

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

ONE HUNDRED AND THIRTEENTH MAINE LEGISLATURE
SECOND REGULAR SESSION
10th Legislative Day
Friday, January 22, 1988

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

Prayer by Father Clement D. Thibodeau, St. Mary's Catholic Church, Bangor.

The Journal of Thursday, January 21, 1988, was read and approved.

Quorum call was held.

SENATE PAPERS

Bill "An Act to Include Drugs for Treatment of Chronic Obstructive Lung Disease in the Elderly Low-Cost Drug Program" (S.P. 800) (L.D. 2101)

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

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

Bill "An Act to Amend the Maine Insurance Guaranty Association Law" (S.P. 810) (L.D. 2119)

RESOLVE, to Extend the Deadline for the Study of the Relationship between Nonprofit Service Agencies and Professional Liability and Other Hard-to-Obtain Lines of Liability Insurance (Emergency) (S.P. 807) (L.D. 2116)

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

Were referred to the Committee on Banking and Insurance in concurrence.

Bill "An Act to Clarify the Experience Requirement for Licensed Dietitians" (Emergency) (S.P. 809) (L.D. 2118)

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

Was referred to the Committee on Business Legislation in concurrence.

RESOLVE, to Extend the Reporting Deadline of the Commission to Study the Use of Involuntary Services for Substance Abusers (Emergency) (S.P. 808) (L.D. 2117)

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 State and Local Government.)

Under suspension of the rules and without reference to any committee, the Bill was read twice and passed to be engrossed in concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

COMMUNICATIONS

The following Communication:

DEPARTMENT OF TRANSPORTATION
STATE HOUSE STATION 16
AUGUSTA, MAINE 04333

January 21, 1988

The Honorable Charles P. Pray, President

The Honorable John L. Martin, Speaker
State House

Augusta, Maine 04333

Dear President Pray and Speaker Martin:

It is with pleasure that I provide you this copy of "A Supplemental Program for Corridors of Statewide Economic Significance."

This Program outlines our proposal to make up losses in federal highway funding, address transportation needs on Maine's regionally significant highways and to deal with our extraordinary bridges, while at the same time respecting the needs on other portions of the state's highway system.

The need for these improvements was clearly identified by the Governor's Economic Development Task Force and is clearly supported by MDOT's own pavement management analyses.

As this program indicates, we concur with the Task Force recommendation that funding for these projects come from an increase in the motor fuel tax. Our estimates indicate that a 5-cents per gallon increase will be needed if we are to responsibly address the needs identified in this Program.

As you review this Program and consider its recommendations, I or members of my staff, will be happy to discuss any questions or concerns which may arise. We strongly feel that this Program, in concert with MDOT's biennial Transportation Investment Program, offers us an opportunity to make real progress in addressing Maine's transportation needs on the corridors of statewide significance and the extraordinary bridges, along with additional improvements on the remainder of the highway system.

Sincerely,
s/Dana F. Connors
Commissioner

Was read and with accompanying report ordered placed on file.

PETITIONS, BILLS AND RESOLVES
REQUIRING REFERENCE

The following Bills 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:

Energy and Natural Resources

Bill "An Act to Ensure the Safe Siting of Gravel Excavation" (Emergency) (H.P. 1559) (L.D. 2123) (Presented by Representative VOSE of Eastport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

Ordered Printed.

Sent up for Concurrence.

Labor

Bill "An Act to Prohibit Strikebreaking Activity" (Emergency) (H.P. 1560) (L.D. 2124) (Presented by Representative WILLEY of Hampden) (Cosponsor: Representative HEPBURN of Skowhegan)

Ordered Printed.

Sent up for Concurrence.

Reported Pursuant to Resolves

Representative TARDY from the Committee on Agriculture, pursuant to Resolves of 1987, Chapter 50 ask leave to submit its findings and report that the accompanying Bill "An Act to Improve the Regulation of Pesticides" (H.P. 1557) (L.D. 2121) be referred to the Joint Standing Committee on Agriculture for Public Hearing and printed pursuant to Joint Rule 18.

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

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

In Senate Chamber
Friday
January 22, 1988

Senate called to Order by the President.

Reported Pursuant to Resolves

Representative TARDY from the Committee on Agriculture, pursuant to Resolves of 1987, Chapter 50 ask leave to submit its findings and report that the accompanying Bill "An Act to Appropriate Funds for Mapping of Sand and Gravel Aquifers" (H.P. 1558) (L.D. 2122) be referred to the Joint Standing Committee on Agriculture for Public Hearing and printed pursuant to Joint Rule 18.

Report was read and accepted.

On motion of Representative Carter of Winslow, was referred to the Committee on Appropriations and Financial Affairs, ordered printed, and sent up for concurrence.

CONSENT CALENDAR

Second Day

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

(S.P. 748) (L.D. 2007) Bill "An Act to Correct the Implementation of the New Corporate Filing Fees" (Emergency) (C. "A" S-308)

No objections having been noted at the end of the Second Legislative Day, the Senate Paper was Passed to be Engrossed as Amended in concurrence.

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

- In Senate, Referred to the Committee on Legal Affairs.

TABLED - January 21, 1988 by Representative PRIEST of Brunswick.

PENDING - Reference in concurrence.

On motion of Representative Allen of Washington, retabled pending reference in concurrence and specially assigned for Monday, January 25, 1988.

(Off Record Remarks)

On motion of Representative Dexter of Kingfield, Adjourned until Monday, January 25, 1988, at ten o'clock in the morning.

Prayer by Reverend Donald N. Jones of the First Baptist Church in Livermore Falls.

REVEREND JONES: Mr. President and Members of the Senate, it is a pleasure to have been invited to lead you in prayer this morning. Let us pray. Almighty God, You who are the God and Father of the prophets of old and You who are the God and Father of our Lord, Jesus Christ, at the beginning of this Session we come to You in prayer. We recognize that You are the God who watches over all of our ways. You are the one in whom we live and move and have our being. We ask that Your guiding spirit be upon this Senate Chamber today for there are important issues to be considered. Do give insight and understanding, we pray, to the Members of this Body that they might perform their duties and make decisions that are in the best interest of the citizens of the State of Maine. To that end we give our hearty thanks to You, God. Amen.

Reading of the Journal of Yesterday.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act Relating to the Tax Exempt Status of Anson Academy Association" (Emergency)

H.P. 1523 L.D. 2076

In House, January 19, 1988, under suspension of the Rules, PASSED TO BE ENGROSSED, without reference to a Committee, and ORDERED PRINTED.

In Senate, January 20, 1988, referred to the Committee on EDUCATION and ORDERED PRINTED in NON-CONCURRENCE.

Comes from the House, that Body INSISTED.

The Senate RECEDED and CONCURRED.

Non-concurrent Matter

Bill "An Act to Limit the Purchase of Land by Quasi-Municipal Districts"

H.P. 1531 L.D. 2085

In House, January 19, 1988, referred to the Committee on TAXATION and ORDERED PRINTED.

In Senate, January 20, 1988, referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED in NON-CONCURRENCE.

Comes from the House, that Body INSISTED.

The Senate RECEDED and CONCURRED.

Non-concurrent Matter

Bill "An Act to Allow Deductions for Merchantability Factors in Wood Measurement"

H.P. 1534 L.D. 2088

In House, January 19, 1988, referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED.