

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Fourteenth Legislature

OF THE

State Of Maine

VOLUME I

FIRST REGULAR SESSION

December 7, 1988 to May 10, 1989

ONE HUNDRED AND FOURTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION
4th Legislative Day
Tuesday, January 10, 1989

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

Prayer by Reverend Douglas Drown, First Congregational Church, Bingham.

Pledge of Allegiance

The Journal of Thursday, January 5, 1989, was read and approved.

Quorum call was held.

At this point, the Speaker announced the presence in the Hall of the House of Representative-elect WALKER from Norway.

The Speaker appointed the following Committee to escort Representative-elect WALKER to the Office of the Governor to take and subscribe the oath necessary to qualify him for the discharge of his official duties:

Representative GWADOSKY of Fairfield

Representative MAYO from Thomaston

Representative ADAMS from Portland

Subsequently, Representative GWADOSKY of Fairfield reported that the Committee had attended to the duty to which it was assigned.

At this point, the Speaker announced that Representative WALKER of Norway would be assigned seat 135.

Subsequently, the Speaker announced that Representative Walker of Norway would be appointed to serve on the Joint Standing Committee on Fisheries and Wildlife.

COMMUNICATIONS

The following Communication:

STATE OF MAINE
114th LEGISLATURE
LEGISLATIVE COUNCIL
STATE HOUSE STATION 115
AUGUSTA, MAINE 04333

January 6, 1989

Hon. Edwin H. Pert
Clerk of the House
State House Station #2
Augusta, Maine 04333
Dear Clerk Pert:

This is to notify you that the members of the Legislative Council pursuant to Joint Rule 39 have selected Kathleen Watson Goodwin and May M. Ross to serve as the Partisan Staff Assistants for Gubernatorial Nominations.

Each of these Assistants shall serve at the pleasure of the appointing authority during the present biennium and shall provide assistance to the Joint Standing Committees required by law to recommend action on a gubernatorial nominee.

Sincerely,
S/John L. Martin,
Chairman
Legislative Council

Was read and ordered placed on file.

The following Communication:

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

January 6, 1989

Hon. 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 22 MRSA, Section 5313, I have today reappointed Rep. Donnell Carroll, of Gray, to serve as the House member on the Maine Human Services Council.

Sincerely,
S/John L. Martin
Speaker

Was read and ordered placed on file.

The following Communication: (S.P. 28)

DEPARTMENT OF CONSERVATION
STATE HOUSE STATION 22
AUGUSTA, MAINE 04333

December 30, 1988

President Charles P. Pray
Senate Chambers

State House Station 3

Augusta, Maine 04333

Speaker John L. Martin

House of Representatives

State House Station 2

Augusta, Maine 04333

Dear President Pray and Speaker Martin:

In 1985, the 112th Legislature established the Forests for the Future Program (Chapter 488, PL 1985) to assess the condition of the maine forest and make recommendations for enhanced management. As part of its function, the program reports annually to the Legislature and the Governor on its activities, accomplishments, and recommendations. The target date for that report is January 1 of each year.

The purpose of this letter is to request a short extension on the due date in order to allow time to incorporate recent developments concerning forest policy issues.

Since becoming Commissioner in November, I have convened a series of forest policy discussions among state agencies and interested forest-related organizations to seek areas of common agreement leading toward a cooperative approach for establishing a forest policy for Maine. I also have convened an internal task force at the Department of Conservation consisting of representatives of the several bureaus involved (Commissioners Office, Forestry, Public Lands, and LURC) to look at the mechanics and details of administering a forest policy program for the state.

These two events relate directly to the function of the Forest for the Future Program. The Citizens' Forestry Advisory Council, which is part of that program, is aware of these discussions and has provided input and direction to them. In order to allow time to finalize the results of these discussions in the report, we are requesting an extension until January 31, 1989 by which time it should be ready for printing and distribution.

At that time, we will send you the full report along with transmittal letters. Thank you for your understanding and consideration in this situation.

Sincerely,
S/C. Edwin Meadows, Jr.
Commissioner

Came from the Senate, read and ordered placed on file.

Was read and ordered placed on file in concurrence.

The following Communication: (S.P. 29)
EXECUTIVE DEPARTMENT
STATE PLANNING OFFICE
STATE HOUSE STATION 38
AUGUSTA, MAINE 04333

December 30, 1988

Dear Maine Legislator:

I am pleased to provide a copy of Implementation of Maine's Coastal Policies 1986-88, pursuant to the reporting requirement in 38 MRSA, sec. 1803. This document describes local and state progress that has been made in implementing Maine's coastal policies since they were enacted in 1986. At the end of this report, you will find recommendations for your consideration.

Also enclosed is the new publication Maine Coastal Program: The First Decade and Beyond. This booklet highlights some of the significant achievements made by the Coastal Program during its first ten years, and looks ahead to the critical work that remains.

We welcome your responses to these two reports and look forward to working with you on implementing their recommendations.

Sincerely,
S/Richard H. Silkman
Director
State Planning Office

Came from the Senate, read and with accompanying papers ordered placed on file.

Was read and with accompanying papers ordered placed on file in concurrence.

The following Communication: (S.P. 30)
114TH MAINE LEGISLATURE
January 4, 1989

Senator Barry J. Hobbins
Representative Patrick E. Paradis
Chairpersons
Joint Standing Committee on Judiciary
114th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Carl O. Bradford of Yarmouth and William S. Brodrick of Kennebunkport for reappointment as Justice, Maine Superior Court.

Pursuant to Title 7, M.R.S.A. Section 1, these nominations will require review by the Joint Standing Committee on Judiciary 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 Judiciary.

Was Read and Referred to the Committee on Judiciary in concurrence.

The following Communication: (S.P. 31)
114TH MAINE LEGISLATURE
January 4, 1989

Senator Donald E. Esty, Jr.
Representative Edward A. McHenry
Chairpersons
Joint Standing Committee on Labor
114th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Ralph M. Willey of Hampden for

appointment as the Employer Representative to the Unemployment Insurance Commission.

Pursuant to Title 26, M.R.S.A. Section 1081, this nomination will require review by the Joint Standing Committee on Labor 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 Labor.

Was Read and Referred to the Committee on Labor in concurrence.

The following Communication: (S.P. 32)
114TH MAINE LEGISLATURE
January 4, 1989

Senator Dennis L. Dutremble
Representative Gregory G. Nadeau
Chairpersons
Joint Standing Committee on Housing and Economic Development
114th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Timothy P. Agnew of Yarmouth for appointment as Chief Executive Officer of the Finance Authority of Maine.

Pursuant to Title 10, M.R.S.A. Section 972, this nomination will require review by the Joint Standing Committee on Housing and Economic Development 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 Housing and Economic Development.

Was Read and Referred to the Committee on Housing and Economic Development in concurrence.

The following Communication:
114th Maine Legislature
January 4, 1989

Robert L. Woodbury, Chancellor
University of Maine System
107 Maine Avenue
Bangor, Maine 04401-1805
Dear Chancellor Woodbury:

Pursuant to 20-A MRSA, Section 10902-B, we are pleased to invite you to address a joint session of the 114th Maine Legislature on Tuesday, February 14, at eleven o'clock in the morning, on the state of the University System and any other matters which you may care to bring to our attention.

We look forward to seeing you then. Best wishes.

Sincerely,
S/Charles P. Pray
President of the Senate
S/John L. Martin
Speaker of the House
Was read and ordered placed on file.

ORDERS

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

ORDERED, that Representative James R. Handy of Lewiston be excused January 3 for the duration of his illness.

AND BE IT FURTHER ORDERED, that Representative Gerard P. Conley, Jr., of Portland be excused January 4 to 16 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative John M. Nutting of Leeds be excused January 17 to 20 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Harriet Ketover of Portland be excused January 25 to 31 for personal reasons.

Was read and ordered placed on file.

Adjourned until Thursday, January 12, 1989, at ten o'clock in the morning.

ORDERS OF THE DAY
TABLED AND TODAY ASSIGNED

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

Bill "An Act Regarding the Lease-Purchase of Computer Equipment" (Emergency) (H.P. 13) (L.D. 5) (Committee on Appropriations and Financial Affairs suggested)

TABLED - January 5, 1989 by Representative CARTER of Winslow.

PENDING - Reference.

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

By unanimous consent, ordered sent forthwith to the Senate.

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Allow the Governor to Veto Items Contained in Bills Appropriating Money and Retaining the Power in the Legislature to Override those Line Item Vetoes (H.P. 10) (L.D. 4) (Committee on State and Local Government suggested)

TABLED - January 5, 1989 by Representative CARTER of Winslow.

PENDING - Reference.

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

(At Ease)

The House was called to order by the Speaker.

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

PASSED TO BE ENACTED
EMERGENCY MEASURE

An Act Regarding the Lease-Purchase of Computer Equipment (H.P. 13) (L.D. 5)

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. 139 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.

By unanimous consent, ordered sent forthwith.

(Off Record Remarks)

On motion of Representative Nadeau of Saco,