

MAINE STATE LEGISLATURE

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

VOLUME III

FIRST CONFIRMATION SESSION

August 21, 1987
Index

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987
Index

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987
Index

SECOND REGULAR SESSION

January 6, 1988 to March 24, 1988

Was read and passed in concurrence.

(Off Record Remarks)

On motion of Representative Gould of Greenville,
Adjourned until Tuesday, January 19, 1988, at ten
o'clock in the morning pursuant to Joint Order (S.P.
793).

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

In Senate Chamber
Friday
January 15, 1988
Senate called to Order by the President.

Prayer by Father Samuel Najjar of St. Joseph's
Maronite Church in Waterville.

FATHER NAJJAR: Heavenly Father, we assemble here
today to open this Session of the Senate of this
great State of Maine. The people of our State have
intrusted us to act in their behalf as our actions
and decisions will affect all of us. Come upon us
Heavenly Father and influence our hearts and our
minds that we may act according to Your will and to
the will of these people. Bless us and our
constituents as we may flourish in our endeavors. We
ask this to all Your glory now and forever. Amen.

Reading of the Journal of Yesterday.

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act Relating to Sentences with Intensive
Supervision"

S.P. 728 L.D. 1987

In Senate, January 12, 1988, referred to the
Committee on HUMAN RESOURCES and ORDERED PRINTED.

Comes from the House referred to the Joint Select
Committee on CORRECTIONS and ORDERED PRINTED in
NON-CONCURRENCE.

On motion by Senator GAUVREAU of Androscoggin,
Tabled until Later in Today's Session, pending
FURTHER CONSIDERATION.

House Papers

Bill "An Act to Amend the Animal Control Laws"

H.P. 1505 L.D. 2055

Bill "An Act to Establish Appropriate and
Effective Penalty Levels for Violation of the
Pesticide Control Laws"

H.P. 1513 L.D. 2063

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

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

Bill "An Act to Supplement Crisis Intervention
Services to Penobscot, Piscataquis, Hancock and
Washington Counties"

H.P. 1506 L.D. 2056

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 to Continue the Block Grants for
Teacher Salaries"

H.P. 1508 L.D. 2058

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

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

January 14, 1988

Bill "An Act to Amend the Solid Waste Provisions of the Site Location Law"

H.P. 1507 L.D. 2057

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 Limit Rent Increases in Mobile Home Parks" (Emergency)

H.P. 1510 L.D. 2060

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

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

Bill "An Act to Provide for Effective and Timely Public Notice of Hearings Conducted by State Boards and Agencies" (Emergency)

H.P. 1511 L.D. 2061

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 to Increase the Minimum Standards for Eligibility for the Elderly Low-Cost Drug Program and the Household Tax and Rent Refund Act"

H.P. 1512 L.D. 2062

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 to Amend Procedures Under the Unclaimed Motor Vehicle Laws"

H.P. 1509 L.D. 2059

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.

COMMUNICATIONS

The Following Communication: S.P. 792
COMMITTEE ON ECONOMIC DEVELOPMENT
ONE HUNDRED AND THIRTEENTH LEGISLATURE
January 13, 1988

Senator Charles P. Pray, Chairman
Legislative Council
State House
Augusta, ME 04333

Dear Senator Pray:

The Joint Standing Committee on Economic Development is pleased to submit the attached report of our study on Regional Economies in Maine pursuant to the order of the Legislative Council. We hope you find this report useful.

Sincerely,

S/Sen. Thomas H. Andrews S/Rep. Nathaniel J. Crowley
Senate Chair House Chair

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

Sent down for concurrence.

The Following Communication:
MAINE COMMISSION ON OUTDOOR RECREATION

President Pray
Speaker Martin
State House
Augusta, ME 04333

Dear President Pray and Speaker Martin:

The Commission on Outdoor Recreation is pleased to submit its report to the Legislature pursuant to P.L. 1987 c.68. The report is currently being printed and will be delivered to all legislators in the next several days.

Sincerely,
S/Rep. Herbert E. Clark
Chair

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

The Following Communication:
DEPARTMENT OF CONSERVATION
STATE HOUSE STATION 22
AUGUSTA, MAINE 04333
January 14, 1988

The Honorable Charles P. Pray
President of the Senate
State House Station 3
Augusta, ME 04333

Dear President Pray:

The Forests For the Future Program is charged with undertaking studies and preparing a report for the Legislature and the Governor due January 1, 1988. This letter is to inform you that a final draft is nearly finished. The Citizens Forestry Advisory Council is scheduled to meet on January 14 to finish discussing actions and finalize the recommendations. Final revisions will be made and we plan to submit the report by January 31, 1988.

Thank you for your understanding in this matter.

Sincerely,
S/Robert R. LaBonta
Commissioner

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
BUREAU OF BANKING
STATE HOUSE STATION 36
AUGUSTA, MAINE 04333
January 15, 1988

The Honorable Charles P. Pray
President of the Senate
State House Station 3
Augusta, Maine 04333

Dear President Pray:

In accordance with Title 9-B, Section 217, Maine Revised Statutes Annotated of 1975, as amended, I am submitting the attached "Annual Report on the Status of Maine's Financial Institutions."

This report contains information on the number, type and legal structure of all regulated financial institutions in the State of Maine, as well as the location of offices and total deposits held by these institutions. An analysis of the programs offered by Maine financial institutions with out-of-state ownership, to meet the credit needs of Maine consumers and businesses, is also included.

Respectfully submitted,
S/H. Donald DeMatteis
Superintendent

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

The Following Communication:

113TH MAINE LEGISLATURE

January 14, 1988
Honorable Robert Woodbury
Chancellor
University of Maine System
Orono, Maine 04333

Dear Mr. Chancellor:
You are invited to address a Joint Convention of the
Maine Legislature on Tuesday, January 19th at 10:30
am.
Please let us know if this time and date is
convenient for you.

Sincerely,

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

SENATE PAPERS

Resolve, to Create a Day Care Demonstration
Project as an Employment Incentive to Help Address
the Nursing Shortage (Emergency)

S.P. 791 L.D. 2079

Presented by Senator GILL of Cumberland
Cosponsored by: Senator BUSTIN of Kennebec,
Representative BOUTILIER of Lewiston,
Representative PINES of Limestone
Approved for Introduction by a Majority of the
Legislative Council pursuant to Joint Rule 26
Which was referred to the Committee on HUMAN
RESOURCES and ORDERED PRINTED.
Sent down for concurrence.

Bill "An Act to Expand the Membership and Clarify
the Role of the Commission on Intergovernmental
Relations" (Emergency)

S.P. 790 L.D. 2078

Presented by President PRAY of Penobscot
Cosponsored by: Senator ESTES of York,
Representative CARROLL of Gray, Representative
MCGOWAN of Canaan
Approved for Introduction by a Majority of the
Legislative Council pursuant to Joint Rule 26
Which was referred to the Committee on STATE AND
LOCAL GOVERNMENT and ORDERED PRINTED.
Sent down for concurrence.

COMMITTEE REPORTS

House

Leave to Withdraw

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

Bill "An Act to Establish a Tax to Provide for
the Comprehensive Monitoring of Paralytic Shellfish
Poison"

H.P. 981 L.D. 1328

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:

Bill, "An Act Relating to Sentences with
Intensive Supervision"

S.P. 728 L.D. 1987

Tabled - January 15, 1988, by Senator GAUVREAU of
Androscoggin.

Pending - FURTHER CONSIDERATION

(In Senate, January 12, 1988, referred to the
Committee on HUMAN RESOURCES and ORDERED PRINTED.)

(In House, January 14, 1988, referred to the
Joint Select Committee on CORRECTIONS and ORDERED
PRINTED in NON-CONCURRENCE.)

On motion by Senator GAUVREAU of Androscoggin,
the Senate ADHERED.

Sent down for concurrence.

HELD BILL

THE PRESIDENT: The Chair recognizes the Senator
from York, Senator TUTTLE.

Senator TUTTLE: Mr. President, is the Senate in
possession of L.D. 2048?

THE PRESIDENT: The Chair would answer in the
affirmative, the Bill having been held.

On motion by Senator TUTTLE of York, the Senate
RECONSIDERED whereby it referred to the Committee on
STATE AND LOCAL GOVERNMENT:

Bill "An Act to Ensure that a Certain Percentage
of Public Housing is Handicapped Accessible"

H.P. 1498 L.D. 2048

(In Senate, January 14, 1988, referred to the
Committee on STATE AND LOCAL GOVERNMENT and ORDERED
PRINTED, in concurrence.)

Senator TUTTLE of York moved that the Bill be
referred to the Committee on ECONOMIC DEVELOPMENT and
ORDERED PRINTED.

On further motion by same Senator, Tabled 1
Legislative Day, pending motion of same Senator to
refer to the Committee on ECONOMIC DEVELOPMENT in
NON-CONCURRENCE.

Senator MATTHEWS of Kennebec was granted
unanimous consent to address the Senate on the Record.

Senator MATTHEWS: Thank you Mr. President, men
and women of the Senate. Monday is the Martin Luther
King Holiday which we as a Legislature have enacted
not too, too long ago and I didn't want it to go
unsaid on the floor of the Maine Senate how important
we know this day to be. We know that the cause of
racial equality and justice and fairness in society
and in our great country of American still needs to
be worked at. And we remember that as citizens in
this great country of ours that eternal vigilance to
bring the blessings of liberty and the blessings that
we so greatly believe in and are thankful for in our
Constitution need to be fought for and striven for in
this world and that the cries of justice and fairness
like in South Africa, Afghanistan and other parts of
the world still are rallying cries for people that
are being oppressed and we can remember on Martin
Luther King's Holiday the words Martin Luther King
left us, words of inspiration, words of true wisdom,
words of true american poetic justice. And so I
would ask each member of the Senate to say a prayer
in his name and in his memory that the dream he
envisioned will live and continue. Thank you.

Senator KERRY of York was granted unanimous
consent to address the Senate on the Record.

Senator KERRY: Thank you Mr. President. I would
also like to rise to lend support to the fine words
from the good Senator from Kennebec, Senator Matthews
in underscoring the importance of recognizing the
principles that Martin Luther King not only
manifested for the people of this country, but for
people throughout the world.

I have just returned from Northern Ireland where
I met with many people who are living out their lives
in quiet desperation. Unfortunately, many of these

people in this part of the world are living out their lives in violent desperation. In Northern Ireland they refer to the Civil Rights Movement as the beginning of the troubles in that country. I was amazed and I think somewhat saddened by the impact that Martin Luther King had on that small country. Many of the people I spoke with who are now members of the British Parliament and members of the Irish Dail or members of the various councils throughout this country refer to the leadership and inspiration they receive from this country and specifically, the principles of equality and justice that have so inspired the world. Many people mention the name Martin Luther King. Many people refer to the activities of the Civil Rights Movement in providing them the example by which they could live their lives in this what I consider embattled country. It is important that we not forget that the United States of America and our leaders both in government and out of government have really been the promoters and the prime promoters of principles of equality and justice throughout the world. I think sometimes we take it for granted. Sometimes we are our own worse critics and sometimes we forget what we have anguished for over the past years. Martin Luther King, John Kennedy and many other great American leaders tried to lay down a foundation and reaffirm the basic principles that this country has stood for. The 1960's was a revolution of the heart and mind throughout the world. I would just like to state that the Northern Irish people are still deeply divided. They, like the people of South Africa and the people of the deep South in this country during the sixties, have witnessed prejudice firsthand, violence firsthand, discouragement firsthand. We are, in essence, their hope because we represent the best and I would consider the highest of principles. The Maine State Senate, I think, has always manifested what I consider the highest of principles.

The good Senator from Kennebec, Senator Matthews I recall at the last Session spoke about Martin Luther King and I think we were all moved by his words. I would like to commend him for his words and I think also that I believe this Senate and the people of the United States have much to be thankful for and I think we should not only export our dollars, we should not only export our products, but we should continue even under adversity to export our principles and that is why I would like to speak and underscore the words of the good Senator from Kennebec, Senator Matthews.

Off Record Remarks

Senate at Ease
Senate called to order by the President.

ORDERS

Joint Order

On motion by Senator CLARK of Cumberland, the following Joint Order:

S.P. 793

ORDERED. the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 19, 1988, at 10:00 in the morning.

Which was READ and PASSED.

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

The ADJOURNMENT ORDER having been returned from the House READ and PASSED, in concurrence, on motion by Senator USHER of Cumberland, ADJOURNED until Tuesday, January 19, 1988, at 10:00 in the morning.