

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Twelfth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 5, 1984 - June 20, 1985

HOUSE

Friday, April 12, 1985

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

Prayer by Reverend Robert Leon, Dexter United Methodist Church.

Quorum called; was held.

The Journal of yesterday was read and approved.

Papers from the Senate Unanimous Leave to Withdraw

Report of the Committee on Legal Affairs reporting "Leave to Withdraw" on Bill "An Act to Permit Fraternal Organizations to have Game Machines on Premises when Proceeds are used for Charitable Purposes" (S.P. 361) (L.D. 982)

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

Non-Concurrent Matter

Bill "An Act Concerning Access to Birth Records of Adopted Persons" (S.P. 462) (L.D. 1265) which was referred to the Committee on Judiciary in the House on April 9, 1985.

Came from the Senate with that body having adhered to its former action whereby the Bill was referred to the Committee on Human Resources in non-concurrence.

On motion of Representative Kane of South Portland, the House voted to recede and concur.

Messages and Documents

The following Communication:

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
State House Station 16
Augusta, Maine 04333
April 11, 1985

The Honorable John L. Martin
Speaker of the House
State House St. #2
Augusta, Maine 04333
Dear Speaker Martin:

As required by Chapter 94, Part B, Section 20 of the Public Laws of 1983, I am submitting the Department of Transportation's findings and recommendations regarding highway cost allocation, evaluation, extensions, and revisions. Section 20 required that the Commissioner of Transportation extend and revise the findings of the 1982 Highway Cost Allocation Study to reflect any improved methodology and data as may be available. The Commissioner was directed to report his findings to the First Session of the 112th Legislature, together with such revisions in fees as may be appropriate to improve equity. Specifically, Part 20 directed the further examination for the justification of weight-distance legislation, and for the number and form of registration schedules that are appropriate.

The Department of Transportation has not as yet attempted any major revisions to the 1982 HCA study. First, the necessary improvements in data have not been fully realized. Second, there have been recent changes in Federal law that will affect both the methodology and the data available for the revision. Third, national organizations have ordered several special studies relating to both truck taxes, and truck size and weight that could affect further HCA studies. Last, while highway cost allocation methodology is constantly evolving, and the Department is continually monitoring other state and national activity in this area in order that we may keep abreast of the state-of-the-art, there have been no major reasons, in methodological theory in the past two years. For these reasons, which will be more fully discussed in the following paragraphs, the Department did not feel that it would be proper at this time to expend public resources on a Cost Allocation Update when the prospect

for any additional real improvement in highway tax equity would be poor. We do not, therefore, at this time make any new recommendations regarding the legislative consideration of new registration schedule(s), a weight-distance tax, or other user fee improvements.

Statistically reliable and representative vehicle operating weight data and well-defined registration schedule improvements, or other user fee adjustments. This data is not available at this time. A well-designed weight-distance tax has, we feel, a considerable potential to improve highway tax equity, and should be given further consideration in the future.

The 1982 Maine Highway Cost Allocation Study was a highly professional effort that was well received both within and without the State of Maine. The methodology was considered sufficiently sound as to lead the Federal Highway Administration to include the Maine Study in a Cost Allocation Guide that draws upon several recent state HCA studies that were considered particularly well done. This does not mean that Maine's HCA methodology is perfect and should never be altered—the final report itself indicated known deficiencies. Indeed there is not one "best" methodology and even superior methodologies will need to be reviewed and altered over time as conditions change. The mix of vehicles in the fleet will change over time, and the State's highway emphasis is shifting from one of new construction to one of maintaining/reconstructing the highway system. These factors will necessarily cause a change in Maine's HCA methodology and/or the selection or mix of best tax instruments. Revisions to the 1982 Study should be made only when describe methodological improvements have been identified and can be implemented.

During the 1982 HCA study, we found data on vehicle operating weights to be both inadequate and unrepresentative. We also found it impossible to fully resolve the types of trucks registered at various weights. As a result, the cost allocation recommendations for heavy trucks were restrained, and kept at a level clearly justified by the available data. Since that time, MDOT in conjunction with the Division of Motor Vehicles, the Bureau of Taxation, and the Bureau of Public Safety, has taken steps to improve the quality of future data. There is still a great deal to do, however, before the quality of the data reached a level sufficient to justify the time and expense of a cost allocation update, and will adequately support changes in the form or amount of various fees.

To improve the quality and quantity of truck data for a variety of purposes, the Department, with special assistance from the Federal Highway Administration, is proceeding with its Weigh-in-Motion (WIM) program. When WIM is fully operational, the Department will be able to obtain unbiased information on truck weights versus vehicle configurations in quantity which will permit refinements in both cost allocation methodology, and refinements in the sensitivity of tax policies. The first WIM, site will be soon in full operation. It is currently being tested and calibrated. We expect to have seven sites in operation by late 1985, although there will be full investment at only two sites at any one time. These sites were chosen to provide valid and representative information on a wide range of Maine's highways. In order to avoid seasonal biases, to allow time for the moving of equipment from site to site, and to obtain adequate data samples for highway planning, at least a year operation from 1985 will then be necessary.

Recent activity relating to the Regional Fuel Tax Compact agreement will improve the available information on interstate trucking in Maine. Also, the recently implemented Suppliers Law for improvement of the data base on trucks.

In addition to improving the information on heavy trucks, there is also a need to improve

the available information on automobiles and light trucks. This is being accomplished now by the collection of more complete registration information, and will be further improved by the proposed new issuance of license plates and related registration data management improvements.

Highway Cost Allocation in Maine is not performed in a vacuum. In addition to paying state taxes, users of Maine's highways pay federal highway fees. In return, Maine receives federal monies for highway purposes which we feel must be taken into account when conducting a state highway cost allocation study. Both federal taxes and federal highway allocations are in a state of flux due to recent and expected changes in Federal law. Recent changes include increases in federal fuel taxes and the Heavy Vehicle Use Tax. These fee increases will result in additional federal funds becoming available to the states for highway purposes. Also, the Surface Transportation Assistance Act of 1982 caused certain types of vehicles may have peculiar cost responsibilities that are not as yet fully understood.

Several Congressionally directed studies will examine possible new larger truck configurations and the possibility of implementing weight-distance taxation to replace some or all federal taxes. The National Governors Association (NGA), with the cooperation of the Trucking Industry, is also conducting a study of state taxation and registration issues. The NGA's intent is to encourage voluntary simplification of state procedures. In addition, the Motor Vehicle Division of the Secretary of State is currently conducting an impact study of the International Registration Plan to determine the effects of Maine entering the IRP. In summary, there has rarely been a time when taxation or taxation practices were under greater examination or stood greater possibility of change.

For these reasons, the Department of Transportation does not feel that it is possible to conduct a meaningful Cost Allocation Update at this time. We do feel that the necessary data will be available soon, and we would respectfully ask that the Highway Cost Allocation Extension be postponed until such data is available. We would suggest that a full Highway Cost Allocation evaluation, making use of improved data, be ordered for presentation to the 113th Legislature in 1988 contingent upon the clear direction of studies noted above. The new HCA study should also take advantage of any improvements in methodology that may become available and should seek data and assistance from interested public or private groups or associations. Upon completion, we would expect to be able to offer evaluations of a weight-distance tax, of multiple registration schedules, and of fee adjustments. We would be pleased to draft any legislation necessary to implement this change.

Thank you for your consideration in this matter.

Sincerely,
S/ DANA F. CONNERS
Commissioner

Was read and ordered placed on file.

Petitions, Bills and Resolved Requiring Reference

The following Bills and Resolved 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 Authorize a General Fund Bond Issue in the Amount of \$12,000,000 for Sewage Treatment and Water Quality Improvement Facilities" (H.P. 907) (Presented by Representative McGOWAN of Canaan) (Cosponsor: Senators BROWN of Washington and GILL of Cumberland)

(Ordered Printed.)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act Concerning Governmental Oversight" (H.P. 908) (Presented by Representative SPROUL of Augusta) (Cosponsors: Representatives RACINE of Biddeford, SIMSPON of Casco, and Senator MAYBURY of Penobscot) The Committee on Audit and Program Review was suggested.

On motion of Representative Gwadosky of Fairfield, tabled pending reference and tomorrow assigned.

State Government

Bill "An Act to Establish the Office of the Small Business Ombudsman" (H.P. 909) (Presented by Representative BOTT of Orono) (Cosponsors: Representatives MURPHY of Kennebec, ZIRNKILTON of Mount Desert, and Speaker MARTIN of Eagle Lake)

On motion of Representative Gwadosky of Fairfield, referred to the Committee on State Government, ordered printed and sent up for concurrence.

Orders

On motion of Representative McSWEENEY of Old Orchard Beach, the following Order:

ORDERED, that Representative Guy, G. Scarpino of St. George be excused April 9 and 10 due to illness.

AND BE IT FURTHER ORDERED, that Representative Joseph C. Brannigan of Portland be excused April 12, 16, 17, 18, 19, and 22 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Robert J. Tardy of Palmyra be excused April 16, 17, 18, and 19 for personal reasons.

Was read and passed.

Reports of Committees

Unanimous Ought Not to Pass

Representative HIGGINS of Scarborough from the Committee on Appropriations and Financial Affairs Bill "An Act to Create a Consumer Toll-free 'Hotline' for Information, Referrals and Assistance Pertaining to Medigap Health Insurance Policies" (H.P. 347) (L.D. 468) reporting "Ought Not to Pass"

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

Unanimous Leave to Withdraw

Representative PRIEST from the Committee on Judiciary on Bill "An Act to Restrict Contingency Fees Charges by Attorneys in Medical Malpractice Suits" (H.P. 384) (L.D. 528) reporting "Leave to Withdraw"

Representative ALLEN from the Committee on Judiciary on Bill "An Act Concerning the Posting of Bonds by Plaintiffs in Medical Malpractice Suits" (H.P. 394) (L.D. 543) reporting "Leave to Withdraw"

Representative HICKEY from the Committee on Aging, Retirement and Veterans on Bill "An Act Relating to the Extension of Benefits by Participating Districts under the Maine State Retirement System" (H.P. 803) (L.D. 1149) reporting "Leave to Withdraw"

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

Ought to Pass in New Draft/New Title

Representative MICHAUD from the Committee on Energy and Natural Resources on Bill "An Act to Prevent Well Water Contamination" (H.P. 525) (L.D. 745) reporting "Ought to Pass" in New Draft under New Title Bill "An Act Relating to Septic System Permits" (H.P. 910) (L.D. 1299)

Report was read and accepted, the New Draft read once and assigned for Second Reading, Tuesday, April 16, 1985.

Divided Report Tabled and Assigned

Majority Report of the Committee on State Government reporting "Ought Not to Pass" on JOINT RESOLUTION MAKING APPLICATION TO CONGRESS CALLING A CONSTITUTIONAL CONVENTION TO PROPOSE AN AMENDMENT TO THE FEDERAL CONSTITUTION TO REQUIRE A BALANCED FEDERAL BUDGET (H.P. 520) (L.D. 740)

Signed:

Senator:

KANY of Kennebec

ANDREWS of Cumberland

Representatives:

GWAODSKY of Fairfield

BOUTILIER of Lewiston

LACROIX of Oakland

COTE of Auburn

NADEAU of Saco

DESCOTEAUX of Biddeford

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

Signed:

Senator:

HICHENS of York

Representatives:

HICHBORN of LaGrange

SPROUL of Augusta

DILLENBACK of Cumberland

WENTWORTH of Wells

Reports were read.

Representative Gwadosky moved that the House accept the Majority "Ought Not to Pass" Report.

On motion of the same Representative, tabled pending his motion to accept the Majority "Ought Not to Pass" Report and specially assigned for Tuesday, April 16, 1985.

Consent Calendar

First Day

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

(H.P. 741) (L.D. 1051) Bill "An Act to Make Allocations from the Maine Nuclear Emergency Planning Fund for the Fiscal Years Ending June 30, 1986, and June 30, 1987" (Emergency) Committee on Appropriations and Financial Affairs reporting "Ought to Pass"

(H.P. 231) (L.D. 272) Bill "An Act to Authorize the Sale of Frozen Lobster Tails" Committee on Marine Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-68)

There being no objections, the above items were ordered to appear on the Consent Calendar of Tuesday, April 16, 1985 under the listing of Second Day.

Passed to Be Engrossed

RESOLVE, Reimbursing Certain Municipalities on Account of Taxes Lost Due to Lands being Classified under the Tree Growth Tax Law (Emergency) (S.P. 476) (L.D. 1278)

Bill "An Act to Amend the Liquor Laws" (H.P. 904) (L.D. 1281)

Bill "An Act to Provide for Registration of Bottle Clubs" (H.P. 905) (L.D. 1282)

Bill "An Act to Appropriate and Allocate Oil Overcharge Money" (Emergency) (H.P. 906) (L.D. 1283)

Bill "An Act to Authorize the Use of Energy Service Companies and 3rd-Party Financing for Conservation Improvements at State Facilities" (H.P. 302) (L.D. 391)

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

Passed to Be Enacted Emergency Measure

An Act Related to the Observance of Memorial Day (H.P. 777) (L.D. 1098)

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

The SPEAKER: The Chair recognizes the Representative from Canton, Representative McCollister.

Representative McCOLLISTER: Mr. Speaker. Ladies and Gentlemen of the House: Before we take Memorial Day and just make it another long three day week end, I would like to have 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, obviously, 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. This being an emergency measure, a two-thirds vote of the House is necessary. Those in favor will vote yes; those opposed will vote no.

Roll Call No. 36

YEAS:—Aliberti, Allen, Armstrong, Baker, A.L.; Baker, H.R.; Beaulieu, Begley, Bell, Bonney, Bott, Boutillier, Bragg, Brown, A.K.; Brown, D.N.; Cahill, Callahan, Carrier, Carroll, Cashman, Chonko, Clark, Coles, Connors, Cooper, Cote, Crouse, Crowley, Daggett, Davis, Dellert, Descoteaux, Diamond, Dillenback, Drinkwater, Duffy, Erwin, Farnum, Foss, Foster, Greenlaw, Gwadosky, Hale, Handy, Harper, Hayden, Hepburn, Hichborn, Hickey, Higgins, H.C.; Hillock, Hoglund, Holloway, Ingraham, Jacques, Jalbert, Joseph, Lacroix, Lander, Law, Lawrence, Lebowitz, Lord, MacBride, Macomber, Martin, H.C.; Masterman, Matthews, Mayo, McGowan, McHenry, McPherson, McSweeney, Michaud, Mills, Mitchell, Moholland, Murphy, E.M.; Murphy, T.W.; Murray, Nadeau, G.G.; Nelson, Nicholson, Nickerson, O'Gara, Paradis, E.J.; Paradis, P.E.; Parent, Paul, Perry, Pines, Pouliot, Priest, Racine, Randall, Reeves, Rice, Richard, Rioux, Roberts, Rolde, Rotondi, Ruhlin, Rydell, Salsbury, Seavey, Sherburne, Simpson, Small, Smith, C.B.; Soucy, Sproul, Stetson, Stevens, A.G.; Stevens, P.; Stevenson, Strout, Swazey, Tammaro, Taylor, Telow, Theriault, Vose, Walker, Warren, Webster, Wentworth, Weymouth, Whitcomb, Willey, Zirnkilton, The Speaker

NAYS:—Brodeur, Carter, Connolly, Dexter, Jackson, McCollister, Michael, Scarpino, Smith, C.W.

ABSENT:—Bost, Brannigan, Higgins, L.M.; Kane, Kimball, Lisnik, Manning, Melendy, Nadeau, G.R.; Ridley, Tardy

131 having voted in the affirmative and 9 in the negative with 11 being absent, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith to the Senate.

The following items appearing on Supplement No. 1 were taken up out of order by unanimous consent:

Reports of Committees

Unanimous Ought Not to Pass

Representative MURRAY from the Committee on Business and Commerce on Bill "An Act Regulating Places Where Massages are Given and their Employees" (H.P. 559) (L.D. 831) reporting "Ought Not to Pass"

Representative SMITH from the Committee on Appropriations and Financial Affairs on Bill "An Act to Enhance Educational Opportunities at the University of Maine at Augusta, Lewiston-Auburn Learning Center" (Emergency) (H.P. 524) (L.D. 744) 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 STEVENS from the Committee on Business and Commerce on Bill "An Act to Require All Restaurants to Provide Rest Rooms for their Patrons" (H.P. 710) (L.D. 1020) reporting "Leave to Withdraw"

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

Ought to Pass in New Draft

Representative CARTER from the Committee on Appropriations and Financial Affairs on RESOLVE, to Authorize State Funding of the Penobscot Nation Museum (H.P. 239) (L.D. 280) reporting "Ought to Pass" in New Draft (H.P. 911) (L.D. 1302)

Report was read and accepted, the New Draft read once and assigned for Second Reading, Tuesday, April 16, 1985.

Consent Calendar

First Day

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

(H.P. 154) (L.D. 188) Bill "An Act to Amend the Maine Consumer Credit Code" Committee on Business and Commerce reporting "Ought to Pass" as amended by Committee Amendment "A" (H-69)

(H.P. 253) (L.D. 307) Bill "An Act to Provide Funding for Mapping of Streams in the Jurisdiction of the Maine Land Use Regulation Commission" Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-70)

There being no objections, the above items were ordered to appear on the Consent Calendar of Tuesday, April 16, 1985 under the listing of Second Day.

Passed to be Enacted

An Act to Provide for Licensing of Companies Who Apply Pesticides as Custom or Commercial Applicators (S.P. 133) (L.D. 372) (S. "A" S-41)

An Act to Amend the Maine Consumer Credit Code (S.P. 438) (L.D. 1214)

An Act Concerning Alternatives to Attendance in Public Schools (S.P. 455) (L.D. 1258)

An Act to Establish Policies Governing Smoking in Places of Work (H.P. 235) (L.D. 276) (C. "A" H-53)

An Act to Increase the Limit on New School Bus Purchases (H.P. 390) (L.D. 539) (H. "A" H-66; C. "A" H-62)

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 to Amend the Municipal General Assistance Law" (H.P. 576) (L.D. 847)

TABLED—April 11, 1985 by Representative NELSON of Portland.

PENDING—Passage to be Engrossed.

Representative Rolde of York offered House Amendment "A" (H-71) and moved its adoption.

House Amendment "A" (H-71) was read by the Clerk.

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

Representative ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: If you remember the other day we discussed this bill, I discussed some of my concerns with it, particularly the idea that is seemed to be a bill that would be geared to handing grants to large communities and I offered to put together an amendment. That amendment is now before you, which I had put together with the assistance and advice from the Representative from East Cor-

inth, Representative Strout. I will very briefly go over that amendment with you. There are some changes from the bill. In the original bill, under the Section No. 2 called "Purpose:" the purpose was to deal with automation of general assistance records. In some of the testimony before our Committee, there has been a lot of concern from municipalities that they need help from the state with the total administration of general assistance. I have changed the purpose from strictly limited one of automation and computerizing to any general administrative problems that the towns might have. In the second page of the amendment, there is a section added about distributions of grants. To assure that various size communities in the state, those under 2500, those between 2500 and 5000 and between 5000 and 20,000 would be guaranteed at least one grant if they applied and were eligible. That would still leave room for the larger communities to also be considered. Other new proposals is that the Commissioner would have to report on how he had expended these funds to the Appropriations Committee so they would have an idea how these grants were handed out and also a fiscal note was put on the bill which apparently should have been out on there in the first place. That, basically, is the amendment and I would move for its adoption.

The SPEAKER: The Chair recognizes the Representative from Corinth, Representative Strout.

Representative STROUT: Mr. Speaker. Members of the House: I would like to pose a question to the sponsor of this amendment.

In the section dealing with distribution of grants, unless I read it differently that he does, where in here does it allow for those communities over 20,000?

The SPEAKER: The Representative from Corinth, Representative Strout, posed a question through the Chair to the Representative from York, Representative Rolde, who may respond if he so desires.

The Chair recognizes that Representative.

Representative ROLDE: Mr. Speaker. Ladies and Gentlemen of the House: Unless I am mistaken, there is nothing in there that would prevent the Commissioner from giving grants to communities over 20,000. What is in here says that at least one grant from communities under that size would have to be made.

The SPEAKER: The Chair recognizes the Representative from Monmouth, Representative Davis.

Representative DAVIS: Mr. Speaker. Ladies and Gentlemen of the House: I would like to address a question to Representative Rolde, if I may please.

On this grant that each town would be granted, would that mean that they would not have to spend their three tenths of one percent of the 1981 valuation to receive this grant?

The SPEAKER: Representative from Monmouth, Representative Davis has posed a question through the Chair to Representative Rolde from York who may respond if he so desires.

The Chair recognizes the Representative from York, Representative Rolde.

Representative ROLDE: Mr. Speaker. Ladies and Gentlemen of the House: It is my understanding in Section 1 under "Authorization," communities would be eligible whether they were reimbursed or not. That language is right in the bill and I have left that language in.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Racine.

Representative RACINE: Thank you Mr. Speaker. I would like to pose a question to the originator of the amendment please?

In a community that is already computerized and is providing all of the data that is required under the "purpose," would they be allowed to apply for this or is this only for those communities that will institute this new

program?

The SPEAKER: The Representative from Biddeford, Representative Racine, has posed a question through the Chair to the Representative from York, Representative Rolde who may respond if he so desires.

The Chair recognizes that Representative.

Representative ROLDE: Okay, as long as my voice will last. To answer the Representative from Biddeford, that was one of the reasons that I changed the language in Section 2 to facilitate the automation which implied just computerization to the broader term of administration, so that if any town had an innovative idea on administering the general assistance program, they would also be eligible.

Whereupon, House Amendment "A" was adopted.

The Bill was passed to be engrossed as amended by House Amendment "A" and sent up for concurrence.

Bill Held

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

Representative HIGGINS: Mr. Speaker, is the House in possession of An Act to Make Permanent the Special Fuel Tax Act (Emergency) (H.P. 316) (L.D. 405)?

The SPEAKER: The Chair would answer in the affirmative having been held at the Representative's request.

On motion of Representative Higgins of Portland, the House reconsidered its action whereby L.D. 405 was passed to be enacted.

On motion of the same Representative, the House reconsidered its action whereby L.D. 405 was passed to be engrossed.

The same Representative offered House Amendment "A" (H-72) and moved its adoption.

House Amendment "A" was read by the clerk.

Representative HIGGINS: This is a technical amendment providing administrative costs of enforcing the special fuel tax act to continue to be reimbursed from the highway fund.

Whereupon, House Amendment "A" was adopted.

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

(Off Record Remarks)

Representative Handy of Lewiston was granted unanimous consent to address the House:

Representative HANDY: Mr. Speaker, Members of the House: I am speaking today in reference to Item 6-2 on Supplement No. 1, L.D. 744, An Act to Enhance Educational Opportunities in the University of Maine at Augusta, Lewiston-Auburn Learning Center which as received an "Ought Not to Pass" Report out of the Committee.

As sponsor of this legislation, I would briefly like to tell you about this bill. This proposal would have re-directed two million dollars of state monies which were appropriated originally by the 111th Legislature for an increase University presence in Lewiston. This money would go to the existing University facility in our area and would not require a local share. My proposal was a one time, two million dollar state contribution. Needless to say, I am disappointed that this approach has been rejected by the Appropriations Committee.

I worked on this proposal last December, when after last Fall's local election, a bond issue before the voters of Lewiston failed passage. Given that, I felt it was incumbent upon me to offer an alternative to meet the higher post-secondary educational needs of the Androscoggin County area, and alternative that was fair to the University's system, fair to the students and fair to the taxpayers of my

home town. Today, this alternative has been out away but the needs of our remain.

Today, I pledge before you that I will do all I can to see to it that those needs are addressed in a fair and responsible manner in spite of what has transpired. Thank you.

On motion of Representative Swazey of Bucksport.

Adjourned until 9:00 a.m., Tuesday, April 16, 1985.
