

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

FINALLY PASSED
Emergency Measure

RESOLVE, Reimbursing Certain Municipalities on Account of Taxes Lost Due to Lands being Classified under the Maine Tree Growth Tax Law (H.P. 1264) (L.D. 1728)

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. 124 voted in favor of the same and 1 against and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

An Act Relating to Catering Services under the Liquor Law (S.P. 569) (L.D. 1702) (H. "B" H-244)

An Act to Amend the Maine Lemon Laws (S.P. 584) (L.D. 1735)

An Act to Modify Certain Sections of the Maine Criminal Code (S.P. 586) (L.D. 1738)

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

Tabled and Assigned

An Act Concerning the Taking of Fingerprints and Submission to the State Bureau of Identification (S.P. 587) (L.D. 1739)

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

On motion of Representative Macomber of South Portland, tabled pending passage to be enacted and specially assigned for Tuesday, June 9, 1987.

ENACTOR

Recommitted to the Committee on State and Local Government

An Act to Make Substantive Corrections in the County and Municipal Laws (H.P. 35) (L.D. 36) (C. "A" H-242)

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

On motion of Representative Carroll of Gray, was recommitted to the Committee on State and Local Government in non-concurrence and sent up for concurrence.

PASSED TO BE ENACTED

An Act to Provide Funds for the Establishment of the Community Service Center for the Deaf and Hearing Impaired (H.P. 115) (L.D. 140) (C. "A" H-236)

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

Recommitted to the Committee on State and Local Government

An Act to Clarify the Home Rule Authority of Municipalities (H.P. 384) (L.D. 506) (C. "A" H-231)

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

On motion of Representative Carroll of Gray, was recommitted to the Committee on State and Local

Government in non-concurrence and sent up for concurrence.

PASSED TO BE ENACTED

An Act to Provide Funds for Interpreting Services for the Deaf and Hearing Impaired Persons in the Post-secondary and Adult Education Programs (H.P. 430) (L.D. 575) (C. "A" H-237)

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.

PASSED TO BE ENGROSSED

As Amended

An Act Relating to Reimbursement of Counties for Costs Associated with Operations of the County Jails (H.P. 808) (L.D. 1082) (C. "A" H-239)

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

On motion of Representative Carter of Winslow, under suspension of the rules, the House reconsidered its action whereby L.D. 1082 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-239) was adopted.

The same Representative offered House Amendment "A" (H-269) to Committee Amendment "A" (H-239) 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.

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.

PASSED TO BE ENACTED

An Act to Encourage Cities and Towns to Display the Prisoner-of-war and Missing-in-action Flags (H.P. 1085) (L.D. 1476)

An Act Relating to Powers of the Board of Trustees of the Maine Maritime Academy and to Authorize Conferral of the Master of Science Degree in Maritime Management (H.P. 1208) (L.D. 1648)

An Act to Create Minimum Safety Standards for Firefighters (H.P. 1234) (L.D. 1686) (H. "A" H-225; H. "B" H-235)

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.

PASSED TO BE ENACTED

An Act to Provide Civil Enforcement of the Anti-strikebreaker Law to Encourage the Settlement and Peaceful Resolution of Labor Disputes (H.P. 1238) (L.D. 1690) (H. "A" H-211)

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

The SPEAKER: The Chair recognizes the Representative from Hampden, Representative Willey.

Representative WILLEY: Mr. Speaker, Ladies and Gentlemen of the House: If you recall, this bill was before us about a week ago where I sustained one of my major achievements of the year, I only lost it by 25 votes or something like that.

Nevertheless, it is a bad bill (as is frequently said in this body) and I think this one really is.

What it does is upset the delicate balance that we have in labor relations in this state. We have had very little labor strife in the past and I am afraid that this would encourage labor disputes in the state and we would be much worse off than we are now if this thing were passed. In the committee, we doctored it up a little bit so it was partly palatable but an amendment came along and immediately made it even less palatable than it was in the first place.

People that have a labor problem will not be able to use any contractor at all when there is labor strife simply because they have always been able to in the past, but under this measure, they would not be able to. It seems to me that that upsets the thing very badly.

I would hope very much that you would defeat this bill and I ask for a roll call.

The SPEAKER: 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: The pending question before the House is passage to be enacted. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 110

YEA - Aliberti, Allen, Anthony, Bickford, Bost, Boutillier, Brown, Carroll, Carter, Cashman, Chonko, Clark, H.; Clark, M.; Coles, Conley, Cote, Crowley, Diamond, Dore, Duffy, Dutremble, L.; Erwin, P.; Gould, R. A.; Gurney, Gwadosky, Hale, Handy, Hickey, Hoglund, Holt, Hussey, Jacques, Jalbert, Joseph, Ketover, Kilkelly, Lacroix, LaPointe, Lisnik, Macomber, Mahany, Manning, Martin, H.; Mayo, McGowan, McHenry, McSweeney, Melendy, Michaud, Mills, Mitchell, Moholland, Nadeau, G. G.; Nadeau, G. R.; Nutting, O'Gara, Paradis, J.; Paradis, P.; Paul, Perry, Pouliot, Racine, Rand, Reeves, Richard, Ridley, Rolde, Rotondi, Ruhlin, Rydell, Sheltra, Simpson, Smith, Soucy, Swazey, Tammaro, Tardy, Telow, Thistle, Tracy, Vose, Walker, Warren, The Speaker.

NAY - Anderson, Armstrong, Bailey, Begley, Bott, Bragg, Callahan, Curran, Davis, Dellert, Dexter, Farnum, Farren, Foss, Foster, Garland, Greenlaw, Hanley, Harper, Hepburn, Hichborn, Higgins, Hillock, Holloway, Ingraham, Jackson, Lawrence, Lebowitz, Look, Lord, MacBride, Marsano, Matthews, K.; McPherson, Murphy, E.; Murphy, T.; Nicholson, Norton, Paradis, E.; Parent, Pines, Rice, Salsbury, Scarpino, Seavey, Sherburne, Small, Stanley, Stevens, A.; Stevenson, Strout, B.; Taylor, Tupper, Webster, M.; Wentworth, Weymouth, Whitcomb, Willey, Zirkilton.

ABSENT - Baker, Kimball, Priest, Reed, Stevens, P.; Strout, D..

Yes, 84; No, 59; Absent, 6; Vacant, 2; Paired, 0; Excused, 0.

84 having voted in the affirmative and 59 in the negative with 6 being absent and 2 vacant, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

PASSED TO BE ENACTED

An Act Concerning the Receiving, Witnessing or Accepting of Absentee Ballots (H.P. 1254) (L.D. 1712) (H. "A" H-245 to H. "A" H-217)

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

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Handy.

Representative HANDY: Mr. Speaker, Members of the House: This legislation, which is pending enactment today, would somehow place we, as candidates, at a lower standard rather than a higher standard when it comes to the absentee balloting process and would remove candidates from that process except with respect to the application process. The absentee ballot law in this state has been in effect for nearly seven decades. It has been in effect in the country since the Civil War times.

I would hope today, men and women of the House, that you would vote against enactment of this legislation, and not overreact to recent events. The absentee ballot law has served us well and I certainly do not want to be in a position of having to deny someone their right to vote because when they call me up, I will have to say, I am sorry, I am prohibited under state law. I would hope that you would vote against enactment of this legislation and I would request a roll call.

The SPEAKER: 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: The pending question before the House is passage to be enacted. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 111

YEA - Aliberti, Anderson, Anthony, Armstrong, Bailey, Begley, Bickford, Bost, Bott, Boutillier, Bragg, Brown, Callahan, Carroll, Carter, Cashman, Chonko, Clark, H.; Clark, M.; Coles, Cote, Crowley, Curran, Davis, Dellert, Dexter, Diamond, Dore, Duffy, Dutremble, L.; Farnum, Farren, Foss, Foster, Garland, Greenlaw, Gurney, Gwadosky, Hanley, Harper, Hepburn, Hichborn, Hickey, Higgins, Hillock, Hoglund, Holloway, Hussey, Ingraham, Jackson, Jacques, Ketover, Kilkelly, Lacroix, LaPointe, Lawrence, Lebowitz, Lisnik, Look, Lord, MacBride, Macomber, Mahany, Manning, Marsano, Martin, H.; Matthews, K.; Mayo, McGowan, McHenry, McPherson, McSweeney, Melendy, Michaud, Mills, Mitchell, Moholland, Murphy, E.; Murphy, T.; Nadeau, G. G.; Nadeau, G. R.; Nicholson, Norton, Nutting, O'Gara, Paradis, E.; Paradis, J.; Paradis, P.; Parent, Paul, Perry, Pines, Pouliot, Racine, Rand, Reeves, Rice, Richard, Ridley, Rolde, Rotondi, Ruhlin, Rydell, Salsbury, Scarpino, Seavey, Sheltra, Sherburne, Simpson, Small, Smith, Stanley, Stevens, A.; Stevenson, Strout, B.; Swazey, Tardy, Taylor, Telow, Tracy, Tupper, Vose, Walker, Warren, Webster, M.; Wentworth, Weymouth, Whitcomb, Willey, Zirkilton, The Speaker.

NAY - Allen, Conley, Erwin, P.; Gould, R. A.; Hale, Handy, Holt, Jalbert, Joseph, Soucy, Tammaro, Thistle.

ABSENT - Baker, Kimball, Priest, Reed, Stevens, P.; Strout, D..

Yes, 131; No, 12; Absent, 6; Vacant, 2; Paired, 0; Excused, 0.

131 having voted in the affirmative and 12 in the negative with 6 being absent and 2 vacant, the bill