

MAINE STATE LEGISLATURE

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House Legislative Record
of the
One Hundred and Eighteenth Legislature
of the
State of Maine

Volume II

First Special Session

May 16, 1997 - June 20, 1997

Second Regular Session

January 7, 1998 - March 18, 1998

Savage, Snowe-Mello, Spear, Stedman, Tobin, Treadwell, Waterhouse, Wheeler EM, Winglass, Winsor.

ABSENT - Berry RL, Bunker, Cross, Dexter, Donnelly, Driscoll, Dutremble, Hatch, Jones KW, Lemaire, Lemke, McElroy, Perkins, Pinkham RG, Poulin, Povich, Richard, True, Underwood, Vigue, Madam Speaker.

Yes, 81; No, 49; Absent, 21; Excused, 0.

81 having voted in the affirmative and 49 voted in the negative, with 21 being absent, the Joint Order was passed.

Representative MAYO of Bath moved that the House reconsider its action whereby the Joint Order was passed.

The same Representative further moved that the Joint Order be tabled pending reconsideration and specially assigned for Thursday, May, 29, 1997.

Representative SAXL of Portland requested a division on the motion to table.

The Chair ordered a division on the motion to table.

A vote of the House was taken. 66 voted in favor of the same and 56 against, the Joint Order was tabled pending reconsideration and specially assigned for Thursday, May 29, 1997.

Reference is made to Bill "An Act to Amend the Maine Bail Code" (S.P. 509) (L.D. 1571)

In reference to the action of the House on Wednesday, May 28, 1997, whereby it Insisted and Joined in a Committee of Conference, the Chair appoints the following members on the part of the House as Conferees:

Representative POVICH of Ellsworth
 Representative FRECHETTE of Biddeford
 Representative McALEVEY of Waterboro

The Chair laid before the House the following items which were tabled earlier in today's session:

An Act to Ask Voters in a Referendum Whether One Travel Lane in Each Direction Should be Added to the Maine Turnpike, Paid for by Turnpike Tolls, to Reduce Accidents and Congestion (S.P. 663) (L.D. 1883) which was tabled by Representative GERRY of Auburn pending passage to be enacted and later today assigned. (Roll Call Ordered)

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Gerry.

Representative GERRY: Madam Speaker, Men and Women of the House. The reason I asked for a roll call is I object to the way this question is phrased. I feel it is too misleading and it would be very hard for anyone to say know even if it is their conscience. Thank you.

The SPEAKER: The Chair recognizes the Representative from Eliot, Representative Wheeler.

Representative WHEELER: Madam Speaker, Men and Women of the House. Nothing has changed since Friday. We didn't change any wording in the question at all. I move that we Enact this. Thank you.

The SPEAKER: The Chair recognizes the Representative from Kennebunk, Representative Murphy.

Representative MURPHY: Madam Speaker, Men and Women of the House. We are talking about from mile 12 to mile 42. I inquired of the turnpike the other day because there were questions about safety. Since the referendum was enacted through 1996 on that 30 mile stretch there has been 19 deaths. These aren't just statistics. They are people from York County, Aroostook and some were tourists on their way to Rockland maybe skiing Sunday River. It isn't a southern Maine problem. I think maybe we made a mistake when that referendum was

passed. I can't think of the name of the road that is down in New Hampshire that got tied up for a decade because of a small wetland. People in that region as their families and strangers began to die, they began going out and placing white crosses at every point for people that died. After that referendum had passed, maybe starting in 1991 we should have started putting up those white crosses. Maybe in major accidents that occurred during that 30 mile stretch maybe we should have taken the door of that vehicle and rammed it into the ground so that as we traveled that road we would begin to see what the body count is. I think if we had done that then maybe we wouldn't be quibbling over the language that this evening. There are those that want a delay and vote even more. At the rate they are dying on that 30 mile stretch, in three and a half years if the averages hold true then we will have a cross for every mile. I remember a Dick Curliis song about a highway to the north with a tombstone every mile. In three years we will reach that point.

The SPEAKER: A roll call has been ordered. The pending question before the House is Enactment. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 325

YEA - Bagley, Baker CL, Baker JL, Barth, Belanger DJ, Belanger IG, Berry DP, Bigl, Bodwell, Bolduc, Bouffard, Bragdon, Brennan, Brooks, Bruno, Buck, Bull, Bumps, Cameron, Campbell, Carleton, Chartrand, Chick, Chizmar, Cianchette, Clark, Clukey, Colwell, Cowger, Davidson, Desmond, Etner, Farnsworth, Fisher, Fisk, Foster, Frechette, Fuller, Gagnon, Gamache, Gieringer, Gooley, Green, Honey, Jabar, Jones SL, Jones SA, Joy, Joyce, Joyner, Kane, Kasprzak, Kerr, Kneeland, Kontos, Labrecque, Lane, LaVerdiere, Lemont, Lindahl, Lovett, MacDougall, Mack, Madore, Mailhot, Marvin, Mayo, McAlevey, McKee, Meres, Mitchell JE, Morgan, Murphy, Muse, Nass, Nickerson, O'Brien, O'Neal, O'Neil, Ott, Paul, Peavey, Pendleton, Perry, Pieh, Pinkham WD, Plowman, Powers, Quint, Richard, Rines, Rowe, Samson, Sanborn, Savage, Saxl JW, Saxl MV, Shannon, Shiah, Sirois, Skoglund, Snowe-Mello, Spear, Stanley, Stedman, Stevens, Taylor, Tessier, Tobin, Treadwell, Tripp, Tuttle, Usher, Vedral, Waterhouse, Watson, Wheeler EM, Winn, Winsor, Wright, Madam Speaker.

NAY - Ahearn, Dunlap, Gerry, Goodwin, Volenik.

ABSENT - Berry RL, Bunker, Cross, Dexter, Donnelly, Driscoll, Dutremble, Gagne, Hatch, Jones KW, Layton, Lemaire, Lemke, McElroy, Perkins, Pinkham RG, Poulin, Povich, Thompson, Townsend, True, Underwood, Vigue, Wheeler GJ, Winglass.

Yes, 121; No, 5; Absent, 25; Excused, 0.

121 having voted in the affirmative and 5 voted in the negative, with 25 being absent, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act Regarding the Economic Security and Safety of Harness Horsepersons (H.P. 1239) (L.D. 1756) (H. "A" H-683) which was tabled by Representative KONTOS of Windham pending passage to be enacted.

On motion of Representative TUTTLE of Sanford, the rules were suspended for the purpose of reconsideration.

On further motion of the same Representative, the House reconsidered its action whereby the Bill was passed to be engrossed.

On further motion of the same Representative, the rules were suspended for the purpose of further reconsideration.

On further motion of the same Representative, the House reconsidered its action whereby House Amendment "A" (H-683) was adopted.

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The same Representative presented House Amendment "A" (H-706) to House Amendment "A" (H-683) which was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Tuttle.

Representative TUTTLE: Madam Speaker, Men and Women of the House. This amendment clarifies language to make it consistent with language in other sections of the legislation. It corrects on typographical error. It is strictly technical by nature. I hope you will support it.

House Amendment "A" (H-706) to House Amendment "A" (H-683) was adopted.

House Amendment "A" (H-683) as amended by House Amendment "A" (H-706) thereto was adopted.

The Bill was passed to be engrossed as amended by House Amendment "A" (H-683) as amended by House Amendment "A" (H-706) thereto in non-concurrence and sent up for concurrence.

By unanimous consent, all matters having been acted upon were ordered sent forthwith.

On motion of Representative BERRY of Belmont, the House adjourned at 9:52 p.m., until 9:00 a.m., Thursday, May 29, 1997.