

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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THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

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said in our hearing, because he said it was a trend today that we should be making our milk better with more of the solids in it and this is one way to do it.

When they take the butterfat out of the milk to make the low fat milk, he stated that his company, which is the biggest in the northeast, were fortifying their low fat milk with extra solids to make a better product and that they were successful at that.

Ladies and gentlemen, I would hope that we would take the knowledge that men like Dr. Wildasin can give us and realize that this extra little bit of fat in the milk is certainly not going to hurt anybody, that it will be better for youngsters, and people who want low fat milk, 2 percent, 1 percent, skim or whatever, it is still on the market. This isn't going to change that a bit. Instead of allowing the people of Maine to be forced to drink poorer quality milk than our neighboring state of New Hampshire, which is strongly urging that they increase their fat and they are going to increase their fat, let us just do it a little bit before they do.

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

Mr. McCOLLISTER: Mr. Speaker, Ladies and Gentlemen of the House: Before you pass this into law, I would like to clear up one matter for the record, and that is to make it very clear that this 3.5 percent does not apply at pickup point at the farm, that under this law the dairy will not be able to use the butterfat rating of 3.5 to discontinue a farmer's milk contract.

The SPEAKER: The Chair recognizes the gentleman from Yarmouth, Mr. Ainsworth.

Mr. AINSWORTH: Mr. Speaker, Ladies and Gentlemen of the House: I think we are losing something here, I know I am losing something, there is a quality of milk that I want to drink and I see it going off the counter, out of the stores, and that is 3.25.

I do think the Representative across the aisle did make one good point, and that was, "Let's wait for New Hampshire," something like probably 10 years.

Mr. Sherburne of Dexter was granted permission to speak a third time.

Mr. DEXTER: Mr. Speaker, there is an amendment being prepared addressing the concern that Mr. McCollister spoke about so that this could not be used at the farm level, and I would hope that somebody would table this until later today to see if we can get that amendment.

Whereupon, on motion of Representative Michael of Auburn, tabled pending the motion of Representative Smith of Island Falls that the Bill and all its accompanying papers be indefinitely postponed in non-concurrence.

An Act to Amend the Investment Provisions and Certain Related Sections of the Maine Insurance Code (S. P. 887) (L. D. 2395)

An Act Regarding the Administration of Seven Boards Affiliated with the Department of Business, Occupational and Professional Regulation (H. P. 1813) (L. D. 2398) (H. "A" H-623)

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 Relating to Local Voting on School Administrative District Budgets (H. P. 1814) (L. D. 2399)

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

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

An Act to Provide for Testing of Private Water Supplies for Chemical Contaminants where Chemical Contaminants are Suspected by State Agencies (H. P. 1815) (L. D. 2400)

An Act to Amend the Air Emission License

Law (H. P. 1818) (L. D. 2410)

An Act to Provide a Sales Tax Exemption for Certain Residential Facilities (H. P. 1817) (L. D. 2407)

An Act to Authorize Hospital Administrative District No. 1 and Hospital Administrative District No. 4 to Engage in a Joint Venture for the Purpose of Owning and Operating a Regional Mobile Computerized Axial Tomography Scan Unit (H. P. 1778) (L. D. 2356)

An Act to Allow for a Uniform Citation Form to be Used for Fish and Wildlife Violations (H. P. 1716) (L. D. 2275) (C. "A" H-636)

An Act to Protect Tenants from Lack of Heat (H. P. 1683) (L. D. 2228) (C. "A" H-628)

An Act to Increase the Potato Tax (H. P. 1645) (L. D. 2179) (S. "A" S-348 to C. "A" H-561)

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

Reconsidered

An Act to Update and Clarify Certain Provisions of the Mining Excise Tax (H. P. 1638) (L. D. 2167) (C. "A" H-633)

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

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

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

House Amendment "A" (H-651) was read by the Clerk.

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

Mr. HIGGINS: Mr. Speaker, Men and Women of the House: This amendment is a technical correction of an incorrect reference in the original bill.

Thereupon, House Amendment "A" was adopted.

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

An Act to Amend the Statutes Relating to Handicapping Conditions Under the Human Services Law (H. P. 1589) (L. D. 2099) (C. "A" H-565; H. "A" H-576; H. "B" H-629)

An Act to Amend the Law Related to Tax Increment Financing (H. P. 1039) (L. D. 1364) (C. "A" H-643)

An Act Concerning the Tri-state Lotto Compact (S. P. 823) (L. D. 2203) (C. "A" S-353)

An Act Concerning the Teaching of Certain Subjects (S. P. 869) (L. D. 2359)

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

Reconsidered

An Act Relating to Alcohol-related Birth Defects (S. P. 880) (L. D. 2384) (S. "B" S-362)

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

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

The SPEAKER: The Chair recognizes the same gentleman.

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: There are several amendments to be offered to this bill, one by myself and one by the Representative from St. George, Mr. Scarpino. I will offer mine first. In order to do so, I must indefinitely postpone the Senate Amendment that is on the bill, S-362, and I so move.

Thereupon, on motion of Representative Rolde of York, under suspension of the rules of the House reconsidered its action whereby Sen-

ate Amendment "B" (S-362) was adopted, and on motion of the same gentleman, the amendment was indefinitely postponed.

The same gentleman offered House Amendment "D" and moved its adoption.

House Amendment "D" (H-661) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: To explain what I am doing, an amendment was put on this bill in the other body which removed any penalty for non-compliance with this bill. However, by doing that, it left owners of restaurants or grocery stores open to the law that was already on the books, so they could have been fined anyway, even fines up to \$1,000. This amendment makes very plain the intent of both this body and the other body that there be no penalty.

Thereupon, House Amendment "D" was adopted.

Representative Scarpino of St. George offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-664) was read by the Clerk.

The Speaker: The Chair recognizes the gentleman from St. George, Mr. Scarpino.

Mr. SCARPINO: Mr. Speaker, Ladies and Gentlemen of the House: What this bill is meant to address is, there was some concern the way the bill was originally written about the number of signs being posted and there having to be signs posted over every door in a cooler, over numerous coolers. What this amendment does is quite simply state that at least one sign shall be placed over the beer display, at least one sign shall be placed over the wine display, and if the two displays are in the same area, then at least one sign shall be placed over the two of them. It is just to clarify and minimize the number of signs required in a retail grocery operation.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Day.

Mr. DAY: Mr. Speaker, Ladies and Gentlemen of the House: These two amendments have improved the bill from when we discussed it the other day, because I did stand up and say that signs all over the place for stores and so forth was asking a little too much of the people in the business community to try and do an educational job that probably could be done other ways.

I am not necessarily opposed to the idea of promoting the need for the problem against fetal alcohol syndrome. I probably have had longer experience in alcoholism than most of you here as a young supervisor in a powder plant when we had to look into alcoholism because one thing we did not want was rum-dumb people running around a powder plant handling that sort of stuff. So we were pretty tight on alcoholism and back in those days, in the very early forties, we had employee assistance programs and that type of thing that for many years, in fact even when I was back on the Longley Commission, I suggested the state do a better job with the problem of alcoholism and substance abuse for our employees here in the state.

I do not disagree, as I have said, with the idea of alerting more people to the dangers of fetal alcohol syndrome. I would prefer that we do it a different way. I am not necessarily going to say vote against the bill, but I personally am going to and not because I am against doing work on alcoholism. I do not believe that we should ask people in the business community to put up signs, run the risk which has not been eliminated by taking the penalty away, of somebody being fined, that is good. The amendment by the gentleman from St. George, Mr. Scarpino, is a good one in that we don't have to have too many signs. I hope you will bear that in mind as you vote on this piece of legislation which makes the business community do an education job that probably could be done in other ways, in a more efficient and effective fashion.

The SPEAKER: The Chair recognizes the gentleman from Yarmouth, Mr. Ainsworth.