

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
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FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987
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SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987
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SECOND REGULAR SESSION

January 6, 1988 to March 24, 1988

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

In Senate Chamber
Friday
February 5, 1988

Senate called to Order by the President.

Prayer by the Honorable Edwin C. Randall of Washington.

SENATOR RANDALL: Let us pray. Oh great God, Who gives us life and being, as it was written in the words to the conclusion to the book of Ecclesiastes, "Remember God and keep His commandments for this is the whole duty of mankind." Amen.

Reading of the Journal of Yesterday.

PAPERS FROM THE HOUSE
House Papers

Bill "An Act to Establish the Maine Science and Technology Commission and to Authorize Funding for Centers for Innovation"

H.P. 1602 L.D. 2193

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 Relative to the Union of the Trustees of the Maine Annual Conference of the United Methodist Church and the Trustees of the New Hampshire Annual Conference of the United Methodist Church"

H.P. 1601 L.D. 2192

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.

SENATE PAPERS

Bill "An Act to Strengthen the Site Location of Development Law"

S.P. 846 L.D. 2202

Presented by Senator PEARSON of Penobscot
Cosponsored by: Representative MURPHY of Kennebunk, Representative MICHAUD of East Millinocket, Representative LORD of Waterboro
Which was referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED.
Sent down for concurrence.

Resolve, Establishing the Commission to Study the Status of the Nursing and Health Care Professions in Maine

S.P. 847 L.D. 2203

Presented by Senator BUSTIN of Kennebec
Cosponsored by: Senator GAUVREAU of Androscoggin, Representative BOUTILIER of Lewiston, Representative PINES of Limestone
Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 27
Which was referred to the Committee on HUMAN RESOURCES and ORDERED PRINTED.
Sent down for concurrence.

Bill "An Act to Protect Elderly, Infirm Persons from Improvident Transfer of Title to Property"

S.P. 848 L.D. 2204

Presented by Senator BRANNIGAN of Cumberland
Cosponsored by: Representative CONLEY of Portland, Representative THISTLE of Dover-Foxcroft, Representative COTE of Auburn
Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26
Which was referred to the Committee on JUDICIARY and ORDERED PRINTED.
Sent down for concurrence.

COMMITTEE REPORTS

House
Ought to Pass

The Committee on TAXATION on Bill "An Act Relating to Taxation of Trucks"

H.P. 1284 L.D. 1757

Reported that the same Ought to Pass.
Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-440).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.
House Amendment "A" (H-440) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act Allowing the Town of Island Falls to Annex Township 4, Range 3 WELS in Aroostook County"

H.P. 1017 L.D. 1370

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-437).

Signed:
Senator:
TUTTLE of York

Representatives:
CARROLL of Gray
LACROIX of Oakland
BOUTILIER of Lewiston
ROTONDI of Athens
STROUT of Windham
ANTHONY of South Portland
HUSSEY of Milo

The Minority of the same Committee on the same subject reported that the same Ought Not to Pass.

Signed:
Senators:

BALDACCI of Penobscot
GOULD of Waldo
Representatives:
WENTWORTH of Wells
LOOK of Jonesboro
BICKFORD of Jay

Comes from the House the Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-437).

Which Reports were READ.
On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending ACCEPTANCE OF EITHER REPORT.

Senate at Ease
Senate called to order by the President.

SECOND READERS

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

House

Bill "An Act Relating to Kents Hill School"
H.P. 1437 L.D. 1953
Which was READ A SECOND TIME and PASSED TO BE ENGROSSED, in concurrence.

House As Amended

Bill "An Act to Extend the Sunset Review Period for Rate Regulation Reform for Certain Electric Utilities"

H.P. 1425 L.D. 1936
(C "A" H-438)

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

H.P. 1481 L.D. 2016
(C "A" H-439)

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

Senate

Bill "An Act Clarifying the Authority of Superior Court Justices to Sit in District Court"

S.P. 714 L.D. 1944

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

Sent down for concurrence.

ORDERS OF THE DAY

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

HOUSE REPORTS - from the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act Requiring Fiscal Impact Statements Describing the Costs and Benefits Associated with Each Legislative Document and Agency Rule that Affect Political Subdivisions of the State"

H.P. 855 L.D. 1149

Majority - Ought Not to Pass

Minority - Ought to Pass

Tabled - February 4, 1988, by Senator CLARK of Cumberland.

Pending - Motion of Senator TUTTLE of York to ACCEPT the Majority OUGHT NOT TO PASS Report, in concurrence.

(In Senate, February 4, 1988, Reports READ.)

(In House, February 3, 1988, Majority OUGHT NOT TO PASS Report READ and ACCEPTED.)

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending the motion of Senator TUTTLE of York, to ACCEPT the Majority OUGHT NOT TO PASS Report, in concurrence.

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

Bill "An Act to Establish a Detention and Rehabilitation System for Chronic Operating-Under-the-Influence Offenders"

H.P. 1597 L.D. 2183

Tabled - February 4, 1988, by Senator CLARK of Cumberland.

Pending - REFERENCE

(Committee on LEGAL AFFAIRS suggested and ORDERED PRINTED.)

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

Senator ERWIN of Oxford was granted unanimous consent to address the Senate on the Record.

Senator ERWIN: Mr. President, ladies and gentlemen of the Senate. We have just learned that the International Paper mill in Jay has a major chlorine leak. The town of Jay, the schools and James River in Jay, which is quite a distance from the mill, have been evacuated. I am not sure how many of you are aware of just what chlorine is and the danger of it. Chlorine gas is heavier than air, so it will stay right on the ground. Chlorine gas and any concentration that gets in your lungs and mixes with the moisture in your lungs makes an acid. What do you think an acid will do to the sacs of your lungs? It will eat them up. This is something that is horrible, ladies and gentlemen, it is something that I have been praying would not happen and I hope that it doesn't develop into a situation that very easily could end up to have some casualties. For some of us this is just another example of people who do not know what they are doing, and they should not be operating areas of a plant where there are such hazardous material as chlorine. Thank you.

On motion by Senator ERWIN of Oxford, ADJOURNED until Monday, February 8, 1988, at 10:00 in the morning.