

# 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

ONE HUNDRED AND THIRTEENTH MAINE LEGISLATURE  
SECOND REGULAR SESSION  
9th Legislative Day  
Thursday, January 21, 1988

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

Prayer by Reverend Nathan Garnett, South Liberty Baptist Church, Liberty.

The Journal of Wednesday, January 20, 1988, was read and approved.

Quorum call was held.

SENATE PAPERS

Bill "An Act to Improve the Quality of Care for Handicapped Children" (S.P. 802) (L.D. 2103)

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

Was referred to the Committee on Human Resources in concurrence.

Bill "An Act to Provide for Limited Immunity from Civil Liability for Volunteers and Auxiliaries Contributing Time in Health Care Institutions" (S.P. 799) (L.D. 2100)

Bill "An Act to Remove the Issue of Parental Rights and Responsibilities from the Divorce Monetary Settlement Process" (S.P. 801) (L.D. 2102)

Came from the Senate, referred to the Committee on Judiciary and Ordered Printed.

Were referred to the Committee on Judiciary in concurrence.

Bill "An Act to Change the Definition of Wine Coolers" (Emergency) (S.P. 803) (L.D. 2104)

Came from the Senate, referred to the Committee on Legal Affairs and Ordered Printed.

Was referred to the Committee on Legal Affairs in concurrence.

Non-Concurrent Matter

Bill "An Act Relating to the Tax Exempt Status of Anson Academy Association" (Emergency) (H.P. 1523) (L.D. 2076) which was passed to be engrossed under suspension of the rules and without reference to a committee in the House on January 19, 1988.

Came from the Senate referred to the Committee on Education in non-concurrence.

The House voted to insist.

Non-Concurrent Matter

Bill "An Act to Allow Deductions for Merchantability Factors in Wood Measurement" (H.P. 1534) (L.D. 2088) which was referred to the Committee on Energy and Natural Resources in the House on January 19, 1988.

Came from the Senate referred to the Committee on Labor in non-concurrence.

On motion of Representative Dexter of Kingfield, the House voted to insist.

Non-Concurrent Matter

Bill "An Act to Limit the Purchase of Land by Quasi-Municipal Districts" (H.P. 1531) (L.D. 2085) which was referred to the Committee on Taxation in the House on January 19, 1988.

Came from the Senate referred to the Committee on State and Local Government in non-concurrence.

The House voted to insist.

COMMUNICATIONS

The following Communication: (S.P. 804)

STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
COMMITTEE ON LEGAL AFFAIRS

January 14, 1988

Senator Charles P. Pray, Chairman

Legislative Council

State House

Augusta, ME 04333

Dear Senator Pray:

The Joint Standing Committee on Legal Affairs is pleased to submit the attached report of our study of Law Enforcement Training pursuant to the order of the Legislative Council.

Sincerely,  
S/Sen. Judy C. Kany, Chair  
S/Rep. Charles R. Priest, Chair

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

Was read and with accompanying report ordered placed on file in concurrence.

The following Communication: (S.P. 805)

STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
COMMITTEE ON JUDICIARY

January 19, 1988

Senator Charles P. Pray, Chairman

Legislative Council

State House

Augusta, ME 04333

Dear Senator Pray:

The Joint Standing Committee on Judiciary is pleased to submit the attached report of our study by the Subcommittee to Study Surrogate Parenting pursuant to the order of the Legislative Council. We hope you find this report a useful tool in our continuing efforts.

Sincerely,  
S/Sen. Joseph C. Brannigan, Chair  
S/Rep. Patrick E. Paradis, Chair

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

Was read and with accompanying report ordered placed on file in concurrence.

The following Communication: (S.P. 806)

113TH MAINE LEGISLATURE  
January 19, 1988

Senator Zachary Matthews

Representative Robert J. Tardy

Chairpersons

Joint Standing Committee on Agriculture

113th Legislature

Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Lawrence J. Keddy of South Windham and Raynor I. Crosman of Corinna for reappointment to the Animal Welfare Board.

Pursuant to Title 17, M.R.S.A. Section 1051, this nomination will require review by the Joint Standing Committee on Agriculture 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 Agriculture.

Was Read and Referred to the Committee on Agriculture in concurrence.

The Joint Standing Committee on Agriculture is pleased to submit its report of our study of Pesticide Regulation to the Legislature pursuant to Resolves, 1987 c. 50.

Sincerely,  
s/Sen. Zachary Matthews, Chair  
s/Rep. Robert Tardy, Chair

Was read and with accompanying report ordered placed on file.

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

January 20, 1988  
Edwin H. Pert  
Clerk of the House  
House of Representatives  
State House Station 2  
Augusta, ME 04333

Dear Clerk Pert:  
In accordance with the provisions of 20-A MRSA, Chapter 421, I am requested to annually report to the Governor and to the Legislature a plan which assures, to the extent practicable, that students who participate in the Postgraduate Health Professions Program return to practice their profession in the State of Maine. In this regard, I am pleased to transmit herewith the Annual Report of the Advisory Committee on Medical Education which summarizes the Committee's activities for the period January, 1987 - December, 1987 and provides information designed to address the requirement of the law.

Sincerely,  
S/Eve M. Bither  
Commissioner

Was read and with accompanying report ordered placed on file.

The following Communication:  
COMMISSION TO STUDY THE INTEGRATION  
OF THE MAINE STATE RETIREMENT SYSTEM  
WITH SOCIAL SECURITY

January 20, 1988

President Pray  
Speaker Martin  
State House  
Augusta, ME 04333

Dear President Pray and Speaker Martin:  
The Commission to Study The Integration of the Maine State Retirement System with Social Security is pleased to submit its report to the Legislature pursuant to Resolves 1987, c. 53.

Sincerely,  
s/Charles Sherburne,  
Chair

Was read and with accompanying report ordered placed on file.

The following Communication:  
STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
COMMITTEE ON AGRICULTURE  
January 13, 1988

President Pray  
Speaker Martin  
State House  
Augusta, ME 04333  
Dear President Pray and Speaker Martin:

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:

Appropriations and Financial Affairs

Bill "An Act to Provide Prevocational Services for Persons with Long-Term Mental Illness" (Emergency) (H.P. 1548) (L.D. 2108) (Presented by Representative PARADIS of Augusta) (Cosponsors: Representatives CARTER of Winslow, FOSTER of Ellsworth and Senator PEARSON of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Increase Funding of Elderly Legal Services" (H.P. 1552) (L.D. 2112) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsors: Representatives SMITH of Island Falls, LISNIK of Presque Isle and Senator LUDWIG of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Ordered Printed.  
Sent up for Concurrence.

Energy and Natural Resources

Bill "An Act to Protect Maine's Outstanding Rivers from Water Diversion Projects" (Emergency) (H.P. 1553) (L.D. 2113) (Presented by Representative COLES of Harpswell) (Cosponsors: Representatives JACQUES of Waterville, ALLEN of Washington and Senator BLACK of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

RESOLVE, Regarding the Study of Low-Level Radioactive Waste in the Town of Greenbush (H.P. 1551) (L.D. 2111) (Presented by Representative HICHBORN of LaGrange) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Ordered Printed.  
Sent up for Concurrence.

Human Resources

Bill "An Act to Conform the Hospital Care Financing System to Certain Federal Requirements Concerning the Civilian Health and Medical Program of the Uniformed Services" (H.P. 1550) (L.D. 2110) (Presented by Representative MANNING of Portland) (Cosponsor: Senator GILL of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Ordered Printed.  
Sent up for Concurrence.

Judiciary

Bill "An Act to Make Certain Statutory Changes to Facilitate District Court Judicial Administration" (H.P. 1555) (L.D. 2115) (Presented by Representative

CONLEY of Portland) (Cosponsor: Senator GAUVREAU of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Ordered Printed.  
Sent up for Concurrence.

Labor

Bill "An Act to Increase Work Incentive in the Unemployment Insurance Partial Benefit Structure" (H.P. 1545) (L.D. 2105) (Presented by Representative RYDELL of Brunswick) (Cosponsors: Senator COLLINS of Aroostook, Representatives JOSEPH of Waterville and RAND of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Ordered Printed.  
Sent up for Concurrence.

Legal Affairs

Bill "An Act to Clarify Reporting Requirements under the Campaign Finance Laws" (H.P. 1549) (L.D. 2109) (Presented by Representative MAYO of Thomaston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Ordered Printed.  
Sent up for Concurrence.

Taxation

Bill "An Act to Abolish Sales Tax on Labor Involved in Telecommunications" (H.P. 1546) (L.D. 2106) (Presented by Representative RUHLIN of Brewer) (Cosponsors: Representatives JACKSON of Harrison, DUFFY of Bangor and Senator SEWALL of Lincoln) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Amend Eligibility Requirements under the Household Tax and Rent Refund Act and the Elderly Low-Cost Drug Program" (H.P. 1554) (L.D. 2114) (Presented by Representative MITCHELL of Freeport) (Cosponsors: Representatives CASHMAN of Old Town, MAYO of Thomaston and Senator PEARSON of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Ordered Printed.  
Sent up for Concurrence.

Utilities

Bill "An Act to Amend the Charter of the Limestone Water and Sewer District" (H.P. 1547) (L.D. 2107) (Presented by Representative PINES of Limestone) (Cosponsor: Senator THERIAULT of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

Ordered Printed.  
Sent up for Concurrence.

Study Report - Committee on Legal Affairs

Representative PRIEST from the Committee on Legal Affairs to which was referred by the Legislative Council the Study Relative to Law Enforcement Training and Funding for the Maine Criminal Justice Academy have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill "An Act Concerning Law Enforcement Education and Training and Funding for Training" (H.P. 1556) (L.D. 2120) be referred to this Committee for public hearing and printed pursuant to Joint Rule 19.

Report was read and accepted, and the bill referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence.

CONSENT CALENDAR

First Day

In accordance with House Rule 49, the following item appeared on the Consent Calendar for the First Day:

(S.P. 748) (L.D. 2007) Bill "An Act to Correct the Implementation of the New Corporate Filing Fees" (Emergency) Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-308)

There being no objections, the above item was ordered to appear on the Consent Calendar of Friday, January 22, 1988, under the listing of Second Day.

ORDERS OF THE DAY  
TABLED AND TODAY ASSIGNED

The Chair laid before the House the first tabled and today assigned matter:

Bill "An Act to Provide Elderly Mental Health Service Needs" (Emergency) (S.P. 742) (L.D. 2001)  
- In House, Referred to the Committee on Human Resources.

- In Senate, that body having Adhered to its former action whereby the Bill was referred to the Committee on Appropriations and Financial Affairs in non-concurrence.

TABLED - January 20, 1988 by Representative MANNING of Portland.

PENDING - Further Consideration.

On motion of Representative Manning of Portland, the House voted to recede and concur.

On motion of Representative Priest of Brunswick the House reconsidered its action whereby Bill "An Act to Change the Definition of Wine Coolers" (Emergency) (S.P. 803) (L.D. 2104) was referred to the Committee on Legal Affairs in concurrence.

On further motion of the same Representative, tabled pending reference in concurrence and specially assigned for Friday, January 22, 1988.

At this point, the Speaker appointed Representative Michaud of East Millinocket to act as Speaker Pro Tem for Friday, January 22, 1988.

(Off Record Remarks)

On motion of Representative Racine of Biddeford, Adjourned until Friday, January 22, 1988, at eleven o'clock in the morning.