

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)

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THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

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An Act to Republish Williamson's Bibliography of Maine (S. P. 910) (L. D. 2449)

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, Ladies and Gentlemen of the House: This is an Act to Republish Williamson's Bibliography of Maine. If you recall the earlier debate on this, it was limited debate but it was a divided report out of committee.

This particular bill calls for a spending of \$16,000 of General Fund money to reprint a book that was originally published in 1893. One of the cosponsors is my good friend, the honorable gentleman from Brunswick, so I am reluctant to speak against this, but I was on the "ought not to pass" report.

At the present time, this legislature is faced with a number of important bills before us with no money to fund them. We are talking about \$6.3 million to try to meet the University of Maine employee raises. We have no money to fund AFDC increase. We have no money to fund home-based care. These are bills that are on the table.

Many of us notice at times the visiting clergymen pray for the Speaker of the House, and I finally found out why. If you look above him, the roof is about ready to fall in.

One of the entrances of this magnificent building is propped up with six by six timbers to hold it up. There are a lot of things that have got to be done, so in good conscience I see no way that we should be voting \$16,000 at this date, at this time, to republish a book that was printed originally in 1893.

The State Librarian testified neither for nor against this bill before our committee and indicated that he would much prefer to have the money and let a committee in his department decide what should be republished and what shouldn't be republished.

I am sure it is a fine book and I am sure Mr. Williamson was a fine scholar and I am sure this work has a lot of value to researchers. There are copies available, many of them in poor shape, but I see no way that we can afford to spend \$16,000 of General Fund money to do this particular thing when there are many other more worthwhile things waiting for our attention.

I would ask for the yeas and nays, Mr. Speaker, on the enactment of this bill.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Livesay.

Mr. LIVESAY: Mr. Speaker and Members of the House: I will be very brief. I was going to have lunch with Representative Armstrong today, but I'm not now.

A roll call has been requested.

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. All those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 464

YEA—Ainsworth, Allen, Andrews, Baker, Benoit, Bonney, Bott, Brannigan, Brodeur, Callahan, Carrier, Carroll, D.P.; Carroll, G.A.; Cashman, Chonko, Conary, Connors, Connolly, Cooper, Cote, Cox, Crouse, Crowley, Daggett, Davis, Day, Diamond, Dillenback, Erwin, Foster, Gauvreau, Greenlaw, Gwadlosky, Handy, Hayden, Hickey, Higgins, H.C.; Higgins, L.M.; Holloway, Joseph, Ketover, Kilcoyne, LaPlante, Livesay, Locke, MacEachern, Macomber, Mahany, Manning, Martin, A.C.; Matthews, K.L.; Matthews, Z.E.; Mayo, McCollister, McGowan, McHenry, Melendy, Mills, Mitchell, J.; Moholland, Murphy, E.M.; Murphy, T.W.; Murray, Nadeau, Nelson, Paradis, E.J.; Perry, Pouliot, Randall, Reeves, P.; Richard, Rolde, Rotondi, Small, Soule, Sproul, Stevens, Stover, Strout, Theriault, Thompson, Tuttle Vose, Walker, Weymouth, The Speaker.

NAY—Anderson, Armstrong, Bell, Brown, A.K.; Brown, D.N.; Cahill, Carter, Clark, Curtis, Drinkwater, Hall, Ingraham, Jackson, Jacques, Jalbert, Joyce, Kelly, Kiesman, Lebowitz, Lehoux,

Masterman, Maybury, McSweeney, Paradis, P.E.; Parent, Paul, Perkins, Pines, Racine, Reeves, J.W.; Roberts, Robinson, Roderick, Salsbury, Scarpino, Seavey, Sherburne, Smith, C.B.; Smith, C.W.; Soucy, Stevenson, Swazey, Tammaro, Webster, Wentworth, Willey, Zirkilton.

ABSENT—Beaulieu, Bost, Dexter, Dudley, Hobbins, Kane, Kelleher, Lisnik, MacBride, Martin, H.C.; Masterton, McPherson, Michael, Michaud, Mitchell, E.H.; Norton, Ridley, Telow.

86 having voted in the affirmative and 47 in the negative, with 18 being absent, the motion did prevail.

Signed by the Speaker and sent to the Senate.

An Act to Clarify Responsibility Under the Maine Potato Quality Control Law (H. P. 1686) (L. D. 2244) (H. "A" H-656 to C. "A" H-614)

An Act to Clarify Abrogation of Privileged Communications (H. P. 1700) (L. D. 2254) (C. "A" H-658)

Were 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 Exclude Social Security Benefits from Taxation (H. P. 1708) (L. D. 2257) (C. "A" H-659)

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

The SPEAKER: The Chair recognizes the gentleman from Canton, Mr. McCollister.

Mr. MCCOLLISTER: Mr. Speaker, Ladies and Gentlemen of the House: This bill came out of Taxation with a unanimous report. It bothered my conscience at the time and it has bothered it ever since. I have been advised politically to leave it alone but I can't. I have people in my district raising families on \$10,000 a year. This bill permits a person with a \$25,000 a year retirement income to be exempt from paying taxes on his social security benefits in the State of Maine as he is required to at the federal level. A man and his wife can have an income of \$32,000 a year, yet not be required to pay income tax on his social security benefits in Maine as he is required to on his federal income tax. I just do not think that we need to tell the working men and women of this state that it is all right to earn \$25,000 a year and not pay taxes, but if you earn \$16,000 or \$10,000 a year, are raising your family, you must pay income taxes.

Mr. Speaker, I would like a division.

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

An Act Relating to the Enforcement and Collection of Child Support Obligations (H. P. 1717) (L. D. 2276) (H. "A" H-666 to C. "A" H-654)

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.

The following papers were taken up out of order by unanimous consent:

Passed to Be Engrossed

Bill "An Act to Amend the Provisions of the Law Relating to the Control of Hazardous Air Pollutants" (H. P. 1854) (L. D. 2455)

Was reported by the Committee on Bills in the Second Reading, read the second time, Passed to be Engrossed, and sent up for concurrence.

Non-Concurrent Matter

Later Today Assigned

Bill "An Act to Amend the Forest Fire Control Laws and Change the Method of Funding Forest Fire Control Services" (Emergency) (H. P. 1581) (L. D. 2093) on which the Bill and Accompanying Papers were Recommitted to the Committee on Taxation in the House on April 9, 1984.

Came from the Senate with the Majority "Ought to Pass" in New Draft Report of the Com-

mittee on Taxation Read and Accepted and the New Draft (H. P. 1782) (L. D. 2347) Passed to be Engrossed in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act to Establish a Commission to Assess the Loss of Farmland in Maine" (H. P. 1842) (L. D. 2438) which was Passed to be Engrossed in the House on April 9, 1984.

Came from the Senate Passed to be Engrossed as amended by Senate Amendment "A" (S-389) in non-concurrence.

The House voted to recede and concur.

Representative Gwadlosky of Fairfield moved that the House reconsider its action of earlier in the day whereby the Minority "Ought Not to Pass" Report was accepted on Bill "An Act to Increase Minimum Wage to \$3.55" (S. P. 835) (L. D. 2236) and requested a roll call vote.

Mr. Diamond of Bangor moved that this be tabled until later in today's session.

Mr. Gwadlosky of Fairfield 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 the motion of Representative Diamond of Bangor that this be tabled until later in today's session pending the motion of Representative Gwadlosky to reconsider whereby the Minority "Ought Not to Pass" Report was accepted in non-concurrence. All those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 465

YEA—Ainsworth, Andrews, Baker, Beaulieu, Benoit, Bost, Brannigan, Brodeur, Carrier, Carroll, D.P.; Carroll, G.A.; Carter, Cashman, Chonko, Clark, Connolly, Cox, Crowley, Diamond, Erwin, Gauvreau, Hall, Handy, Hayden, Hickey, Higgins, H.C.; Hobbins, Jacques, Jalbert, Joyce, Kelleher, Kelly, Ketover, Kilcoyne, Lehoux, Locke, MacEachern, Macomber, Mahany, Manning, Martin, A.C.; Matthews, K.L.; Matthews, Z.E.; Mayo, McCollister, McHenry, McSweeney, Melendy, Michael, Michaud, Mills, Mitchell, E.H.; Mitchell, J.; Murray, Nadeau, Nelson, Paradis, P.E.; Paul, Perry, Rolde, Rotondi, Smith, C.B.; Stevens, Strout, Swazey, Tammaro, Theriault, Thompson, Tuttle, Vose, The Speaker.

NAY—Allen, Anderson, Armstrong, Bell, Bonney, Bott, Brown, A.K.; Brown, D.N.; Cahill, Callahan, Conary, Connors, Cooper, Cote, Crouse, Curtis, Daggett, Davis, Day, Dexter, Dillenback, Drinkwater, Foster, Greenlaw, Gwadlosky, Higgins, L.M.; Holloway, Ingraham, Jackson, Joseph, Kiesman, LaPlante, Lebowitz, Livesay, Masterman, Maybury, McGowan, McPherson, Murphy, E.M.; Murphy, T.W.; Paradis, E.J.; Parent, Perkins, Pines, Pouliot, Racine, Randall, Reeves, J.W.; Richard, Roberts, Robinson, Roderick, Salsbury, Scarpino, Seavey, Sherburne, Small, Smith, C.W.; Soucy, Soule, Sproul, Stevenson, Stover, Walker, Webster, Wentworth, Weymouth, Willey, Zirkilton.

ABSENT—Dudley, Kane, Lisnik, MacBride, Martin, H.C.; Masterton, Moholland, Norton, Reeves, P.; Ridley, Telow.

71 having voted in the affirmative and 69 in the negative, with 11 being absent, the motion did prevail.

By unanimous consent, unless previous notice was given to the Clerk of the House by some member of his or her intention to move reconsideration, the Clerk was authorized today to send to the Senate, 30 minutes after the House recessed for lunch and also thirty minutes after the House adjourned for the day, all matters passed to be engrossed in concurrence and all matters that required Senate concurrence; and that after such matters had been so sent to the Senate by the Clerk, no motion to reconsider would be allowed.