

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Ninth

Legislature

OF THE

STATE OF MAINE

SECOND REGULAR SESSION

January 2 to April 3, 1980

THIRD SPECIAL SESSION

May 22, 1980

THIRD CONFIRMATION SESSION

July 17, 1980

FOURTH CONFIRMATION SESSION

July 24, 1980

FIFTH CONFIRMATION SESSION

September 12, 1980

**REPORT, HEARING TRANSCRIPT AND
RELATED MEMORANDA OF THE JOINT
SELECT COMMITTEE ON INDIAN LAND
CLAIMS**

(H. P. 1680) (L. D. 1789) Bill "An Act to Expand the State's Tourism Promotion Effort" (C. "A" H-836)

No objections having been noted at the end of the Second Legislative Day, the House Papers were passed to be engrossed and sent up for concurrence.

Passed to Be Engrossed

Bill "An Act Providing for Administrative Modifications to Property Tax Laws Administered by the Bureau of Taxation" (S. P. 779) (L. D. 1970)

Was reported by the Committee on Bills in the Second Reading, read the second time, and the Senate Paper was passed to be engrossed in concurrence.

Amended Bills

Bill "An Act to Make Corrections of Errors and Inconsistencies in the Laws of Maine" (Emergency) (S. P. 770) (L. D. 1964) (S. "A" S-426)

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

Mr. Hobbins of Saco offered House Amendment "C" and moved its adoption.

House Amendment "C" (H-847) was read by the Clerk and adopted.

Mr. Norris of Brewer offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-844) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Higgins.

Mr. HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: I don't pretend to know an awful lot about House Amendment "B" and I think just for the help of all those people who have amendments here, it might be easier if they would just simply explain them as to what they do and that will save people like me getting up and asking questions, if you would just briefly describe, if you could, the amendment for us. I would pose that question to Mr. Norris, please.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Norris.

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: This corrects an inconsistency in Maine State law that would allow the federal hospital at Togus to take involuntary patients. Under the present inconsistency between the two laws, it is impossible to do that and this deals basically with alcoholism. We have no place in the state to deal with veterans who are suffering from this disease, and this would allow a judge to actually commit an active alcoholic who would be dangerous to himself or somebody else to the federal hospital at Togus.

Thereupon, House Amendment "B" was adopted.

Mr. Wood of Sanford offered House Amendment "E" and moved its adoption.

House Amendment "E" (H-849) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Wood.

Mr. WOOD: Mr. Speaker, Ladies and Gentlemen of the House: This amendment relates to a law that the Committee on Agriculture discussed and passed last year to do with equalizing the fees between unproductive and productive dogs. At that time, we did not intend for this to be put into the bill. I would say that we never intended for it to be in the Errors and Inconsistencies and I am not sure why it is there and I would like to remove it.

What this does is allow if a person does not have a certificate, they can give sworn testimony that their dog is neutered and that will be acceptable.

I don't think there is enough evidence to justify this type of amendment at this point. At some point in the next session, we might want to clarify it, but at this point, I don't think it is an error and inconsistency; therefore, this

amendment removes that alleged error or inconsistency.

Thereupon, House Amendment "E" was adopted.

Mrs. Post of Owl's Head offered House Amendment "D" and moved its adoption.

House Amendment "D" (H-848) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentlewoman from Owl's Head, Mrs. Post.

Mrs. POST: Mr. Speaker, Men and Women of the House: In certain areas of our coastline, the Maine State Legislature has limited the number of traps that you can have on a trawl to three, and the enforcement policy of Marine Resources has consistently been that even though you can only have three traps on a particular trawl, you are able to have more than one warp and a buoy, have one on each end.

In taking a close look at the statute when the issue was raised to us the other day, it seemed as though that technically might not read that way and this would simply bring the statute in line with the original intent of the legislation and the enforcement policy of the Department of Marine Resources.

Thereupon, House Amendment "D" was adopted.

Mr. Wood of Sanford offered House Amendment "F" and moved its adoption.

House Amendment "F" (H-851) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Wood.

Mr. WOOD: Mr. Speaker, Ladies and Gentlemen of the House: I am presenting this amendment on behalf of Representative LaPlante who is not here today and asked me to present it.

The Statement of Fact fairly well outlines what the amendment is supposed to do. It takes care of the problem of hauling wood over roads that have got posted weight limits. It is my understanding that the Department of Transportation might be taking care of this and maybe someone from that committee would like to clarify the issue.

Thereupon, on motion of Mr. Hobbins of Saco, House Amendment "F" was indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, in regard to the amendment that we just disposed of, I am sure if anyone has a problem with the delivery of wood and are in need of deliveries, this can be worked out with the Department of Transportation, just as we worked out the delivery of grain and dairy products.

We do not intend that this legislation shall impugn upon anybody's needs.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Hobbins.

Mr. HOBBS: Mr. Speaker and Members of the House: I would like to just clarify the reasons why I indefinitely postponed the last amendment and made that motion.

After reviewing the amendment, it appeared that this was a substantive change, which is not an error or inconsistency in the present law. This motion on my behalf in no way is any intention to hinder anything that can be done procedurally through the Department of Transportation.

Thereupon, the Bill was passed to be engrossed as amended by Senate Amendment "A" and House Amendment "B", "C", "D" and "E" in non-concurrence and sent up for concurrence.

Bill "An Act to Amend the Health Facilities Information Disclosure Act" (Emergency) (S. P. 732) (L. D. 1912) (C. "A" S-427)

Was reported by the Committee on Bills in the Second Reading, read the second time, and the Senate Papers were passed to be engrossed as amended in concurrence.

Passed to Be Enacted

An Act to Adjust the Administration of the Abandoned Property Law (S. P. 735) (L. D. 1914) (C. "A" S-424)

An Act Concerning the Incorporation of the Mission Congregational Church (H. P. 1791) (L. D. 1909)

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.

Orders of the Day

The Chair laid before the House the first tabled and today assigned matter:

Bill "An Act to Amend the Kennebunk, Kennebunkport and Wells Water District Charter to Include the Town of Ogunquit" (H. P. 1821) (L. D. 1949) (C. "A" H-824)

Tabled—March 5, 1980 by Mrs. Wentworth of Wells.

Pending—Passage to be Engrossed.

On motion of Mr. Davies of Orono, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" was adopted.

The same gentleman offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-841) 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 and sent up for concurrence.

(Off Record Remarks)

On motion of Mr. Connolly of Portland, adjourned until Monday, March 10, at ten o'clock in the morning.