

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

what the Committee intended to do. We intended to do some grandfathering to that and that did not happen.

When the health engineer came to my restaurant to do the regular yearly check, I serve people at my restaurant, it really isn't a sit down restaurant, but I also don't have this problem because I already have a rest room available to the public. What that inspector said to me was that there are many people out there that have a problem. For instance, the small drug stores that have a couple of stools for you to sit on, it is virtually impossible for them to install a rest room for the public without, in some way, having that public member go through where the drugs are kept. As you know, that would not be acceptable to have the general public walking through where drugs are stored. If you can visualize in your mind a lot of the drug stores in the State of Maine you know how small a space that is where you walk in and get your drugs or where there is a small counter would be relatively impossible to install that facility.

What we are basically doing is shutting down perhaps a number of small businesses, in that regard, if we don't change this. I asked the health engineer what would they do to help these people because they are the ones that are saying it is unenforceable. We can't go into every restaurant and close them down because they don't have a rest room. So they have different categories of seating capacity for different restaurants. The first category is twenty-seven or less so they suggested that we grandfather the seating capacity of twenty-seven or less out of the law that requires rest rooms for the public and that is what this bill is all about.

Which was PASSED TO BE ENGROSSED, without reference to a Committee.

Sent down for concurrence.

Senate at Ease

Senate called to order by the President.

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

The Adjournment Order having been returned from the House, READ and PASSED, in concurrence, on motion by Senator BERUBE of Androscoggin, ADJOURNED until Tuesday, January 20, 1987, at 10:00 in the morning.

ONE HUNDRED AND THIRTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION
5th Legislative Day
Tuesday, January 20, 1987

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

Prayer by Reverend James Herrick, Nazarene (Retired) of Bailey Island.

National Anthem by the Livermore Falls High School Band.

Quorum call was held.

The Journal of Friday, January 16, 1987, was read and approved.

SENATE PAPERS

Bill "An Act to Exempt Certain Eating Places from the Requirement to Provide a Public Rest Room" (Emergency) (S.P. 35) (L.D. 19)

Came from the Senate under suspension of the rules and without reference to a Committee, the Bill read twice and passed to be engrossed.

(The Committee on Reference of Bills had suggested reference to the Committee on Human Resources.)

Was referred to the Committee on Human Resources in non-concurrence and sent up for concurrence.

COMMUNICATIONS

The following Communication: (S.P. 30)

113th MAINE LEGISLATURE

January 13, 1987

Senator Michael D. Pearson
Representative Donald V. Carter
Chairpersons

Joint Standing Committee on Appropriations
and Financial Affairs

113th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Jean E. Mattimore of Freeport for appointment as the Commissioner of the Department of Finance.

Pursuant to Title 5, M.R.S.A. Section 281, this nomination will require review by the Joint Standing Committee on Appropriations and Financial Affairs and confirmation by the Senate.

Sincerely,
S/Charles P. Pray
President of the Senate
S/John L. Martin
Speaker of the House

Came from the Senate, read and referred to the Committee on Appropriations and Financial Affairs.

Was read and referred to the Committee on Appropriations and Financial Affairs in concurrence.

The following Communication: (S.P. 31)

113th MAINE LEGISLATURE

January 13, 1987

Senator John E. Baldacci
Representative Carol M. Allen
Chairpersons

Joint Standing Committee on Business Legislation
113th Legislature

Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Susan M. Collins of Caribou for appointment as the Commissioner of the Department of Professional and Financial Regulation.

Pursuant to Title 10, M.R.S.A. Section 8002, this nomination will require review by the Joint Standing Committee on Business Legislation and confirmation by the Senate.

Sincerely,
S/Charles P. Pray
President of the Senate
S/John L. Martin
Speaker of the House

Came from the Senate, read and referred to the Committee on Business Legislation.

Was read and referred to the Committee on Business Legislation in concurrence.

The following Communication: (S.P. 32)
113th MAINE LEGISLATURE
January 13, 1987

Senator Ronald E. Usher
Representative Michael H. 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 nominated Dean C. Marriott of Cape Elizabeth for appointment as the Commissioner of the Department of Environmental Protection.

Pursuant to Title 38, M.R.S.A. Section 341, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Sincerely,
S/Charles P. Pray
President of the Senate
S/John L. Martin
Speaker of the House

Came from the Senate, read and referred to the Committee on Energy and Natural Resources.

Was read and referred to the Committee on Energy and Natural Resources in concurrence.

The following Communication: (S.P. 33)
113th MAINE LEGISLATURE
January 13, 1987

Senator Ronald E. Usher
Representative Michael H. 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 nominated Robert R. LaBonta of Waterville for appointment as the Commissioner of the Department of Conservation.

Pursuant to Title 12, M.R.S.A. Section 5011, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Sincerely,
S/Charles P. Pray
President of the Senate
S/John L. Martin
Speaker of the House

Came from the Senate, read and referred to the Committee on Energy and Natural Resources.

Was read and referred to the Committee on Energy and Natural Resources in concurrence.

The following Communication: (S.P. 34)
113th MAINE LEGISLATURE
January 13, 1987

Senator N. Paul Gauvreau
Representative Peter J. Manning
Chairpersons
Joint Standing Committee on Human Resources
113th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Nicola C. Kobritz of Bangor for appointment as the Director of Community Services.

Pursuant to Title 5, M.R.S.A. Section 3515, this nomination will require review by the Joint Standing Committee on Human Resources and confirmation by the Senate.

Sincerely,
S/Charles P. Pray
President of the Senate
S/John L. Martin
Speaker of the House

Came from the Senate, read and referred to the Committee on Human Resources.

Was read and referred to the Committee on Human Resources in concurrence.

The following Communication: (S.P. 37)
THE SENATE OF MAINE
January 8, 1987

The Honorable Charles P. Pray
Chairman, Legislative Council
113th Maine Legislature
Senate Chamber
Augusta, ME 04333

Dear Senator Pray:

Please be advised that in accordance with Joint Rule 39, the members of the Legislative Council representing the Minority Party of the Legislature have appointed May M. Ross their partisan staff assistant for nominations.

Sincerely,
S/Thomas R. Perkins
Senate Minority Leader
S/Thomas W. Murphy, Jr.
House Minority Leader

Came from the Senate, read and ordered placed on file.

Was read and ordered placed on file in concurrence.

The following Communication: (H.P. 22)
STATE OF MAINE
DEPARTMENT OF STATE
AUGUSTA, MAINE 04333

January 14, 1987
Hon. John L. Martin
Speaker of the House
Maine State Legislature
State House
Augusta, Maine 04333

Dear Mr. Speaker:

In accordance with the provisions of Title 30, Section 253 of the Revised Statutes, as amended, I have the honor to transmit herewith the budget estimates of expenses of the counties within the State for the year 1987.

They are as follows:

Franklin
Hancock
Kennebec
Knox

Lincoln
Oxford
Penobscot
Piscataquis
Sagadahoc
Somerset
Washington
York
Respectfully
s/Rodney S. Quinn

Was read and referred to the Committee on State and Local Government and sent up for concurrence.

PETITIONS, BILLS AND RESOLVES
REQUIRING REFERENCE

The following Bills and Resolve were received and, upon the recommendation of the Committee on Reference of Bills, were referred to the following Committees, Ordered Printed and Sent up for Concurrence:

Judiciary

Bill "An Act to Extend Immunity from Civil Liability for the Unlawful Cutting of Trees to Municipal Employees Acting within the Course and Scope of their Employment" (H.P. 26) (L.D. 23) (Presented by Representative PARADIS of Augusta)

Bill "An Act to Permit a Guilty but Mentally Ill Verdict in a Criminal Case" (H.P. 28) (L.D. 25) (Presented by Representative VOSE of Eastport) (Cosponsor: Senator ERWIN of Oxford) (Ordered Printed) Sent up for concurrence.

Transportation

RESOLVE, to Provide for a Commemorative Bicentennial Motor Vehicle License Plate to Celebrate the Bicentennial of the Town of Waterboro (Emergency) (H.P. 27) (L.D. 24) (Presented by Representative LORD of Waterboro) (Cosponsor: Senator BLACK of Cumberland) (Ordered Printed) Sent up for concurrence.

State and Local Government

Bill "An Act to Place in the Unclassified Service the Utility Technical Analyst, Utility Programmer Analyst and Utility Accountant II Positions at the Public Utilities Commission" (H.P. 25) (L.D. 22) (Presented by Representative VOSE of Eastport) (Cosponsors: Representative NICHOLSON of South Portland and Senator ERWIN of Oxford)

(The Committee on Reference of Bills had suggested reference to the Committee on Utilities.)

On motion of Representative Vose of Eastport, was referred to the Committee on State and Local Government, Ordered Printed and sent up for concurrence.

ORDERS

On motion of Representative McSWEENEY of Old Orchard Beach, the following Order:

ORDERED, that Representative Annette Hogle of Portland be excused January 16 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Vinton T. Ridley of Shapleigh be excused January 16 for personal reasons.

Was read and passed.

On motion of Representative CARROLL of Gray, the following Joint Order: (H.P. 23)

ORDERED, the Senate concurring, that the Joint Standing Committee on State and Local Government report out to the House such legislation as it sees fit to revise the salaries of county officers and lay the county taxes for the year 1987.

Was read and passed and sent up for concurrence.

(At Ease)

The House was called to order by the Speaker.

(Off Record Remarks)

On motion of Representative Martin of Van Buren, Adjourned until Thursday, January 22, 1987, at twelve o'clock noon.