

# 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

COMMITTEE REPORTS

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 to Reorganize the Legal Division of the Department of Transportation"

S.P. 747 L.D. 2006

Senator CLARK of Cumberland was granted unanimous consent to address the Senate off the Record.

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

Off Record Remarks

On motion by Senator ANDREWS of Cumberland, ADJOURNED until Monday, January 25, 1988, at 10:00 in the morning.

ONE HUNDRED AND THIRTEENTH MAINE LEGISLATURE  
SECOND REGULAR SESSION  
11th Legislative Day  
Monday, January 25, 1988

The Speaker resumed the Chair and called the House to order according to adjournment.

Prayer by Reverend Joseph Brown, Assembly of God Church, Thomaston.

Pledge of Allegiance.

The Journal of Friday, January 22, 1988, was read and approved.

Quorum call was held.

SENATE PAPERS

Bill "An Act to Encourage Certain Health Professionals to Practice in Maine" (S.P. 811) (L.D. 2125)

Bill "An Act to Appropriate Funds for Additional Staff for Licensing Bureau of the Department of Human Services" (S.P. 812) (L.D. 2126)

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

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

Bill "An Act to Provide Retraining Opportunities to Workers who have been Replaced During a Labor Dispute" (Emergency) (S.P. 813) (L.D. 2127)

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

Was referred to the Committee on Labor in concurrence.

Unanimous Leave to Withdraw

Report of the Committee on Transportation reporting "Leave to Withdraw" on Bill "An Act to Reorganize the Legal Division of the Department of Transportation" (S.P. 747) (L.D. 2006)

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

COMMUNICATIONS

The following Communication: (S.P. 814)

113TH MAINE LEGISLATURE

January 21, 1988

Senator John L. Tuttle, Jr.

Representative Donnell P. Carroll

Chairpersons

Joint Standing Committee on State and Local Government

113th Legislature

Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has withdrawn his nomination of Peter G. Merrill of Portland for appointment to the Maine State Housing Authority.

Pursuant to Title 30, M.R.S.A. Section 4602, this nomination is currently pending before the Joint Standing Committee on State and Local Government and confirmation by the Senate.

Please be advised that Governor John R. McKernan, Jr. has withdrawn his nomination of Annalee Rosenblatt of Scarborough for reappointment to the Civil Service Appeals Board.

Pursuant to Title 5, M.R.S.A. Section 7081, this nomination is currently pending before the Joint Standing Committee on State and Local Government and confirmation by the Senate.

Please be advised that Governor John R. McKernan, Jr. has withdrawn his nominations of Colin C. Hampton of Cape Elizabeth, Mark A. Kearns, Esq. of Kennebunk, Howard Goldenfarb of Portland and J. Benjamin Wootten of Bangor to the Maine Court Facilities Authority.

Pursuant to P.L. 1987, Chapter 438, Section 1602, these nominations are currently pending before the Joint Standing Committee on State and Local Government 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 State and Local Government.

Was Read and Referred to the Committee on State and Local Government in concurrence.

The following Communication: (S.P. 815)  
113TH MAINE LEGISLATURE  
January 21, 1988

Senator John L. Tuttle, Jr.  
Representative Donnell P. Carroll  
Chairpersons  
Joint Standing Committee on State and Local Government  
113th Legislature  
Augusta, Maine 04333  
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated of Peter G. Merrill of Portland for appointment to the Maine State Housing Authority.

Pursuant to Title 30, M.R.S.A. Section 4602, this nomination will require review by the Joint Standing Committee on State and Local Government and confirmation by the Senate.

Please be advised that Governor John R. McKernan, Jr. has nominated Annalee Rosenblatt of Scarborough for reappointment to the Civil Service Appeals Board.

Pursuant to Title 5, M.R.S.A. Section 7081, this nomination will require review by the Joint Standing Committee on State and Local Government and confirmation by the Senate.

Please be advised that Governor John R. McKernan, Jr. has nominated Colin C. Hampton of Cape Elizabeth, Mark A. Kearns, Esq. of Kennebunk, Howard Goldenfarb of Portland and J. Benjamin Wootten of Bangor for appointments to the Maine Court Facilities Authority.

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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 State and Local Government.

Was Read and Referred to the Committee on State and Local Government in concurrence.

PETITIONS, BILLS AND RESOLVES  
REQUIRING REFERENCE

The following Bills and Resolution 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:

Aging, Retirement and Veterans

Bill "An Act to Continue State Benefits to Retired Teachers who have Joined a New Insurance Plan

upon Retirement" (H.P. 1563) (L.D. 2130) (Presented by Representative WILLEY of Hampden) (Cosponsors: Representative HICKEY of Augusta and Senator RANDALL of Washington) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

Ordered Printed.  
Sent up for Concurrence.

Agriculture

Bill "An Act to Regulate the Use of Oxen, Pony and Draft Horse Competitions" (Emergency) (H.P. 1565) (L.D. 2132) (Presented by Representative MITCHELL of Freeport) (Cosponsors: Representatives WEYMOUTH of West Gardiner, DAVIS of Monmouth and Senator CLARK of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Ordered Printed.  
Sent up for Concurrence.

Appropriations and Financial Affairs

Bill "An Act to Prevent Reductions in Existing Child Care Programs Funded with Social Services Block Grants" (H.P. 1566) (L.D. 2133) (Presented by Representative RYDELL of Brunswick) (Cosponsors: Senator CLARK of Cumberland, Representatives MCGOWAN of Canaan and FOSTER of Ellsworth) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Ordered Printed.  
Sent up for Concurrence.

Education

Bill "An Act Concerning Liability for the Cost of Out-of-State Education for Special Needs Students" (H.P. 1561) (L.D. 2128) (Presented by Representative BEGLEY of Waldoboro) (Cosponsors: Senator SEWALL of Lincoln, Representatives JALBERT of Lisbon and SMALL of Bath) (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 Prohibit the Release of Dioxins in any State Rivers, Streams or Lakes" (H.P. 1562) (L.D. 2129) (Presented by Representative JACQUES of Waterville) (Cosponsors: Representatives MCGOWAN of Canaan, RUHLIN of Brewer and Senator ERWIN of Oxford) (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 Allow Initiative Rights to Local Voters on Laws Pertaining Only to Their Municipality, Village Corporation or Quasi-Municipal Corporation" (H.P. 1568) (L.D. 2135) (Presented by Representative VOSE of Eastport) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Ordered Printed.  
Sent up for Concurrence.

Marine Resources

Bill "An Act to Clarify the Laws Relating to Atlantic Salmon Conservation" (H.P. 1567) (L.D. 2134)

(Presented by Representative LOOK of Jonesboro)  
(Cosponsors: Senators RANDALL of Washington, PERKINS of Hancock, and Representative MITCHELL of Freeport)  
(Submitted by the Department of Marine Resources pursuant to Joint Rule 24)

(Off Record Remarks)

Ordered Printed.  
Sent up for Concurrence.

On motion of Representative Nutting of Leeds,  
Adjourned until Tuesday, January 26, 1988, at ten  
o'clock in the morning.

State and Local Government

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Permit Municipalities to Waive Property Taxes for Residents who are 70 Years or Older (H.P. 1564) (L.D. 2131) (Presented by Representative KILKELLY of Wiscasset) (Cosponsor: Representative GWADOSKY of Fairfield) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Ordered Printed.  
Sent up for Concurrence.

ORDERS

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

ORDERED, that Representative Marge Kilkelly of Wiscasset be excused January 28 and 29 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Stephen M. Zirnkilton of Mount Desert be excused January 20, 21 and 22 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Cushman D. Anthony of South Portland be excused January 22 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Earl Nicholson of South Portland be excused January 25 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Maria Glen Holt of Bath be excused January 20 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Thomas A. Duffy of Bangor be excused January 19, 20, and 21 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Bradford E. Boutilier of Lewiston be excused January 20, 21 and 25 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Dale F. Thistle of Dover-Foxcroft be excused January 22 for personal reasons.

Was read and passed.

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 22, 1988 by Representative ALLEN of Washington.

PENDING - Reference in concurrence.

On motion of Representative Priest of Brunswick, retabled pending reference in concurrence and specially assigned for Tuesday, January 26, 1988.

(At Ease)

The House was called to order by the Speaker.