

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Thirteenth Legislature

OF THE

State Of Maine

VOLUME I

FIRST REGULAR SESSION

December 3, 1986 to May 22, 1987

The Doorkeepers will secure the Chamber.
The Secretary will call the Roll.

ROLL CALL

YEAS: Senators BLACK, BRAWN, CAHILL,
CLARK, COLLINS, DILLENBACK,
EMERSON, GOULD, LUDWIG, MAYBURY,
PERKINS, SEWALL, USHER, WEBSTER,
WHITMORE, THE PRESIDENT - CHARLES
P. PRAY

NAYS: Senators ANDREWS, BALDACCI, BERUBE,
BRANNIGAN, BUSTIN, DOW, DUTREMBLE,
ERWIN, ESTES, GAUVREAU, GILL, KANY,
KERRY, MATTHEWS, PEARSON, RANDALL,
THERIAULT, TUTTLE, TWITCHELL

ABSENT: Senators None
16 Senators having voted in the affirmative and
19 Senators having voted in the negative, with No
Senators being absent, the motion of Senator PERKINS
of Hancock to ADOPT Senate Amendment "A" (S-45),
FAILED.

Which was PASSED TO BE ENGROSSED, as Amended.
Sent down for concurrence.

Out of order and under suspension of the Rules,
the Senate considered the following:

COMMUNICATIONS

The Following Communication:

COMMITTEE ON EDUCATION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

April 29, 1987

Senator Charles P. Pray, President of the Senate
Representative John Martin, Speaker of the House
Dear President Pray and Speaker Martin:

The Joint Standing Committee on Education has
completed the review of the new administrator and
teacher certification law required by P.L. 1983,
chapter 845 and P.L. 1987, chapter 84. We are
pleased to present the recommendations of the
majority of the Committee on the certification law.
A copy is attached along with a copy of legislation
implementing those recommendations.

These recommendations and accompanying
legislation are the result of a thorough examination
of the new certification law and the pilot projects
established to test that law. We hope our
recommendations are useful in guiding the Legislature
in its consideration of this issue.

Sincerely,
S/Sen. Stephen C. Estes
Chair
S/Rep. Stephen M. Bost
Chair

Which was READ and with Accompanying Papers
ORDERED PLACED ON FILE.

Off Record Remarks

On motion by Senator DUTREMBLE of York, ADJOURNED
until Friday, May 1, 1987, at 12:00 in the afternoon.

ONE HUNDRED AND THIRTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION
59th Legislative Day
Friday, May 1, 1987

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

Prayer by Reverend Richard H. Hall, St. Philip's
Episcopal Church, Wiscasset.

The Journal of Thursday, April 30, 1987, was read
and approved.

Quorum call was held.

SENATE PAPERS

Unanimous Leave to Withdraw

Report of the Committee on State and Local
Government reporting "Leave to Withdraw" on Bill "An
Act to Establish the Maine Legislative Commission on
Intergovernmental Relations" (S.P. 250) (L.D. 699)

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

Ought to Pass in New Draft

Report of the Committee on Appropriations and
Financial Affairs on Bill "An Act Making Unified
Appropriations and Allocations for the Expenditures
of State Government, General Fund, and Changing
Certain Provisions of the Law Necessary to the Proper
Operations of State Government for the Fiscal Years
Ending June 30, 1988, and June 30, 1989" (Emergency)
(S.P. 206) (L.D. 577) reporting "Ought to Pass" in
New Draft (Emergency) (S.P. 449) (L.D. 1375)

Came from the Senate, with the report read and
accepted and the New Draft passed to be engrossed.

Report was read and accepted, the New Draft read
once.

Under suspension of the rules, the New Draft was
read a second time, passed to be engrossed in
concurrence.

Non-Concurrent Matter

RESOLVE, to Compensate Thomas P. Peters, II,
Attorney-at-law, for Professional Services Rendered
in the Adoption of Benjamin B., Heather B. and Lucas
B. (S.P. 287) (L.D. 814) which was Finally Passed in
the House on April 29, 1987.

Came from the Senate, Passed to be Engrossed as
amended by Senate Amendment "A" (S-47) in
non-concurrence.

The House voted to adhere.

COMMUNICATIONS

The following Communication:

MAINE INDIAN
TRIBAL-STATE COMMISSION
PO BOX 87
HALLOWELL, MAINE 04347

April 29, 1987

The Honorable John L. Martin
Speaker of the House
Maine House of Representatives
The Honorable Charles P. Pray
President of the Senate
Maine Senate

Dear Mr. Speaker and Mr. President:

In accordance with Title 30 MRSA 6205(5) and
Joint Rule 36-A of the Maine Legislature, the Maine
Indian Tribal-State Commission met on April 28, 1987
for the purpose of making a recommendation on L.D.
488. With a quorum present, a motion was made and

approved by the required number of votes stating that the Maine Indian Tribal-State Commission recommends to the Maine Legislature the adoption of L.D. 488.

Please consider this letter formal notice of the Commission's action.

Sincerely,
S/John G. Melrose
Executive Director

Was read and ordered placed on file.

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:

Appropriations and Financial Affairs

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$6,000,000 for Detection and Removal of Asbestos Hazards in State Facilities and Public Schools" (H.P. 1041) (L.D. 1403) (Presented by Representative HIGGINS of Scarborough) (Cosponsors: Senator BERUBE of Androscoggin, Representatives McGOWAN of Canaan and FOSTER of Ellsworth)

Ordered Printed.
Sent up for Concurrence.

REPORTS OF COMMITTEES

Unanimous Ought Not to Pass

Representative NADEAU from the Committee on Taxation on Bill "An Act to Establish the Procedure for Notice and Foreclosure of Delinquent Real Property Taxes in Municipalities When the Property Owners are Unknown" (H.P. 793) (L.D. 1065) reporting "Ought Not to Pass"

Representative NADEAU from the Committee on Taxation on Bill "An Act to Increase the Tax Exemption on Church Parsonages" (H.P. 265) (L.D. 348) reporting "Ought Not to Pass"

Representative NADEAU from the Committee on Taxation on Bill "An Act to Require Payment of the Property Tax at the Time of Transfer" (H.P. 774) (L.D. 1046) reporting "Ought Not to Pass"

Representative TARDY from the Committee on Agriculture on Bill "An Act to Insure Clean-up Capability by Persons Undertaking Movement of Hazardous Materials" (H.P. 667) (L.D. 900) 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 PINES from the Committee on Human Resources on Bill "An Act to Require Notice of the Smoking Policy in Restaurants" (H.P. 664) (L.D. 897) reporting "Leave to Withdraw"

Representative NADEAU from the Committee on Taxation on Bill "An Act to Alter the Exemptions in Property Tax" (H.P. 812) (L.D. 1086) reporting "Leave to Withdraw"

Representative BOST from the Committee on Education on Bill "An Act Relating to the Quality Incentive Adjustment in the Educational Finance Law" (Emergency) (H.P. 476) (L.D. 643) reporting "Leave to Withdraw"

Representative MacBRIDE from the Committee on Judiciary on Bill "An Act to Amend the Laws Regarding Small Claims" (H.P. 898) (L.D. 1199) reporting "Leave to Withdraw"

Representative CONLEY from the Committee on Judiciary on Bill "An Act to Permit a Juvenile to Waive the Protection of the Maine Juvenile Code" (H.P. 227) (L.D. 295) reporting "Leave to Withdraw"

Representative PARADIS from the Committee on Judiciary on Bill "An Act Relating to a Court Appearance by a Property Manager on Behalf of a Landlord" (H.P. 918) (L.D. 1230) 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

Representative BOST from the Committee on Education on Bill "An Act to Foster the High School Equivalency Program by Removing Fees Imposed on Persons who Participate in that Program" (H.P. 298) (L.D. 384) reporting "Ought to Pass" in New Draft (Emergency) (H.P. 1040) (L.D. 1401)

Report was read and accepted, the New Draft given its first reading and assigned for second reading Monday, May 4, 1987.

Ought to Pass in New Draft

Representative MARSANO from the Committee on Judiciary on Bill "An Act Relating to the Relocation of the Southern Division of the 10th District Court" (H.P. 665) (L.D. 898) reporting "Ought to Pass" in New Draft (H.P. 1042) (L.D. 1404)

Report was read and accepted, the New Draft given its first reading and assigned for second reading Monday, May 4, 1987.

Ought to Pass in New Draft

Representative PARADIS from the Committee on Judiciary on RESOLVE, to Establish the Commission to Study Adoption Laws and Practices (Emergency) (H.P. 619) (L.D. 837) reporting "Ought to Pass" in New Draft (Emergency) (H.P. 1043) (L.D. 1405)

Report was read and accepted, the New Draft given its first reading and assigned for second reading Monday, May 1, 1987.

Divided Report

Majority Report of the Committee on Transportation reporting "Ought Not to Pass" on Bill "An Act Relating to Initial Plates under the Motor Vehicle Laws" (H.P. 40) (L.D. 43)

Signed:
Senator: CAHILL of Sagadahoc
Representatives: SOUCY of Kittery
MILLS of Bethel
CALLAHAN of Mechanic Falls
REEVES of Pittston
MACOMBER of South Portland
SALSBURY of Bar Harbor
McPHERSON of Eliot

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

Signed:
Senators: THERIAULT of Aroostook
DOW of Kennebec
Representatives: MOHOLLAND of Princeton
STROUT of Corinth
POULIOT of Lewiston

Reports were read.
Representative Moholland of Princeton moved that the House accept the Minority "Ought to Pass" Report.

The SPEAKER: The Chair recognizes the Representative from Eliot, Representative McPherson.

Representative MCPHERSON: I would request a Division.

Mr. Speaker, Ladies and Gentlemen of the House: If you were to look at some of the L.D.'s before the Transportation Committee this session, you would see that there are a number of them dealing with just such issues as this, special or so-called vanity plates. At the present time, the prison license plate shop is printing over 40 special license plates and this one would add a special category for ham radio operators. At the present time, they can purchase a vanity plate and put their call letters on the plate. We felt that if we passed this one, it is going to open the flood gates. There are a number of organizations out there that would be back in requesting special plates.

I would ask you to defeat the motion "Ought to Pass."

The SPEAKER: The Chair recognizes the Representative from West Gardiner, Representative Weymouth.

Representative WEYMOUTH: Mr. Speaker, Ladies and Gentlemen of the House: I agree that there probably are a lot of people out there looking for this but ham operators once had this privilege. Ham operators, I think, are like National Guard people and fireman -- they deserve this. Let me ask you this -- did you ever have a ham operator pass you on the highway when you were broken down and didn't help you out?

I would urge you to support the Minority Report.

The SPEAKER: The Chair recognizes the Representative from Princeton, Representative Moholland.

Representative MOHOLLAND: Mr. Speaker, Ladies and Gentlemen of the House: I do hope that you will go along with the Minority Report. We have a ham radio reporter in my district that talked to the people during the flood. He talked with people up here and I think they do a lot of things for a lot of people, especially like my good friend across the aisle said. We did have a lot of bills in committee but I think this is one exemption where I probably had my mind made up to go the same way but, after talking to constituents down in the county where we don't have too much telecommunications and because of fires and everything concerned, I would hope today that you would go along with the "Ought to Pass" Report.

The SPEAKER: The Chair will order a vote. The pending question before the House is the motion of the Representative from Princeton, Representative Moholland, that the House accept the Minority "Ought to Pass" Report. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Representative Moholland of Princeton 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 Chair recognizes the Representative from Princeton, Representative Moholland.

Representative MOHOLLAND: Mr. Speaker, Ladies and Gentlemen of the House: Like I said before, I

think this ham radio plate is good for the people who have the ham radios. I think they did a lot of good work for the state during the flood. They worked hard and long. At the committee hearing, we had a gentleman there from Hallowell who said how hard they worked for the state and I think it would be an honor to take care of this one-time \$5.00 plate for ham radio operators.

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

Representative STROUT: Mr. Speaker, Ladies and Gentlemen of the House: I want to relate to you this afternoon why I supported this L.D. At the present time, ham operators are allowed to have a plate with their call letters on it. The only difference is that it is treated as a vanity plate and they have to pay \$15.00 additional each year.

This bill would allow the ham operators to have their call letters and reduce the fee to \$5.00 a year. It would be \$5.00 with their registration and \$5.00 for each reregistration.

A year or so ago, we passed a special plate for firefighters and we allowed them to have a plate that cost a one-time fee of \$5.00 and I supported that. This is a little bit different than some of the special plates that we give, I believe. We have a special plate for the National Guard that allows them to put NG on them and they have to pay the \$5.00 fee. That is what I think we ought to do with this plate -- allow a \$5.00, instead of the \$15.00 each year registration.

The SPEAKER: The Chair recognizes the Representative from West Gardiner, Representative Weymouth.

Representative WEYMOUTH: Mr. Speaker, Ladies and Gentlemen of the House: I would like to bring out one other point. In times of civil emergency, the ham radio operators are part of the Civil Defense action, just as the firemen and National Guard are. I think we ought to treat them the same.

The SPEAKER: The Chair recognizes the Representative from Eliot, Representative McPherson.

Representative MCPHERSON: Mr. Speaker, Ladies and Gentlemen of the House: There is a little difference between firefighters and ham radio operators. In some of the larger communities, volunteer firefighters are out a half a dozen or a dozen times in a week. If you want to open the door for the ham radio operators -- look around at some of the other states, the medical doctors have a plate and over in New Hampshire, they had a bill before them where the Lions Club wanted a special plate. There isn't a group in any of our towns who isn't deserving of special recognition like this.

Somewhere you have got to draw the line. As far as Civil Emergency Preparedness, there is no guarantee that this vehicle is going to be used by the person who is licensed for that radio. The CEP issues special identification passes to enable them to get through emergency lines.

I would ask you to defeat the motion before you.

The SPEAKER: The pending question before the House is the motion of the Representative from Princeton, Representative Moholland, that the House accept the Minority "Ought to Pass" Report.

The Chair recognizes the Representative from Saco, Representative Nadeau.

Representative NADEAU: Mr. Speaker, I wish to pair my vote with the Representative from Bangor, Representative Stevens. If she were present and voting, she would be voting yes; I would be voting no.

The SPEAKER: The pending question before the House is the motion of the Representative from Princeton, Representative Moholland, that the House

accept the Minority "Ought to Pass" Report. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 35

YEA - Baker, Bost, Bott, Carroll, Carter, Chonko, Clark, H.; Clark, M.; Coles, Connolly, Cote, Dexter, Diamond, Dore, Duffy, Erwin, P.; Farnum, Gould, R. A.; Gurney, Hale, Hillock, Hussey, Jackson, Joseph, Lacroix, LaPointe, Manning, Martin, H.; McGowan, McHenry, Melendy, Michaud, Mitchell, Moholland, Nadeau, G. G.; Norton, Nutting, Paradis, E.; Paradis, J.; Paradis, P.; Pouliot, Reed, Rice, Ridley, Rolde, Ruhlin, Rydell, Scarpino, Simpson, Small, Strout, D.; Tamaro, Thistle, Tracy, Vose, Walker, Warren, Weymouth, The Speaker.

NAY - Aliberti, Allen, Anderson, Anthony, Armstrong, Bailey, Begley, Bickford, Bragg, Callahan, Conley, Crowley, Curran, Dellert, Dutremble, L.; Farren, Foss, Foster, Garland, Greenlaw, Gwadodsky, Handy, Hanley, Harper, Hepburn, Hichborn, Hickey, Higgins, Hoglund, Holloway, Holt, Ingraham, Jalbert, Ketover, Kilkelly, Lebowitz, Look, Lord, MacBride, Macomber, Marsano, Matthews, K.; Mayo, McPherson, McSweeney, Mills, Murphy, E.; Murphy, T.; Nicholson, Parent, Paul, Perry, Pines, Priest, Racine, Rand, Reeves, Richard, Rotondi, Salsbury, Sheltra, Sherburne, Smith, Soucy, Stanley, Stevens, A.; Stevenson, Strout, B.; Swazey, Tardy, Taylor, Telow, Wentworth, Whitcomb, Willey, Zirnkilton.

ABSENT - Boutilier, Brown, Cashman, Davis, Jacques, Kimball, Lawrence, Lisnik, Mahany, O'Gara, Seavey, Sproul, Tupper, Webster, M..

PAIRED - Nadeau, G. R.; Stevens, P..

Yes, 59; No, 76; Absent, 14; Paired, 2; Excused, 0.

59 having voted in the affirmative and 76 in the negative with 14 absent and 2 paired, the motion to accept the Minority "Ought to Pass" Report did not prevail.

Subsequently, the Majority "Ought Not to Pass" Report was accepted. 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:

(H.P. 670) (L.D. 903) Bill "An Act to Clarify Definition Language under the Site Location of Development Laws" Committee on Energy and Natural Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-84)

(S.P. 162) (L.D. 466) Bill "An Act to Extend the Life of the Advisory Committee on Staff Retention" Committee on Appropriations and Financial Affairs reporting "Ought to Pass"

(S.P. 304) (L.D. 873) Bill "An Act Enabling the State to Join the Regional Truck Permit Agreement" Committee on Transportation reporting "Ought to Pass"

(S.P. 329) (L.D. 957) Bill "An Act to Clarify Election Procedures and the Effects of Interconnected Water Lines in Water Fluoridation Referenda" Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-43)

(S.P. 116) (L.D. 289) Bill "An Act Relating to Questions Put to the Electorate at Referendum" Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-39)

(S.P. 265) (L.D. 746) Bill "An Act to Amend the Electric Rate Reform Act as it Applies to Cost Recovery for Utility Financing of Energy Conservation" Committee on Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (S-42)

There being no objections, the above items were ordered to appear on the Consent Calendar of Monday, May 4, 1987, 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:

(H.P. 993) (L.D. 1339) RESOLVE, to Create a Commission to Review the Laws Relating to Registered Maine Guides (Emergency)

(S.P. 140) (L.D. 394) Bill "An Act to Validate and Approve Certain Proceedings Relating to the Otis-Mariaville Union School" (Emergency) (C. "A" S-41)

(H.P. 131) (L.D. 160) Bill "An Act to Clarify the Laws for Transmission of Electric Power to Study Related Issues" (C. "A" H-82)

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

Bill "An Act to Amend the Definition of Eligibility under the Elderly Low-cost Drug Program" (S.P. 443) (L.D. 1357)

Bill "An Act to Regulate the Location of Vending Machines Containing Cigarettes" (H.P. 1033) (L.D. 1391)

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 Paper was Passed to be Engrossed and sent up for concurrence.

PASSED TO BE ENACTED

Emergency Measure

An Act to Revise the Law Prohibiting the Use of Drugs in Animals Competing in Pulling Events (S.P. 266) (L.D. 747) (C. "A" S-37)

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. 123 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 Technical Adjustments to the Truck Overweight Law (H.P. 651) (L.D. 879)

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. 125 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 Marriage Prohibitions Based on Consanguinity (H.P. 1002) (L.D. 1348)

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. 103 voted in favor of the same and 17 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

ENACTOR
TABLED AND ASSIGNED

An Act Relating to the Issuance of Bonds or Notes for Union Schools (S.P. 317) (L.D. 919)

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, May 4, 1987.

PASSED TO BE ENACTED

An Act Relating to Enforcement of Accessibility Standards for Places of Public Accommodations (S.P. 440) (L.D. 1349)

An Act Relating to Historic Bridges (H.P. 650) (L.D. 878)

An Act to Amend the Experimental Vehicle Law (H.P. 653) (L.D. 881)

An Act Relating to the Membership of the Atlantic Sea Run Salmon Commission (H.P. 999) (L.D. 1345)

An Act to Amend the Maine Tort Claims Act Relating to Personal Liability of Employees of a Governmental Entity (H.P. 1000) (L.D. 1346)

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:

RESOLUTION, Proposing an Amendment to the Constitution of Maine Allowing Municipalities with Opportunity Zones to Authorize Selective Tax Exemptions to New or Expanded Businesses within the Zone (H.P. 1035) (L.D. 1393)

(Committee on Economic Development suggested)
TABLED - April 30, 1987 by Representative CROWLEY of Stockton Springs.

PENDING - Reference.

Subsequently, was referred to the Committee on Economic Development, ordered printed, and sent up for concurrence.

The Chair laid before the House the second tabled and today assigned matter:

An Act to Include the Tacoma Lakes in the Valuation of the Cobossee Watershed District (H.P. 440) (L.D. 593) (C. "A" H-69)

TABLED - April 30, 1987 by Representative CARROLL of Gray.

PENDING - Passage to be Enacted.

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

The Chair laid before the House the third tabled and today assigned matter:

An Act to Amend the Interpreter Law for Coverage in Medical and Paramedical Areas (H.P. 961) (L.D. 1290)

TABLED - April 30, 1987 by Representative CARROLL of Gray.

PENDING - Passage to be Enacted.

On motion of Representative Carroll of Gray, retabled pending passage to be enacted and specially assigned for Monday, May 4, 1987.

The Chair laid before the House the fourth tabled and today assigned matter:

Bill "An Act Relating to Taxation of Aircraft" (Emergency) (H.P. 190) (L.D. 234)

TABLED - April 30, 1987 by Representative BAKER of Portland.

PENDING - Adoption of Committee Amendment "A" (H-77).

Whereupon, Committee Amendment "A" (H-77) was adopted.

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

The Chair laid before the House the fifth tabled and today assigned matter:

HOUSE DIVIDED REPORT - Majority (12) "Ought Not to Pass"

- Minority (1) "Ought to Pass" - Committee on Transportation on Bill "An Act to Enable the Department of Transportation to Produce the State Map" (H.P. 337) (L.D. 436)

TABLED - April 30, 1987 by Representative HEPBURN of Skowhegan.

PENDING - Motion of Representative MOHOLLAND of Princeton to accept the Majority "Ought Not to Pass" Report.

Representative Hepburn of Skowhegan requested a roll call.

The SPEAKER: The Chair recognizes the Representative from Athens, Representative Rotondi.

Representative ROTONDI: Mr. Speaker, Ladies and Gentlemen of the House: I would hope that you would not vote to accept the Majority "Ought Not to Pass" Report on this bill.

This is my bill, a very simple bill, and all it does is provide three state maps. Maine is almost the only state that cannot offer free state maps to visitors of our great state. I have heard of free maps being printed but they are maps that are provided only to state agencies for distribution out of state.

I guess, mostly likely, they fear that they may hurt the retail value of maps sold in the state. This bill, in my opinion, is a necessary tool to promote tourism in the State of Maine.

The SPEAKER: The Chair recognizes the Representative from Princeton, Representative Moholland.

Representative MOHOLLAND: Mr. Speaker, Ladies and Gentlemen of the House: I hope you will go along with the "Ought Not to Pass" Report. There is a fiscal note on this bill of \$330,000. I don't think we need to spend that much money on maps when we got so many potholes on rural country roads. I hope you will go along with the "Ought Not to Pass" Report.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Macomber.

Representative MACOMBER: Mr. Speaker, Ladies and Gentlemen of the House: I would also urge you to accept the Majority Report. I think we have two reasons -- one was just mentioned by the Chairman of the Transportation Committee. I think it is a \$350,000 fiscal note. This money would come out of the Paving Fund and I don't think that that is what the gas tax was meant to be used for.

The other reason that the Report was 12 to 1 was the fact that you people have all been going on

economic development tours, you formed a pretty good association with all the business communities -- I think you would be sending them the wrong message if you said to them, "Well, we are going to take \$350,000 out of the State Highway Fund and compete with the private businesses."

I hope you will support the Majority Report.

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 Island Falls, Representative Smith.

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

I understand there is a Minority Report of 1 -- I am wondering why you were convinced that this is something that we should pass.

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

The Chair recognizes the Representative from Corinth, Representative Strout.

Representative STROUT: Mr. Speaker, Ladies and Gentlemen of the House: To answer the good gentleman's question, I had a conversation with him earlier today and I had told him that I would not speak on this issue unless I was asked. Since I have been asked, I hope you people are ready to indulge in a long debate because it would take me a good many hours to explain all the reasons why I support this bill.

I hate to do that on Friday afternoon. However, my big reason for supporting this -- if you have read this, you may know that I am a cosponsor, I was interested in this two years ago and I was interested when the state was providing these free maps prior to 1980.

It was my intention when I reported this out "Ought to Pass" that I don't think we have to make 1,800,000 maps. Maybe if we could get this bill to Second Reading, we could amend it down where we could make a half a million.

I would remind the members of this body that it only cost 18 cents to make this map. Where I am coming from in northern Maine, we don't have the option to get these maps for less than \$1.00 to \$1.25 and sometimes they are even as high as \$2.00. What I would like to see the state do, if there was any way that we could do this, is to allow the Department of Transportation to work out some kind of arrangements with some organization or businessman that could make these maps at maybe the 18 to 20 cent range and even allow them to offer this across the state.

What is happening today, the DeLong Corporation will tell you that they are providing free maps. What they are doing is giving them to state agencies and these maps are going out of state. I don't see many of these maps in our end of the state and that is why I support it. I think it is time for the state to get back into the process of, either giving a free map, or having a map that is more reasonable.

The SPEAKER: The Chair recognizes the Representative from Rockland, Representative Melendy.

Representative MELENDY: Mr. Speaker, Ladies and Gentlemen of the House: I, too, would like to see this come to Second Reading and maybe something could

be done to amend it so we can have something. You have all heard the expression, "We can't get there from here." The reason is that they can't find the way there -- let's make these maps available to the people and make sure that tourism is promoted in our state.

The SPEAKER: The Chair recognizes the Representative from Princeton, Representative Moholland.

Representative MOHOLLAND: Mr. Speaker, Ladies and Gentlemen of the House: Half of 350 is 175, that is a lot of money when we got word at the committee hearing this morning that we probably are \$6 million under our budget so every dollar counts. I don't think we can use maps to fix potholes.

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

Representative SHELTRA: Mr. Speaker, Ladies and Gentlemen of the House: If I recall correctly, I think the Governor and his budget has allocated an extra \$3 million towards tourism. I certainly would like to see a number of these maps contained in the Informational Booths along the pike, for instance. I think we can vote today, like the good lady said, and amend the bill to reduce the quantity later on.

I hope you are in favor.

The SPEAKER: A roll call has been ordered. The pending question before the House is the motion of the Representative Moholland of Princeton that the House accept the Majority "Ought Not to Pass" Report. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 36

YEA - Aliberti, Anderson, Anthony, Armstrong, Begley, Bickford, Bost, Bott, Callahan, Clark, M.; Coles, Conley, Crowley, Curran, Dellert, Diamond, Dutremble, L.; Farnum, Farren, Foss, Foster, Garland, Greenlaw, Gurney, Gwadosky, Hale, Hanley, Harper, Higgins, Hillock, Holloway, Ingraham, Jackson, Jalbert, Lacroix, Lebowitz, Look, Lord, MacBride, Macomber, Marsano, Martin, H.; Matthews, K.; McPherson, McSweeney, Mills, Mitchell, Moholland, Nadeau, G. G.; Nadeau, G. R.; Nicholson, Norton, Nutting, Paradis, E.; Parent, Paul, Pines, Pouliot, Priest, Racine, Reed, Reeves, Ridley, Rolde, Salsbury, Scarpino, Sherburne, Simpson, Small, Soucy, Stanley, Stevens, A.; Stevenson, Strout, B.; Swazey, Tammaro, Taylor, Telow, Tracy, Vose, Walker, Warren, Wentworth, Weymouth, Whitcomb, Willey, Zirkilton.

NAY - Allen, Bailey, Baker, Bragg, Carroll, Carter, Chonko, Clark, H.; Connolly, Cote, Dore, Duffy, Erwin, P.; Gould, R. A.; Handy, Hepburn, Hichborn, Hickey, Hoglund, Holt, Hussey, Joseph, Ketover, Kilkelly, LaPointe, Manning, Mayo, McGowan, McHenry, Melendy, Michaud, Murphy, E.; Paradis, J.; Paradis, P.; Perry, Rand, Rice, Richard, Rotondi, Ruhlin, Rydell, Sheltra, Smith, Strout, D.; Tardy, Thistle.

ABSENT - Boutilier, Brown, Cashman, Davis, Dexter, Jacques, Kimball, Lawrence, Lisnik, Mahany, Murphy, T.; O'Gara, Seavey, Sproul, Stevens, P.; Tupper, Webster, M.; The Speaker.

Yes, 87; No, 46; Absent, 18; Paired, 0; Excused, 0.

87 having voted in the affirmative and 46 in the negative with 18 being absent, the motion did prevail. Sent up for concurrence.

The Chair laid before the House the sixth tabled and today assigned matter:

Bill "An Act Enabling Municipalities to Establish Municipal Land Banks Funded by a Local Option Real Estate Transfer Tax" (H.P. 543) (L.D. 727)

TABLED - April 30, 1987 by Representative MAYO of Thomaston.

PENDING - Motion of same Representative to Reconsider acceptance of the Majority "Ought Not to Pass" Report of the Committee on Taxation.

On motion of Representative Diamond of Bangor, retabled pending the motion of Representative Mayo of Thomaston that the House reconsider acceptance of the Majority "Ought Not to Pass" Report of the Committee on Taxation and specially assigned for Monday, May 4, 1987.

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

BILL HELD

Bill "An Act to Create a Maine Dairy Stabilization Fund" (H.P. 1015) (L.D. 1368)

- In House, Referred to the Committee on Agriculture on April 28, 1987.

- In Senate, Referred to the Committee on Appropriations and Financial Affairs in non-concurrence on April 29, 1987.

- In House, House Receded and Concurred. HELD at the Request of Representative McGOWAN of Canaan.

On motion of Representative McGowan of Canaan, the House reconsidered its action whereby the House voted to recede and concur.

On further motion of same Representative, the House voted to Insist.

On motion of Representative Paradis of Augusta, the House reconsidered its action whereby the House voted to adhere on RESOLVE, to Compensate Thomas P. Peters, II, Attorney-at-law, for Professional Services Rendered in the Adoption of Benjamin B., Heather B. and Lucas B. (S.P. 287) (L.D. 814) (which was Finally Passed in the House on April 29, 1987.)

(Came from the Senate, Passed to be Engrossed as amended by Senate Amendment "A" (S-47) in non-concurrence.)

On motion of the same Representative, the House voted to recede and concur.

The following item appearing on Supplement No. 2 was taken up out of order by unanimous consent:

REPORTS OF COMMITTEES

Ought to Pass Pursuant to Joint Order (H.P. 23)

Representative CARROLL from the Committee on State and Local Government on RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Aroostook County for the Year 1987 (Emergency) (H.P. 1054) (L.D. 1424) reporting "Ought to Pass" - Pursuant to Joint Order (H.P. 23)

Report was read and accepted, the Resolve read once.

Under suspension of the rules, the Resolve was read a second time, passed to be engrossed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

The following item appearing on Supplement No. 3 was taken up out of order by unanimous consent:

PASSED TO BE ENACTED

Emergency Measure

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Aroostook County for the Year 1987 (H.P. 1054) (L.D. 1424)

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. 112 voted in favor of the same and 1 against and accordingly, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith to the Senate.

The following item appearing on Supplement No. 4 was taken up out of order by unanimous consent:

PASSED TO BE ENACTED

Emergency Measure

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Penobscot County for the Year 1987 (H.P. 1032) (L.D. 1390)

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 Resolve was finally passed, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith to the Senate.

(Off Record Remarks)

On motion of Representative Rydell of Brunswick, Adjourned until Monday, May 4, 1987, at ten o'clock in the morning.

STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION
JOURNAL OF THE SENATE

In Senate Chamber
Friday
May 1, 1987

Senate called to Order by the President.

Prayer by the Honorable Ronald E. Usher of Cumberland.

SENATOR USHER: Let us pray. Father, in heaven, we ask for Your support and Your continued care. We know that by Your gift of free will we are responsible. We ask that we accept that responsibility and be aware of our place in history with our role responsibility and our place as elected officials. We listen to our constituents and continue to exercise our role of responsibility. While in this Chamber, it has noble special light, it has a special responsibility. Let us not close the doors to the needs of the people, nor open the doors to the wishes of those who would be a threat to the state. Give us light and courage. Amen.

Reading of the Journal of Yesterday.

Off Record Remarks

PAPERS FROM THE HOUSE
Non-concurrent Matter
Resolve, to Promote On-site Day Care
S.P. 445 L.D. 1359