

# 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

characteristic way, wondered -- "but Maine and Texas, it may be, have nothing important to communicate."

Well, the telegraph came to play, much like our technology of today, an increasingly important part in our lives and our economy. But Thoreau's haunting question concerns values, purposes, and meaning. And I think we here in Maine, in our state and in our University, do have something important to say to the rest of the country. Our values, our concerns, our quality of life, our civic affairs, are very special. The University of Maine System is and will be an integral part of that continuing message.

Thank you very much. (applause, members rising)

At the conclusion of the Chancellor's address, the Chancellor withdrew amid applause, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Chairman declared the same dissolved and the Senate retired to its chambers, amid applause of the House, the members rising.

In the House

The House was called to order by the Speaker.

The Chair laid before the House the following matter continued from earlier in the session: An Act to Encourage Prompt and Peaceful Settlements of Labor Disputes (H.P. 1415) (L.D. 1919) (H. "A" H-435; H. "B" H-436) whereby Representative Gwadosky of Fairfield moved that L.D. 1919 be tabled for one legislative day.

On motion of Representative Gwadosky of Fairfield, retabled pending reconsideration (Returned by the Governor without his approval) and specially assigned for Wednesday, January 20, 1988.

On motion of Representative Carroll of Gray, the House reconsidered its action whereby Bill "An Act to Limit the Purchase of Land by Quasi-Municipal Districts" (H.P. 1531) (L.D. 2085) (Presented by Representative VOSE of Eastport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26) was referred to the Committee on State and Local Government.

On further motion of the same Representative, was referred to the Committee on Taxation, ordered printed and sent up for concurrence.

(Off Record Remarks)

On motion of Representative Matthews of Caribou, Adjourned until Wednesday, January 20, 1988, at ten o'clock in the morning.

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

In Senate Chamber  
Tuesday  
January 19, 1988

Senate called to Order by the President.

Prayer by Reverend Edgar Jones of the Winthrop Congregational Church.

REVEREND JONES: Let us bow our heads. Eternal God, God of all nations and people for whom no dawn arises or evening comes, we seek the guidance of Your wisdom on this day. Grant in all our doubts and uncertainties and grace to ask what You would have us do. May the spirit of wisdom save us from false choices that in Your light we may see light and not stumble, that your purposes may be served. Amen.

Reading of the Journal of Friday, January 15, 1988.

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 Robert L. Woodbury, Chancellor of the University of Maine, an invitation to attend the Joint Convention and make such communication as pleases him.

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.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Provide for the Computerization of Data and Information Relating to Boards and Commissions"

H.P. 1519 L.D. 2072

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 Require Dealers in All-Terrain Vehicles to Provide Written Warranties"

H.P. 1517 L.D. 2070

Bill "An Act Concerning the Regulation of Welders"

H.P. 1520 L.D. 2073

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

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

Bill "An Act to Protect Workers from Unreasonable Exposure to Toxic Substances in the Workplace"

H.P. 1521 L.D. 2074

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 Prohibit Publication of Names of Concealed Weapon Permit Holders"

H.P. 1516 L.D. 2069

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 Deorganize the Town of Sherman"

H.P. 1522 L.D. 2075

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.

Pursuant to Resolves  
Committee on AGRICULTURE

The Committee on AGRICULTURE, pursuant to Resolves 1987, Chapter 50, ask leave to submit its findings and to report that the accompanying Bill "An Act to Provide Additional Resources to the Board of Pesticides Control"

H.P. 1514 L.D. 2067

Be referred to the Joint Standing Committee on AGRICULTURE for Public Hearing and printed pursuant to Joint Rule 18.

Comes from the House with the Report READ and ACCEPTED and the Bill referred to the Committee on AGRICULTURE and ORDERED PRINTED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill referred to the Committee on AGRICULTURE and ORDERED PRINTED, pursuant to Joint Rule 18, 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 10:30 a.m., for the purpose of extending to the Honorable Robert L. Woodbury, Chancellor of the University of Maine, an invitation to attend and make such communication as pleases him.

Pursuant to Resolves  
Committee on AGRICULTURE

The Committee on AGRICULTURE, pursuant to Resolves 1987, Chapter 50, ask leave to submit its findings and to report that the accompanying Bill "An Act to Assist Agricultural Employers in Complying with Federal Hazard Communication Rules"

H.P. 1515 L.D. 2068

Be referred to the Joint Standing Committee on AGRICULTURE for Public Hearing and printed pursuant to Joint Rule 18.

Comes from the House with the Report READ and ACCEPTED and the Bill referred to the Committee on AGRICULTURE and ORDERED PRINTED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill referred to the Committee on AGRICULTURE and ORDERED PRINTED, pursuant to Joint Rule 18, in concurrence.

#### COMMUNICATIONS

The Following Communication: H.P. 1525  
UNIVERSITY OF MAINE SYSTEM  
107 MAINE AVENUE  
BANGOR, MAINE 04401

January 14, 1988

The Honorable Charles P. Pray  
President of the Senate

State of Maine  
Augusta, Maine 04333

The Honorable John L. Martin  
Speaker of the House

State of Maine  
Augusta, Maine 04333

Dear President Pray and Speaker Martin:

I appreciate your kind invitation to address a Joint Convention of the 113th Legislature on Tuesday, January 19, 1988, at 10:30 a.m. I am delighted to accept.

It is a distinct honor and privilege to speak to you and your colleagues about Maine's public University System, and I look forward to the opportunity.

Sincerely,  
S/Robert L. Woodbury  
Chancellor

Comes from the House READ and ORDERED PLACED ON FILE.

Which was READ and ORDERED PLACED ON FILE, in concurrence.

The Following Communication: S.P. 797  
COMMITTEE ON BANKING AND INSURANCE  
STATE HOUSE STATION 115  
AUGUSTA, MAINE 04333

January 19, 1988

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

Dear Senator Pray:

The Joint Standing Committee on Banking and Insurance is pleased to submit the attached report of our study of The Feasibility of Establishing a 3-member Insurance Commission to Perform the Functions of the Superintendent of Insurance pursuant to the order of the Legislative Council. We hope you find this report a useful tool in our continuing efforts to oversee insurance regulation.

Sincerely,  
S/Sen. Raynold Theriault  
Chair

Rep. Charlene Rydell  
Chair

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

Sent down for concurrence.

The Following Communication:  
COMMISSION ON FOREST LAND TAXATION  
AUGUSTA, MAINE 04333

January 14, 1988

President Charles P. Pray  
Senate Chambers

State House  
Augusta, Maine 04333  
Dear President Pray:

The Maine Commission on Forest Land Taxation hereby submits its final report in accordance with L.D. 1853, (Resolves, ch. 67). The Commission examined a wide number of topics concerning taxation and the forests of Maine. While no legislation is included, the report makes a number of findings and recommendations that will prove useful during discussion of various bills held-over from last session and as back-up material for any future legislation dealing with tree growth taxes, forestry excise taxes and certain property taxes.

The Commission hopes that the Legislature, the forest industry and the general public will benefit from its efforts in this very important area of consideration.

Sincerely,  
S/Senator R. Donald Twitchell  
Chairman

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

The Following Communication:

DEPARTMENT OF  
MENTAL HEALTH AND MENTAL RETARDATION  
STATE HOUSE STATION 40  
AUGUSTA, MAINE 04333

January 14, 1988

State Senator Charles P. Pray  
President of the Senate  
Senate of Maine  
State House Station #3  
Augusta, Maine 04333  
Dear President Pray:

On behalf of the Task Force and the Department of Mental Health and Mental Retardation, I am pleased to make available to you a copy of the Task Force's final report.

The task force has produced a creative synthesis. It shows the underlying vulnerabilities and stresses common to youth-at-risk, which result in a cluster of self-destructive behaviors (suicide, chemical dependency, teen pregnancy, homelessness, depression and low self-esteem) which bring tragedy to individuals, families, and communities.

The Report provides a basis for a comprehensive, interagency and state/local social policy.

The Report does not offer any "simple cures or quick fixes."

Reducing teen self-destructive behaviors requires "collaboration" between all four child-serving departments (the Department of Human Services, the Department of Educational and Cultural Services, the Department of Corrections and the Department of Mental Health and Mental Retardation).

Reducing teen self-destructive behaviors requires concerted action of state agencies and local communities; it requires public-private partnerships; it requires commitment of schools, mental health and substance abuse treatment professionals, social service agencies, police, parents and teens themselves.

By addressing these social problems in a comprehensive, sensitive, and sensible fashion, as proposed by this report, we make a commitment to the children of this state, Maine's future citizens, future employees, and future parents.

Sincerely,  
S/Susan B. Parker  
Commissioner

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

SENATE PAPERS

Bill "An Act to Extend Entitlement Programs"

S.P. 794 L.D. 2091

Presented by Senator BERUBE of Androscoggin  
Cosponsored by: Representative SMITH of Island Falls

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 Prohibit the Display of Blue Lights on Vehicles Other than those Used by Authorized Law Enforcement Officers and Agencies"

S.P. 795 L.D. 2092

Presented by Senator CAHILL of Sagadahoc  
Cosponsored by: Representative MCPHERSON of Eliot, Representative MACOMBER of South Portland, Representative STROUT of Corinth  
Submitted by the Department of Public Safety pursuant to Joint Rule 24

Committee on LEGAL AFFAIRS suggested and ORDERED PRINTED.

On motion by Senator CLARK of Cumberland, referred to the Committee on TRANSPORTATION and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Create a Single Point of Contact for the Operators of Commercial Vehicles"

S.P. 796 L.D. 2093

Presented by Senator DOW of Kennebec  
Cosponsored by: Senator CAHILL of Sagadahoc, Representative MOHOLLAND of Princeton, Representative STROUT of Corinth  
Submitted by the Department of Transportation pursuant to Joint Rule 24

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

Sent down for concurrence.

COMMITTEE REPORTS

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 to Amend the Civil Commitment Procedures to Protect the Health and Safety of Certain Mentally Ill Individuals"

S.P. 387 L.D. 1204

Bill "An Act to Transfer Certain Expenses from the Judicial Branch to Certain Executive Branch Agencies" (Emergency)

S.P. 75 L.D. 158

Ought to Pass As Amended

Senator PEARSON for the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Correct the Implementation of the New Corporate Filing Fees" (Emergency)

S.P. 748 L.D. 2007

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-308).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.  
Committee Amendment "A" (S-308) READ and ADOPTED.  
The Bill as Amended, TOMORROW ASSIGNED FOR SECOND  
READING.

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

PAPERS FROM THE HOUSE

Joint Resolution  
The Following Joint Resolution: H.P. 1538

Off Record Remarks

JOINT RESOLUTION  
COMMEMORATING

DR. MARTIN LUTHER KING, JR.

WHEREAS, Dr. Martin Luther King, Jr. was born in  
Atlanta, Georgia on January 15, 1929, the son and  
grandson of Baptist ministers; and

WHEREAS, Dr. King was an American clergyman and  
Nobel Peace Prize winner who led the civil rights  
movement in the United States during the 1950's and  
1960's; and

WHEREAS, the power of his voice and spirit echoed  
across the nation, his dream a dream of the time when  
the evils of prejudice and segregation will vanish;  
and

WHEREAS, under his nonviolent philosophy and  
appeal to the better instincts and consciences of his  
fellow human beings, he moved mountains and brought  
about sweeping changes; and

WHEREAS, his leadership and useful life were  
brought to a tragic end on April 4, 1968, by an  
assassin's bullet, and a great sadness fell across  
the land; now, therefore, be it

RESOLVED: That We, the Members of the 113th  
Legislature of the State of Maine now assembled in  
Second Regular Session, pause to honor the memory of  
Dr. Martin Luther King, Jr. and all the hopes and  
dreams of his life's work; and be it further

RESOLVED: That suitable copies of this joint  
resolution, duly authenticated by the Secretary of  
State, be transmitted to his beloved widow, Coretta  
Scott King, and the State office of the NAACP to  
commemorate the occasion.

Comes from the House READ and ADOPTED.

Which was READ and ADOPTED, in concurrence.

ORDERS OF THE DAY

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

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

H.P. 1498 L.D. 2048

Tabled - January 15, 1988, by Senator TUTTLE of  
York.

Pending - Motion of same Senator to refer to the  
Committee on ECONOMIC DEVELOPMENT in NON-CONCURRENCE

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

(In Senate, January 15, 1988, RECONSIDERED  
reference.)

Which was referred to the Committee on ECONOMIC  
DEVELOPMENT in NON-CONCURRENCE.

Sent down for concurrence.

Senate at Ease  
Senate called to order by the President.

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.