

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 on FISHERIES AND WILDLIFE suggested and ORDERED PRINTED.)
Which was referred to the Committee on FISHERIES AND WILDLIFE and ORDERED PRINTED.
Sent down for concurrence.

Off Record Remarks

On motion by Senator TUTTLE of York, ADJOURNED until Thursday, February 4, 1988, at 10:00 in the morning.

ONE HUNDRED AND THIRTEENTH MAINE LEGISLATURE
SECOND REGULAR SESSION
17th Legislative Day
Thursday, February 4, 1988

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

Prayer by Reverend Bruce Hudson, Methodist Church, Gardiner.

The Journal of Wednesday, February 3, 1988, was read and approved.

Quorum call was held.

SENATE PAPERS

The following Communication:
The Senate of Maine
Augusta
February 3, 1988

The Honorable John L. Martin
Speaker of the House
113th Legislature
Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Judiciary, the Governor's nomination of Peter P. Michaud of Bangor for reappointment to the Workers' Compensation Commission.

Sincerely,
s/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file.

The following Communication:
The Senate of Maine
Augusta
February 3, 1988

The Honorable John L. Martin
Speaker of the House
113th Legislature
Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Judiciary, the Governor's nomination of Paul A. Cote, Jr. of Auburn for appointment to the Workers' Compensation Commission.

Sincerely,
s/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file.

The following Communication:
The Senate of Maine
Augusta
February 3, 1988

The Honorable John L. Martin
Speaker of the House
113th Legislature
Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Judiciary, the Governor's nomination of James F. Cox of Bangor for appointment to the Workers' Compensation Commission.

Sincerely,
s/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file.

Bill "An Act to Make Interim Adjustments in the Certificate of Need Development Account" (Emergency) (S.P. 845) (L.D. 2191)

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 Allow Disclosure of Confidential Information Relevant to Personnel and Licensure Actions" (S.P. 844) (L.D. 2190)

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.

Unanimous Leave to Withdraw

Report of the Committee on Banking and Insurance reporting "Leave to Withdraw" on Bill "An Act to Create the Maine Property and Casualty Joint Underwriting Association" (S.P. 284) (L.D. 810)

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

Ought to Pass in New Draft/New Title

Report of the Committee on Business Legislation on Bill "An Act to Establish a Voluntary Statewide Building Code and Require Basic Written Contracts for Home Construction Work" (S.P. 352) (L.D. 1044) reporting "Ought to Pass" in New Draft under New Title Bill "An Act to Require Basic Written Contracts for Home Construction Work" (S.P. 838) (L.D. 2175).

Came from the Senate, with the report read and accepted and the New Draft passed to be engrossed.

Report was read and accepted, the New Draft read once and assigned for second reading Friday, February 5, 1988.

Ought to Pass in New Draft/New Title

Report of the Committee on Legal Affairs on Bill "An Act to Clarify the Laws Relating to Notary Public" (S.P. 450) (L.D. 1377) reporting "Ought to Pass" in New Draft under New Title Bill "An Act to Clarify the Laws Relating to Notaries Public" (S.P. 839) (L.D. 2176).

Came from the Senate, with the report read and accepted and the New Draft passed to be engrossed.

Report was read and accepted, the New Draft read once and assigned for second reading Friday, February 5, 1988.

COMMUNICATIONS

The following Communication:

DEPARTMENT OF
MENTAL HEALTH AND MENTAL RETARDATION
STATE HOUSE STATION 40
AUGUSTA, MAINE 04333

February 1, 1988

John L. Martin
Speaker of the House
State House
Augusta, Maine 04333

RE: Report on Mental Health Services to Deaf Persons
in Maine

Dear Speaker Martin:

It is with pleasure that I present this first biennial report describing developments over the past five years in mental health services for Maine deaf citizens. This report was presented to the Joint Standing Committee on Human Resources pursuant to P.L. 1987, Ch. 331.

As the report demonstrates, there has been considerable progress made in this specialty area. Specifically, programs funded through Legislative appropriations have been implemented and are addressing ongoing mental health needs of the deaf community.

I hope that you find this report both informative and enjoyable to read. Should you require clarification regarding any section of the report, we stand ready to assist as needed.

Sincerely,
s/Susan B. Parker
Commissioner
Department of Mental
Health and Mental
Retardation

Was read and with accompanying report ordered placed on file.

The following Communication:

CITIZENS' FORESTRY ADVISORY COUNCIL
February 2, 1988

The Honorable John R. McKernan, Jr.
Governor of the State of Maine
Station 1

Augusta, Maine 04333
The Honorable Charles P. Pray
President of the Senate
Senate Chambers
Station 3

Augusta, Maine 04333
The Honorable John L. Martin
Speaker of the House of Representatives
House of Representatives
Station 2

Augusta, Maine 04333
Dear Governor McKernan, President Pray, Speaker
Martin:

The Citizens' Forestry Advisory Council by this letter transmits to you its annual report for 1987 as required under Title 12 MRSA Section 5101-B, Paragraph C.

This report summarizes the Council's activities and comments on the Forests For the Future Report, submitted under separate copy.

Respectfully submitted,
S/Howard Spencer
Chairman

Was read and with accompanying report ordered placed on file.

The following Communication:

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

February 2, 1988

Honorable 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 Chapter 309 of the Public Laws of 1985, I have today appointed Theresa Secord, of Old

Town, to serve as the public member on the Advisory Commission on Radioactive Waste.

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

Was read and 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:

Appropriations and Financial Affairs

Bill "An Act to Establish the Maine Science and Technology Commission and to Authorize Funding for Centers for Innovation" (H.P. 1602) (L.D. 2193) (Presented by Representative PARADIS of Old Town) (Cosponsors: Representatives GARLAND of Bangor, STEVENS of Bangor and Senator DILLENBACK of Cumberland)

Ordered Printed.
Sent up for Concurrence.

Labor

Bill "An Act to Extend Unemployment Benefits Under Certain Economic Conditions" (Emergency) (H.P. 1603) (L.D. 2194) (Presented by Representative TRACY of Rome) (Cosponsors: Senators KANY of Kennebec, ERWIN of Oxford and Representative NUTTING of Leeds) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

Ordered Printed.
Sent up for Concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Legal Affairs

Bill "An Act Relative to the Union of the Trustees of the Maine Annual Conference of the United Methodist Church and the Trustees of the New Hampshire Annual Conference of the United Methodist Church" (H.P. 1601) (L.D. 2192) (Presented by Representative WEBSTER of Cape Elizabeth) (Cosponsor: Representative MACOMBER of South Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Ordered Printed.
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. 807) (L.D. 2116) 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)

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

PASSED TO BE ENGROSSED
As Amended

Bill "An Act Allowing the Town of Island Falls to Annex Township 4, Range 3 WELS in Aroostook County" (H.P. 1017) (L.D. 1370) (C. "A" H-437)

Bill "An Act to Clarify the Authority for Judicial Suspension of Motor Vehicle Licenses" (Emergency) (S.P. 656) (L.D. 1879) (C. "A" S-309 and S. "A" S-310)

Were reported by the Committee on Bills in the Second Reading and read a second time, the Senate Paper was Passed to be Engrossed as Amended in concurrence and the House Paper was Passed to be Engrossed as Amended and sent up for 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 Relating to Taxation of Trucks" (H.P. 1284) (L.D. 1757)

TABLED - February 3, 1988 by Representative NADEAU of Saco.

PENDING - Passage to be Engrossed.

Representative Cashman of Old Town offered House Amendment "A" (H-440) and moved its adoption.

House Amendment "A" (H-440) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended by House Amendment "A" (H-440) and sent up for concurrence.

(At Ease)

The House was called to order by the Speaker.

(Off Record Remarks)

(At Ease to 12:00 p.m.)

The House was called to order by the Speaker.

On motion of Representative Crowley of Stockton Springs,

Adjourned until Friday, February 5, 1988, at twelve o'clock noon.