

MAINE STATE LEGISLATURE

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

VOLUME II

FIRST REGULAR SESSION

May 26, 1987 to June 30, 1987

Index

PASSED TO BE ENACTED

Emergency Measure

An Act to Establish Municipal Cost Components for Services to be Rendered in Fiscal Year 1987-88 (H.P. 1328) (L.D. 1812) (H. "A" H-331)

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. 102 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker pro tem and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Amend the Uniform Commercial Code Regarding Tribal Government (H.P. 1358) (L.D. 1860)

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. 101 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker pro tem and sent to the Senate.

FINALLY PASSED

Emergency Measure

RESOLVE, to Establish the Maine Commission to Review Overcrowding at the Augusta Mental Health Institute and the Bangor Mental Health Institute (S.P. 588) (L.D. 1742) (H. "A" H-348 to H. "B" H-302)

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. 102 voted in favor of the same and 20 against and accordingly the Resolve was finally passed, signed by the Speaker pro tem and sent to the Senate.

FINALLY PASSED

Emergency Measure

RESOLVE, to Reconstitute the 9-1-1 Study Commission (H.P. 1359) (L.D. 1861)

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. 108 voted in favor of the same and 13 against and accordingly the Resolve was finally passed, signed by the Speaker pro tem and sent to the Senate.

PASSED TO BE ENACTED

An Act to Make Adjustments in the School Finance Act (S.P. 405) (L.D. 1256) (S. "A" S-211 to C. "A" S-172)

An Act Creating the Maine Transportation Capital Improvement Planning Commission (S.P. 598) (L.D. 1758) (S. "A" S-187)

An Act to Allow Increased Participation of State Employees in the Electoral Process (S.P. 606) (L.D. 1796) (H. "A" H-323)

An Act to Facilitate Access to In-home Services (H.P. 1062) (L.D. 1445) (H. "A" H-347 to C. "A" H-308)

An Act to Amend the Title Laws of Maine (H.P. 1356) (L.D. 1857)

An Act to License Acupuncturists (S.P. 365) (L.D. 1100) (C. "A" S-214)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker pro tem and sent to the Senate.

ENACTOR

Later Today Assigned

An Act to Provide State Reimbursement to Municipalities for Property Tax Losses Due to State-owned Property (H.P. 485) (L.D. 652) (C. "A" H-358)

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

Representative Zirkilton of Mt. Desert requested a roll call vote.

The SPEAKER PRO TEM: 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 PRO TEM: The Chair recognizes the Representative from Kennebunkport, Representative Seavey.

Representative SEAVEY: Mr. Speaker, Ladies and Gentlemen of the House: This is a bill that we debated yesterday and whose future cost we have no idea of. I think it is bad tax policy, it benefits only four particular towns. I think what it really is, however, is a disguise whose future goal would mandate that the State of Maine pay property tax or service fees on all government owned tax-exempt property. We defeated a similar bill earlier this year and I say, let's do it again. I hope you vote no on the pending motion.

On motion of Representative Mayo of Thomaston, tabled pending passage to be enacted and later today assigned. (Roll Call Ordered)

PASSED TO BE ENACTED

An Act to Clarify the Organizational Status of the Bureau of Lottery within the Department of Finance (H.P. 1256) (L.D. 1714) (H. "A" H-356 to C. "A" H-312)

An Act to Establish a Compliance Schedule for Owners and Operators of Salt Storage Areas (H.P. 1278) (L.D. 1749) (H. "A" H-357)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker pro tem and sent to the Senate.

PASSED TO BE ENACTED

An Act to Make Changes in the Laws Governing Public Utilities (H.P. 1361) (L.D. 1863)

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

The SPEAKER PRO TEM: The Chair recognizes the Representative from Eastport, Representative Vose.

Representative VOSE: Mr. Speaker, Ladies and Gentlemen of the House: I intend to make no motion on this particular bill, simply to read something into the Record if I may. This legislative document is a companion to a bill which recodified Title 35 of

the Public Utility Laws. L.D. 1458 was a draft of L.D. 350 and on enactment became Public Law of 1987, Chapter 141. This bill is to make changes in that recodification, changes which came about as part of the recodification effort, but not necessarily as new and major bills.

One of the provisions in this bill removes a sentence from Section 3331 of Title 35. This sentence has to do with where the firm evidence exists that radioactive emissions from a nuclear power plant do or do not present a generic or long-term health risk. It was not the intent of the committee to reach a conclusion that the sentence was or was not necessarily in the law. However, the committee felt that the sentence was meaningless and within the purpose of recodification was not necessary to continue in the new code. Therefore, it is removed by the bill.

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

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

(At Ease)

The House was called to order by the Speaker pro tem.

The Chair laid before the House the following matter: "An Act to Transfer Administrative Authority over Traffic Infractions to the Secretary of State" (H.P. 1343) (L.D. 1835) which was tabled earlier in the day and later today assigned pending further consideration.

On motion of Representative Paradis of Augusta, the House voted to adhere.

The Chair laid before the House the following matter: Bill "An Act Relating to Boards and Commissions" (H.P. 959) (L.D. 1288) which was tabled earlier in the day and later today assigned pending further consideration.

On motion of Representative Carroll of Gray, the House voted to adhere.

(At Ease to Gong)

The House was called to order by the Speaker pro tem.

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

REPORTS OF COMMITTEES

Ought to Pass in New Draft/New Title
Later Today Assigned

Representative CARTER from the Committee on Appropriations and Financial Affairs on Bill "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change 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) (H.P. 404) (L.D. 538) reporting "Ought to Pass" in New Draft under New Title Bill "An Act to Make Supplemental Appropriations and Allocations for

the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1987, June 30, 1988, and June 30, 1989" (Emergency) (H.P. 1364) (L.D. 1867)

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

Under suspension of the rules, the New Draft read a second time.

On motion of Representative Diamond of Bangor, tabled pending passage to be engrossed and later today assigned.

ORDERS OF THE DAY
UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, have preference in the Orders of the Day and continue with such preference until disposed of as provided by Rule 24.

The Chair laid before the House the first item of Unfinished Business:

Bill "An Act to Promote Equity in Determining Medicaid Eligibility for Institutionalized Care (H.P. 313) (L.D. 412) (C. "A" H-307)

TABLED - June 15, 1987 (Till Later Today) by Representative DIAMOND of Bangor.

PENDING - Passage to be Enacted.

On motion of Representative Manning of Portland under suspension of the rules, the House reconsidered its action whereby L.D. 412 was passed to be engrossed.

On further motion of the same Representative, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" (H-307) was adopted.

The same Representative offered House Amendment "A" (H-374) to Committee Amendment "A" (H-307) and moved its adoption.

House Amendment "A" to Committee Amendment "A" was read by the Clerk and adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

Subsequently, the Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto in non-concurrence and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

The Chair laid before the House the second item of Unfinished Business:

Bill "An Act to Create the Department of Economic and Community Development, to Establish Consistency among Economic Development Laws and to Establish a Capital Budgeting and Planning Process" (H.P. 1324) (L.D. 1808)

- In House, Passed to be Engrossed on June 11, 1987.

- In Senate, Passed to be Engrossed as amended by Senate Amendment "B" (S-201) in non-concurrence.

TABLED - June 15, 1987 (Till Later Today) by Representative DIAMOND of Bangor.

PENDING - Further Consideration.

On motion of Representative Diamond of Bangor, retabled pending further consideration and later today assigned.

The Chair laid before the House the fourth item of Unfinished Business:

Bill "An Act to Change the Basis of Telecommunication Taxation" (H.P. 1352) (L.D. 1846)