

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred And Thirteenth Legislature
OF THE
State Of Maine

VOLUME I
FIRST REGULAR SESSION
December 3, 1986 to May 22, 1987

(At Ease)

STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION
JOURNAL OF THE SENATE

The House was called to order by the Speaker.

In Senate Chamber
Thursday
January 22, 1987

On motion of Representative Paul of Sanford,
Adjourned until Monday, January 26, 1987, at ten
o'clock in the morning in memory of Martin Luther
King, Jr. and Marion E. Martin, a former member of
the House of Representatives.

Senate called to Order by the President.

Prayer by Reverend Royal J. Parent of St. Teresa's
Catholic Church in Brewer.

REVEREND PARENT: Bless Thee God, our Creator and
Provider. Be with us the whole day long. Let Your
help be a sun that never sets. We dedicate this day
to You as our offering. Do not let us offer anything
that is evil. May Your gift of light prevail this
whole day, that we may be the salt of the earth and
the light of the world. May the love of Your spirit
direct our hearts and our lips. May we always act in
accordance with Your will. Amen.

Reading of the Journal of Tuesday, January 20, 1987.

Out of order and under suspension of the Rules,
on motion by Senator DUTREMBLE of York, the following
Joint Order:

S.P. 45

ORDERED, the House concurring, that when the
House and Senate adjourn, they to so until Monday,
January 26, 1987, at 10 o'clock in the morning.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down
forthwith for concurrence.

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Exempt Certain Eating Places from
the Requirement to Provide a Public Rest Room"
(Emergency)

S.P. 35 L.D. 19

Committee on HUMAN RESOURCES suggested and
ORDERED PRINTED.

In Senate, January 16, 1987, under suspension of
the Rules, READ TWICE and PASSED TO BE ENGROSSED,
without reference to a Committee.

Comes from the House referred to the Committee on
HUMAN RESOURCES and ORDERED PRINTED in
NON-CONCURRENCE.

On motion by Senator CLARK of Cumberland, Tabled
1 Legislative Day, pending FURTHER CONSIDERATION.

House Papers

Bill "An Act to Extend Immunity from Civil
Liability for the Unlawful Cutting of Trees to
Municipal Employees Acting within the Course and
Scope of their Employment"

H.P. 26 L.D. 23

Bill "An Act to Permit a Guilty but Mentally Ill
Verdict in a Criminal Case"

H.P. 28 L.D. 25

Come from the House referred to the Committee on
JUDICIARY and ORDERED PRINTED.

Which were referred to the Committee on JUDICIARY
and ORDERED PRINTED, in concurrence.

Bill "An Act to Place in the Unclassified Service
the Utility Technical Analyst, Utility Programmer

Analyst and Utility Accountant II Positions at the Public Utilities Commission"

H.P. 25 L.D. 22

Committee on UTILITIES suggested and ORDERED PRINTED.

Comes from the House referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED.

Which was referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED, in concurrence.

Resolve, to Provide for a Commemorative Bicentennial Motor Vehicle License Plate to Celebrate the Bicentennial of the Town of Waterboro" (Emergency)

H.P. 27 L.D. 24

Comes from the House referred to the Committee on TRANSPORTATION and ORDERED PRINTED.

Which was referred to the Committee on TRANSPORTATION and ORDERED PRINTED, in concurrence.

Joint Orders

The following Joint Order: H.P. 23

ORDERED, the Senate concurring, that the Joint Standing Committee on State and Local Government report out to the House such legislation as it sees fit to revise the salaries of county officers and lay the county taxes for the year 1987.

Comes from the House READ and PASSED.

Which was READ and PASSED, in concurrence.

COMMUNICATIONS

The Following Communication: H.P. 22

STATE OF MAINE
DEPARTMENT OF STATE
AUGUSTA, MAINE 04333

January 14, 1987
Hon. John L. Martin
Speaker of the House
Maine State Legislature
State House
Augusta, Maine 04333

Dear Mr. Speaker:

In accordance with the provisions of Title 30, Section 253 of the Revised Statutes, as amended, I have the honor to transmit herewith the budget estimates of expenses of the counties within the State for the year 1987.

They are as follows:

Franklin
Hancock
Kennebec
Knox
Lincoln
Oxford
Penobscot
Piscataquis
Sagadahoc
Somerset
Washington
York

Respectfully
S/Rodney S. Quinn

Comes from the House READ and with Accompanying Papers referred to the Committee on STATE AND LOCAL GOVERNMENT.

Which was READ and with Accompanying Papers referred to the Committee on STATE AND LOCAL GOVERNMENT, in concurrence.

The Following Communication: S.P. 44
January 20, 1987

Senator Stephen C. Estes
Representative Stephen M. Bost
Chairpersons
Joint Standing Committee on Education
113th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Eve M. Bither of Westbrook for appointment as the Commissioner of the Department of Educational and Cultural Services.

Pursuant to Title 20-A, M.R.S.A. Section 251, this nomination will require review by the Joint Standing Committee on Education and confirmation by the Senate.

Sincerely,
S/Charles P. Pray
President of the Senate
S/John L. Martin
Speaker of the House

Which was READ and referred to the Committee on EDUCATION.

Sent down for concurrence.

The Following Communication:

STATE OF MAINE
DEPARTMENT OF HUMAN SERVICES
AUGUSTA, MAINE 04333

January 16, 1987

To: Honorable Charles Pray, President of Senate
Honorable John Martin, Speaker of House

From: S/John Wakefield, Acting Commissioner, Human Services

In accordance with Public Law 1983, C. 464, the Alcohol and Drug Abuse Planning Committee (ADPC) must submit to the Maine State Legislature reports concerning:

- a) the previous fiscal year progress toward meeting established substance abuse programs/services goals;
- b) the previous fiscal year allocations/expenditures, and
- c) goals/program/services and allocations for the current fiscal year (FY '87).

In order to meet these requirements, the enclosed document is submitted to the President of the Senate and the Speaker of the House. Additional copies will be made available to the legislative leadership and members of appropriate legislative committees.

If you have any questions concerning this document, you may wish to contact Albert Anderson, Planning Director of the Alcohol and Drug Abuse Planning Committee (tel: 289-2595). His office was responsible for developing this document on behalf of the Committee.

Which was READ and with Accompanying Papers ORDERED PLACED ON FILE.

SENATE PAPERS

Bill "An Act to Continue Geological Research and to Monitor Federal Research Regarding High-Level Radioactive Waste Disposal" (Emergency)

S.P. 41 L.D. 29

Presented by Senator KANY of Kennebec
Cosponsored by: Representative HOLLOWAY of Edgecomb, Representative MITCHELL of Freeport, Representative COLES of Harpswell

Which was referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act Relating to the Forfeiture of Unoccupied Interment Spaces"

S.P. 43 L.D. 38

Presented by Senator DUTREMBLE of York
Which was referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED.
Sent down for concurrence.

Resolve, to Honor Governor Joseph E. Brennan (Emergency)

S.P. 42 L.D. 37

Presented by Senator PERKINS of Hancock
Cosponsored by: Representative MURPHY of Kennebunk
Committee on STATE AND LOCAL GOVERNMENT suggested and ORDERED PRINTED.
Which was, under suspension of the Rules, READ TWICE, and PASSED TO BE ENGROSSED, without reference to a Committee.
Under suspension of the Rules, ordered sent down forthwith for concurrence.

Senate at Ease
Senate called to order by the President.

Off Record Remarks

Adjournment Order having been returned from the House, READ and PASSED, in concurrence, on motion by Senator DUTREMBLE of York, ADJOURNED until Monday, January 26, 1987, at 10:00 in the morning.

ONE HUNDRED AND THIRTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION
7th Legislative Day
Monday, January 26, 1987

The House met according to adjournment and was called to order by the Speaker.
Prayer by Father Leo James Michaud, St. Ann's Catholic Church, Indian Island.
National Anthem by Foxcroft Academy Band, Dover-Foxcroft.
The Journal of Thursday, January 22, 1987, was read and approved.

SENATE PAPERS

Bill "An Act to Continue Geological Research and to Monitor Federal Research Regarding High-level Radioactive Waste Disposal" (Emergency) (S.P. 41) (L.D. 29)
Came from the Senate, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.
Was referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill "An Act Relating to the Forfeiture of Unoccupied Interment Spaces" (S.P. 43) (L.D. 38)
Came from the Senate, referred to the Committee on Legal Affairs and Ordered Printed.
Was referred to the Committee on Legal Affairs in concurrence.

RESOLVE, to Honor Governor Joseph E. Brennan (Emergency) (S.P. 42) (L.D. 37)
Came from the Senate under suspension of the rules and without reference to a Committee, the Bill read twice and passed to be engrossed.
(The Committee on Reference of Bills had suggested reference to the Committee on State and Local Government.)
Was referred to the Committee on State and Local Government in non-concurrence and sent up for concurrence.

COMMUNICATIONS

The following Communication: (S.P. 44)
113th Maine Legislature
January 20, 1987

Senator Stephen C. Estes
Representative Stephen M. Bost
Chairpersons
Joint Standing Committee on Education
113th Legislature
Augusta, Maine 04333
Dear Chairs:

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Pursuant to Title 20-A, M.R.S.A. Section 251, this nomination will require review by the Joint Standing Committee on Education and confirmation by the Senate.

Sincerely,
S/Charles P. Pray
President of the Senate
S/John L. Martin
Speaker of the House

Came from the Senate, read and referred to the Committee on Education.