

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

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SECOND REGULAR SESSION

January 6, 1988 to March 24, 1988

ONE HUNDRED AND THIRTEENTH MAINE LEGISLATURE
SECOND REGULAR SESSION
1st Legislative Day
Wednesday, January 6, 1988

Pursuant to Article IV, Part 3, Section 1 of the Constitution and Laws of the State of Maine, the Representatives to the One Hundred and Thirteenth Legislature assembled in the Hall of the House and were called to order by JOHN L. MARTIN of Eagle Lake, Speaker of the House.

Prayer by Father Philip Cyr, St. Mark's Parish, Ashland.

National Anthem by Ashland Community High School Band.

For the purpose of ascertaining the presence of a quorum, a certified roll of the Representatives was taken.

The elected membership of the House being 151 and 144 members having answered to their names with 7 being absent, a quorum was found to be present.

Absent were Representatives Bragg of Sidney, Davis of Monmouth, Dutremble of Biddeford, Hepburn of Skowhegan, Lebowitz of Bangor, Martin, H. of Van Buren, and Nadeau, G.G. of Lewiston.

At this point, a message was received from the Senate, borne by Senator DUTREMBLE of York of that body, announcing a quorum present and that the Senate was ready to transact any business that might properly come before it.

On Motion of Representative DIAMOND of Bangor, the following Order:

ORDERED, that a Committee of ten be appointed to wait upon his Excellency, Governor John R. McKernan, Jr. and inform him that a quorum of the House of Representatives is assembled in the Hall of the House for the consideration of such business as may come before the House.

Was read and passed and the Speaker appointed the following members:

Representative CARROLL of Gray
Representative ROTONDI of Athens
Representative BOUTILIER of Lewiston
Representative LACROIX of Oakland
Representative HUSSEY of Milo
Representative ANTHONY of South Portland
Representative WENTWORTH of Wells
Representative BICKFORD of Jay
Representative LOOK of Jonesboro
Representative STROUT of Windham

At this point, Representative CARROLL of Gray reported that the Committee had delivered the message with which it was charged.

On Motion of Representative GWADOSKY of Fairfield the following Order:

ORDERED, that a message be conveyed to the Senate that a quorum of the House of Representatives is present for the consideration of such business as may come before the House.

Was read and passed and Representative DIAMOND of Bangor was appointed to convey the message and subsequently reported that he had delivered the message with which he was charged.

At this point, Representatives Coles of Harpswell, Stevens of Bangor, Rydell of Brunswick, and Weymouth of West Gardiner were added to the Roll.

COMMUNICATIONS

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333

December 10, 1987

Hon. Edwin H. Pert
Clerk of the House
State House Station #2
Augusta, Maine 04333

Dear Clerk Pert:

This is to notify you that pursuant to my authority under House Rule 1, I have today rescinded my appointment of Rep. Earl G. Nicholson, of South Portland, to the Joint Standing Committee on Audit and Program Review, and I have appointed Rep. Beverly C. Daggett, of Augusta to the Joint Standing Committee on Audit and Program Review.

Sincerely,
S/John L. Martin
Speaker of the House

Was read and ordered placed on file.

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333

December 23, 1987

Edwin H. Pert
Clerk of the House
State House Station #2
Augusta, Maine 04333

Dear Clerk Pert:

This is to notify you that I am today rescinding the appointment of Carol M. Allen, of Washington, to the Joint Standing Committee on Utilities, and I am appointing Rep. Robert J. Tardy, of Palmyra, to the Joint Standing Committee on Utilities.

I am also rescinding the appointment of Rep. Robert J. Tardy to the Joint Standing Committee on Banking and Insurance, and I am appointing Rep. Carol M. Allen to the Joint Standing Committee on Banking and Insurance.

I am rescinding the appointment of Rep. Walter E. Whitcomb, of Waldo, to the Joint Standing Committee on Agriculture, and I am appointing Rep. Robert L. Glidden, of Houlton, to the Joint Standing Committee on Agriculture.

I am appointing Rep. Walter E. Whitcomb to the Joint Standing Committee on Taxation (to fill the vacancy created by the resignation of Rep. Gennette M. Ingraham).

I am appointing Rep. Vinton T. Ridley, of Shapleigh, to the Joint Standing Committee on Appropriations and Financial Affairs (to fill the vacancy created by the death of Rep. Laurence E. Connolly, Jr.).

I am rescinding my appointment of Rep. Richard A. Gould, of Greenville, to the Joint Standing Committee on Education, and I am appointing Rep. James V. Oliver, of Portland, to the Joint Standing Committee on Education.

I am rescinding my appointment of Rep. Vinton T. Ridley, of Shapleigh, to the Joint Standing Committee on Energy and Natural Resources, and I am appointing

December 4, 1987

Rep. Richard A. Gould to the Joint Standing Committee on Energy and Natural Resources.

I am rescinding my appointment of Rep. Dana Stevenson from the Joint Standing Committee on Legal Affairs, and I am appointing Rep. Clyde Hichborn to the Joint Standing Committee on Legal Affairs.

Sincerely,
S/John L. Martin
Speaker of the House

Was read and ordered placed on file.

The following Communication:

State of Maine
Bureau of Taxation
State Office Building
Augusta, Maine 04333

November 25, 1987

The Honorable John Martin
Speaker of the House
House of Representatives
State House Station #2
Augusta, Maine 04333
Dear Speaker Martin:

The accompanying report of State-owned real estate is submitted in accordance with the provisions of Title 36, MRSA, §1283.

This report includes eighteen properties or interests acquired through liens maturing since the last Regular Session of the Legislature.

Part A (the Resolve) includes a legal description of each property, the entire amount of outstanding tax, interest and costs which have accrued, and recommendations for disposition. Part B includes a narrative description of each property.

Respectfully submitted,
s/Anthony J. Neves
State Tax Assessor

Was read and with accompanying report ordered placed on file.

The following Communication:

Executive Department
Office of Energy Resources
State House Station 53
Augusta, Maine 04333

December 1, 1987

Speaker of the House
John L. Martin
State House Station #2
Augusta, ME 04333

Dear Speaker Martin:

I am pleased to submit to you, pursuant to Section 6 of Chapter 818 of the Public Laws of 1986 and to Section 5 of Chapter 533 of the Public Laws of 1987, a report on the use of Exxon Oil Overcharge funds and on the use of Stripper Well Overcharge funds.

These reports are required by law to be submitted annually, beginning December 1, 1987, by the Governor through the Office of Energy Resources.

Additional copies of the report will be available from the printers in the next day or two and one-hundred-and-fifty-one copies will be delivered to you immediately upon receipt.

Respectfully submitted,
s/Harvey E. DeVane

Was read and with accompanying report ordered placed on file.

The following Communication:

113th Maine Legislature

Hon. Edwin H. Pert
Clerk of the House
State House Station #2
Augusta, Maine 04333
Dear Clerk Pert:

This is to notify you that pursuant to our authority under Chapter 500 of the Public Laws of 1987, we have today appointed the following to serve on the Commission on Job Opportunity Zones:

Edith Beaulieu, Westbrook
Gregory G. Cyr, Portage
Peggy Daigle, East Millinocket
Roy Taylor, Dover-Foxcroft
Rep. Harry Vose, Eastport
Sincerely,

S/Charles P. Pray
President of the Senate
Was read and ordered placed on file.

S/John L. Martin
Speaker of the House

The following Communication:

DEPARTMENT OF
EDUCATIONAL AND CULTURAL SERVICES
STATE HOUSE STATION 23
AUGUSTA, MAINE 04333

December 1, 1987

TO: Members of the 113th Legislature
Bureau of the Budget

FROM: S/Eve M. Bither, Commissioner

SUBJECT: Actual Education Costs for Base Year 1986-87
Pursuant to the provisions of 20-A MRSA §15604, I forward herewith notification of the "actual education costs" as defined in sub-§ 1 of 20-A MRSA §15604 for the base year 1986-87.

A. Operating costs	
(1) Elementary	\$303,863,686
(2) Secondary	\$187,403,240
B. Special education costs for programs operated by administrative units	44,902,605
C. Special education tuition and board, excluding medical costs	12,694,787
(1) Tuition and board for pupils placed by administrative units	9,994,804
(2) Tuition and board for State wards and direct State placement	2,199,983
(3) Adjustments under section 15612, subsection 6 (Special Education Hardship grants)	500,000
D. Vocational education costs	15,596,619
E. Transportation operating costs	38,455,833
F. Purchase of Buses	4,987,933
G. Debt Service Costs	
(1) Principal and Interest	31,258,789
(2) Insured Value Factor	767,009
(3) Leases	1,643,735
(4) Construction - Current Year Const. Funding	1,333,921
Other major capital costs	1,172,750
H. Cost of reimbursement for private school services	313,366
I. Cost of state exp. for teacher retirement benefits	68,642,761
J. Early childhood educational programs	527,480
Teacher Recognition Grants per 20-A MRSA Ch. 506	14,300,000
Teacher Salary Block Grants (including teacher retirement)	13,500,000

BUREAU OF INSURANCE
STATE HOUSE STATION 34
AUGUSTA, MAINE 04333
PRELIMINARY REPORT
SAFETY POOL IN MAINE

The above figures include all adjustments in expenditure reports through November 30, 1987. These expenditures are from state and local monies only, except that Federal P.L. 81-874 funds are included. Was read and ordered placed on file.

The following Communication:
DEPARTMENT OF
EDUCATIONAL AND CULTURAL SERVICES
STATE HOUSE STATION 23
AUGUSTA, MAINE 04333

December 1, 1987
TO: Joy J. O'Brien
Ed Pert
FROM: S/Eve M. Bither, Commissioner
RE: Report of Actions Taken Regarding Habitual Truants

M.R.S.A. Title 20-A, Section 5051 defines an habitual truant as a "student" of compulsory school age who has not been legally excused from school attendance (Section 5001-A or Section 5002) and has been "absent from school without excuse for the equivalent of 10 full days, or for at least 1/2 day on 7 consecutive school days, within any 6-month period." The following summary is a report of the number of habitual truants identified during the 1986-87 school year and actions taken by local units regarding alternate programs.

	AGE 7-13	AGE 14-16
1. Total number of habitual truants 1986-87.	<u>128</u>	<u>920</u>
Of this total, how many individuals were:		
a. resolved by informal administrative action?	<u>57</u>	<u>461</u>
b. identified but not resolved?	<u>52</u>	<u>351</u>
c. referred to school board for action	<u>18</u>	<u>108</u>
2. Of the number referred to school board for action (1c), how many resulted in:		
a. compulsory attendance waived (Sec. 5001-A, 2b)?	---	<u>104</u>
b. appeal to Commissioner?	---	<u>-0-</u>
c. waiver granted by the Commissioner?	---	<u>-0-</u>
d. parents referred for court prosecution?	<u>12</u>	<u>4</u>
3. Of the number of parents referred to court (2d), how many were:		
a. prosecuted by formal action?	<u>3</u>	<u>1</u>
b. referred for counseling?	<u>-0-</u>	<u>22</u>
4. How many students age 15 to 17 were excused from compulsory attendance by school board action under Section 5001-A (2) (B)? (Count students who were granted permission to withdraw whether or not they were habitual truants.)	<u>269</u>	
5. How many students age 14 to 17 were excused to attend alternate programs under Section 5002?	<u>258</u>	

Was read and ordered placed on file.

The following Communication:
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

As required by Section 2350(2)(G) of Title 24-A, the following report provides information relating to the Safety Pool for the workers' compensation market in Maine. At this time, the Bureau is unable to submit a final report due to insufficient information from the NCCI, National Council on Compensation Insurance. This report will be finalized when the Bureau receives the necessary information from the NCCI, the designated advisory organization.

1. The percentage of total insured premium in this state written in the Safety Pool - A.M. Best Company reports that \$167,327,000 premium was written in 1986. Of that, roughly 50 percent of the written premiums were ceded to the National Reinsurance Pool. The NCCI reports that approximately \$64,000,000 (or 38.2 percent) was for the Safety Pool. The NCCI's results exclude assignments made during the period of October 1, 1986 through December 31, 1986 from several companies, those being Great American, Liberty Mutual, The Home, Peerless, St. Paul, and Zurich. The additional assignments and premiums will affect figures presented in this preliminary report.

2. The percentage of all insured employers in this state written in the Safety Pool - There are approximately 24,000 policyholders in the State of Maine; more than 75 percent of the insured were written in the Safety Pool in 1986.

3. The number of employers in the Safety Pool and the number who have entered or left - The NCCI disclosed that 17,923 employers entered the Safety Pool, that excludes those who haven't reported, see article #1. The Safety Pool was a new residual market mechanism, therefore the number of risks written in the Safety Pool is the number who entered. At this point, the NCCI has not reported to the Bureau those who have left.

4. The total earned premium, paid losses, reserves and incurred losses - the NCCI has not provided the Bureau with information pertaining to the items requested in this article.

5. The investment income of the Safety Pool and its method of allocation or determination - The NCCI has not provided the Bureau with any information concerning the investment of income or the method of allocation.

The Bureau of Insurance has requested further information from the NCCI in order to finalize this report. Any questions concerning this preliminary report will promptly be addressed.

Respectfully submitted,
S/ Joseph A. Edwards
Superintendent

Was read and ordered placed on file.

The following Communication: (H.P. 1430)
STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333
December 30, 1987

John L. Martin
Speaker of the House
113th Legislature
Charles P. Pray
President of the Senate
113th Legislature

Dear Mr. Speaker and Mr. President:

On December 30, 1987, eight Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on December 30, 1987 as follows:

Education

Bill "An Act Relating to Geographic Isolation Grants" (H.P. 1422) (L.D. 1933) (Presented by Representative SCARPINO of St. George) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Fisheries and Wildlife

Bill "An Act to Prohibit Hunting, Trapping, Molesting or Harassing of Bear near Dumps" (H.P. 1426) (L.D. 1937) (Presented by Representative JACQUES of Waterville) (Cosponsor: Speaker MARTIN of Eagle Lake) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Legal Affairs

Bill "An Act to Strengthen Penalties for Persons Piloting Boats Under the Influence of Alcohol" (H.P. 1424) (L.D. 1935) (Presented by Representative SIMPSON of Casco) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Taxation

Bill "An Act to Provide a Method for Taxation of Real Property When Owner is Unknown" (H.P. 1428) (L.D. 1939) (Presented by Representative ROLDE of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Transportation

Bill "An Act to Amend the Notice Provision under the Motor Vehicle Laws" (H.P. 1429) (L.D. 1940) (Presented by Representative CONLEY of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act Relating to the Expiration of a Valid Certificate of Inspection on a New or Used Motor Vehicle" (H.P. 1423) (L.D. 1934) (Presented by Representative STEVENS of Sabattus) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Utilities

Bill "An Act to Provide a Definition of Small Electric Utilities" (H.P. 1427) (L.D. 1938) (Presented by Representative VOSE of Eastport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Extend the Sunset Review Period for Rate Regulation Reform for Certain Electric Utilities" (H.P. 1425) (L.D. 1936) (Presented by Representative VOSE of Eastport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,
S/Edwin H. Pert
Clerk of the House
S/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file and sent up for concurrence.

The following Communication: (H.P. 1436)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333

December 31, 1987

John L. Martin
Speaker of the House
113th Legislature
Charles P. Pray

President of the Senate
113th Legislature

Dear Mr. Speaker and Mr. President:

On December 31, 1987, five Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on December 31, 1987 as follows:

Business Legislation

Bill "An Act Relating to Disclosures when Selling Used Cars" (H.P. 1435) (L.D. 1952) (Presented by Representative STEVENS of Sabattus) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Energy and Natural Resources

Bill "An Act to Provide Free Access to Certain State Lands by Disabled Persons" (H.P. 1434) (L.D. 1951) (Presented by Representative PARADIS of Augusta) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26) (By Request)

Labor

Bill "An Act to Increase the Minimum Wage" (H.P. 1431) (L.D. 1948) (Presented by Representative DIAMOND of Bangor) (Cosponsors: President PRAY of Penobscot, Speaker MARTIN of Eagle Lake and Senator DUTREMBLE of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

State and Local Government

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Make the Language of the Constitution Gender Neutral (H.P. 1432) (L.D. 1949) (Presented by Representative DIAMOND of Bangor) (Cosponsors: Senators CLARK of Cumberland, PERKINS of Hancock and Representative FOSTER of Ellsworth) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Deorganize the Town of Atkinson" (H.P. 1433) (L.D. 1950) (Presented by Representative THISTLE of Dover-Foxcroft) (Cosponsor: President PRAY of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,
S/Edwin H. Pert
Clerk of the House
S/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file and sent up for concurrence.

The following Communication:

STATE OF MAINE
EXECUTIVE DEPARTMENT
STATE PLANNING OFFICE

December 30, 1987

The Honorable John L. Martin
Speaker of the House of Representatives
State House
Augusta, ME 04333
Dear Speaker Martin,

I am very pleased to submit to you this report on the Evaluation and Financial Study of the Critical Areas Program.

The First Regular Session of the 113th Legislature directed the Critical Areas Advisory Board to conduct a study of the Critical Areas Program to evaluate whether current staffing and funding levels are adequate to accomplish the Program's mandate (Private and Special Law of 1987, Chapter 67).

We find that the Critical Areas Program has made significant progress in documenting and placing Critical Areas on the Register of Critical Areas. Appropriated funds have been wisely expended. Land conservation and environmental education have benefited from the Program's accomplishments. The Program's information on Critical Areas, and its assistance provided to landowners and businesses are essential for the State of Maine to wisely protect and manage Critical Areas.

We conclude that the Program is underfunded and understaffed to accomplish the Program's expanded legislative mandate. Inflation, low levels of funding, and a recent heavy demand for services and information have slowed the documentation of Critical Areas. Given the current level of funding the Program cannot meet its legislative mandate.

The Board recommends that the Legislature provide sufficient staffing and funding so the Critical Areas Program can meet its mandate and present workload, and provide the proper services to the State of Maine for the 1990's for Critical Area protection and education.

The Critical Areas Advisory Board appreciates the opportunity to undertake this study and to provide this report to the Legislature on one of Maine's vital natural resource programs.

Sincerely,
S/Dawn Hill-Lowther, Chair
Critical Areas Advisory Board

Was read and with accompanying report ordered placed on file.

The following Communication:

DEPARTMENT OF
EDUCATIONAL AND CULTURAL SERVICES
STATE HOUSE STATION 23
AUGUSTA, MAINE 04333
December 10, 1987

Edwin Pert
Clerk of the House
State House - Station #2
Augusta, ME 04333

Dear Mr. Pert:
Subject: Certification for 1988-1989
Funding Levels for Adult
Education

Pursuant to the provision of Title 20-A, M.R.S.A., Chapter 315, Section 8606-A, I am required to certify prior to December 15, 1987 to the Legislature and to the Bureau of the Budget a recommendation for the funding level for the various program categories in Adult Education.

Please see the recommendation below:

EDUCATION: ADULT EDUCATION

	<u>1988 - 1989</u>
<u>All Other</u> (Category 6300-Grants (to Cities and Towns) (This includes grants to programs for High School Completion, Adult Literacy, General Adult Ed., Adult Handicapped, Adult Voc. Ed., and Administration)	\$3,382,959.00

Sincerely,
S/Eve M. Bither
Commissioner

Was read and ordered placed on file.

The following Communication: (H. P. 1440)

DEPARTMENT OF
EDUCATIONAL AND CULTURAL SERVICES
STATE HOUSE STATION 23

AUGUSTA, MAINE 04333

December 15, 1987

TO: The Honorable John L. Martin, Speaker of
the House
FROM: Eve M. Bither, Commissioner
Subject: Certification of Education Funding
Levels, 1988-89

Pursuant to the provision of 20-A MRSA, Section 15605, I am required to certify annually to the Governor and to the Bureau of the Budget, my recommendation for the funding levels for the following year. My recommendation is also required to carry with it the approval of the State Board of Education.

The attached document represents my certification for the 1988-89 year. These recommended funding levels have received the approval of the State Board of Education at its meeting of December 15, 1987.

Was read and with accompanying report ordered placed on file. Sent up for concurrence.

The following Communication:

State of Maine
Senate Chamber
Augusta, Maine 04333
December 8, 1987

Hon. Edwin H. Pert
Clerk of the House
State House
Augusta, Maine 04333

Dear Clerk Pert:
Pursuant to my authority under Chapter 60 of the Resolves of 1987, I have appointed Pat Foster of Greenville to the Commission on Maine's Future.

Please let me know if you have any questions about this appointment.

Sincerely,
S/Charles P. Pray
President of the Senate

Was read and ordered placed on file.

The following Communication:

MAINE HEALTH POLICY ADVISORY COUNCIL
P. O. Box 10548
Portland, Maine 04104
December 11, 1987

Honorable John L. Martin, Speaker
State of Maine House of Representatives
State House Station #2
Augusta, Maine 04333

Dear Speaker Martin:
I am pleased to submit, on behalf of the members of the Maine Health Policy Advisory Council, our first annual report.

We would value any comments, questions or suggestions you may have.

Best wishes of the season.

Sincerely,
S/Donald E. Nicoll
Acting Chair

Was read and with accompanying report ordered placed on file.

The following Communication:

STATE OF MAINE
INTERDEPARTMENTAL COUNCIL
December 14, 1987

The Honorable Charles P. Pray The Honorable John L.
President of the Maine Senate Martin
State House Speaker of the Maine

Augusta, Maine 04333

House
State House
Augusta, Maine 04333

Dear President Pray and Speaker Martin:

We are pleased to transmit to you the enclosed interim report entitled "Framework for the Future: Building a Service Coordination Foundation to Improve the Lives of Handicapped Youth as They Leave School."

As you may recall, in April 1986 the 112th Legislature passed "AN ACT Concerning Transitional Services for Handicapped Persons Beyond School Age," which was approved by the Governor as Chapter 768. That Act mandated the enclosed report on activities by December 15, 1987.

The purpose of Chapter 768 was to better plan and coordinate programs serving handicapped youth who leave Maine's schools each year and seek to become involved with jobs and life as adults in their communities. The ACT was passed in response to the needs and recommendations of the Select Committee to Address Training and Employment Opportunities for Handicapped Persons Beyond School Age, established by the 111th Legislature.

In response to this Legislative directive, the Commissioners of the previous administration, within the structure of the Interdepartmental Committee (IDC), approved in July, 1986 the creation of the Committee on Transition (COT). The Committee has been an active subcommittee of the IDC, and has worked over the past 18 months to create seven local demonstration projects and to respond to the other mandates of the 1986 legislation. The details of the Committee's accomplishments are provided in the enclosed report.

The transmittal of this report in no way constitutes an endorsement of the report's recommendation. We would be very happy to provide you with additional information or to answer any questions that you might have on this report.

Thank you for your continued interest in and support of interdepartmental services for handicapped youth in our great state.

S/Rollin Ives Commissioner Department of Human Services	S/Eve Bither Commissioner Department of Educational and Cultural Services	S/Susan Parker Commissioner Department of Mental Health and Mental Retardation
--	--	---

Was read and with accompanying report ordered placed on file.

The following Communication:

MAINE STATE LEGISLATURE
Augusta, Maine 04333
COMMISSION TO EXAMINE PROBLEMS OF TORT LITIGATION
AND LIABILITY INSURANCE IN MAINE
December 14, 1987

President Pray
Speaker Martin
State House
Augusta, Maine 04333

Dear President Pray and Speaker Martin:

The Commission to Examine Problems of Tort Litigation and Liability Insurance in Maine is pleased to submit its report to the Legislature pursuant to P.L. 1986, c. 89.

Sincerely,
S/Richard L. Trafton
Chair

Was read and with accompanying report ordered placed on file.

The following Communication:
113th Maine Legislature

December 22, 1987
Hon. Vincent McKusick
Chief Justice
142 Federal Street
Portland, Maine 04101

Dear Mr. Chief Justice:

We would like to invite you to deliver your annual report to a Joint Convention of the Legislature on Tuesday, February 9th, at 11:00 a.m. Please let us know if this is convenient for you.

Sincerely,
S/Charles P. Pray S/John L. Martin
President of the Senate Speaker of the House
Was read and ordered placed on file.

The following Communication:

STATE OF MAINE
SUPREME JUDICIAL COURT
PORTLAND, MAINE 04112

December 30, 1987

The Honorable Charles P. Pray President of the Senate State House Augusta, ME 04333	The Honorable John L. Martin Speaker of the House State House Augusta, ME 04333
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Dear Mr. President and Mr. Speaker:

Thank you very much for your invitation to deliver an annual report on the judiciary to the joint convention of the Legislature on Tuesday, February 9, at 11:00 a.m. I will be there!

With all best wishes to you for a happy and productive 1988.

Sincerely,
S/Vincent L. McKusick
Was read and ordered placed on file.

The following Communication: (H.P. 1438)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333

January 4, 1988

John L. Martin
Speaker of the House
113th Legislature
Charles P. Pray
President of the Senate
113th Legislature

Dear Mr. Speaker and Mr. President:

On January 4, 1988, one Bill was received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, this bill was referred to the Joint Standing Committee on January 4, 1988 as follows:

Education

Bill "An Act Relating to Kents Hill School" (H.P. 1437) (L.D. 1953) (Presented by Representative NORTON of Winthrop) (Cosponsors: Representatives MCSWEENEY of Old Orchard Beach and BAILEY of Farmington) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,
S/Edwin H. Pert
Clerk of the House
S/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file and sent up for concurrence.

The following Communication:

State of Maine
Department of the Attorney General
State House Station 6
Augusta, Maine 04333

To: Charles P. Pray, President of the Senate
John L. Martin, Speaker of the House
James Mitchell and John Tuttle,
Chairpersons of the Marine Resources
Committee
From: Peggy B. McCloskey, Assistant
Attorney General
Date: December 31, 1987
Subject: Attorney General Certification
Regarding Lobster Statute

Enclosed please find a copy of the Attorney General's Certification pursuant to 12 M.R.S.A. § 6431 (1) and (3). This certification that the New England Fisheries Management Council has amended the American Lobster Fishery Management Plan and the United States Secretary of Commerce has promulgated the appropriate regulations which have the force of law in all States makes 12 M.R.S.A. §6531 (1) and (3) effective as of this date.

The most immediate impact of the new sections of Title 12 is that the new minimum carapace size for lobsters goes into effect January 1, 1988.

The original copy of the Attorney General's Certification has been sent to Commissioner William Brennan at the Department of Marine Resources. If you have any questions, please do not hesitate to contact me.

December 31, 1987

Date S/PEGGY B. McCLOSKEY
Was read and with accompanying papers ordered placed on file.

ORDERS

On motion of Representative DIAMOND of Bangor, the following Joint Resolution: (H.P. 1441) (Cosponsors: Representatives LEBOWITZ of Bangor, STEVENS of Bangor and Senator BALDACCI of Penobscot)

JOINT RESOLUTION IN MEMORY OF THE
HONORABLE ROBERT N. HASKELL

WHEREAS, a great sadness fills our chambers upon learning of the untimely passing of the Honorable Robert N. Haskell of Bangor; and

WHEREAS, he was widely recognized for leadership and countless achievements in business, including an extraordinary career in politics and government, attaining the high offices of President of the Senate and Governor, respectively; and

WHEREAS, Robert N. Haskell distinguished himself further by his foresight and untiring devotion to the business, civic and charitable interests of his community and State; and

WHEREAS, he was a man of great intellect and strength who had a wide range of interests and who always focused his influence for the common good and betterment of his fellow man; now, therefore, be it

RESOLVED: That We, the Members of the 113th Legislature, now assembled in the Second Regular Session, pause in a moment of understanding and prayer to inscribe this token of sympathy and condolence to all who share this great loss and respectfully request that when the Legislature adjourns this date it do so in honor and lasting tribute to a dear friend and colleague, his excellency, Robert N. Haskell, former Governor of Maine; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Family of the deceased. Was read and adopted and sent up for concurrence.

On motion of Representative CARTER of Winslow, the following Joint Order: (H.P. 1439)

Ordered, the Senate concurring, that the Executive Director of the Legislative Council be authorized and directed to pay each member of the Legislature prior to January 7, 1988, a \$500 allowance for constituent services as authorized in the Maine Revised Statutes, Title 3, section 2.

Was read and passed and sent up for concurrence. By unanimous consent, ordered sent forthwith to the Senate.

On motion of Representative CARROLL of Gray, the following Joint Order: (H.P. 1442)

Ordered, the Senate concurring, that the Joint Rules be amended by adding a new Joint Rule 5-A to read:

5-A. Mandate legislation. At least 14 days shall pass from the introduction of a bill to create or enlarge a state mandate to local governments until that bill may be passed by the Legislature. A state mandate means any state-initiated, constitutional or statutory action that requires a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues, excluding any order issued by a state court or any legislation necessary to accomplish a federal mandate. Local government means counties, municipalities and school administrative units. This requirement may be waived for a specific bill by a 2/3 vote of both Houses of the Legislature.

Was read.

On motion of Representative Diamond of Bangor, tabled pending passage and specially assigned for Thursday, January 7, 1988.

On Motion of Representative DIAMOND of Bangor, the following Order:

Ordered, that the Clerk of the House is authorized to issue to each member of the House and the Indian Representatives 100 22 cent postage stamps. Was read and passed.

(Off Record Remarks)

On motion of Representative Mitchell of Freeport, Adjourned until Thursday, January 7, 1988, at ten o'clock in the morning in memory of Robert N. Haskell of Bangor, former Governor.