

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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and a very emotional crisis how we will react.

I ask you to examine your consciences before you vote today. Examine them very, very carefully and try to put yourself in the position of your daughter or the daughter you may have some day or of some other young girl who is close to you. Think about the fact that she may not be able to tell her parent simply because she needs to do this on her own. She needs to find her own strength and she needs not to risk having to use some of that strength to help support her parents or bear the reaction of that parent because neither she nor you can predict what that reaction might be. I ask you to please reject Report "B" for the sake of all the young girls in this state.

The SPEAKER: The pending question before the House is the motion of Representative Carrier of Westbrook to accept Report "B".

The Chair recognizes the Representative from Van Buren, Representative Martin.

Representative MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I request permission to pair my vote with the Representative from Pittston, Representative Reeves. If she were here, she would be voting no and I would be voting yes.

The SPEAKER: The pending question before the House is the motion of Representative Carrier of Westbrook to accept Report "B". Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 189

YEAS:—Baker, A.L.; Boutillier, Bragg, Brodeur, Brown, A.K.; Brown, D.N.; Callahan, Carrier, Carter, Cashman, Chonko, Clark, Connors, Cote, Crowley, Davis, Descoteaux, Drinkwater, Farnum, Foster, Harper, Hichborn, Hickey, Higgins, H.C.; Higgins, L.M.; Hillock, Jackson, Jacques, Jalbert, Lacroix, Lander, Law, Lebowitz, Lord, MacBride, Manning, Masterman, Matthews, Mayo, McGowan, McHenry, McSweeney, Michaud, Murphy, E.M.; Murphy, T.W.; Nadeau, G.R.; Nickerson, O'Gara, Paradis, E.J.; Paradis, P.E.; Parent, Perry, Pines, Pouliot, Randall, Rice, Richard, Rioux, Rotondi, Salsbury, Scarpino, Seavey, Smith, C.B.; Smith, C.W.; Sproul, Stevens, A.G.; Stevenson, Strout, Tammara, Tardy, Telow, Theriault, Walker, Wentworth, Whitcomb, The Speaker.

NAYS:—Aliberti, Allen, Armstrong, Baker, H.R.; Beaulieu, Begley, Bell, Bonney, Bost, Bott, Brannigan, Cahill, Carroll, Coles, Connolly, Cooper, Crouse, Dellert, Diamond, Dillenback, Duffy, Erwin, Foss, Greenlaw, Gwadosky, Hale, Handy, Hayden, Hepburn, Hoglund, Holloway, Ingraham, Joseph, Kane, Kimball, Lawrence, Lisnik, Macomber, McCollister, McPherson, Melendy, Michael, Mills, Mitchell, Moholland, Murray, Nadeau, G.G.; Nelson, Nicholson, Priest, Racine, Roberts, Rolde, Ruhlin, Rydell, Sherburne, Simpson, Small, Soucy, Stetson, Stevens, P.; Swazey, Taylor, Vose, Warren, Webster, Weymouth, Willey, Zirkilton.

ABSENT:—Daggett, Dexter, Paul, Ridley.

PAIRED:—Martin, H.C.—Reeves.

76 having voted in the affirmative and 69 in the negative with 4 being absent and two paired, Report "B" was accepted and the Bill read once.

Committee Amendment "B" (H-409) was read by the Clerk and adopted and the Bill assigned for second reading later in today's session.

The following items appearing on Supplement No. 14 were taken up out of order by unanimous consent.

Consent Calendar First Day

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

(H.P. 1128) (L.D. 1637) Bill "An Act to Adjust Bridge Capital and Maintenance Responsibilities" Committee on Transportation

reporting "Ought to Pass" as amended by Committee Amendment "A" (H-413).

(S.P. 566) (L.D. 1494) Bill "An Act Concerning Access to Medical Records by Prosecutors" (Emergency) Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (S-280).

Under suspension of the rules, Second Day Consent Calendar notification was given, the Senate Paper was passed to be engrossed as amended in concurrence and the House Paper passed to be engrossed as amended and sent up for concurrence.

(S.P. 85) (L.D. 266) Bill "An Act to Modify Inequitable Income Eligibility Guidelines in the Elderly Householders Tax and Rent Refund Act and to Increase Income Eligibility to Conform with Other Federally Established Poverty Levels" Committee on Taxation reporting "Ought to Pass" as amended by Committee Amendment "A" (S-281).

On motion of Representative Vose of Eastport, was removed from Consent Calendar, First Day.

Whereupon, the Committee Report was accepted and the Bill read once.

Committee Amendment "A" (S-281) was read by the Clerk and adopted.

Under suspension of the rules, the Bill was read a second time, passed to be engrossed as amended by Committee Amendment "A" (S-281) in concurrence.

The following item appearing on Supplement No. 15 was taken up out of order by unanimous consent:

Committee of Conference

Report of the Committee on Conference on the disagreeing action of the two branches of the Legislature on: Bill "An Act to Reduce the Hours Required for Master and Journeyman Electricians" (H.P. 419) (L.D. 599) have had the same under consideration and ask leave to report:

That they are unable to agree.

(Signed) Senator BUSTIN of Kennebec, Senator DANTON of York, Senator SEWALL of Lincoln—of the Senate.

Representative THERIAULT of Fort Kent, Representative RYDELL of Brunswick, Representative BAKER of Orrington—of the House.

Came from the Senate with the Report read and accepted.

Committee of Conference report was read and accepted in concurrence.

Papers from the Senate Non-Concurrent Matter

Bill "An Act to Prohibit Consumption of Alcoholic Beverages within 15 Feet of a Public Way" (H.P. 529) (L.D. 749) which was Passed to be Engrossed as amended by Committee Amendment "A" (H-405) in the House on June 13, 1985.

Came from the Senate with the Bill and Accompanying Papers Indefinitely Postponed in non-concurrence.

On motion of Representative Manning of Portland, the House voted to insist and ask for a Committee of Conference.

Sent up for concurrence.

The following item appearing on Supplement No. 16 was taken up out of order by unanimous consent:

Consent Calendar First Day

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

(H.P. 1077) (L.D. 1567) Bill "An Act Relating to the Income Tax Checkoff for Political Parties" Committee on Taxation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-414).

Under suspension of the rules, Second Day

Consent Calendar notification was given, the House Paper was passed to be engrossed as amended and sent up for concurrence.

By unanimous consent, all matters having been acted upon requiring Senate concurrence were ordered sent forthwith to the Senate.

The Chair laid before the House the following matter: Expression of Legislative Sentiment recognizing the Town of Eddington (SLS 270) which was tabled earlier in the day and later today assigned pending the motion to reconsider passage in concurrence.

Whereupon, the House voted to reconsider its action whereby SLS 270 was passed in concurrence.

Representative Bost of Orono moved the indefinite postponement of SLS 270.

Representative Murphy of Kennebec requested a roll call vote on the motion to indefinitely postpone.

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 pending question before the House is the motion of Representative Bost or Orono that the SLS 270 be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 190

YEAS:—Allen, Baker, H.R.; Bost, Boutillier, Brannigan, Brodeur, Carrier, Carroll, Carter, Cashman, Chonko, Clark, Coles, Connolly, Cooper, Cote, Crouse, Crowley, Descoteaux, Diamond, Duffy, Erwin, Gwadosky, Hale, Handy, Hayden, Hickey, Higgins, H.C.; Hoglund, Jacques, Jalbert, Joseph, Kane, Lacroix, Lisnik, Macomber, Manning, Martin, H.C.; Mayo, McCollister, McGowan, McHenry, McSweeney, Melendy, Michael, Michaud, Mills, Mitchell, Moholland, Murray, Nadeau, G.G.; Nadeau, G.R.; Nelson, O'Gara, Paradis, P.E.; Perry, Pouliot, Priest, Racine, Richard, Rioux, Roberts, Rolde, Rotondi, Ruhlin, Rydell, Simpson, Smith, C.B.; Soucy, Stevens, P.; Swazey, Tammara, Tardy, Theriault, Vose, Walker, Warren, The Speaker.

NAYS:—Aliberti, Armstrong, Baker, A.L.; Begley, Bell, Bonney, Bott, Bragg, Brown, D.N.; Cahill, Callahan, Connors, Davis, Dellert, Dillenback, Drinkwater, Farnum, Foss, Foster, Greenlaw, Harper, Hepburn, Hichborn, Higgins, L.M.; Hillock, Holloway, Ingraham, Jackson, Kimball, Lander, Law, Lawrence, Lebowitz, Lord, MacBride, Masterman, Matthews, McPherson, Murphy, E.M.; Murphy, T.W.; Nicholson, Nickerson, Paradis, E.J.; Parent, Pines, Randall, Rice, Salsbury, Scarpino, Seavey, Sherburne, Small, Smith, C.W.; Sproul, Stetson, Stevens, A.G.; Stevenson, Strout, Taylor, Telow, Webster, Wentworth, Weymouth, Whitcomb, Zirkilton.

ABSENT:—Beaulieu, Brown, A.K.; Daggett, Dexter, Paul, Reeves, Ridley, Willey.

78 having voted in the affirmative and 65 in the negative with 8 being absent, the motion did prevail.

Sent up for concurrence.

Passed to be Engrossed As Amended

Bill "An Act to Require Parental Consent in the Case of Minors' Abortions" (H.P. 298) (L.D. 387) (C. "B" H-409)

Was reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed as amended and sent up for concurrence.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Represent-

ative Carrier.

Representative CARRIER: Mr. Speaker, Ladies and Gentlemen of the House: I move for reconsideration of Report "B" and hope you vote against me.

Representative McCollister of Canton moved the matter be tabled one legislative day pending reconsideration.

Representative Strout of Corinth requested a vote on the tabling motion.

Representative Jalbert of Lisbon requested a roll call vote on the motion to table.

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 pending question before the House is the motion of Representative McCollister of Canton that this matter be tabled one legislative day. Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 191

YEAS:—Allen, Baker, H.R.; Begley, Bell, Bonney, Bost, Bott, Brannigan, Cahill, Carroll, Coles, Connors, Connolly, Cooper, Crouse, Davis, Dellert, Diamond, Dillenback, Duffy, Farnum, Foss, Foster, Hale, Handy, Hayden, Hepburn, Hickey, Higgins, H.C.; Higgins, L.M.; Holloway, Ingraham, Joseph, Kane, Kimball, Lacroix, Macomber, McCollister, McPherson, Melendy, Michael, Mills, Mitchell, Moholland, Murphy, T.W.; Murray, Nadeau, G.G.; Nelson, Nicholson, Priest, Roberts, Rolde, Ruhlin, Rydell, Simpson, Small, Smith, C.W.; Soucy, Stetson, Stevens, P.; Swazey, Taylor, Vose, Webster, Weymouth, Zirkilton.

NAYS:—Aliberti, Armstrong, Baker, A.L.; Boutillier, Bragg, Brodeur, Brown, D.N.; Callahan, Carrier, Carter, Cashman, Chonko, Clark, Cote, Crowley, Descoteaux, Drinkwater, Erwin, Greenlaw, Gwadosky, Harper, Hichborn, Hillock, Hoglund, Jackson, Jacques, Jalbert, Lander, Law, Lawrence, Lebowitz, Lisnik, Lord, MacBride, Manning, Martin, H.C.; Masterman, Matthews, Mayo, McGowan, McHenry, McSweeney, Michaud, Murphy, E.M.; Nadeau, G.R.; Nickerson, O'Gara, Paradis, E.J.; Paradis, P.E.; Parent, Perry, Pines, Pouliot, Racine, Randall, Rice, Richard, Rioux, Rotondi, Salsbury, Scarpino, Seavey, Sherburne, Smith, C.B.; Sproul, Stevens, A.G.; Stevenson, Strout, Tammara, Tardy, Telow, Theriault, Walker, Wentworth, Whitcomb, The Speaker.

ABSENT:—Beaulieu, Brown, A.K.; Daggett, Dexter, Paul, Reeves, Ridley, Willey.

66 having voted in the affirmative and 77 in the negative with 8 being absent, the motion did not prevail.

The SPEAKER: The Chair recognizes the Representative from Woolwich, Representative Cahill.

Representative CAHILL: Mr. Speaker, Ladies and Gentlemen of the House: I would hope you would vote for the motion to reconsider this evening. I think this issue has been debated enough. I think that it would be helpful if this body could have another day to think about this motion. I think Report "B" is probably the worst of all possible scenarios.

I request the yeas and nays.

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 pending question before

the House is reconsideration whereby the bill was passed to be engrossed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL No. 192

YEAS:—Allen, Armstrong, Baker, H.R.; Begley, Bell, Bonney, Bost, Bott, Brannigan, Cahill, Coles, Connors, Connolly, Cooper, Crouse, Davis, Dellert, Diamond, Dillenback, Duffy, Erwin, Foss, Foster, Greenlaw, Hale, Handy, Hayden, Hepburn, Higgins, H.C.; Hoglund, Holloway, Ingraham, Joseph, Kane, Kimball, Lawrence, Macomber, McPherson, Melendy, Michael, Mills, Mitchell, Moholland, Murphy, T.W.; Murray, Nadeau, G.G.; Nelson, Nicholson, Priest, Rolde, Ruhlin, Rydell, Sherburne, Simpson, Small, Soucy, Stetson, Stevens, P.; Swazey, Taylor, Vose, Warren, Webster, Weymouth, Zirkilton.

NAYS:—Aliberti, Baker, A.L.; Boutillier, Bragg, Brodeur, Brown, D.N.; Callahan, Carrier, Carroll, Carter, Cashman, Chonko, Clark, Cote, Crowley, Descoteaux, Drinkwater, Farnum, Gwadosky, Harper, Hichborn, Hickey, Higgins, L.M.; Hillock, Jackson, Jacques, Jalbert, Lacroix, Lander, Law, Lebowitz, Lisnik, Lord, MacBride, Manning, Martin, H.C.; Masterman, Matthews, Mayo, McCollister, McGowan, McHenry, McSweeney, Michaud, Murphy, E.M.; Nadeau, G.R.; Nickerson, O'Gara, Paradis, E.J.; Paradis, P.E.; Parent, Perry, Pines, Pouliot, Racine, Randall, Rice, Richard, Rioux, Roberts, Rotondi, Salsbury, Scarpino, Seavey, Smith, C.B.; Smith, C.W.; Sproul, Stevens, A.G.; Stevenson, Strout, Tammara, Tardy, Telow, Theriault, Walker, Wentworth, Whitcomb, The Speaker.

ABSENT:—Beaulieu, Brown, A.K.; Daggett, Dexter, Paul, Reeves, Ridley, Willey.

65 having voted in the affirmative and 78 in the negative with 8 being absent, the motion did not prevail.

Off Record Remarks

On motion of Representative Brown of Livermore Falls,

Adjourned to eleven o'clock tomorrow morning.