

# 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  
Index

**SECOND REGULAR SESSION**

January 6, 1988 to March 24, 1988

**ONE HUNDRED AND THIRTEENTH MAINE LEGISLATURE**  
**SECOND REGULAR SESSION**  
**41st Legislative Day**  
**Thursday, March 10, 1988**

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

Prayer by Reverend Robert Carlson, East Orrington Congregational Church, Orrington.

The Journal of Wednesday, March 9, 1988, was read and approved.

Quorum call was held.

SENATE PAPERS

Bill "An Act to Provide Reimbursement to Certain Employees of the Department of Corrections for Meal Expenses" (S.P. 940) (L.D. 2484)

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 Concerning Cutting in Resource Protection Areas" (S.P. 942) (L.D. 2489)

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

Was referred to the Committee on Energy and Natural Resources in concurrence.

Bill "An Act to Clarify and Correct the Motor Vehicle Laws" (S.P. 944) (L.D. 2491)

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

Was referred to the Committee on Transportation in concurrence.

Unanimous Leave to Withdraw

Report of the Committee on Business Legislation reporting "Leave to Withdraw" on Bill "An Act Concerning Crash Parts Used to Repair Damaged Motor Vehicles" (S.P. 787) (L.D. 2064)

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

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:

Education

Bill "An Act to Add the Commissioner of Labor as an Ex Officio Member of the Board of Trustees of the Vocational-Technical Institute System" (H.P. 1824) (L.D. 2499) (Presented by Representative SMALL of Bath) (Cosponsors: Representatives PARADIS of Frenchville, MATTHEWS of Caribou and Senator DUTREMBLE of York)

Ordered Printed.

Sent up for Concurrence.

Human Resources

Bill "An Act to Revise the Certificate of Need Process Dealing with the Purchasing and Delivery of New Medical Services" (H.P. 1825) (L.D. 2500) (Presented by Representative BOUTILIER of Lewiston) (Cosponsors: Senators BUSTIN of Kennebec, GILL of

Cumberland and Representative KIMBALL of Buxton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Ordered Printed.

Sent up for Concurrence.

State and Local Government

Bill "An Act to Exempt Law Enforcement Personnel from Having to Pay Ferry Tolls" (H.P. 1823) (L.D. 2498) (Presented by Representative MELENDY of Rockland) (Cosponsors: Representatives ALLEN of Washington, MAYO of Thomaston and WHITCOMB of Waldo) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

Ordered Printed.

Sent up for Concurrence.

Reported Pursuant to Resolve

Representative RYDELL from the Committee on Banking and Insurance, pursuant to Resolve 1987, Chapter 65 ask leave to submit its findings and report that the accompanying Bill "An Act to Provide a Mechanism for Insurance for Foster Care and Respite Care" (H.P. 1821) (L.D. 2496) be referred to the Joint Standing Committee on Banking and Insurance for Public Hearing and printed pursuant to Joint Rule 18.

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

Reported Pursuant to Resolve

Representative TARDY from the Committee on Utilities, pursuant to Resolve 1987, Chapter 27 ask leave to submit its findings and report that the accompanying RESOLVE, to Establish the Commission to Study the Management of Water Resources in Maine (H.P. 1822) (L.D. 2497) be referred to the Joint Standing Committee on Utilities for Public Hearing and printed pursuant to Joint Rule 18.

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

ORDERS

REPORTS OF COMMITTEES

Unanimous Leave to Withdraw

Representative MANNING from the Committee on Human Resources on Bill "An Act Pertaining to Hospital Blood Donorship Policies" (H.P. 1542) (L.D. 2097) reporting "Leave to Withdraw"

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

Ought to Pass in New Draft/New Title

Representative GARLAND from the Committee on Banking and Insurance on Bill "An Act Pertaining to the Establishment of Mandatory Risk-sharing Plans" (H.P. 294) (L.D. 380) reporting "Ought to Pass" in New Draft under New Title Bill "An Act Pertaining to the Establishment of Market Assistance Plans" (H.P. 1820) (L.D. 2495)

Report was read and accepted, the New Draft read once and assigned for second reading Friday, March 11, 1988.

CONSENT CALENDAR

First Day

LEGISLATIVE HISTORY - HOUSE, MARCH 10, 1988

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

(H.P. 1504) (L.D. 2054) Bill "An Act to Amend the Uniform Commercial Code" Committee on Banking and Insurance reporting "Ought to Pass" as amended by Committee Amendment "A" (H-469)

(H.P. 1630) (L.D. 2225) Bill "An Act to Increase the Effectiveness of the Public Utilities Commission through Computerization and to Provide Certain Exceptions from the Annual Regulatory Fund Assessment and from Filing Annual Reports and Certain Other Changes" Committee on Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (H-470)

There being no objections, the above items were ordered to appear on the Consent Calendar of Friday, March 11, 1988, under the listing of Second Day.

CONSENT CALENDAR

Second Day

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

(H.P. 1598) (L.D. 2184) Bill "An Act to Make Corrections in the Recodification of the Liquor Laws" (C. "A" H-467)

(H.P. 1600) (L.D. 2189) Bill "An Act to Amend the Laws Governing Absentee Balloting" (C. "A" H-468)

(H.P. 1663) (L.D. 2275) RESOLVE, to Change the Reporting Date of the Commission on Sport Fisheries (Emergency)

No objections having been noted at the end of the Second Legislative Day, the House Papers were Passed to be Engrossed or Passed to be Engrossed as Amended and sent up for concurrence.

PASSED TO BE ENGROSSED

Bill "An Act to Prohibit Publication of Names of Concealed Weapon Permit Holders" (H.P. 1817) (L.D. 2487)

Bill "An Act to Amend the Animal Control Laws" (Emergency) (H.P. 1819) (L.D. 2493)

Were reported by the Committee on Bills in the Second Reading, read a second time, Passed to be Engrossed, and sent up for concurrence.

PASSED TO BE ENACTED

Emergency Measure

An Act to Remove Discriminating Language from a Section of the Maine Retirement Laws (S.P. 717) (L.D. 1946) (C. "A" S-322)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 120 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Provide for the Establishment of a Nonlapsing Fund for the Maine Student Incentive Scholarship Program (S.P. 822) (L.D. 2144) (C. "A" S-321)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 121 voted in favor of the same and none

against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

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 (S.P. 824) (L.D. 2146)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 121 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

An Act Making an Amendment to the Charter of the Jackman Water District (S.P. 896) (L.D. 2325)

An Act to Provide a Method for Taxation of Real Property When Owner is Unknown (H.P. 1753) (L.D. 2402)

An Act to Encourage Conservation Investments by Electric Utilities (H.P. 1768) (L.D. 2421)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

ORDERS OF THE DAY

TABLED AND TODAY ASSIGNED

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

An Act to Permit Sharing of Confidential Information between Criminal Justice Agencies at all Governmental Levels (H.P. 1467) (L.D. 1978)

TABLED - March 9, 1988 by Representative DIAMOND of Bangor.

PENDING - Passage to be Enacted.

On motion of Representative Diamond of Bangor, retabled pending passage to be enacted and specially assigned for Friday, March 11, 1988.

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

An Act Pertaining to Fire Permit Enforcement (S.P. 865) (L.D. 2254) (S "A" 319)

TABLED - March 9, 1988 by Representative PRIEST of Brunswick.

PENDING - Passage to be Enacted.

On motion of Representative Priest of Brunswick, under suspension of the rules, the House reconsidered its action whereby L.D. 2254 was passed to be engrossed.

On further motion of the same Representative, under suspension of the rules, the House reconsidered its action whereby Senate Amendment "A" (S-319) was adopted.

The same Representative offered House Amendment "A" (H-471) to Senate Amendment "A" (S-319) and moved its adoption.

House Amendment "A" (H-471) to Senate Amendment "A" (S-319) was read by the Clerk and adopted.

Senate Amendment "A" as amended by House Amendment "A" thereto was adopted.

The Bill was passed to be engrossed as amended by Senate Amendment "A" as amended by House Amendment "A" thereto in non-concurrence and sent up for concurrence.

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(Off Record Remarks)  
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On motion of Representative Carter of Winslow,  
Adjourned until Friday, March 11, 1988, at twelve  
o'clock noon.

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

In Senate Chamber  
Thursday  
March 10, 1988  
Senate called to Order by the President.

Prayer by Reverend Edgar Jones of the Congregational  
Church in Winthrop.

REVEREND JONES: Let us Pray. Oh God You are the  
guide of those who turn to You. We look to You on  
this day of activity in the Maine Senate for the  
wisdom that You can give. We ask that You grant  
understanding amid all our doubts and uncertainties  
that the spirit of wisdom may save us from false  
choice. That in Your light we may see light. Grant  
oh God that the needs of Your people may be served by  
those who meet in this place. Amen.

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Reading of the Journal of Yesterday.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Outlaw Pit Bull Dogs in the  
State"

H.P. 1813 L.D. 2481

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

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

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Resolve, to Ensure Payment of Attorney Fees  
Incurred by Maine State Police Trooper Michael T.  
Edes (Emergency)

H.P. 1816 L.D. 2486

Comes from the House referred to the Committee on  
APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED  
PRINTED.

Which was referred to the Committee on  
APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED  
PRINTED, in concurrence.

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Bill "An Act to Require Audit Review of the  
Bureau of Capitol Security in 1989"

H.P. 1811 L.D. 2479

Comes from the House referred to the Committee on  
AUDIT AND PROGRAM REVIEW and ORDERED PRINTED.

Which was referred to the Committee on AUDIT AND  
PROGRAM REVIEW and ORDERED PRINTED, in concurrence.

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Bill "An Act to Establish Procedures for the  
Testing and Control of AIDS"

H.P. 1815 L.D. 2483

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.

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Bill "An Act to Regulate the Hiring of School Bus  
Drivers"

H.P. 1812 L.D. 2480

Comes from the House referred to the Committee on  
LEGAL AFFAIRS and ORDERED PRINTED.

Which was referred to the Committee on LEGAL  
AFFAIRS and ORDERED PRINTED, in concurrence.