

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

The same Representative offered House Amendment "A" (H-75) to Committee Amendment "A" (H-64) and moved its adoption.

House Amendment "A" (H-75) to Committee Amendment "A" (H-64) was read by the Clerk and adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

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

(Off Record Remarks)

On motion of Representative MacBride of Presque Isle,

Adjourned until Tuesday, April 28, 1987, at nine o'clock in the morning.

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

In Senate Chamber
Monday
April 27, 1987

Senate called to Order by the President.

Prayer by the Honorable Clyde A. Hichborn of Lagrange.

REPRESENTATIVE HICHBORN: Let us pray. There is within the heart of each of us, within the heart of every man, every woman, every child, a spirit that directs our every thought, our every move and deed. This is the spirit that guides us along the road of life. It gives us courage when problems confront us. It lights the way when dark clouds cast their shadows and strengthens our will when the body grows weak. This spirit gives birth to thought and strength of will to do.

If the hill seems too steep to climb, the task too great to conquer, if we fail at any time, it is because our own will is too weak and the courage of our own conviction fails. Responsibility for self determination is a private decision that each of us must make each and every day. So, as we begin this new day, let us here and now highly resolve that to this Eternal Spirit and to ourselves, we will be true.

Reading of the Journal of Friday, April 24, 1987.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-concurrent Matter

SENATE REPORT - from the Committee on JUDICIARY on Resolve, to Compensate Thomas P. Peters, II, Attorney-at-law, for Professional Services Rendered in the Adoption of Benjamin B., Heather B. and Lucas B.

S.P. 287 L.D. 814

Report - REFER to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS.

In Senate, April 21, 1987, the Report READ and Bill and Accompanying Papers RECOMMITTED to the Committee on JUDICIARY.

Comes from the House Bill SUBSTITUTED for the Report and PASSED TO BE ENGROSSED in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

Non-concurrent Matter

Bill "An Act to Assure Proper Notice of Workers' Compensation Claims"

S.P. 413 L.D. 1271

In Senate, April 15, 1987, PASSED TO BE ENGROSSED.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-73) in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

House Papers

Bill "An Act to Provide Assistance to Victims of Natural Disasters" (Emergency)

H.P. 997 L.D. 1343

Committee on ECONOMIC DEVELOPMENT 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 the Educational Requirements of Chiropractic Practice in this State"

H.P. 1001 L.D. 1347

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.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.P. 441
113th MAINE LEGISLATURE

April 24, 1987

Senator Ronald E. Usher
Representative Michael E. Michaud
Chairpersons
Joint Standing Committee on Energy and Natural Resources
113th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has withdrawn his nomination of Hervey M. Triplett of Bangor for appointment to the Board of Environmental Protection.

Pursuant to Title 38, M.R.S.A. Section 361, this nomination is currently pending before the Joint Standing Committee on Energy and Natural Resources.

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 ENERGY AND NATURAL RESOURCES.
Sent down for concurrence.

Off Record Remarks

COMMITTEE REPORTS

House

Ought Not to Pass

The following Ought Not to Pass Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act Limiting Local Property Taxation"

H.P. 513 L.D. 686

Bill "An Act to Increase the Family Allowance of the Unemployment Compensation Law"

H.P. 647 L.D. 875

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 Change the Law Governing School Entrance Age"

H.P. 185 L.D. 229

Bill "An Act to Amend the Date to Determine Age for Kindergarten Eligibility"

H.P. 284 L.D. 367

Bill "An Act to Create a Homeowners Property Tax Reduction for Persons 65 Years of Age and Older"

H.P. 334 L.D. 433

Bill "An Act to Amend the Elderly Householders Tax and Rent Refund Act"

H.P. 554 L.D. 752

Bill "An Act to Increase Fairness to Potential Unemployment Compensation Recipients"

H.P. 562 L.D. 760

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

H.P. 638 L.D. 861

Bill "An Act to Amend the Tuition Computation Rate for Secondary Schools"

H.P. 673 L.D. 906

Bill "An Act Pertaining to Adoptive Home Studies"

H.P. 701 L.D. 942

Senate at Ease

Senate called to order by the President.

Ought to Pass

The Committee on EDUCATION on Bill "An Act Relating to the Quality Incentive Adjustment in the Educational Finance Law" (Emergency)

H.P. 476 L.D. 643

Reported that the same Ought to Pass.

Comes from the House Report READ and Bill and Accompanying Papers RECOMMITTED to the Committee on EDUCATION.

Which Report was READ.

Bill and Accompanying Papers RECOMMITTED to the Committee on EDUCATION, in concurrence.

The Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Ensure Timely Adoption of Revised Solid Waste Rules" (Emergency)

H.P. 890 L.D. 1191

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.

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending ACCEPTANCE.

Ought to Pass As Amended

The Committee on JUDICIARY on Bill "An Act to Facilitate Mutual Aid Agreements Between Municipal Police Departments"

H.P. 433 L.D. 579

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-72).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-72)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-72) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on TAXATION on Bill "An Act to Establish the Cost of the 1987 Spruce Budworm Management Program" (Emergency)

H.P. 711 L.D. 962

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-71).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-71)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-71) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass in New Draft

The Committee on AGING, RETIREMENT AND VETERANS on Bill "An Act to Provide Pension Rights to Morris G. Pilot"

H.P. 477 L.D. 644

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

H.P. 998 L.D. 1344

Comes from the House, with the Report READ and ACCEPTED and the Bill in NEW DRAFT PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill in NEW DRAFT READ ONCE.

The Bill in NEW DRAFT TOMORROW ASSIGNED FOR SECOND READING.

Senate

Ought Not to Pass

The following Ought Not to Pass Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act to Expand the Number of Land Use Laws Under the Jurisdiction of the District Court"

S.P. 98 L.D. 245

Bill "An Act to Provide a Subsidy for Victims of Alzheimer's Disease with Funds Collected as Sales Tax on Construction of the State Subsidized Residential Care and Treatment Facility for These Victims"

S.P. 134 L.D. 370

Bill "An Act to Permit Certain Abandoned Residential Underground Oil Storage Tanks to be Drained and Filled with Sand or other Approved Materials"

S.P. 276 L.D. 786

Bill "An Act to Permit Inventory and Testing of Underground Storage Tanks by Owner when Checked by the Department of Environmental Protection"

S.P. 282 L.D. 792

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 Require Roll Bars on Police Vehicles"

S.P. 340 L.D. 995

Bill "An Act to Identify Asbestos as Hazardous Waste"

S.P. 349 L.D. 1041

Ought to Pass

Senator BERUBE for the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act Providing Funds for Training and Education for Families of Victims of Alzheimer's Disease"

S.P. 151 L.D. 405

Reported that the same Ought to Pass.

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

Senator KANY for the Committee on LEGAL AFFAIRS on Bill "An Act Relating to Questions Put to the Electorate at Referendum"

S.P. 116 L.D. 289

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-39).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-39) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator TUTTLE for the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Transfer the Maine Fire Training and Education Program from the Department of Educational and Cultural Services to the Maine Vocational-Technical Institute System" (Emergency)

S.P. 251 L.D. 700

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-40).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-40) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

SECOND READERS

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

House

Bill "An Act to Extend the Time for the Rangeley Water District to Purchase the Rangeley Water Company Plant"

H.P. 613 L.D. 831

Bill "An Act Concerning Housing for Hearing Ear Dogs and Seeing Eye Dogs"

H.P. 971 L.D. 1314

Bill "An Act to Make Allocations from the Public Utilities Commission Regulatory Fund and the Public Utilities Reimbursement Fund for the Fiscal Year Ending June 30, 1988, and June 30, 1989" (Emergency)

H.P. 988 L.D. 1333

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

Senate

Bill "An Act Relating to the Issuance of Bonds or Notes for Union Schools"

S.P. 317 L.D. 919

Bill "An Act Relating to Enforcement of Accessibility Standards for Places of Public Accommodations"

S.P. 440 L.D. 1349

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

Sent down for concurrence.

Senate As Amended

Bill "An Act to Revise the Law Prohibiting the Use of Drugs in Animals Competing in Pulling Events" (Emergency)

S.P. 266 L.D. 747

LEGISLATIVE RECORD - HOUSE, APRIL 28, 1987

(C "A" S-37)

Which was READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.
Sent down for concurrence.

Off Record Remarks

ENACTORS

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

An Act Concerning the Approval of Voting Devices
H.P. 71 L.D. 74
(C "A" H-65)

An Act for Timely Construction of Water Main Extensions

H.P. 218 L.D. 270

An Act Relating to Conferring Degrees by the University of New England in Biddeford

H.P. 466 L.D. 633

An Act to Amend the Requirements for Individual Public Self-insurers under the Workers' Compensation Act

S.P. 412 L.D. 1270

An Act Relating to a Vocational Region as Defined by Law

H.P. 957 L.D. 1286

Which were PASSED TO BE ENACTED and having been signed by the President, were presented by the Secretary to the Governor for his approval.

Senate at Ease

Senate called to order by the President.

ORDERS OF THE DAY

The Chair laid before the Senate the Tabled and Later Today Assigned matter:

COMMITTEE REPORT - from the Committee on ENERGY AND NATURAL RESOURCES on Bill "An Act to Ensure Timely Adoption of Revised Solid Waste Rules" (Emergency)

H.P. 890 L.D. 1191

Tabled - April 27, 1987, by Senator CLARK of Cumberland.

Pending - ACCEPTANCE of the Report

(In Senate, April 27, 1987, READ.)

(In House, April 24, 1987, PASSED TO BE ENGROSSED.)

Which Report was ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

Off Record Remarks

On motion by Senator BLACK of Cumberland, ADJOURNED until Tuesday, April 28, 1987, at 9:00 in the morning.

ONE HUNDRED AND THIRTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION
56th Legislative Day
Tuesday, April 28, 1987

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

Prayer by Reverend Norman A. Shaw, Millinocket Church of the Nazarene.

The Journal of Monday, April 27, 1987, was read and approved.

Quorum call was held.

SENATE PAPERS

Unanimous Ought Not To Pass

Report of the Committee on Energy and Natural Resources reporting "Ought Not to Pass" on Bill "An Act to Permit Inventory and Testing of Underground Storage Tanks by Owner when Checked by the Department of Environmental Protection" (S.P. 282) (L.D. 792)

Report of the Committee on Energy and Natural Resources reporting "Ought Not to Pass" on Bill "An Act to Permit Certain Abandoned Residential Underground Oil Storage Tanks to be Drained and Filled with Sand or other Approved Materials" (S.P. 276) (L.D. 786)

Report of the Committee on Energy and Natural Resources reporting "Ought Not to Pass" on Bill "An Act to Expand the Number of Land Use Laws under the Jurisdiction of the District Court" (S.P. 98) (L.D. 245)

Report of the Committee on Appropriations and Financial Affairs reporting "Ought Not to Pass" on Bill "An Act to Provide a Subsidy for Victims of Alzheimer's Disease with Funds Collected as Sales Tax on Construction of the State Subsidized Residential Care and Treatment Facility for These Victims" (S.P. 134) (L.D. 370)

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

Unanimous Leave to Withdraw

Report of the Committee on Legal Affairs reporting "Leave to Withdraw" on Bill "An Act to Require Roll Bars on Police Vehicles" (S.P. 340) (L.D. 995)

Report of the Committee on Energy and Natural Resources reporting "Leave to Withdraw" on Bill "An Act to Identify Asbestos as Hazardous Waste" (S.P. 349) (L.D. 1041)

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

Ought to Pass in New Draft

Report of the Committee on Judiciary on Bill "An Act Relating to Enforcement of Accessibility Standards for Places of Public Accommodations" (S.P. 109) (L.D. 282) reporting "Ought to Pass" in New Draft (S.P. 440) (L.D. 1349)

Came from the Senate, with the report read and accepted and the New Draft passed to be engrossed.

Report was read and accepted, the New Draft given its first reading and assigned for second reading Wednesday, April 29, 1987.

COMMUNICATIONS

The following Communication: (S.P. 441)

113th MAINE LEGISLATURE

April 24, 1987