

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
13th Legislative Day
Wednesday, January 27, 1988

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

Prayer by Reverend Robert Hargreaves, St. Mark's Episcopal Church, Augusta.

The Journal of Tuesday, January 26, 1988, was read and approved.

Quorum call was held.

SENATE PAPERS

The following Joint Resolution: (S.P. 827)
JOINT RESOLUTION COMMEMORATING THE 100th ANNIVERSARY
OF THE CITY OF WATERVILLE, MAINE

WHEREAS, among the chain of cities that link the northeast corner of our nation is Waterville, nationally known for its manufacturers and in the fields of education and health; and

WHEREAS, formerly a trading post at Ticonic Falls on the broad-terraced plains along the west bank of the Kennebec, the Waterville community grew to preeminence through its mills, log drives, river steamers and railways; and

WHEREAS, Waterville is not only historically important in the industrial development of Central Maine, it is famous for Hathaway shirts, worsteds, paper, roofing, lumber, Colby College crowning Mayflower Hill and the Lombard Log Hauler, forerunner of caterpillar treads; and

WHEREAS, once called "Elm City" for its graceful wineglass trees, the City of Waterville is now popular as a commercial, medical and cultural center, and has been a leader in industry and commerce for the past 100 years; now, therefore, be it

RESOLVED: That We, the Members of the 113th Legislature of the State of Maine, now assembled in the Second Regular Session, take this special opportunity on the eve of the centennial of the City of Waterville to commend the officials and citizens of this great city for the success which they have achieved together over the past 100 years and extend to each our sincere hopes and best wishes for continued achievement upon entering a 2nd century; and be it further

RESOLVED: That suitable copies of this Resolution, duly authenticated by the Secretary of State, be transmitted to the citizens and officials of this proud community in honor of the occasion.

Came from the Senate, read and adopted.

Was read and adopted in concurrence.

Bill "An Act Concerning Sale or Removal of Homes from Mobile Home Parks and to Encourage Competition in the Mobile Home Park Industry" (S.P. 731) (L.D. 1990)

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

Was referred to the Committee on Business Legislation in concurrence.

Bill "An Act to Provide for the Establishment of a Nonlapsing Fund for the Maine Student Incentive Scholarship Program" (S.P. 822) (L.D. 2144)

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

Was referred to the Committee on Education in concurrence.

Bill "An Act to Establish a Community Mental Health Aftercare Program" (S.P. 823) (L.D. 2145)
Came from the Senate, referred to the Committee on Human Resources and Ordered Printed.

(The Committee on Reference of Bills had suggested reference to the Committee on Appropriations and Financial Affairs.)

Was referred to the Committee on Human Resources in concurrence.

Bill "An Act to Provide Greater Protection to Tenants of Mobile Home Parks" (Emergency) (S.P. 825) (L.D. 2147)

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

Was referred to the Committee on Legal Affairs in concurrence.

Bill "An Act Relating to Requirements for Tenancy in Mobile Home Parks" (S.P. 777) (L.D. 2034)

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

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

Was referred to the Committee on Legal Affairs in concurrence.

Bill "An Act to Expand and Clarify the Jurisdiction of the Maine State Pilotage Commission" (S.P. 821) (L.D. 2143)

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

On motion of Representative Gwadosky of Fairfield, tabled pending reference in concurrence and specially assigned for Monday, February 1, 1988.

Bill "An Act to Create a State Capitol Commission" (S.P. 826) (L.D. 2148)

Came from the Senate, referred to the Committee on State and Local Government and Ordered Printed.

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

Bill "An Act to Amend the Charter of the Jackman Sewer District to Make the Provisions for Collection of Unpaid Rates Conform to the General Provisions for Collection of Unpaid Rates by Sanitary Districts" (Emergency) (S.P. 824) (L.D. 2146)

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

Was referred to the Committee on Utilities in concurrence.

Non-Concurrent Matter

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) which was referred to the Committee on State and Local Government in the House on January 25, 1988.

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

The House voted to recede and concur.

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:

Appropriations and Financial Affairs

Bill "An Act to Fund and Implement Certain Collective Bargaining Agreements and to Fund and Implement Benefits for Certain Employees Excluded from Collective Bargaining" (Emergency) (H.P. 1578) (L.D. 2153) (Presented by Representative CARTER of Winslow) (Cosponsors: Senators EMERSON of Penobscot, PEARSON of Penobscot and Representative HIGGINS of Scarborough)

Ordered Printed.
Sent up for Concurrence.

Education

Bill "An Act to Provide for Child Care and Child Development Training for Student Parents" (H.P. 1575) (L.D. 2150) (Presented by Representative CLARK of Brunswick) (Cosponsors: Senators GILL of Cumberland, ESTES of York and Representative NORTON of Winthrop) (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 Concerning the Use of Lands Abutting Farmlands" (H.P. 1576) (L.D. 2151) (Presented by Representative BEGLEY of Waldoboro) (Cosponsors: Senator TWITCHELL of Oxford and Representative PARENT of Benton) (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 the State's Antidiscrimination Laws to Include Families with Children in Mobile Home Parks" (H.P. 1577) (L.D. 2152) (Presented by Representative PRIEST of Brunswick) (Cosponsors: Representatives STEVENS of Bangor, CLARK of Brunswick and 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.

Transportation

Bill "An Act to Reallocate Funds from the Maine Turnpike Authority for Construction and Maintenance of Secondary Roads" (H.P. 1574) (L.D. 2149) (Presented by Representative MILLS of Bethel) (Cosponsors: Senators ERWIN of Oxford and TWITCHELL of Oxford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Ordered Printed.
Sent up for Concurrence.

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 56 and Joint Rule 34, the following item:
Recognizing:

the Lewiston High School "Blue Devils" football team, coach Skip Capone and his associates, on their

victory on November 21, 1987, in the State Class A Championship; (HLS 891) by Representative ALIBERTI of Lewiston. (Cosponsors: Representative NADEAU of Lewiston, Representative TELOW of Lewiston, Representative BOUTILIER of Lewiston, Representative HANDY of Lewiston, Representative POULIOT of Lewiston, Senator GAUVREAU of Androscoggin, Senator BERUBE of Androscoggin)

On motion of Representative Aliberti of Lewiston, was removed from the Special Sentiment Calendar.
Was read.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Aliberti.
Representative ALIBERTI: Mr. Speaker, Ladies and Gentlemen of the House: On behalf of the Lewiston Delegation, I wish to acknowledge and offer our appreciation to the team, the coaches and the cheerleaders. They will receive appropriate recognition in the not too distant future in their visit to meet with us. Thank you very much.

Subsequently, was passed and sent up for concurrence.

REPORTS OF COMMITTEES

Unanimous Leave to Withdraw

Representative WENTWORTH from the Committee on State and Local Government on Bill "An Act to Require Reimbursement to the Counties when County Funds are Expended" (H.P. 377) (L.D. 498) reporting "Leave to Withdraw"

Representative ROTONDI from the Committee on State and Local Government on Bill "An Act Requiring Funding of State-mandated Programs" (H.P. 804) (L.D. 1078) reporting "Leave to Withdraw"

Representative CARROLL from the Committee on State and Local Government on Bill "An Act Concerning Conflicts of Interest Relating to Department of Environmental Protection Employees" (H.P. 907) (L.D. 1219) reporting "Leave to Withdraw"

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

(At Ease)

The House was called to order by the Speaker.

On motion of Representative Michaud of East Millinocket, the House reconsidered its action whereby Bill "An Act Concerning the Use of Lands Abutting Farmlands" (H.P. 1576) (L.D. 2151) was referred to the Committee on Energy and Natural Resources.

On further motion of the same Representative, was referred to the Committee on Agriculture, ordered printed, and sent up for concurrence.

The following item was taken up out of order by unanimous consent:

ORDERS

On motion of Representative PARADIS of Augusta, the following Joint Order: (H.P. 1573)

Ordered, the Senate concurring, that "An Act Relating to the Maine Uniform Transfers to Minors Act", H.P. 642, L.D. 865, be recalled from the legislative files to the House.

Was read.

The SPEAKER: Pursuant to Joint Rule 4, this requires the affirmative vote of two-thirds of the

members present and voting. Those in favor of passage will vote yes; those opposed will vote no.

A vote of the House was taken.

110 having voted in the affirmative and 1 in the negative, L.D. 865 was passed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

The following item appearing on Supplement No. 1 was taken up out of order by unanimous consent:

SENATE PAPER

The following Joint Order: (S.P. 830)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Monday, February 1, 1988, at 10 o'clock in the morning.

Came from the Senate, read and passed.

Was read and passed in concurrence.

(Off Record Remarks)

On motion of Representative Ruhlin of Brewer, Adjourned until Monday, February 1, 1988, at ten o'clock in the morning pursuant to Joint Order S.P. 830.

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

In Senate Chamber
Wednesday
January 27, 1988

Senate called to Order by the President.

Prayer by Reverend Victor Stanley of the First Baptist Church in Gardiner.

REVEREND STANLEY: Let's unite in prayer. Our gracious God, we ask that You will open our eyes to see the beauty of this beautiful State. The beauty of nature and the beauty of the people who live here. May this beauty inspire us today. We ask that You will open our ears to hear the many voices of Maine, those lifted in glorious song and those calling out to us for help. Open our minds to think good thoughts for Maine, help us to explore new ideas while remembering the many ways You have helped us in the past. And then open our mouths, help us to join the needy as they pray and the blessed as they sing. We thank You for this great community, help us in this day to be good neighbors. We pray these things in the power of Your love. Amen.

Reading of the Journal of Yesterday.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Relating to Nonforfeiture and Valuation Standards for Fraternal Benefit Societies"

H.P. 1571 L.D. 2142

Comes from the House referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED.

Which was referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED, in concurrence.

Out of order and under suspension of the Rules, on motion by Senator DUTREMBLE of York, the following Joint Order:

S.P. 830

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Monday, February 1, 1988, at 10 o'clock in the morning.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Bill "An Act to Increase Reimbursement Levels to Respite and Foster Care Providers"

H.P. 1569 L.D. 2140

Comes from the House referred to the Committee on HUMAN RESOURCES and ORDERED PRINTED.

Which was referred to the Committee on HUMAN RESOURCES and ORDERED PRINTED, in concurrence.

Bill "An Act Regarding Amendments to the Kennebec County Budget"

H.P. 1570 L.D. 2141

Comes from the House referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED.

Which was referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED, in concurrence.
