

# 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  
March 23, 1987

Senate called to Order by the President.

Prayer by Father Arthur St. Pierre of the Immaculate Heart of Mary Catholic Church in Fairfield.

FATHER ST. PIERRE: Heavenly Father, we ask You to bless our Nation, our State and especially our Senators. Guide them that they may always enact laws according to Your divine will, as they deliberate on the needs of our State and of each individual. May You share and give them Your wisdom that they may see that which is right, and the courage to champion things that are right. Help them to appreciate all that You have given us and to always be thankful. At the end of each day, may the Lord say to each of you, "Well done, good and faithful servants" and may His blessing send upon our State and all of those gathered here, through Christ our Lord. Amen.

Reading of the Journal of Friday, March 20, 1987.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator CLARK of Cumberland, the following Senate Order:

ORDERED, that a message be sent to the House of Representatives proposing a Convention of both Branches of the Legislature in the Hall of the House of Representatives at 10:30 a.m. for the purpose of extending to the Honorable Eve M. Bither, Commissioner of the Department of Educational and Cultural Services, an invitation to attend the Joint Convention and make such communication as pleases her.

Which was READ and PASSED.

The Chair appointed the Senator from Cumberland, Senator CLARK, to deliver the message. The Sergeant-At-Arms escorted the Senator to the House of Representatives.

Subsequently, Senator CLARK of Cumberland reported she had delivered the message with which she was charged.

Senate at Ease  
Senate called to order by the President.

Off Record Remarks

PAPERS FROM THE HOUSE  
House Papers

Bill "An Act to Provide for Rural Community Fire Protection"

H.P. 631 L.D. 854

Bill "An Act to Appropriate Funds to Create a Pilot Employment Program for Refugees"

H.P. 633 L.D. 856

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$2,000,000 for Removal of Commercial Underground Steel Tanks Storing Petroleum Products"

H.P. 640 L.D. 863

Come from the House referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.

Which were referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED, in concurrence.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Permit the Governor to Veto Items Contained in Bills Appropriating Money and Retaining the Power within the Legislature to Override such Item Vetoes

H.P. 635 L.D. 858

Committee on STATE AND LOCAL GOVERNMENT suggested and ORDERED PRINTED.

Comes from the House referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.

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

Bill "An Act Relating to Liability Insurance for Emergency Medical Service"

H.P. 636 L.D. 859

Bill "An Act to Require Motor Vehicle Liability Insurance"

H.P. 643 L.D. 866

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

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

Bill "An Act to Regulate the Profession of Accounting"

H.P. 644 L.D. 867

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

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

Bill "An Act to Amend the Laws Relating to and Administered by the Department of Environmental Protection"

H.P. 641 L.D. 864

Comes from the House referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED.

Which was referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED, in concurrence.

Bill "An Act to Change the Name of the Department of Mental Health and Mental Retardation"

H.P. 645 L.D. 868

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

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

At this point, a message was received from the House of Representatives, borne by Representative DIAMOND of Bangor, informing the Senate that the House of Representatives concurs with the proposition for a Joint Convention, to be held in the Hall of the House, at 10:00, for the purpose of extending to Eve M. Bither, Commissioner of the Department of Educational and Cultural Services, an invitation to attend the Joint Convention and make such communication as pleases her.

Bill "An Act to Restore Status Offenses"

H.P. 628 L.D. 851

Bill "An Act to Eliminate Certain Current Exemptions in the Determination of Child Support Obligations"

H.P. 634 L.D. 857

Bill "An Act Relating to the Maine Uniform Transfers to Minors Act"

H.P. 642 L.D. 865

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 Concerning the Payment of Unemployment Insurance by Workers in the Knitted Outerwear Industry"

H.P. 638 L.D. 861

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

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

Bill "An Act to Enhance the Productivity of the Workers' Compensation Commission"

H.P. 632 L.D. 855

Committee on STATE AND LOCAL GOVERNMENT suggested and ORDERED PRINTED.

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

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

Bill "An Act to Limit the Penalty a Landlord can Charge a Tenant for Late Payment of Rent"

H.P. 626 L.D. 849

Bill "An Act to Require Monthly Monitoring and Reporting of Political Activities of Utility Companies during Utility-related Referendum Initiating Campaigns"

H.P. 627 L.D. 850

Bill "An Act to Amend the Liquor Laws as they Pertain to State Brewers"

H.P. 629 L.D. 852

Bill "An Act Relating to Possession of Unused Portions of Wine at Catered Events"

H.P. 630 L.D. 853

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

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

Bill "An Act to Create a Veterans' Property Tax Exemption Based on Disability"

H.P. 639 L.D. 862

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

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

Bill "An Act Relating to Terms of Office for Trustees of the Kennebec Water District"

H.P. 637 L.D. 860

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

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

Joint Resolution

The Following Joint Resolution: H.P. 625  
JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES CONCERNING NUCLEAR EVACUATION ZONES

WE, your Memorialists, the Senate and House of Representatives of the State of Maine in the First Regular Session of the One Hundred and Thirteenth Legislative Session, now assembled, most respectfully present and petition the Congress of the United States, as follows:

WHEREAS, the staff members of the Nuclear Regulatory Commission have proposed removing state and local powers in regard to nuclear plant emergency planning; and

WHEREAS, this same commission staff in Washington, D. C. has proposed that emergency evacuation zones be reduced from 10 miles to one mile; and

WHEREAS, the absurdity of this proposal is borne out by the fact that in the case of the Seabrook nuclear plant, the proposed evacuation zone would not even reach to the plant gate; and

WHEREAS, Maine public officials, including Governor John R. McKernan and Congressman Joseph E. Brennan and Maine Public Utilities Commissioner Peter Bradford, himself a former member of the NRC, have spoken out against this usurpation of states' rights; and

WHEREAS, Legislators from the 3 states affected by Seabrook have called for an independent investigation of the construction work at Seabrook; and

WHEREAS, Maine residents in communities closer to Seabrook than the 18 mile evacuation zone that was put into effect after Chernobyl have indicated they wish to see the evacuation zone extended, not reduced; now, therefore, be it

RESOLVED: That we, your Memorialists, do hereby respectfully urge the Members of the Congress of the United States to oppose in every manner possible the ill-considered staff recommendations of the Nuclear Regulatory Commission that emergency evacuation zones be reduced from 10 miles to one mile; further that the Congress is urged to investigate whether or not the Nuclear Regulatory Commission is exceeding its mandate to assure the American public of the safety of nuclear plants and instead is promoting the use of nuclear power at any cost, including the trampling on the rights of the states; and further that the commission act to insure that citizens of Maine will have an objective evaluation of the safety of the Seabrook nuclear power plant which, although located in a neighboring state, will have a devastating effect on the lives and property of Maine citizens and the economy of Maine should a nuclear accident take place; and be it further

RESOLVED: That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the President of the Senate and the Speaker of the House of Representatives in the Congress of the United States and to each Member of the Maine Congressional Delegation.

Comes from the House READ and ADOPTED.

Which was READ.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Andrews.

Senator ANDREWS: Thank you, Mr. President. Mr. President, Men and Women of the Senate. I hope you will look on page 5 of today's calendar, at this Joint Resolution which comes to us from the other Body. It regards a very serious and ominous situation occurring only a few miles from our

southern border. It affects not only a particular nuclear power plant, but the nuclear policy in this Country. As most of you are well aware, the Nuclear Regulatory Commission, very recently decided that it would shrink the evacuation planning zone requirements from ten miles to one mile, so that in essence, this particular power plant could be licensed without regard to public health and safety of those citizens surrounding that area. Most primarily to completely run over the rights of localities and states to protect their citizens and to establish a standard for health and safety around nuclear generating facilities.

What makes this particularly obnoxious and abhorrent is the fact that just several months ago, we learned from the nuclear disaster in the Soviet Union that all of our thinking about evacuation planning and all of our thinking about what is a safe zone around a nuclear power plant had to be thrown out the window, when just nineteen miles away from that plant, citizens had to be evacuated.

Some months after that disaster, and after we gained that knowledge of what we were dealing with here, we have a Federal agency shrinking the evacuation zone around a nuclear power plant. It is a very dangerous precedent, not only because of the seriousness of nuclear power and the threat to our citizens, including our citizens that live within nineteen miles of the Seabrook Nuclear Power Plant, who are Maine citizens, but it is also a very serious precedent as far as the rights of states and communities to protect their citizens. Someone made the comment, at the time, that they thought that the Nuclear Regulatory Commission must think they are working for King George the III. Well, I think in fact, they must think they are working for King George the III, when they can so arrogantly and so thoughtlessly run over the rights of state and local governments to protect their citizens. This is a very serious issue.

We have unity of our feeling on this issue, Republican or Democrat, both branches, if we pass this Resolution today of this Legislature, as well as the Executive Branch and our Congressional Delegation. I think it is time that we let the Congress of the United States and the people of the United States know in no uncertain terms that state governments will not tolerate this kind of arrogance and abuse of our rights to protect our citizens.

I urge you all to support this Resolution and help to send this clear message to Washington, to the Administration and to the Congress. Thank you.

Which was ADOPTED, in concurrence.

The Following Joint Resolution: H.P. 646

JOINT RESOLUTION ON THE OCCASION OF THE  
SESQUICENTENNIAL OF THE TOWN OF EASTBROOK

WHEREAS, within the lacework of the seaboard river system of the mighty Union River, a settlement formed in 1800 along a brook flowing to its east branch; and

WHEREAS, this settlement, incorporated on February 8, 1837, as the Town of Eastbrook, was shaped from the dense forest into an important place of lumbering, milling, manufacturing and farming; and

WHEREAS, here in the character of the townspeople, there is a special pride of place securely anchored to family and locality and the landscapes and occupations which have helped to shape it; and

WHEREAS, the inhabitants of Eastbrook now pause to reflect on this rich heritage and to honor 150

years of development in the life of their proud community; now, therefore, be it

RESOLVED: That We the Members of the Senate and the House of Representatives of the 113th Legislature of the just and sovereign State of Maine take this opportunity to congratulate the good citizens of the Town of Eastbrook on this their 150th anniversary and unite with citizens from across the State and Nation in extending best wishes for continued success for the future; and be it further

RESOLVED: That duly authenticated copies of this Joint Resolution, be immediately submitted by the Secretary of State, to the officials of this proud community in honour of this historic occasion.

Comes from the House READ and ADOPTED.

Which was READ and ADOPTED, in concurrence.

COMMUNICATIONS

The Following Communication:

COMMITTEE ON BUSINESS LEGISLATION  
ONE HUNDRED AND THIRTEENTH LEGISLATURE

March 17, 1987

The Honorable Charles P. Pray  
President of the Senate of Maine  
State House  
Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 113th Maine Legislature, the Joint Standing Committee on Business Legislation has had under consideration the nomination of Hobart F. Harnden of South Portland, for appointment to the Maine Real Estate Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 3  
Representatives 10

NAYS: 0

ABSENT: 0

Thirteen members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Hobart F. Harnden of South Portland, for appointment to the Maine Real Estate Commission be confirmed.

Sincerely,  
S/John E. Baldacci  
Senate Chair  
S/Carol M. Allen  
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on BUSINESS LEGISLATION has recommended the nomination of Hobart F. Harnden of South Portland for appointment to the Maine Real Estate Commission be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on BUSINESS LEGISLATION be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 113th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

At this time, the Chair noted the absence of the Senator from Androscoggin, Senator GAUVREAU, and further excused the same Senator from today's Roll Call votes.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None  
 NAYS: Senators ANDREWS, BALDACCII, BERUBE, BLACK, BRANNIGAN, BRAWN, BUSTIN, CLARK, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GILL, GOULD, KANY, KERRY, LUDWIG, MATTHEWS, MAYBURY, PERKINS, RANDALL, SEWALL, THERIAULT, TWITCHELL, USHER, WEBSTER, WHITMORE, THE PRESIDENT - CHARLES P. PRAY  
 ABSENT: Senators CAHILL, PEARSON, TUTTLE  
 EXCUSED: Senator GAUVREAU

No Senators having voted in the affirmative and 31 Senators having voted in the negative, with 3 Senators being absent, and 1 Senator having been excused, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Hobart F. Harnden for appointment to the Maine Real Estate Commission, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

At this point, the Senate retired to the Hall of the House, where a Joint Convention was formed.

AFTER CONVENTION  
 IN SENATE

Senate called to order by the President.

The Following Communication:  
 COMMITTEE ON MARINE RESOURCES  
 ONE HUNDRED AND THIRTEENTH LEGISLATURE  
 March 20, 1987

The Honorable Charles P. Pray  
 President of the Senate of Maine  
 State House  
 Augusta, Maine 04333  
 Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 113th Maine Legislature, the Joint Standing Committee on Marine Resources has had under consideration the nomination of Jeffrey H. Kaelin of Winterport, for appointment to the Marine Resources Advisory Council.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 1  
 Representatives 9  
 NAYS: 0  
 ABSENT: 3 Sen. Matthews of Kennebec,  
 Sen. Estes of York,  
 Rep. Crowley of Stockton Springs

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Jeffrey H. Kaelin of Winterport, for appointment to the Marine Resources Advisory Council be confirmed.

Sincerely,  
 S/Zachary Matthews  
 Senate Chair  
 S/James Mitchell

House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on MARINE RESOURCES has recommended the nomination of Jeffrey H. Kaelin of Winterport for appointment to the Marine Resources Advisory Council be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on MARINE RESOURCES be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 113th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None  
 NAYS: Senators ANDREWS, BALDACCII, BERUBE, BLACK, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CLARK, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GILL, GOULD, KANY, KERRY, LUDWIG, MATTHEWS, MAYBURY, PERKINS, RANDALL, SEWALL, THERIAULT, TWITCHELL, USHER, WEBSTER, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators PEARSON, TUTTLE  
 EXCUSED: Senator GAUVREAU

No Senators having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent, and 1 Senator having been excused, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Jeffrey H. Kaelin for appointment to the Marine Resources Advisory Council, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:  
 STATE OF MAINE  
 OFFICE OF THE PRESIDENT  
 AUGUSTA, MAINE 04333

March 16, 1987  
 Hon. Joy J. O'Brien  
 Secretary of the Senate  
 State House Station #3  
 Augusta, ME 04333  
 Dear Madam Secretary:

I have appointed Michael E. Carpenter to serve as my Legal Counsel for the remainder of the 113th Legislature. Mr. Carpenter will replace Joseph Mackey, who has resigned this position. Michael will begin his tenure with the President's office beginning on Monday, March 23, 1987.

Please let me know if you have any questions about this appointment.

Sincerely,  
 S/Charles P. Pray  
 President of the Senate

Which was READ and ORDERED PLACED ON FILE.

SENATE PAPERS

Bill "An Act to Provide Funds for Winterization Projects in Piscataquis and Penobscot Counties"

S.P. 301 L.D. 870

Presented by President PRAY of Penobscot

Cosponsored by: Senator PEARSON of Penobscot, Senator EMERSON of Penobscot, Representative FOSTER of Ellsworth  
Which was referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.  
Sent down for concurrence.

Bill "An Act Relating to the State Subdivision Law"  
S.P. 300 L.D. 869  
Presented by Senator RANDALL of Washington  
Cosponsored by: Representative LOOK of Jonesboro, Representative FARREN of Cherryfield, Representative VOSE of Eastport  
Which was referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED.  
Sent down for concurrence.

Bill "An Act to Revise the Procedures for the Enforcement of Money Judgments"  
S.P. 305 L.D. 874  
Presented by Senator GAUVREAU of Androscoggin  
Cosponsored by: Representative MANNING of Portland, Representative PARADIS of Augusta, Senator BLACK of Cumberland  
Which was referred to the Committee on JUDICIARY and ORDERED PRINTED.  
Sent down for concurrence.

Bill "An Act to Increase the Threshold for Fuel Tax Licensing"  
S.P. 302 L.D. 871  
Presented by Senator DOW of Kennebec  
Cosponsored by: Senator EMERSON of Penobscot, Representative BICKFORD of Jay, Representative MOHOLLAND of Princeton  
Submitted by the Department of Transportation pursuant to Joint Rule 24  
Bill "An Act Relating to Out-of-service Vehicles"

S.P. 303 L.D. 872  
Presented by Senator ERWIN of Oxford  
Cosponsored by: Representative WARREN of Scarborough, Representative CALLAHAN of Mechanic Falls, Representative SALSBURY of Bar Harbor  
Submitted by the Department of Transportation pursuant to Joint Rule 24  
Bill "An Act Enabling the State to Join the Regional Truck Permit Agreement"

S.P. 304 L.D. 873  
Presented by Senator DOW of Kennebec  
Cosponsored by: Representative MOHOLLAND of Princeton, Representative POULIOT of Lewiston, Representative SALSBURY of Bar Harbor  
Submitted by the Department of Transportation pursuant to Joint Rule 24  
Which were referred to the Committee on TRANSPORTATION and ORDERED PRINTED.  
Sent down for concurrence.

COMMITTEE REPORTS  
House

Leave to Withdraw

The following Leave to Withdraw Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act to Abolish the Office of Energy Resources"  
H.P. 238 L.D. 306

Bill "An Act to Ensure that there is no Penalty for Early Retirement after 30 Years of Teaching"  
H.P. 344 L.D. 443

Change of Reference

The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act Regarding Conflict of Interest"  
H.P. 408 L.D. 542

Reported that the same be REFERRED to the Committee on BANKING AND INSURANCE.

Comes from the House with the Report READ and ACCEPTED and the Bill REFERRED to the Committee on BANKING AND INSURANCE.

Which Report was READ and ACCEPTED, in concurrence.

The Bill REFERRED to the Committee on BANKING AND INSURANCE, in concurrence.

Ought to Pass

The Committee on JUDICIARY on Bill "An Act Relating to the Amount of Civil Penal Damages to be Awarded in Cases of Unlawful Discrimination"

H.P. 271 L.D. 354

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

The Committee on JUDICIARY on Bill "An Act to Grant Judges the Authority to Stay a License Suspension for a Period of Time not to Exceed 4 Hours"

H.P. 318 L.D. 417

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

The Committee on UTILITIES on Bill "An Act Concerning Public Utilities Commission Approval of Transfer of Utility Property"

H.P. 139 L.D. 180

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

The Committee on BANKING AND INSURANCE on Bill "An Act to Amend the Preferred Provider Arrangement Laws of Maine"

H.P. 30 L.D. 31

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-30).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-30)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-30) READ and ADOPTED, in concurrence.  
The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LABOR on Bill "An Act to Improve the Informal Conference Process for Workers' Compensation Claims" (Emergency)

H.P. 229 L.D. 297

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-22).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-22)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-22) READ.

On motion by Senator DUTREMBLE of York, Senate Amendment "A" (S-10) to Committee Amendment "A" (H-22) READ and ADOPTED.

Committee Amendment "A" (H-22) as Amended by Senate Amendment "A" (S-10), thereto ADOPTED in NON-CONCURRENCE.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on LEGAL AFFAIRS on Bill "An Act Relating to Building Inspections"

H.P. 84 L.D. 87

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-27).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-27)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-27) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on UTILITIES on Bill "An Act to Increase the Annual Public Utilities Commission Regulatory Fund Assessment" (Emergency)

H.P. 203 L.D. 255

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-31).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-31)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-31) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass in New Draft

The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act Regarding the Membership of the Maine Committee on Aging"

H.P. 97 L.D. 107

Reported that the same Ought to Pass in New Draft under same title.

H.P. 582 L.D. 780

Comes from the House, with the Report READ and ACCEPTED and the Bill in NEW DRAFT PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-25).

Which Report was READ and ACCEPTED, in concurrence.

The Bill in NEW DRAFT READ ONCE.

House Amendment "A" (H-25) READ and ADOPTED, in concurrence.

The Bill in NEW DRAFT, as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senate  
Leave to Withdraw

The following Leave to Withdraw Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

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 to Allow for Depreciation on Contributed Property"

S.P. 60 L.D. 127

Ought to Pass As Amended  
Senator WHITMORE for the Committee on BUSINESS LEGISLATION on Bill "An Act to Increase the Fees for Examination and Licensure for Chiropractors"

S.P. 96 L.D. 243

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-8).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-8) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass in New Draft  
Senator GOULD for the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Validate Certain Proceedings of the Town of Trenton" (Emergency)

S.P. 104 L.D. 277

Reported that the same Ought to Pass in New Draft under same title (Emergency).

S.P. 306 L.D. 885

Which Report was READ and ACCEPTED.

The Bill in NEW DRAFT READ ONCE.

The Bill in NEW DRAFT TOMORROW ASSIGNED FOR SECOND READING.

SECOND READERS

The Committee on Bills in the Second Reading reported the following:

House As Amended

Bill "An Act to Clarify the Penalty Provisions for the Late Filing of Corporation Reports"

H.P. 122 L.D. 147

(H "A" H-20)

Bill "An Act to Allow Reasonable Attorneys Fees for Court Appointed Counsel on Appeals by the State to any Federal Court"

H.P. 249 L.D. 322

(H "A" H-21)

Which were READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended, in concurrence.

Senate



LEGISLATIVE RECORD - SENATE, MARCH 23, 1987

Bill "An Act to Clarify Municipal Liability for Certain Vehicular Accidents"

S.P. 141 L.D. 395

Which was READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

Senate As Amended

Bill "An Act to Amend the Piscataquis County Budget Committee Procedures"

S.P. 77 L.D. 163

(C "A" S-6)

Resolve, to Continue the Commission to Study the Integration of the Maine State Retirement System with the United States Social Security System (Emergency)

S.P. 187 L.D. 514

(C "A" S-5)

Which were READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.

Sent down for concurrence.

ORDERS OF THE DAY

The Chair laid before the Senate the Tabled and Specially Assigned matter:

Bill "An Act to Establish a Bakery and Milk Products Container Law"

H.P. 603 L.D. 821

Tabled - March 20, 1987, by Senator DUTREMBLE of York.

Pending - REFERENCE

(In House, March 19, 1987, referred to the Committee on AGRICULTURE and ORDERED PRINTED.)

On motion by Senator CLARK of Cumberland, referred to the Committee on BUSINESS LEGISLATION and ORDERED PRINTED in NON-CONCURRENCE.

Sent down for concurrence.

The Chair laid before the Senate the Tabled and Specially Assigned matter:

Bill "An Act to Improve the Assessment of Floods, Droughts, Ground Water Contamination, Stream Water Quality and Hydropower Potential in this State"

H.P. 612 L.D. 830

Tabled - March 20, 1987, by Senator DUTREMBLE of York.

Pending - REFERENCE

(Committee on ENERGY AND NATURAL RESOURCES suggested and ORDERED PRINTED.)

(In House, March 19, 1987, referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.)

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

The Chair laid before the Senate the Tabled and Specially Assigned matter:

HOUSE REPORT - from the Committee on LABOR on Bill "An Act Relating to the State Board of Arbitration and Conciliation"

H.P. 300 L.D. 386

Report - Ought to Pass.

Tabled - March 20, 1987, by Senator DUTREMBLE of York.

Pending - ACCEPTANCE of the Report

(In House, March 19, 1987, PASSED TO BE ENGROSSED.)

(In Senate, March 20, 1987, Report READ.)

Which Report was ACCEPTED, in concurrence.

Under suspension of the Rules, the Bill READ TWICE.

On motion by Senator DUTREMBLE of York, Senate Amendment "A" (S-11) READ and ADOPTED.

Which was PASSED TO BE ENGROSSED, as Amended in NON-CONCURRENCE.

Sent down for concurrence.

The Chair laid before the Senate the Tabled and Specially Assigned matter:

Bill "An Act to Provide Assistance to Development Organizations in Labor Market Areas Facing Sudden and Severe Economic Dislocation" (Emergency)

S.P. 288 L.D. 815

Tabled - March 20, 1987, by Senator DUTREMBLE of York.

Pending - REFERENCE

(Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS suggested and ORDERED PRINTED.)

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

The Chair laid before the Senate the Tabled and Specially Assigned matter:

Bill "An Act to Exempt Prisoners from the Provisions of the Workers' Compensation Act"

H.P. 542 L.D. 726

(H "A" H-15)

Tabled - March 20, 1987, by Senator DUTREMBLE of York.

Pending - PASSAGE TO BE ENGROSSED AS AMENDED

(In House, March 12, 1987, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-15).)

(In Senate, March 17, 1987, READ A SECOND TIME.)

On motion by Senator DUTREMBLE of York, Tabled 1 Legislative Day, pending PASSAGE TO BE ENGROSSED AS AMENDED.

The Chair laid before the Senate the Tabled and Specially assigned matter:

Bill "An Act Concerning Parking Violations at the Capitol Complex"

H.P. 588 L.D. 799

Tabled - March 20, 1987, by Senator DUTREMBLE of York.

Pending - REFERENCE

(In House, March 17, 1987, referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED.)

On motion by Senator CLARK of Cumberland, Tabled Unassigned, pending REFERENCE.

On motion by Senator CLARK of Cumberland, the Senate removed from the Unassigned Table the following:

Bill "An Act to Continue the Pine Tree Partnership Fund Program"

H.P. 207 L.D. 259

Tabled - February 19, 1987, by Senator CLARK of Cumberland.

Pending - FURTHER CONSIDERATION

(In House, February 5, 1987, referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.)

(In Senate, February 10, 1987, referred to the Committee on ECONOMIC DEVELOPMENT and ORDERED PRINTED in NON-CONCURRENCE.)

(In House, February 11, 1987, that Body ADHERED.)

On motion by Senator CLARK of Cumberland, the Senate RECEDED and CONCURRED.

On motion by Senator CLARK of Cumberland, the Senate removed from the Unassigned Table the following:

Bill "An Act Concerning the Liability for Damages of Persons Operating a Truck with an Uncovered Load" H.P. 302 L.D. 388

Tabled - February 24, 1987, by Senator CLARK of Cumberland.

Pending - FURTHER CONSIDERATION

(In House, February 18, 1987, referred to the Committee on TRANSPORTATION and ORDERED PRINTED.)

(In Senate, February 19, 1987, referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED in NON-CONCURRENCE.)

(In House, February 23, 1987, that Body INSISTED.)

On motion by Senator CLARK of Cumberland, the Senate RECEDED and CONCURRED.

Senator CLARK of Cumberland was granted unanimous consent to address the Senate off the Record.

On motion by Senator DOW of Kennebec, ADJOURNED until Tuesday, March 24, 1987, at 9:00 in the morning.

ONE HUNDRED AND THIRTEENTH MAINE LEGISLATURE  
FIRST REGULAR SESSION  
36th Legislative Day  
Tuesday, March 24, 1987

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

Prayer by Reverend Edward Baltzersen, Emmaus Lutheran Church, Falmouth.

The Journal of Monday, March 23, 1987, was read and approved.

Quorum call was held.

SENATE PAPERS

The following Communication:  
MAINE STATE SENATE  
AUGUSTA, MAINE 04333

March 23, 1987

The Honorable John L. Martin  
Speaker of the House  
113th Legislature  
Augusta, Maine 04333  
Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Business Legislation, the Governor's nomination of Hobart F. Harnden of South Portland for appointment to the Maine Real Estate Commission.

Hobart F. Harnden is replacing Dennis Soucy.

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate  
Was read and ordered placed on file.

The following Communication:  
MAINE STATE SENATE  
AUGUSTA, MAINE 04333

March 23, 1987

The Honorable John L. Martin  
Speaker of the House  
113th Legislature  
Augusta, Maine 04333  
Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Marine Resources, the Governor's nomination of Jeffrey H. Kaelin of Winterport for appointment to the Marine Resources Advisory Council.

Jeffrey H. Kaelin is replacing Peter Inniss.

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

Was read and ordered placed on file.

Bill "An Act to Provide Funds for Winterization Projects in Piscataquis and Penobscot Counties" (S.P. 301) (L.D. 870)

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.