

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Twelfth
Legislature***

OF THE

STATE OF MAINE

Volume II

FIRST REGULAR SESSION

December 5, 1984 - June 20, 1985

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August 29, 1985

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to have hindsight and it is very easy for us to have it but, let's face the facts, right now we hear the utilities saying that the Commissioners' gave them their blessing in Seabrook I and II. I, for one, don't exactly believe that. We can twist words around and we can twist figures and percentages around. This bill says fine, the utilities believe this, they believe that they have the blessing of these commissioners — well, let's be upfront about it and let the commission give them the blessing. That is all the bill says, that the commission approves of the actions taken by the utilities and, if the commission doesn't approve, then the utilities can't come around and say, look, we had the blessing of the commission which, in my opinion, they never had.

I hope that we vote against the Majority Report.

The SPEAKER: The Chair will order a vote. The pending question before the House is acceptance of the Majority "Ought Not to Pass" Report. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken. 74 having voted in the affirmative and 11 in the negative, the Majority "Ought Not to Pass" Report was accepted in concurrence.

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

Committee of Conference

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on: Bill "An Act to Authorize an Award System to Aid in Coyote Control" (H.P. 858) (L.D. 1217) have had the same under consideration and ask leave to report:

That they are unable to agree.

(Signed) Representative SMITH of Island Falls and Representative CONNERS of Franklin — of the House.

Senator MATTHEWS of Kennebec, Senator USHER of Cumberland, and Senator PRAY of Penobscot — of the Senate.

Committee of Conference Report was read and accepted. Sent up for concurrence.

Papers from the Senate Divided Report

Majority Report of the Committee on Judiciary reporting "Ought to Pass" on Bill "An Act to Amend Certain Provisions of the Maine Criminal Code" (S.P. 499) (L.D. 1360)

Signed:

Senators:

CARPENTER of Aroostook
SEWALL of Lincoln
CHALMERS of Knox

Representatives:

KANE of South Portland
DRINKWATER of Belfast
LEBOWITZ of Bangor
MacBRIDE of Presque Isle
STETSON of Damariscotta
COOPER of Windham
PRIEST of Brunswick
PARADIS of Augusta
ALLEN of Washington

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.

Signed:

Representative:

CARRIER of Westbrook

Came from the Senate with the Majority "Ought to Pass" Report read and accepted and the Bill passed to be engrossed.

Reports were read.

Whereupon, the Majority "Ought to Pass" Report was accepted and the Bill read once and assigned for second reading later in today's session.

Divided Report

Majority Report of the Committee on Business and Commerce reporting "Ought to Pass" as amended by Committee Amendment "A" (S-232) on Bill "An Act Affecting the

Statutes of Agencies within the Department of Business, Occupational and Professional Regulation" (S.P. 556) (L.D. 1502)

Signed:

Senators:

SEWALL of Lincoln
DANTON of York
BUSTIN of Kennebec

Representatives:

BRANNIGAN of Portland
HILLOCK of Gorham
ARMSTRONG of Wilton
TELOW of Lewiston
MARTIN of Van Buren
BAKER of Orrington
ALIBERTI of Lewiston
RYDELL of Brunswick

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "B" (S-233) on same Bill.

Signed:

Representatives:

MURRAY of Bangor
STEVENS of Bangor

Came from the Senate with the Majority "Ought to Pass" as amended Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-232)

Reports were read.

On motion of Representative Brannigan of Portland, the Majority "Ought to Pass" Report was accepted and the Bill read once.

Committee Amendment "A" (S-232) was read and adopted and the Bill assigned for second reading later in today's session.

Consent Calendar First Day

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

(S.P. 500) (L.D. 1361) Bill "An Act to Amend Judicial Certification Procedures" Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (S-239)

(S.P. 618) (L.D. 1629) Bill "An Act Relating to Cumberland County Budget Process" Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (S-237)

There being no objections, the above items were ordered to appear on the Consent Calendar of later in today's session under the listing of Second Day.

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

Orders

On motion of Representative CARTER of Winslow, the following Joint Order: (H.P. 1142)

ORDERED, The Senate concurring, that the Joint Standing Committee on Appropriations and Financial Affairs report out a Bill entitled "An Act Authorizing Bond Issue in the Amount of \$3,000,000 for the Clean-up and Restoration of Oil Contaminated Ground Water and Well Water." to the House.

Was read and passed and sent up for concurrence.

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

Passed to Be Enacted

An Act to Clarify Recoverable Costs in Civil Actions (S.P. 277) (L.D. 735) (C. "A" S-233)

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.

Later Today Assigned

An Act to Amend the Law Relating to Deputy Sheriffs, Appointments and Removal (S.P. 312) (L.D. 801) (Conf. Com. "A" H-351)

Was reported by the Committee on Engrossed

Bills as truly and strictly engrossed.

On motion of Representative Stetson of Damariscotta, tabled pending passage to be enacted and later today assigned.

Later Today Assigned

An Act to Implement the Recommendations of the Maine Land and Water Resources Council Ground Water Review Policy Committee (S.P. 353) (L.D. 961) (S. "A" S-213; H. "A" H-244 to C. "A" S-132)

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

On motion of Representative Michaud of Medway, tabled pending passage to be enacted and later today assigned.

An Act to Clarify and Improve the Laws on Education in the Unorganized Territory (S.P. 381) (L.D. 1048) (S. "A" S-234 to C. "A" S-182)

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.

An Act to Establish an Information and Referral Service for Medically Indigent Victims of Rape, Gross Sexual Misconduct, Incest or Sexual Abuse (S.P. 427) (L.D. 1184) (C. "A" S-225)

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

The SPEAKER: The Chair recognizes the Representative from Madawaska, Representative McHenry.

Representative McHENRY: Mr. Speaker. I would like to have a brief explanation as to what this bill does. Are we paying for abortions? That is the question I have.

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

The Chair recognizes the Representative from Portland, Representative Nelson.

Representative NELSON: Mr. Speaker, Men and Women of the House: The answer to that question is no.

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

An Act to Establish the State Employee Assistance Program (S.P. 501) (L.D. 1362) (S. "A" S-224 to C. "A" S-173)

An Act to Make Additional Allocations from the Alcohol Premium Fund (S.P. 505) (L.D. 1365) (C. "A" S-226)

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.

Later Today Assigned

An Act to Authorize a Self-liquidating Bond Issue for the County of Cumberland to Raise Funds for the Construction of a Courthouse Addition, Capital Improvements to the Existing Structure and a Related Parking Facility (S.P. 547) (L.D. 1460) (S. "B" S-241 to C. "A" S-160)

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

On motion of Representative Carter of Winslow, tabled pending passage to be enacted and later today assigned.

An Act to Adopt the Uniform Conservation Easement Act (S.P. 626) (L.D. 1640)

An Act to Control Acid Rain (H.P. 263) (L.D. 317) (H. "B" H-350 to C. "A" H-273)

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.

Later Today Assigned

An Act to Amend the Election Laws (H.P. 274) (L.D. 344) (H. "C" H-332 to C. "A" H-214)