

MAINE STATE LEGISLATURE

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

VOLUME III

FIRST CONFIRMATION SESSION

August 21, 1987
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FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987
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SECOND SPECIAL SESSION

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SECOND REGULAR SESSION

January 6, 1988 to March 24, 1988

ONE HUNDRED AND THIRTEENTH MAINE LEGISLATURE
SECOND REGULAR SESSION
30th Legislative Day
Wednesday, February 24, 1988

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

Prayer by Reverend Kenneth MacDonald, Lisbon Falls Baptist Church.

The Journal of Tuesday, February 23, 1988, was read and approved.

Quorum call was held.

SENATE PAPERS

Bill "An Act to Create a Home-Based Treatment and Education Demonstration Program for Persons with Mental Illness and their Families" (Emergency) (S.P. 898) (L.D. 2334)

Came from the Senate, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Was referred to the Committee on Appropriations and Financial Affairs in concurrence.

Later Today Assigned

Bill "An Act to Prohibit Automated Telephone Solicitation" (S.P. 900) (L.D. 2336)

Came from the Senate, referred to the Committee on Business Legislation and Ordered Printed.

On motion of Representative Vose of Eastport, tabled pending reference in concurrence and later today assigned.

Bill "An Act to Amend the Juvenile Code" (S.P. 901) (L.D. 2337)

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 Minimize the Environmental, Social and Physical Impact of Tourists on Monhegan Island" (S.P. 899) (L.D. 2335)

Came from the Senate, referred to the Committee on Marine Resources and Ordered Printed.

(The Committee on Reference of Bills had suggested reference to the Committee on Energy and Natural Resources.)

Was referred to the Committee on Marine Resources in concurrence.

COMMUNICATIONS

The following Communication: (H.P. 1712)

ALPHA ONE

Center for Independent Living
February 22, 1988
Hon. John L. Martin
Speaker of the House
State House Station 2
Augusta, ME 04333

Dear Speaker Martin:

I am pleased to submit to you a copy of Toward Opportunity a report recently completed by the Maine Independent Living Commission. The Commission was established pursuant to a resolve of 1987 chapter 62.

Sincerely,

s/Steven C. Tremblay, Chairman
Independent Living Commission

Was read and with accompanying report ordered placed on file and sent up for concurrence.

PETITIONS, BILLS AND RESOLVES
REQUIRING REFERENCE

The following Bills and Resolves 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

RESOLVE, Authorizing a Working Capital Advance for the Seed Potato Board (Emergency) (H.P. 1705) (L.D. 2342) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsors: Representatives LISNIK of Presque Isle, MAHANY of Easton and Senator COLLINS of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

Ordered Printed.

Sent up for Concurrence.

Business Legislation

Bill "An Act Concerning the Display of Dealer Markup Stickers by New Car Dealers" (H.P. 1708) (L.D. 2345) (Presented by Representative SMITH of Island Falls) (Cosponsor: Representative ALLEN of Washington) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Ordered Printed.

Sent up for Concurrence.

Energy and Natural Resources

Bill "An Act to Continue Professional Forestry Supervision of Biomass Fuel Wood Harvesting Operations" (H.P. 1707) (L.D. 2344) (Presented by Representative RIDLEY of Shapleigh) (Cosponsors: Representatives JACQUES of Waterville, DEXTER of Kingfield and MICHAUD of East Millinocket) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Ensure Local Participation on the Radiological Emergency Preparedness Committee" (H.P. 1706) (L.D. 2343) (Presented by Representative KILKELLY of Wiscasset) (Cosponsors: Representatives HOLT of Bath, HOLLOWAY of Edgecomb and BEGLEY of Waldoboro) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

Ordered Printed.

Sent up for Concurrence.

Later Today Assigned

Bill "An Act to Permit Fly-Fishing Only on a Portion of the St. Croix River" (H.P. 1704) (L.D. 2341) (Presented by Representative TAMMARO of Baileyville) (Cosponsor: Representative RUHLIN of Brewer) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

(The Committee on Reference of Bills had suggested reference to the Committee on Fisheries and Wildlife.)

On motion of Representative Murphy of Kennebunk, tabled pending reference and later today assigned.

State and Local Government

Bill "An Act Concerning the Statutory Organization of Boards and Commissions" (H.P. 1710) (L.D. 2347) (Presented by Representative GWADOSKY of Fairfield) (Cosponsors: Representatives CARROLL of Gray and DAGGETT of Augusta) (Approved for

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

Ordered Printed.
Sent up for Concurrence.

Utilities

Bill "An Act Regarding Security Deposits for Cable Television" (H.P. 1709) (L.D. 2346) (Presented by Representative ALIBERTI of Lewiston) (Cosponsors: Representatives TARDY of Palmyra and RACINE of Biddeford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

Ordered Printed.
Sent up for Concurrence.

Study Report - Committee on Economic Development

Representative MAHANY from the Committee on Economic Development to which was referred by the Legislative Council the Study Relative to Regional Economic Development Strategies and Policies and the Implementation of these Strategies have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill "An Act to Promote Economic Development in the State by Enhancing Employment Opportunities for Maine People" (H.P. 1703) (L.D. 2340) be referred to this Committee for public hearing and printed pursuant to Joint Rule 19.

Report was read and accepted, and the bill referred to the Committee on Economic Development, ordered printed and sent up for concurrence.

REPORTS OF COMMITTEES

Unanimous Leave to Withdraw

Representative CARTER from the Committee on Appropriations and Financial Affairs on Bill "An Act to Provide for the Computerization of Data and Information Relating to Boards and Commissions" (H.P. 1519) (L.D. 2072) 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/New Title

Representative BROWN from the Committee on Fisheries and Wildlife on Bill "An Act to Require a Turtle Trapping License" (Emergency) (H.P. 1484) (L.D. 2018) reporting "Ought to Pass" in New Draft under New Title Bill "An Act to Regulate the Taking of Turtles for Commercial Purposes" (Emergency) (H.P. 1711) (L.D. 2348)

Report was read and accepted, the New Draft read once and assigned for second reading Thursday, February 25, 1988.

Ought to Pass Pursuant to Joint Order (H.P. 1489)

Representative HUSSEY from the Committee on State and Local Government on RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Oxford County for the Year 1988 (Emergency) (H.P. 1702) (L.D. 2339) reporting "Ought to Pass" - Pursuant to Joint Order (H.P. 1489)

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.

CONSENT CALENDAR

First Day

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

(S.P. 730) (L.D. 1989) Bill "An Act to Amend the Law Concerning the Maine Student Incentive Scholarship Program" (Emergency) Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "A" (S-317)

There being no objections, the above item was ordered to appear on the Consent Calendar of Thursday, February 25, 1988, 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. 1571) (L.D. 2142) Bill "An Act Relating to Nonforfeiture and Valuation Standards for Fraternal Benefit Societies"

(H.P. 1539) (L.D. 2094) Bill "An Act to Clarify Late Charges for Residential Dwelling Units"

(S.P. 779) (L.D. 2036) Bill "An Act Concerning the Carrying of Concealed Firearms by Licensed Private Investigators" (C. "A" S-316)

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 Control Vehicle Speeds on Public Easements" (H.P. 1696) (L.D. 2329)

Bill "An Act Concerning the Use of Flashing Lights on School Buses" (S.P. 893) (L.D. 2305)

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 ENGROSSED

As Amended

Bill "An Act Relating to Geographic Isolation Grants" (H.P. 1422) (L.D. 1933) (C. "A" H-454)

Was reported by the Committee on Bills in the Second Reading, read the second time, House Paper was Passed to be Engrossed as Amended and sent up for concurrence.

PASSED TO BE ENGROSSED

Bill "An Act Concerning Legislative Review of Nominations to the Maine State Housing Authority Board and the Board of Directors of the Finance Authority of Maine" (S.P. 891) (L.D. 2303) (S. "A" S-318)

Were reported by the Committee on Bills in the Second Reading and read a second time.

The SPEAKER: The Chair recognizes the Representative from Kennebunk, Representative Murphy.

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

To members of the State and Local Government Committee, have they had an opportunity to meet and

discuss this change in terms of the nomination process?

The SPEAKER: The Representative from Kennebunk, Representative Murphy, has posed a question through the Chair to anyone who may respond if they so desire.

The Chair recognizes the Representative from Gray, Representative Carroll.

Representative CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: The answer to the question from the gentleman from the corner is no. It is our understanding that this change came about when sometime prior to this session we formed the Economic Development Committee and gave that Joint Standing Committee jurisdiction over FAME and the Maine State Housing Authority -- those confirmations now go to State and Local Government. We don't hear those bills before that committee anymore -- they go to Economic Development Committee; hence, the change in confirmation procedures.

Subsequently, the Bill was passed to be engrossed as amended in concurrence. Sent to Engrossing.

PASSED TO BE ENACTED

Emergency Measure

An Act Creating the Fayette Water District (S.P. 883) (L.D. 2291)

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. 118 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 ENGROSSED

An Act Relating to Disclosures when Selling Used Cars (H.P. 1435) (L.D. 1952)

Was 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

BILL HELD

Bill "An Act Establishing a Medicare Assignment Program" (S.P. 895) (L.D. 2324)

- In Senate, Referred to the Committee on Business Legislation.

- In House, Referred to the Committee on Human Resources in non-concurrence.

HELD at the request of Representative ALLEN of Washington.

On motion of Representative Allen of Washington, the House reconsidered its action whereby L.D. 2324 was referred to the Committee on Human Resources.

On further motion of the same Representative, was referred to the Committee on Business Legislation in concurrence.

The Chair laid before the House the following matter: Bill "An Act to Prohibit Automated Telephone Solicitation" (S.P. 900) (L.D. 2336) which was tabled earlier in the day and later today assigned pending reference in concurrence.

On motion of Representative Vose of Eastport, tabled pending reference in concurrence and specially assigned for Thursday, February 25, 1988.

The Chair laid before the House the following matter: Bill "An Act to Permit Fly-Fishing Only on a Portion of the St. Croix River" (H.P. 1704) (L.D. 2341) which was tabled earlier in the day and later today assigned pending reference.

On motion of Representative Jacques of Waterville, was referred to the Committee on Fisheries and Wildlife, ordered printed, and sent up for concurrence.

(At Ease)

The House was called to order by the Speaker.

(Off Record Remarks)

On motion of Representative Jacques of Waterville, Adjourned until Thursday, February 25, 1988, at nine o'clock in the morning.
