAND of Rockland, CHASE of China, CLUKEY of Houlton, CROSS of Dover-Foxcroft, DAMREN of Belgrade, DIPIETRO of South Portland, DRISCOLL of Calais, GOOLEY of Farmington, GOULD of Greenville, GREEN of Monmouth, GWADOSKY of Fairfield, HATCH of Skowhegan, JACQUES of Waterville, JONES of Pittsfield, JOSEPH of Waterville, KILKELLY of Wiscasset, KNEELAND of Easton, LABRECQUE of Gorham, LaFOUNTAIN of Biddeford, LEMAIRE of Lewiston, LIBBY of Kennebunk, MARTIN of Eagle Lake, MAYO of Bath, McALEVEY of Waterboro, McELROY of Unity, MERES of Norridgewock, MITCHELL of Vassalboro, MURPHY of Berwick, NICKERSON of Turner, PENDLETON of Scarborough, REED of Dexter, ROTONDI of Madison, SAVAGE of Union, SHIAH of Bowdoinham, SIMONEAU of Thomaston, SPEAR of Nobleboro, STEDMAN of Hartland, TOWNSEND of Portland, TUFTS of Stockton Springs, VIGUE of Winslow, WATSON of Farmingdale, WINN of Glenburn, YACKOBITZ of Hermon, Senators: ABROMSON of Cumberland, BEGLEY of Lincoln, BENOIT of Franklin, CARPENTER of York, CASSIDY of Washington, FERGUSON of Oxford, HALL of Piscataquis, LONGLEY of Waldo, LORD of York, MICHAUD of Penobscot, MILLS of Somerset, STEVENS of Androscoggin)

Committee on Agriculture, Conservation & Forestry suggested.

On motion of Representative JACQUES of Waterville, the Bill was tabled pending reference and later today assigned.

ORDERS

On motion of Representative DEXTER of Kingfield, the following Joint Order: (H.P. 55)

ORDERED, the Senate concurring, that Joint Rule 13 be amended in that part designated "Legislative

Committees" by striking out all of the 3rd paragraph and inserting in its place the following:

There shall be no more than 17 Joint Standing Committees which shall be appointed as follows at the commencement of the first regular session, viz:

On Agriculture
On Appropriations and Financial Affairs
On Banking and Insurance
On Business and Economic Development
On Criminal Justice
On Education and Cultural Affairs
On Human Resources
On Inland Fisheries and Wildlife
On Judiciary
On Labor
On Legal and Veterans Affairs
On Marine Resources
On Natural Resources, Conservation and Forestry
On State and Local Government
On Taxation
On Transportation
On Utilities and Energy

Was read.

The SPEAKER: The Chair recognizes the Representative from Mexico, Representative Luther.

Representative LUTHER: Mr. Speaker, Men and Women of the House: Could somebody explain this please?

The SPEAKER: Representative Luther of Mexico has posed a question through the Chair to any member who may respond if they so desire.

The Chair recognizes the Representative from Kingfield, Representative Dexter.

Representative DEXTER: Mr. Speaker, Men and Women of the House: This is the amendment that we talked about at length last week. It simply restores the Natural Resources Committee to its present status. Incorporating both DOC and Department of Environmental Protection. I won't go through all the arguments unless you wish me to but this is what it does. It makes sense and, instead, the committees are structured on structured matter. What some people are trying to do here is structure it by department and it simply will not work.

The SPEAKER: The Chair will order a vote. The pending question before the House is adoption of the Joint Order. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

96 voted in favor of the same and 43 against, the Joint Order (H.P. 55) was passed and sent up for concurrence. Ordered sent forthwith.

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Thursday, January 5, 1995 has preference in the Orders of the Day and continues with such preference until disposed of as provided by Rule 24.

JOINT ORDER - Relative to the Joint Rules of the 117th Legislature (H.P. 6)

- In House, Read on December 7, 1994.

TABLED - January 5, 1995 (Till Later Today) by Representative JACQUES of Waterville.

PENDING - Passage.

On motion of Representative JACQUES of Waterville, the Joint Order (H.P. 6) was indefinitely postponed.

On motion of Representative GWADOSKY of Fairfield,

the House Recessed.

After Recess

The House was called to order by the Speaker.

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

Bill "An Act to Grant an Extension of Time to Holders of Sea Urchin Licenses Who Have Attempted to Comply with the Requirement to Take a Competency Course" (EMERGENCY) (S.P.16) (L.D.3) which was tabled by Representative JACQUES of Waterville pending reference.

On motion of Representative ETNIER of Harpswell, the Bill was indefinitely postponed and sent up for concurrence.

Bill "An Act to Continue the Fee on the Handling of Milk" (EMERGENCY) (H.P. 10) (L.D. 4) which was tabled by Representative JACQUES of Waterville pending reference.

Under suspension of the rules and without reference to a Committee, the Bill was read twice, passed to be engrossed and sent up for concurrence. Ordered sent forthwith.

On motion of Representative LIBBY of Kennebunk, the House recessed until 3:00 p.m..

After Recess

The House was called to order by the Speaker.

The following item was taken up out of order by unanimous consent:

SENATE PAPERS

Non-Concurrent Matter

Joint Order (H.P. 55) relative to Joint Rule 13 which was read and passed in the House on January 10, 1995.

Came from the Senate indefinitely postponed in non-concurrence.

Representative JACQUES of Waterville, moved that the House Recede and Concur.

The SPEAKER: The Chair recognizes the Representative from Kingfield, Representative Dexter.

Representative DEXTER: Mr. Speaker, Men and Women of the House: As you know, this issue is dear to my heart. I came across a little strong to a friend of mine — I don't even know what I said, I am going to have to apologize to him when I catch up with him. If I could tell this House what I really felt at this moment, I would wisper.

I have been told there are two things that you shouldn't watch in the making, one is sausage and the other one is laws. So, I will go along with the motion to recede and concur because I have no wish to be an obstructionist but I am sure you all know how I feel.

Subsequently, the House voted to recede and concur.

On motion of Representative LINDAHL of Northport, the House adjourned at 4:15 p.m., until 10:00 a.m., Thursday, January 12, 1995.