

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**One Hundred And Fifteenth Legislature**  
OF THE  
**State Of Maine**

**VOLUME I**

**FIRST REGULAR SESSION**

House of Representatives  
December 5, 1990 to May 16, 1991

**on Fisheries and Wildlife.**

Came from the Senate with the report read and accepted and the bill referred to the Committee on Fisheries and Wildlife.

Report was read and accepted and the bill referred to the Committee on Fisheries and Wildlife in concurrence.

The following item appearing on Supplement No. 8 was taken up out of order by unanimous consent:

**SENATE PAPER**

The following Joint Order: (S.P. 427)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Monday, March 18, 1991, at 4 o'clock in the afternoon.

Came from the Senate, read and passed.

Was read and passed in concurrence.

The following item appearing on Supplement No. 9 was taken up out of order by unanimous consent:

**PASSED TO BE ENACTED**

**Emergency Measure**

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government for the Fiscal Year Ending June 30, 1991 and to Change Certain Provisions of the Law (H.P. 192) (L.D. 274) (H. "I" H-33)

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. 136 voted in favor of the same and 4 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith to the Senate.

Representative Coles of Harpswell was granted unanimous consent to address the House:

Representative COLES: Mr. Speaker, Men and Women of the House: I thank you for granting this permission. I had intended to speak on this bill and we weren't notified in time get here to speak.

I know that we all need a budget and I voted for the bill because I know that we can't tolerate any further delay but there is one section of this budget that I want to make a few comments on. It is the section which postpones the mandates regarding the construction of sand and salt sheds and removal of underground tanks by towns and schools.

Leaving aside the overgrown rhetoric and

political jockeying which have overwhelmed reason and common sense on the mandate issues, leaving aside that this is a flashy ornament, this language in the bill, designed to distract attention from the bad news at the bottom line, leaving aside that this language has nothing to do with the budget but is included in the budget, a budget which we need to pass and includes serious debate on this particular issue. Leaving aside that the Representative was pushed so hard for inclusion of this language in the budget bill and who is sponsoring a biennial budget which would have an absolutely devastating impact on local budgets, leaving all that aside, including this language in this bill, it sends some distinct messages to the towns, the people, and the businesses in this state.

The current law regarding construction of sand and salt storage areas was not passed on a whim or without careful thought about its impact. The law, which received the unanimous approval of the legislature, is intended to eliminate serious threats to the purity of Maine's drinking water. Ask the people of Friendship or the people of the Berwick's, about the consequences of polluting drinking water. Ask the state taxpayers about how expensive it is to clean up groundwater contamination and to restore safe drinking water supplies. Remember, it is the people of all the state who pay the lion's share of these costs, not the people of the town responsible or the school district responsible. So, the first message that this language sends is that the state no longer takes seriously threats to our drinking water.

The second message it sends is that everybody in the state must take their risk associated with the decision of one town or one school to postpone removal of these threats to drinking water.

The third message that is sent by this language is that the legislature is anti-business, anti-private sector, that the legislature does not believe in treating all actual or potential polluters equally. Instead of everyone having to meet a common schedule, we will be saying that those in the private sector, whether businesses or homeowners, must clean up their pollution on schedule, while those in the public sector are excused, yet there is no difference in the drinking water whether the gasoline or the salt comes from a public tank or a private tank.

The fourth message being sent is being sent to those towns that have met their responsibilities under these laws. My own town of Harpswell last year spent \$100,000 for their sand and salt storage shed. This year, we are telling Harpswell and other towns that have acted responsibly that they were foolish to do so, that if they had refused to obey the law, they would have gotten off the hook. Are these the messages we really want to send?

The following item appearing on Supplement No. 10 was taken up out of order by unanimous consent:

**SENATE PAPER**

**Non-Concurrent Matter**

Bill "An Act to Ensure Adequate Resources for Energy Assistance Programs for Low-income Households" (EMERGENCY) (S.P. 319) (L.D. 857) which was referred to the Committee on Human Resources in the House on