

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

NAY - Anderson, Armstrong, Begley, Bickford, Bott, Bragg, Brown, Callahan, Dellert, Dexter, Farnum, Farren, Foss, Foster, Garland, Greenlaw, Hanley, Harper, Hepburn, Higgins, Holloway, Kimball, Lawrence, Lebowitz, Look, MacBride, Marsano, Moholland, Murphy, T.; Norton, Paradis, E.; Parent, Pines, Reed, Ridley, Salsbury, Scarpino, Seavey, Sherburne, Small, Stevens, A.; Strout, B.; Tammaro, Taylor, Tupper, Wentworth, Weymouth, Whitcomb, Zirkilton.

ABSENT - Bailey, Boutilier, Cashman, Coles, Davis, Duffy, Hillock, Mahany, Melendy, Mills, Priest, Reeves, Rice, Ruhlin, Stanley, Stevens, P.; Strout, D.; Tardy.

Yes. 83; No. 49; Absent, 18; Vacant, 1; Paired, 0; Excused, 0.

83 having voted in the affirmative and 49 in the negative with 18 being absent and 1 vacant, the Majority "Ought to Pass" as amended Report was accepted, the Bill read once.

Committee Amendment "A" (S-323) was read by the Clerk and adopted and the Bill assigned for second reading, Tuesday, March 15, 1988.

The Chair laid before the House the following matter: Recognizing: the Bonny Eagle High School Cheerleading team on their victory in the State Class A Cheerleading Championship held in Orono, February 6, 1988: (HLS 1037) by Representative GREENLAW of Standish. (Cosponsors: Senator BLACK of Cumberland, Representative KIMBALL of Buxton) which was tabled earlier in the day and later today assigned pending passage.

Was read, passed, and sent up for concurrence.

The Chair laid before the House the following matter: An Act to Permit Sharing of Confidential Information between Criminal Justice Agencies at all Governmental Levels (H.P. 1467) (L.D. 1978) which was tabled earlier in the day and later today assigned pending passage to be enacted.

On motion of Representative Diamond of Bangor, retabled pending passage to be enacted and specially assigned for Tuesday, March 15, 1988.

(Off Record Remarks)

On motion of Representative Brown of Gorham, Adjourned until Tuesday, March 15, 1988, at nine o'clock in the morning.

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

In Senate Chamber
Monday
March 14, 1988

Senate called to Order by the President.

Prayer by Reverend Doctor Stephen Tolander of the Veterans Administration Center in Augusta.

REVEREND TOLANDER: Except the Lord build the house, they labor in vain that build it. Except the Lord keep the city, the watchman waketh but in vain. Blessed is everyone that feareth the Lord, that walketh in his way.

Let us Pray. We come before You, oh Lord, asking Your wisdom and blessing upon the men and women of the Senate of this great state, who have been duly elected to rule over us and to act on our behalf. They come from many places and have a variety of interests and backgrounds. And they bring to the challenges that lie before them a wealth of talent and ability. Help them to indeed remember that unless You build the city, they labor in vain that build it. Only You can enable them to see beyond the finiteness of their own perspective. Only You can enable them to move beyond the partisan tug of region, ideology, and personal agenda to seek the "higher good" for all the people. May they learn the lesson from the story of the blind men who each had hold of a portion of the elephant that each perspective and opinion on an issue has value in and of itself and, if accepted in a spirit of tolerance, can give a better understanding of the whole. These things we pray in Your holy name. Amen.

Reading of the Journal of Friday, March 11, 1988.

PAPERS FROM THE HOUSE
House Papers

Bill "An Act to Clarify the Definition of Earnable Compensation"

H.P. 1826 L.D. 2502

Comes from the House referred to the Committee on AGING, RETIREMENT AND VETERANS and ORDERED PRINTED.

Which was referred to the Committee on AGING, RETIREMENT AND VETERANS and ORDERED PRINTED, in concurrence.

Bill "An Act to Authorize a Bond Issue in the Amount of \$10,000,000 for a Grants Program for Municipal Capital Investments"

H.P. 1829 L.D. 2505

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 Amend the Maine Banking Code" (Emergency)

H.P. 1827 L.D. 2503

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

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

Bill "An Act Relating to School Construction"
H.P. 1828 L.D. 2504
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.

Bill "An Act to Improve Comprehensive Land Use
Planning and Land Use Ordinances to Manage Growth and
Development"
H.P. 1830 L.D. 2506
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.

SENATE PAPERS

Bill "An Act Relating to the Provisions of the
Charter of the Veazie Sewer District" (Emergency)
S.P. 951 L.D. 2516
Presented by Senator MAYBURY of Penobscot
Cosponsored by: Representative BOST of Orono
Approved for Introduction by a Majority of the
Legislative Council pursuant to Joint Rule 27
Which was referred to the Committee on UTILITIES
and ORDERED PRINTED.
Sent down for concurrence.

COMMITTEE REPORTS

House

Ought Not to Pass

The following Ought Not to Pass Report shall be
placed in the Legislative Files without further
action pursuant to Rule 15 of the Joint Rules:
Bill "An Act Concerning Recertification of
Handicap in the Motor Vehicle Registration Laws"
H.P. 1466 L.D. 1977

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 Making an Appropriation to the
Department of Agriculture, Food and Rural Resources
for the Maine Rehabilitation Fund"
H.P. 413 L.D. 547

Bill "An Act to Restrict the Department of
Environmental Protection from Hiring Independent
Legal Counsel to Oppose the Attorney General Unless
Authorized by the Legislature"
H.P. 1660 L.D. 2270

Ought to Pass

The Committee on STATE AND LOCAL GOVERNMENT on
Resolve, for Laying of the County Taxes and
Authorizing Expenditures of Franklin County for the
Year 1988 (Emergency)

H.P. 1831 L.D. 2507

Reported that the same Ought to Pass, pursuant to
Joint Order H.P. 1489.

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

Which Report was READ and ACCEPTED, in
concurrence.

The Resolve READ ONCE.

The Resolve TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended
The Committee on BANKING AND INSURANCE on Bill
"An Act to Amend the Uniform Commercial Code"
H.P. 1504 L.D. 2054

Reported that the same Ought to Pass as Amended
by Committee Amendment "A" (H-469).

Comes from the House, with the Report READ and
ACCEPTED and the Bill PASSED TO BE ENGROSSED AS
AMENDED BY COMMITTEE AMENDMENT "A" (H-469)

Which Report was READ and ACCEPTED, in
concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-469) READ and ADOPTED,
in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND
READING.

Ought to Pass in New Draft under New Title
The Committee on BANKING AND INSURANCE on Bill
"An Act Pertaining to the Establishment of Mandatory
Risk-sharing Plans"

H.P. 294 L.D. 380

Reported that the same Ought to Pass in New Draft
under New Title Bill "An Act Pertaining to the
Establishment of Market Assistance Plans"

H.P. 1820 L.D. 2495

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

Which Report was READ and ACCEPTED, in
concurrence.

The Bill in NEW DRAFT under NEW TITLE READ ONCE.

The Bill in NEW DRAFT under NEW TITLE TOMORROW
ASSIGNED FOR SECOND READING.

Senate

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 Concerning the Labeling of
Prescription Drugs"

S.P. 856 L.D. 2232

Ought to Pass in New Draft

Senator LUDWIG for the Committee on ENERGY AND
NATURAL RESOURCES on Bill "An Act Relating to
Development Along the St. Croix River"

S.P. 854 L.D. 2230

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

S.P. 949 L.D. 2508

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

Resolve, to Change the Reporting Date of the
Commission on Sport Fisheries (Emergency)

H.P. 1663 L.D. 2275

Bill "An Act to Prohibit Publication of Names of
Concealed Weapon Permit Holders"

H.P. 1817 L.D. 2487

Bill "An Act to Amend the Animal Control Laws"
(Emergency)

H.P. 1819 L.D. 2493

LEGISLATIVE HISTORY - SENATE, MARCH 14, 1988

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

House As Amended

Bill "An Act to Make Corrections in the Recodification of the Liquor Laws"

H.P. 1598 L.D. 2184
(C "A" H-467)

Bill "An Act to Amend the Laws Governing Absentee Balloting"

H.P. 1600 L.D. 2189
(C "A" H-468)

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

Senate

Bill "An Act to Provide Additional Appropriations to Continue the Dioxin Study"

S.P. 818 L.D. 2138
Bill "An Act Relating to the Weighing of Trucks"

S.P. 819 L.D. 2139

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

Sent down for concurrence.

Senate As Amended

Bill "An Act to Establish a Presidential Primary in Maine"

S.P. 123 L.D. 328
(C "A" S-329)

Bill "An Act to Make Changes to the Public Utilities Law"

S.P. 745 L.D. 2004
(C "A" S-333)

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
(C "A" S-335)

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

S.P. 796 L.D. 2093
(C "A" S-332)

Bill "An Act to Make Allocations from the Maine Nuclear Emergency Planning Fund for Fiscal Year Ending June 30, 1989" (Emergency)

S.P. 837 L.D. 2174
(C "A" S-331)

Bill "An Act to Provide Volunteer Literacy Services for Maine Citizens"

S.P. 876 L.D. 2279
(C "A" S-330)

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

Sent down for concurrence.

ENACTORS

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

Emergency

An Act to Amend the Charter of the Jackman Sewer District to Make the Provisions for Collection of Unpaid Rates Conform to the General Provisions for Collection of Unpaid Rates by Sanitary Districts

S.P. 824 L.D. 2146

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE

ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

ORDERS OF THE DAY

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

Resolve, Regarding the Study of Low-Level Radioactive Waste in the Town of Greenbush

H.P. 1794 L.D. 2458

Tabled - March 11, 1988, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED

(In Senate, March 10, 1988, READ A SECOND TIME.)

(In House, March 7, 1988, PASSED TO BE ENGROSSED.)

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending PASSAGE TO BE ENGROSSED.

Senate at Ease

Senate called to order by the President.

On motion by Senator PEARSON of Penobscot, ADJOURNED until Tuesday, March 15, 1988, at 9:00 in the morning.