

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred and Ninth
Legislature

OF THE
STATE OF MAINE

Volume II

First Regular Session

May 7, 1979 to June 15, 1979

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later in the day.

Divided Report

Majority Report of the Committee on Energy and Natural Resources reporting "Ought Not to Pass" on Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$16,500,000 to Assist Municipalities with Solid Waste Management" (H. P. 906) (L. D. 1131)

Report was signed by the following members:

Messrs. O'LEARY of Oxford
McBREAIRTY of Aroostook
— of the Senate.

Messrs. PELTIER of Houlton
KIESMAN of Fryeburg
DEXTER of Kingfield
BLODGETT of Waldoboro
JACQUES of Waterville
— of the House.

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (H-657) on same Bill.

Report was signed by the following members:

Mr. MICHAEL of Auburn
Mrs. HUBER of Falmouth
Messrs. DOUKAS of Portland
AUSTIN of Bingham
HALL of Sangerville
— of the House.

Reports were read.

On motion of Mr. Hall of Sangerville, the Minority "Ought to Pass" Report was accepted and the Bill read once. Committee Amendment "A" (H-657) was read by the Clerk and adopted.

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

By unanimous consent, ordered sent forthwith to the Senate.

Consent Calendar

First Day

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

(H. P. 1421) (L. D. 1624) Bill "An Act to Amend the Salary Range for the Insurance Superintendent" (Emergency) Committee on State Government reporting "Ought to Pass"

(H. P. 867) (L. D. 1072) Bill "An Act to Encourage the Development of Small Scale Hydroelectric Facilities" Committee on Taxation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-651)

(H. P. 24) (L. D. 41) Bill "An Act to Remove Restrictions on Eligibility under the Elderly Householders Tax and Rent Refund Act based on Marital Status" Committee on Taxation reporting "Ought to Pass" as amended by Committee Amendment "A" (H-653)

(H. P. 831) (L. D. 1038) Bill "An Act to Provide for County Self-government" Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-659)

No objections having been noted, under suspension of the rules, the above items were given Consent Calendar, Second Day, notification.

No objections having been noted to the Consent Calendar Second Day, under suspension of the rules, the House Papers were passed to be engrossed or passed to be engrossed as amended and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate, except for L. D. 41.

(H. P. 753) (L. D. 959) Bill "An Act to Separate Ogunquit Village Corporation from the Town of Wells" Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-660)

On the objection of Mrs. Wentworth of Wells, was removed from the Consent Calendar, First

Day.

The SPEAKER: The Chair recognizes the gentlewoman from Wells, Mrs. Wentworth.

Mrs. WENTWORTH: Mr. Speaker and Members of the House: This is my town's bill. I would first like to thank all of you who have indicated you would follow my light. I appreciate this very much.

Many of you have received requests from Ogunquit recently to vote yes on this bill. Although I do not feel it is in the best interest of all my people, Ogunquit has agreed to certain requests of the Town of Wells and both sections of town have now come to an agreement, so I now urge you to vote yes on this bill.

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (H-660) was read by the Clerk and adopted.

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

By unanimous consent, ordered sent forthwith to the Senate.

Second Reader

Tabled and Assigned

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Limit the Amount of State Expenditures which may be made without Voter Approval (S. P. 580) (L. D. 1640)

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

On motion of Mr. Tierney of Lisbon Falls, tabled pending passage to be engrossed and tomorrow assigned.

Later Today Assigned

Bill "An Act Creating a Division of Industrial Training" (H. P. 1478) (L. D. 1665)

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

On motion of Mrs. Kany of Waterville, tabled pending passage to be engrossed and later today assigned.

Later Today Assigned

Bill "An Act to Increase Revenues Available to the Department of Inland Fisheries and Wildlife to Compensate for the Effects of Inflation on its Current License Fees and its Costs" (H. P. 1484) (L. D. 1671)

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

On motion of Mr. Dow of West Gardiner, tabled pending passage to be engrossed and later today assigned.

Later Today Assigned

Bill "An Act to Encourage Free and Open Competition in Insurance Funded Repairs" (H. P. 874) (L. D. 1064)

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

The SPEAKER: The Chair recognizes the gentlewoman from Lewiston, Mrs. Berube.

Mrs. BERUBE: Mr. Speaker, I have an amendment that was passed out yesterday, but I have a new one which is coming in which deletes one word at the request of a member of the committee. I could read you the amendment to save time, or I could ask that someone table it.

Thereupon, on motion of Mr. Howe of South Portland, tabled pending passage to be engrossed and later today assigned.

Amended Bill

Later Today Assigned

Bill "An Act to Restrict the Use of Dealer Plates" (H. P. 406) (L. D. 510) (C. "A" H-607)

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

On motion of Mr. Morton of Farmington, tabled pending passage to be engrossed as amended and later today assigned.

Passed to be Enacted

Emergency Measure

An Act to Allow Dealers to Restrict the

Hours during which they will Accept Returnable Beverage Containers (H. P. 69) (L. D. 75) (S. "A" S-277 to C. "A" H-574)

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

The SPEAKER: The Chair recognizes the gentleman from South Portland, Mr. Howe.

Mr. HOWE: Mr. Speaker and Members of the House: I just want to make a couple of comments on this bill and hope that you will pass it.

This is one of the three bottle bill amendments that we acted on favorably in committee, and this one will permit store owners to refuse to take containers up to three hours in one day if they post those hours conspicuously.

There was some concern by some people who spoke that this would be abused, but we feel it would not, because most store keepers are going to want people to come into their store and therefore are not going to abuse the privilege of being able to refuse containers, presumably during their busiest hours. Not all stores will take advantage of this, but we feel it will only be the small stores that are busy handling pizzas a certain few hours of the day and somebody is on cash register and if someone, at that point, brings in a truckload of containers, that will cause them some problems.

We feel this is the kind of amendment that is going to make the law more liveable and therefore less likely to be repealed in the Fall.

The SPEAKER: This being an emergency measure, it requires a two-thirds vote of all the members elected to the House. All those in favor of this Bill being passed to be enacted will vote yes; those opposed will vote no.

101 having voted in the affirmative and none in the negative, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Finally Passed Emergency Measure

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Lincoln County for the Year 1979 (H. P. 1416) (L. D. 1620)

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

This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 110 voted in favor of same and one against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Passed to be Enacted

An Act to Clarify the Regionalization of Special Education (S. P. 363) (L. D. 1110)

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.

Enactor

Later Today Assigned

An Act to Permit the Maine State Housing Authority to Issue Certain Bonds not Backed by the Moral Obligation of the State and to Raise the Authority's Bonding Limit (S. P. 585) (L. D. 1648)

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

On motion of Mr. Birt of East Millinocket, tabled pending passage to be enacted and later today assigned.

Later Today Assigned

An Act to Provide for Licensing of Bottle Clubs (H. P. 469) (L. D. 576) (H. "B" H-562)

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

On motion of Mr. Violette of Van Buren, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be engrossed.

On motion of the same gentleman, under sus-