

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eleventh
Legislature***

OF THE

STATE OF MAINE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

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FOURTH CONFIRMATION SESSION

(FIRST CONFIRMATION SESSION – SECOND REGULAR SESSION)

May 31, 1984

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FIFTH CONFIRMATION SESSION

(SECOND CONFIRMATION SESSION – SECOND REGULAR SESSION)

July 11, 1984

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THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

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Bill read once. Committee Amendment "A" (H-649) was read by the Clerk.

On motion of the same gentlewoman, tabled pending adoption of Committee Amendment "A" and later today assigned.

(H. P. 1729) (L. D. 2282) Bill "An Act to Revise the Procedure Relating to the Review of Property Tax Exemptions and to Amend Certain Laws Relating to Property Tax Exemptions" Committee on Taxation reporting "Ought to Pass"

No objections having been noted, under suspension of the rules the above item was given Consent Calendar Second Day notification, passed to be engrossed and sent up for concurrence.

Second Reader Later Today Assigned

RESOLVE, to Reimburse David James McDaniel for Damages Suffered as a Result of Wrongful Imprisonment (H. P. 761) (L. D. 992)

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

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

Finally Passed Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Enable the Legislature to Establish the Extent of Insurance of Loans to Veterans (H. P. 1703) (L. D. 2256) (H. "A" H-622)

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

The SPEAKER: The Chair recognizes the gentleman from Wilton, Mr. Armstrong.

Mr. ARMSTRONG: Mr. Speaker, if possible, would the sponsor of this bill just briefly tell us how much it increases the loan guarantees under the Veterans Loan Program?

The SPEAKER: The gentleman from Wilton, Mr. Armstrong, has posed a question through the chair to anyone who may care to answer.

The Chair recognizes the gentlewoman from Sabattus, Miss LaPlante.

Miss LaPLANTE: Mr. Speaker, I don't see the sponsor here, but this came before State Government. To answer the gentleman's question, I believe what is does, last year we voted to increase, when we passed the FAME package, the guarantee from 80 to 85 percent. However, there was a problem because the loan level is in the Constitution. All this does is enable us to change the Constitution to allow us to guarantee these loans to the extent we did last year.

This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a total was taken. 127 voted in favor of same and none against, and accordingly the Resolution was finally passed, signed by the Speaker and sent to the Senate.

Emergency Measure Indefinitely Postponed

An Act to Reimburse the Department of Inland Fisheries and Wildlife for Duties Performed which are Mandatory Nonfish and Nongame Related (H. P. 1758) (L. D. 2320) (C. "B" H-606)

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

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. MacEachern.

Mr. MacEACHERN: Mr. Speaker, Ladies and Gentlemen of the House: The content of this bill will be taken care of when we deal with L. D. 2336, and for that reason I move the indefinite postponement of this bill.

Thereupon, the Bill and all its accompanying papers were indefinitely postponed in non-concurrence and sent up for concurrence.

Passed to Be Enacted Emergency Measure

An Act to Allow State Party Committees to Establish the Time for Electing their Officers (H. P. 1784) (L. D. 2350) (H. "A" H-625)

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. 123 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.

Emergency Measure Later Today Assigned

An Act to Raise the Annual Public Utilities Commission Regulatory Fund Assessments to \$1,635,000 and to Allocate those Funds for Fiscal Year 1985" (H. P. 1809) (L. D. 2391)

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

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Brown.

Mr. BROWN: Mr. Speaker, I would like to pose a question through the Chair to anyone who may wish to respond. What is the \$1,635,000 to be used for?

The SPEAKER: The gentleman from Livermore Falls, Mr. Brown, has posed a question through the Chair to anyone who may care to answer.

The Chair recognizes the gentlewoman from Auburn, Mrs. Robinson.

Mrs. ROBINSON: Mr. Speaker, Ladies and Gentlemen of the House: I would like to thank the good gentleman from Livermore Falls for asking his question because I was planning on debating this bill anyway.

What this bill does is it adds six new positions to the Public Utilities Commission. Last year, this legislature added three new positions, so apparently that would mean nine new positions over the two years that the 111th Legislature has been in session.

Last year as well, the members of the Public Utilities Committee, or some members of the Public Utilities Committee here in the legislature called for a study of that commission because we were not exactly sure what was going on with the Public Utilities Commission. We originally wanted an outside study of the Public Utilities Commission but eventually we agreed to follow the normal Audit and Program Review process. However, some members of the Public Utilities Committee were enough concerned about what was going on over there that they really were pushing for a study and there is a study going on right now in the Audit and Program Review Committee.

I am not only a member of the Public Utilities Committee in the legislature, but I am also serving on that Audit and Program Review Subcommittee, and although the members of that subcommittee have taken no position on this particular bill, I personally feel that it is wrong to add six new positions to an agency when you are in the midst of studying it and you do not even know whether they need all the positions that they have right now.

Traditionally, bills of this nature that call for six new positions go to the Public Utilities Committee because that committee is the committee that knows pretty much what is going on with the commission. However, this year this particular bill went to the Appropriations Committee and therefore the members of the Public Utilities Committee, who tend to oversee the commission, did not have any real input on that particular bill.

For these reasons, I would urge you to vote against the enactment of this bill this morning.

Representative Vose of Eastport requested a roll call vote.

More than one fifth of the members present expressed a desire for a roll call, which was ordered.

Representative Kelleher of Bangor moved that this be tabled until later in today's session.

Whereupon, Representative Robinson of Auburn requested a division.

The SPEAKER: The pending question is on the motion of Representative Kelleher of Bangor that

this be tabled until later in today's session pending passage to be enacted. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

78 having voted in the affirmative and 50 having voted in the negative, the motion did prevail.

Emergency Measure Reconsidered

An Act Relating to Medicaid Reimbursement Rates for Ambulance Services (H. P. 1811) (L. D. 2396)

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

On motion of Representative Nelson of Portland, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be engrossed.

The same gentlewoman offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-632) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended by House Amendment "A" in non-concurrence and sent up for concurrence.

Emergency Measure

An Act to Extend the Reporting Date for the Select Workers' Compensation Study Commission (H. P. 1702) (L. D. 2240)

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. 125 voted in favor of the same and 7 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Amend the Act to Protect the Public from Unsafe Pesticide Use (S. P. 848) (L. D. 2306) (C. "A" S-364)

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. 127 voted in favor of the same and one against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Amend the Charter of the Winthrop Water District (H. P. 1753) (L. D. 2317) (C. "A" H-634)

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. 125 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.

Emergency Measure

An Act Concerning the Funding of the Department of Inland Fisheries and Wildlife (H. P. 1769) (L. D. 2336) (H. "E" H-577; H. "F" H-581; H. "H" H-599; H. "M" H-612)

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

Representative Strout of Corinth requested a roll call vote.

More than one fifth of the members present expressed a desire for a roll call, which was ordered.

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

ROLL CALL NO. 442

YEA—Ainsworth, Allen, Anderson, Andrews, Armstrong, Baker, Beaulieu, Bonney, Bost, Bott, Brannigan, Brown, A.K.; Brown, D.N.; Callahan, Carroll, D.P.; Cashman, Chonko, Clark, Conary, Connors, Connolly, Cooper, Cote, Cox, Crouse,