

# 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

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

In Senate Chamber  
Monday  
January 26, 1987

Senate called to Order by the President.

Prayer by Father Marcel Dumoulin of St. Augustine's Catholic Church in Augusta.

FATHER DUMOULIN: Let us pray. God our Father, we thank You for the joy of this day. We thank You for the gift of life that You have given us. We ask You to be with us, with these servants of the public, that we may be able, every day, to bring about Your will. That is the fullness of life of every man, woman and child in our state here and throughout the world. We ask You to give us the gift of understanding, authority and service that we may be able to be authors and create an atmosphere of peace, of strength, of courage around us. That all of us may live to be able to work for the common glory and the fulfillment of Your will. You will live forever and ever. Amen.

Reading of the Journal of Thursday, January 22, 1987.

PAPERS FROM THE HOUSE  
House Papers

Bill "An Act to Amend the Preferred Provider Arrangement Laws of Maine"

H.P. 30 L.D. 31

Comes from the House referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED.

Which was referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED, in concurrence.

Bill "An Act Concerning Mandatory Motor Vehicle Liability Insurance"

H.P. 32 L.D. 33

Committee on TRANSPORTATION suggested and ORDERED PRINTED.

Comes from the House referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED.

Which was referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED, in concurrence.

Bill "An Act to Provide for Additional Moose Hunting Permits for In-State Residents"

H.P. 29 L.D. 30

Bill "An Act to Create a Nonresident Property Owner Fishing License"

H.P. 36 L.D. 39

Bill "An Act to Establish a Small Game Hunting License and a Combination Hunting and Fishing License"

H.P. 38 L.D. 41

Bill "An Act Concerning Raising Wild Birds and Wild Animals in Captivity"

H.P. 39 L.D. 42

Bill "An Act to Change the Date of the Muzzle-loading Deer Hunting Season"

H.P. 41 L.D. 44

Comes from the House referred to the Committee on FISHERIES AND WILDLIFE and ORDERED PRINTED.

Which were referred to the Committee on FISHERIES AND WILDLIFE and ORDERED PRINTED, in concurrence.

Bill "An Act Authorizing the Use of Gill Nets by Agents of the State for Scientific Purposes"

H.P. 37 L.D. 40

Committee on MARINE RESOURCES suggested and ORDERED PRINTED.

Comes from the House referred to the Committee on FISHERIES AND WILDLIFE and ORDERED PRINTED.

Which was referred to the Committee on FISHERIES AND WILDLIFE and ORDERED PRINTED, in concurrence.

Bill "An Act to Create a Private Enterprise Act"

H.P. 31 L.D. 32

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.

Bill "An Act Relating to Initial Plates under the Motor Vehicle Laws"

H.P. 40 L.D. 43

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.

Bill "An Act to Ensure Affordable Telephone Service in all Areas of the State"

H.P. 33 L.D. 34

Bill "An Act to Allow the Public Utilities Commission to Incorporate into its Rules Certain Federal Rules when Amended in the Future"

H.P. 34 L.D. 35

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

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

Study Report

Committee on STATE AND LOCAL GOVERNMENT

Report of the Committee on STATE AND LOCAL GOVERNMENT to which was referred by the Legislative Council the Study Relative to Recodification of Title 30, MRSA have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill "An Act to Make Substantive Corrections in the County and Municipal Laws" (Emergency)

H.P. 35 L.D. 36

Be referred to the Joint Standing Committee on STATE AND LOCAL GOVERNMENT for Public Hearing and printed pursuant to Joint Rule 19.

Comes from the House with the Report READ and ACCEPTED and the Bill referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED, pursuant to Joint Rule 19.

Which Report was READ and ACCEPTED, in concurrence.

The Bill referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED, pursuant to Joint Rule 19, in concurrence.

Joint Resolution

The Following Joint Resolution: H.P. 24

JOINT RESOLUTION COMMEMORATING

MARTIN LUTHER KING DAY

WHEREAS, January 19, 1987, marks the second national holiday and the first state holiday in honor

of Dr. Martin Luther King, Jr., commemorating his birth on January 15, 1929; and

WHEREAS, Martin Luther King, Jr., advocated the furtherance of civil rights for black Americans through nonviolence; and

WHEREAS, this man of powerful voice and spirit showed this country a dream, a dream of "an oasis of freedom and justice;" and

WHEREAS, for his tireless work to ensure equality and justice, Dr. King was awarded the high and honorable distinction of the Nobel Peace Prize in 1964; and

WHEREAS, his eloquence, his perseverance and his faith moved mountains and brought about sweeping changes by appealing to the better instincts and consciences of his fellow human beings; and

WHEREAS, the life of Martin Luther King, Jr., which ended so tragically on April 4, 1968, is a shining example to Americans and citizens of the world-at-large of uncompromising dedication to the highest ideals; now, therefore, be it

RESOLVED: That We, the Members of the 113th Legislature in First Regular Session now assembled, acknowledge the extraordinary life and works of this teacher, reformer and humanitarian, Dr. Martin Luther King, Jr., and pause in our deliberations to recognize and commemorate the occasion of his birth; and be it further

RESOLVED: That suitable copies of this Joint Resolution be sent forthwith by the Secretary of State to Coretta Scott King, widow of Dr. Martin Luther King, Jr., and to the Maine office of the NAACP.

Comes from the House READ and ADOPTED.

Which was READ and ADOPTED, in concurrence.

COMMUNICATIONS

The Following Communication: S.P. 53

113TH MAINE LEGISLATURE

January 21, 1987

Honorable Charles P. Pray, Chairman  
Legislative Council  
State House

Augusta, Maine 04333

Dear Senator Pray:

Please be advised that pursuant to Joint Rule 39, Kathleen Watson Goodwin has been designated as the partisan staff assistant for nominations by the Majority Party of the Legislature.

Very truly yours,

S/Charles P. Pray                      S/John L. Martin  
President of the Senate              Speaker of the House  
Which was READ and ORDERED PLACED ON FILE.  
Sent down for concurrence.

The Following Communication:

SENATE OF MAINE  
OFFICE OF THE PRESIDENT  
AUGUSTA, MAINE 04333

January 23, 1987

Hon. Joy J. O'Brien  
Secretary of the Senate  
State House Station #3  
Augusta, ME 04333

Dear Madam Secretary:

Pursuant to my authority under M.R.S.A. 37B, Section 954, I have appointed Senator Judy C. Kany to the Radiological Emergency Preparedness Committee.

Pursuant to my authority under M.R.S.A. 3, Section 227, I have reappointed Mr. Roger Daigle, Senator Georgette Berube, and Senator Dennis Dutremble to the Maine-Canadian Legislative Advisory Commission. I

have also appointed Senator Charles Dow to this Commission.

Pursuant to my authority under M.R.S.A. 3, Section 231, I have reappointed Senator Georgette Berube to the New England and Eastern Canada Legislative Commission. I have also appointed Senator Dennis Dutremble to this Commission.

Pursuant to my authority under M.R.S.A. 22, Section 7107, I have appointed Senator Beverly Miner Bustin to the Maine Council on Alcohol and Drug Abuse Prevention and Treatment.

Pursuant to my authority under M.R.S.A. 22, Section 5314, I have appointed Senator N. Paul Gauvreau to the Maine Human Services Council.

Pursuant to my authority under M.R.S.A. 20-A, Section 603, I have appointed Senator Stephen Estes to the Education Commission of the States.

I have recommended Senator John Kerry to serve as an Ex Officio Legislative Member of the Advisory Committee on Medical Education established under Title 20-A M.R.S.A., Chapter 421, section 11801 - 11809.

Pursuant to my authority under M.R.S.A. 34, Section 525A, I have appointed Senator N. Paul Gauvreau to the Maine Correctional Advisory Committee.

Pursuant to my authority under M.R.S.A. 20-A, Section 11002, I have appointed Senator Stephen Estes to the New England Board of Higher Education.

Pursuant to my authority under M.R.S.A. 3, Section 2-A, I have reappointed Ms. Jane Roy to the State Compensation Commission.

Pursuant to my authority under the Resolves of 1983, Chapter 46, I have appointed Senator Zachary Matthews to the Regional Agriculture Committee.

Pursuant to my authority under M.R.S.A. 12, Section 7369-A, I have reappointed Senator Ronald Usher to the White Water Advisory Committee. I have also appointed Senator Edgar Erwin to this Committee.

Pursuant to my authority under M.R.S.A. 37-B, Section 706, I have appointed Senator Thomas Andrews to the Citizen's Civil Emergency Commission.

Pursuant to my authority under M.R.S.A. 5, Chapter 330, Section 3517, I have appointed Senator Raynold Theriault to the Community Services Advisory Board.

Sincerely,

S/Charles P. Pray  
President of the Senate

Which was READ and ORDERED PLACED ON FILE.

SENATE PAPERS

Bill "An Act to Amend the Doe Permit Law"  
S.P. 46 L.D. 94

Presented by Senator USHER of Cumberland  
Bill "An Act to Expand the Authority of the Commissioner of Inland Fisheries and Wildlife with Respect to Natural Products in Wildlife Management Areas"

S.P. 51 L.D. 95

Presented by Senator LUDWIG of Aroostook  
Cosponsored by: Representative JACQUES of Waterville, Representative SMITH of Island Falls  
Which were referred to the Committee on FISHERIES AND WILDLIFE and ORDERED PRINTED.  
Sent down for concurrence.

Bill "An Act to Provide Better Geographic Representation of the Areas Affected by Boards and Commissions"

S.P. 47 L.D. 96

Presented by Senator COLLINS of Aroostook  
Cosponsored by: Representative LISNIK of Presque Isle

Which was referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED.  
Sent down for concurrence.

Bill "An Act to Clarify Just Value as it Relates to Property Assessment"

S.P. 52 L.D. 93

Presented by Senator BLACK of Cumberland  
Cosponsored by: Representative JACKSON of Harrison, Representative MURPHY of Kennebunk, Senator TWITCHELL of Oxford

Which was referred to the Committee on TAXATION and ORDERED PRINTED.  
Sent down for concurrence.

Bill "An Act Regarding Temporary Railroad Crossings"

S.P. 48 L.D. 97

Presented by Senator KANY of Kennebec  
Cosponsored by: Representative JOSEPH of Waterville, Representative TRACY of Rome, Representative MOHOLLAND of Princeton

Bill "An Act to Require that Street Addresses Appear on the Drivers License"

S.P. 49 L.D. 98

Presented by Senator MAYBURY of Penobscot  
Cosponsored by Senator CAHILL of Sagadahoc, Representative MOHOLLAND of Princeton

Bill "An Act Relating to Passing Stopped School Buses"

S.P. 50 L.D. 99

Presented by Senator CAHILL of Sagadahoc  
Cosponsored by: Representative CHONKO of Topsham

Which were referred to the Committee on TRANSPORTATION and ORDERED PRINTED.  
Sent down for concurrence.

ORDERS OF THE DAY

The Chair laid before the Senate the Tabled and Specially Assigned 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

Tabled - January 22, 1987, by Senator CLARK of Cumberland.

Pending - FURTHER CONSIDERATION

(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.)

(In House, January 20, 1987, referred to the Committee on HUMAN RESOURCES in NON-CONCURRENCE.)

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

On motion by Senator KERRY of York, ADJOURNED until Tuesday, January 27, 1987, at 10:00 in the morning.

ONE HUNDRED AND THIRTEENTH MAINE LEGISLATURE  
FIRST REGULAR SESSION  
8th Legislative Day  
Tuesday, January 27, 1987

The House met according to adjournment and was called to order by the Speaker.

Prayer by Reverend John E. Fickett, Baptist (Retired) of Augusta.

The Journal of yesterday was read and approved.  
Quorum call was held.

SENATE PAPERS

Bill "An Act to Amend the Doe Permit Law" (S.P. 46) (L.D. 94)

Bill "An Act to Expand the Authority of the Commissioner of Inland Fisheries and Wildlife with Respect to Natural Products in Wildlife Management Areas" (S.P. 51) (L.D. 95)

Came from the Senate, referred to the Committee on Fisheries and Wildlife and Ordered Printed.

Were referred to the Committee on Fisheries and Wildlife in concurrence.

Bill "An Act to Provide Better Geographic Representation of the Areas Affected by Boards and Commissions" (S.P. 47) (L.D. 96)

Came from the Senate, referred to the Committee on State and Local Government and Ordered Printed.

Was referred to the Committee on State and Local Government in concurrence.

Bill "An Act to Clarify Just Value as it Relates to Property Assessment" (S.P. 52) (L.D. 93)

Came from the Senate, referred to the Committee on Taxation and Ordered Printed.

Was referred to the Committee on Taxation in concurrence.

Bill "An Act Regarding Temporary Railroad Crossings" (S.P. 48) (L.D. 97)

Bill "An Act to Require that Street Addresses Appear on the Drivers License" (S.P. 49) (L.D. 98)

Bill "An Act Relating to Passing Stopped School Buses" (S.P. 50) (L.D. 99)

Came from the Senate, referred to the Committee on Transportation and Ordered Printed.

Were referred to the Committee on Transportation in concurrence.

COMMUNICATIONS

The following Communication: (S.P. 53)

113TH MAINE LEGISLATURE

January 21, 1987

Honorable Charles P. Pray, Chairman  
Legislative Council  
State House

Augusta, Maine 04333

Dear Senator Pray:

Please be advised that pursuant to Joint Rule 39, Kathleen Watson Goodwin has been designated as the partisan staff assistant for nominations by the Majority Party of the Legislature.

Very truly yours,

S/Charles P. Pray

S/John L. Martin

President of the Senate

Speaker of the House

Came from the Senate, read and ordered placed on file.

Was read and ordered placed on file in concurrence.