

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Ninth
Legislature***

OF THE

STATE OF MAINE

Volume II

First Regular Session

May 7, 1979 to June 15, 1979

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HOUSE

Thursday, October 11, 1979

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

Prayer by the Reverend John H. Ineson of Waldoboro.

Rev. INESON: Let us pray. Heavenly Father, we thank you for this day and the opportunities which it brings. Keep us mindful of the responsibility we bear to our fellow citizens. Help us to set aside the peripheral issues which divide and to fix attention upon the heart of all questions which come before this body, the highest and best for the people of Maine.

We thank you for the unseasonable weather, which makes it more immediate to have this session. Keep those less fortunate than we before our eyes and turn our hearts to their needs and awaken in us a sense of your presence in our midst and grant that what is done here today may stand in tribute to the ability of our form of government to do your will.

All this we ask in the name of the one who came among us to serve and to ennoble the whole family of human kind, your Son, our brother, Jesus Christ. Amen.

The journal of yesterday was read and approved.

(Off Record Remarks)

On motion of Mr. Drinkwater of Belfast, Receded until the sound of the gong.

After Recess
12:25 p.m.

The House was called to order by the Speaker.

(Off Record Remarks)

The SPEAKER: The Chair observes the presence in the hall of the House absentees of yesterday: The gentleman from Eliot, Mr. McPherson and the gentleman from West Paris, Mr. Immonen.

Committee of Conference Report

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Providing Funds for Emergency Home Heating Assistance for Certain Elderly and Low-Income Households and for the Winterization, Citizens' Assistance and Housing Rehabilitation Technician Programs and Correcting an Error in the Energy Inventory Reporting Law" (Emergency) (H. P. 1589) (L. D. 1691) ask leave to report: that the House recede from Passage to be Engrossed; Read and Adopt Conference Committee Amendment "A" (H-743) and Pass the Bill to be Engrossed as Amended by Conference Committee Amendment "A" (H-473) in non-concurrence;

That the Senate recede from Passage to be Engrossed as Amended by Senate Amendment "A" (S-400); Recede from adoption of Senate Amendment "A" (S-400) and indefinitely postpone same; Read and Adopt Conference Committee Amendment "A" (H-743) and Pass the Bill to be Engrossed as Amended by Conference Committee Amendment "A" (H-743) in concurrence.

(Signed)

Messrs. TIERNEY of Lisbon
CARTER of Winslow
MORTON of Farmington

— of the House.

Messrs. KATZ of Kennebec
PERKINS of Hancock

Ms. CLARK of Cumberland

— of the Senate.

The Committee of Conference Report was read and accepted.

The House receded from its action whereby the bill was passed to be engrossed.

Conference Committee Amendment "A" (H-

743) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended by Conference Committee Amendment "A" in non-concurrence and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

On motion of Mr. Peterson of Caribou, Receded until two-thirty o'clock in the afternoon.

After Recess
2:30 P.M.

The House was 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 Providing Funds for Emergency Home Heating Assistance for Certain Elderly and Low-Income Households and for the Winterization, Citizens' Assistance and Housing Rehabilitation Technician Programs and Correcting an Error in the Energy Inventory Reporting Law (H. P. 1589) (L. D. 1691) (Conf. Comm. "A" (H-743))

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 being elected to the House, necessary, a total was taken.

Whereupon, Mr. Sprowl of Hope requested a roll call.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of all members present and voting. All those desiring a roll call vote will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one-fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on passage to be enacted. This being an emergency measure, it requires a two-thirds vote of all the members elected to the House. All those in favor of this Bill being passed to be enacted as an emergency measure will vote yes; those opposed will vote no.

ROLL CALL

YEA — Alopis, Austin, Bachrach, Baker, Barry, Beaulieu, Benoit, Berry, Berube, Birt, Blodgett, Bordeaux, Boudreau, Bowden, Branigan, Brenerman, Brodeur, Brown, K. L.; Brown, K. C.; Bunker, Call, Carrier, Carroll, Carter, D.; Carter, F.; Chonko, Churchill, Cloutier, Connolly, Cox, Cunningham, Curtis, Damren, Davies, Dexter, Diamond, Doukas, Dow, Drinkwater, Dutremble, D. L.; Dutremble, L. A.; Elias, Fenlason, Fillmore, Fowlie, Garsoe, Gavett, Gillis, Gould, Gowen, Gwadosky, Hall, Hanson, Hickey, Higgins, Hobbins, Huber, Hughes, Hutchings, Immonen, Jackson, Jacques, E.; Jacques, P.; Jalbert, Joyce, Kane, Kany, Kelleher, Kiesman, Lancaster, LaPlante, Locke, Lougee, Lowe, Lund, MacBride, Mahany, Martin, A.; Masterman, Masterton, Matthews, Maxwell, McHenry, McKean, McMahan, McPherson, McSweeney, Michael, Mitchell, Morton, Nadeau, Nelson, A.; Nelson, M.; Nelson, N.; Norris, Paradis, Paul, Pearson, Peltier, Peterson, Post, Prescott, Reeves, J.; Reeves, P.; Rollins, Sherburne, Silsby, Simon, Small, Smith, Stover, Strout, Studley, Tarbell, Theriault, Tierney, Tozier, Tuttle, Twitchell, Vincent, Violette, Wentworth, Whittemore, Wood, Wyman, The Speaker.

NAY — Brown, A.; Brown, D.; Conary, Davis, Gray, Hunter, Leighton, Marshall, Sewall, Sprowl, Torrey.

ABSENT — Dellert, Dudley, Howe, Laffin, Leonard, Lewis, MacEachern, Payne, Rolde, Roope, Soulas, Stetson, Vose.

Yes, 126; No, 11; Absent, 13.

The SPEAKER: One hundred and twenty-six having voted in the affirmative and eleven in the negative, with thirteen being absent, the motion does prevail.

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

By unanimous consent, ordered sent forthwith.

The Chair appointed the following members on the part of the House to wait upon His Excellency, Governor Joseph E. Brennan, and inform him that the House is ready to adjourn without day and ready to receive any communication he may be pleased to make:

Messrs. BAKER of Portland
WOOD of Sanford
Mrs. LOCKE of Dover-Foxcroft
Mrs. BERUBE of Lewiston
Messrs. BORDEAUX of Mt. Desert
KIESMAN of Fryeburg

Ms. SMALL of Bath
Subsequently, Mr. Baker for the Committee reported that they had delivered the message with which they were charged, and the Governor was pleased to say that he would address the House forthwith.

Whereupon, Governor Joseph E. Brennan entered the hall of the House and addressed the members as follows:

Mr. Speaker, Ladies and Gentlemen of the House: We are doing this anticipating that the Senate will enact the bill.

I am pleased, though, to have a chance to address you this final time, your work completed.

I appreciate the frustration of many of you of waiting and waiting and waiting. I know it has not been easy, but the development of new and unprecedented legislation seldom is easy. I know that you have worked in good conscience and have been separated by honest differences as to the proper role of government in solving new problems and in spending the limited resources available to us. I appreciate that you have labored under additional difficulties brought on by the uncertainty as to when and to what extent the federal government will meet its obligations, but despite these very real obstacles, a bill to meet a part of the need created by the massive oil price increases has been enacted.

I believe that the bill that has been passed is not as much as we should do and it is not as much as we could do, but it is apparently the best that we can do working through a legislative process which I have the greatest respect for. At least we do have the satisfaction of knowing it is a greater effort than any of our sister states have made.

I will continue to be concerned, as I am sure all of you will, that our elderly, that our neediest citizens, that the most vulnerable among us, do have enough fuel for this winter. We will watch the situation carefully, we will work for adequate federal funding, and in January, when winter has set in, we will report to you our assessment of the state and of the needs of our people.

In the meantime, I do want to express my appreciation and the appreciation of your fellow citizens for your honest and for your good-faith effort to deal with the very human problem to make sure that none of our citizens go cold.

At the conclusion of the Governor's address, he withdrew amid applause, the members rising.

The Speaker appointed Mr. Edwin H. Pert, Clerk of the House on the part of the House to inform the Senate that the House is ready to adjourn without day.

Subsequently, Mr. Pert reported that he had delivered the message with which he was charged.

At this point, a message came from the Senate, borne by the Senator Pierce of Kenne-

bec, informing the House that the Senate was ready to adjourn without day.

The SPEAKER: The Chair recognizes the gentleman from Easton, Mr. Mahany.

Mr. MAHANY: Mr. Speaker, and Honorable Members of the House: I move that the House stand adjourned without day.

The SPEAKER: The gentleman from Easton, Mr. Mahany, now moves that the House adjourn sine die. Is this the pleasure of the House?

Thereupon, the motion prevailed and at 4:16 P.M., Eastern Daylight Saving Time, Thursday, October 11, 1979, the Speaker declared the House adjourned without day.