

MAINE STATE LEGISLATURE

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House Legislative Record
of the
One Hundred and Eighteenth Legislature
of the
State of Maine

Volume I

First Regular Session

December 4, 1996 - March 27, 1997

First Special Session

March 27, 1997 - May 15, 1997

Maine. The "Damariscotta Reel," the "Megunticook Reel," the master fiddlers, people like Peter McFarland from Manville, now Blue Hill, one of the great fiddlers in the State of Maine. The banjo players like Tommy Glynn from Portland, who is proclaimed to be the greatest banjo player of all time promoting that dance. The most famous, and probably the most respected of all fiddler players, was a man named Millie Dunham of Norway. Millie Dunham danced and played throughout Maine and the northeast for over 56 years. For a time he led his own orchestra creating dances and being one of the most influential people and one of the most influential that he had an impact on was a gentleman named Henry Ford. Through Ford's promotion of the square and round dancing, it began to take on the form that it has today.

In the late 19th and early 20th centuries, Maine produced large numbers of fiddlers who promoted the country dances. In 1926, Lewiston hosted the world's fiddle playing contest. That fiddle playing contest was won by Cyril Nolan of Auburn. In my own county in Belfast, was another great center of traditional music and dance around the turn of the century when Jeremiah Whitten, a young man who opened a school there, barely 20 years old and a child of 10, he had purchased his first fiddle. It only had one string, but he still made it work.

I urge you today to support this bill to create square dancing as the dance of Maine.

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

The SPEAKER: The Chair recognizes the Representative from Bethel, Representative Barth.

Representative BARTH: Madam Speaker, Men and Women of the House. Just for the record, the fiddler from Norway, Maine his first name was Mellie, with an "e." Just for the record. I will not call a square dance right now because my singing voice isn't very good. Thank you.

The SPEAKER: The Chair recognizes the Representative from Crystal, Representative Joy.

Representative JOY: Madam Speaker, Men and Women of the House. The board is not in agreement with the motion that the Speaker has declared. The board says Indefinite Postponement.

The SPEAKER: The Speaker is in error. The motion is to Indefinitely Postpone. The board is correct, not the Speaker. The Chair will restate the motion and the Chair thanks the Representative.

A roll call has been ordered. The pending question before the House is Indefinite Postponement of the Bill and all Accompanying Papers. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 43

YEA - Ahearne, Bagley, Baker CL, Berry RL, Bolduc, Bouffard, Brennan, Buck, Bull, Bunker, Cameron, Chartrand, Clark, Clukey, Davidson, Dunlap, Etnier, Fisk, Frechette, Gamache, Gerry, Goodwin, Hatch, Jabar, Jones SL, Joyce, Joyner, Kontos, Layton, Lemaire, Madore, Mailhot, McKee, Meres, Mitchell JE, Nickerson, O'Neal, Perkins, Perry, Pieh, Poulin, Povich, Powers, Quint, Richard, Rines, Rowe, Sanborn, Saxl JW, Saxl MV, Shiah, Sirois, Skoglund, Stanley, Stevens, Thompson, Townsend, Treadwell, Tripp, Underwood, Volenik, Wheeler EM, Wright, Madam Speaker.

NAY - Baker JL, Barth, Belanger DJ, Belanger IG, Berry DP, Bigl, Bragdon, Brooks, Bumps, Campbell, Carleton, Chick, Chizmar, Cianchette, Colwell, Cowger, Cross, Desmond, Dexter, Donnelly, Dutremble, Fisher, Foster, Fuller, Gagne, Gagnon, Gieringer, Gooley, Green, Honey, Jones KW, Jones SA, Joy, Kane, Kasprzak, Kerr, Kneeland, Labrecque, Lane, LaVerdiere, Lemke, Lemont, Lindahl, Lovett, MacDougall, Marvin, Mayo,

McAlevey, McElroy, Morgan, Murphy, Muse, Nass, O'Brien, O'Neil, Ott, Paul, Peavey, Pendleton, Pinkham RG, Pinkham WD, Plowman, Samson, Savage, Shannon, Snowe-Mello, Spear, Stedman, Taylor, Tessier, Tobin, True, Usher, Vedral, Vigue, Waterhouse, Watson, Wheeler GJ, Winglass, Winn, Winsor.

ABSENT - Bodwell, Bruno, Driscoll, Farnsworth, Mack, Tuttle. Yes, 64; No, 81; Absent, 6; Excused, 0.

64 having voted in the affirmative and 81 voted in the negative, with 6 being absent, the motion to indefinitely postpone the bill and all accompanying papers was not accepted.

The Chair ordered a division on acceptance of the Minority "Ought not to Pass" Report.

The SPEAKER: The Chair recognizes the Representative from Belmont, Representative Berry.

Representative BERRY: May I pose a question.

The SPEAKER: The Representative may pose his question.

Representative BERRY: Thank you. Just a point of clarification. We are voting now on the "Ought Not to Pass."

The SPEAKER: The Chair would explain. The last vote was to Indefinitely Postpone. That motion failed so we are back to the motion that was in place prior to the Indefinite Postponement motion, which was the Minority "Ought Not to Pass" Report.

The Chair recognizes the Representative from Westbrook, Representative Lemke and would acquire for what purpose the Representative rises.

Representative LEMKE: I just wanted to add a clarification. Red is square dancing and green isn't.

A vote of the House was taken. 61 voted in favor of the same and 74 against, the Minority "Ought not to Pass" Report was not accepted.

Subsequently, the Majority "Ought to Pass" as amended Report was accepted.

The Bill was read once. Committee Amendment "A" (H-3) was read by the Clerk and adopted. The Bill was assigned for second reading March 25, 1997.

ENACTORS

Emergency Measure

An Act to Amend the Laws Requiring Notification for Public Hearings Concerning Ordinance Changes (H.P. 58) (L.D. 83) (C. "A" H-7)

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. 126 voted in favor of the same and 3 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The following item was taken up out of order by unanimous consent:

ENACTORS

Emergency Mandate

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1998 and June 30, 1999 (H.P. 832) (L.D. 1137) (Governor's Bill) (H. "FF" H-73, H. "HH" H-75 and H. "JJ" H-82 to C. "A" H-15)

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

Representative DONNELLY of Presque Isle requested a roll call on passage to be enacted.

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

The SPEAKER: The Chair recognizes the Representative from Buxton, Representative Vedral.

Representative VEDRAL: I would like to pose a question. I see that the board says 10-1 and this is on Supplement 2. I think there is some confusion with 10-1 in the calendar. This should be Supplement 2, item 10-1 that we are looking at not, in our printed calendar. Correct?

The SPEAKER: The Chair would answer that this is a supplement. It is Supplement 2. It is item 10-1 and it is the budget.

The Chair recognizes the Representative from Winslow, Representative Vigue.

Representative VIGUE: Madam Speaker, Ladies and Gentlemen of the House. I had no intentions of getting up and speaking on this, but I think that based on what has been happening that I probably should take a few minutes of your time and try to get some perspective as to where we are at the present time. In the 115th, there is probably only 12 people that were left in the House that were here when I served in the 115th. I can tell you that it was not very pleasant. What I am afraid that is going to happen is that we may take and turn in that direction. Right now there is a great deal to say in support of the upcoming budget. Many of us, I won't refer to one side of the aisle or the other side of the aisle because I never have done that and I don't intend to. If we are here working for the people of the State of Maine, we are supportive of the people and will work in that direction.

A great deal is done by many people. I see them sitting here trying to come up with a solution. I hope that we can all support the budget. I will tell you why. If we don't and we return to what was in operation in the 115th, we will learn to dislike each other, distrust each other and end up voting against good bills because they are put in by the opposing party. I used to dislike that with a passion. I formed the 107 group in the 115th and it led to numerous things being changed. The reason for that is that nobody in the group wanted to continue with the old process. I ask you to please consider the budget. There is a great deal in the budget that will give you much to talk about at home and probably a lot less that will harm you. I thank you for your time.

The SPEAKER: The Chair recognizes the Representative from Northport, Representative Lindahl.

Representative LINDAHL: Madam Speaker, Men and Women of the House. If this is the new process, I certainly am not satisfied as it is. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Enactment. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 44

YEA - Ahearn, Bagley, Baker CL, Baker JL, Berry RL, Bolduc, Bouffard, Brennan, Brooks, Bull, Bunker, Cameron, Chartrand, Chizmar, Clark, Colwell, Cowger, Davidson, Desmond, Dunlap, Dutremble, Etnier, Fisher, Frechette, Fuller, Gagne, Gagnon, Gamache, Goodwin, Green, Hatch, Jabar, Jones KW, Jones SL, Kane, Kerr, LaVerdiere, Lemaire, Lemont, Mailhot, Mayo, McKee, Mitchell JE, Morgan, Muse, O'Neal, O'Neil, Paul, Perry, Pieh, Poulin, Povich, Powers, Quint, Richard, Rines, Rowe, Samson, Sanborn, Saxl JW, Saxl MV, Shannon, Shiah, Sirois, Skoglund, Stanley, Stevens, Tessier, Thompson, Townsend, Tripp, Usher, Vigue, Volenik, Watson, Wheeler GJ, Winn, Wright, Madam Speaker.

NAY - Barth, Belanger DJ, Belanger IG, Berry DP, Bigl, Bragdon, Buck, Bumps, Campbell, Carleton, Chick, Cianchette,

Clukey, Cross, Dexter, Donnelly, Fisk, Foster, Gerry, Gieringer, Gooley, Honey, Jones SA, Joy, Joyce, Joyner, Kasprzak, Kneeland, Kontos, Labrecque, Lane, Layton, Lemke, Lindahl, Lovett, MacDougall, Madore, Marvin, McAlevey, McElroy, Meres, Murphy, Nass, Nickerson, O'Brien, Ott, Peavey, Pendleton, Perkins, Pinkham RG, Pinkham WD, Plowman, Savage, Snowe-Mello, Spear, Stedman, Taylor, Tobin, Treadwell, True, Underwood, Vedral, Waterhouse, Wheeler EM, Winglass, Winsor.

ABSENT - Bodwell, Bruno, Driscoll, Farnsworth, Mack, Tuttle. Yes, 79; No, 66; Absent, 6; Excused, 0.

79 having voted in the affirmative and 66 voted in the negative, with 6 being absent, in accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, this bill fails of enactment.

Representative KONTOS of Windham moved that the House reconsider its action whereby the bill failed of passage to be enacted.

The SPEAKER: The Chair recognizes the Representative from Windham, Representative Kontos.

Representative KONTOS: I urge the House to vote with me.

The SPEAKER: The Chair recognizes the Representative from Presque Isle, Representative Donnelly.

Representative DONNELLY: Madam Speaker, Ladies and Gentlemen of the House. I hope we will be voting against that motion.

The Chair ordered a division on acceptance of the motion to reconsider passage to be enacted.

A vote of the House was taken. 77 voted in favor of the same and 66 against, the motion to reconsider was accepted.

This being an Emergency Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken 80 having voted in favor of the same and 65 against, and accordingly the Mandate failed of passage to be enacted and sent up for concurrence.

The SPEAKER: These are the guidelines, at least orally, for the use of electronic devices while we are in session. We will certainly make that available to you in writing. Pursuant to House Rule 201d, the following rules of decorum shall be observed when the House is in session. The use of cellular phones is strictly prohibited. The following equipment if allowed: laptop computers of a standard size that are battery operated and nonaudible taping.

Emergency Mandate

An Act to Return a Certain Parcel of Land to Hartland from Pittsfield (H.P. 46) (L.D. 71) (C. "A" H-6)

The SPEAKER: The Chair recognizes the Representative from Hartland, Representative Stedman.

Representative STEDMAN: Madam Speaker, Ladies and Gentlemen of the House. This bill was put in real early in the session at the request of some landowners who wish to become a part of the Town of Hartland. Various reasons were given, including the proximity of services to the area of this property. In order to expedite the process I was able to persuade the two towns in question to consider the exchange before the fact. Each town gave official approval, Pittsfield to give up the land and Hartland to receive it.

In the early days of consideration this was done and copies of the official letters making this transaction possible were submitted as testimony. Despite these official acts, the Office of