

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Fourteenth Legislature

OF THE

State Of Maine

VOLUME III

FIRST REGULAR SESSION
June 15, 1989 to July 1, 1989
Index

The Senate INSISTED AND JOINED IN A COMMITTEE OF CONFERENCE.

The Chair appointed as conferees on the part of the Senate:

Senator HOBBS of York
Senator CLARK of Cumberland
Senator PERKINS of Hancock

On motion by Senator ESTES of York, ADJOURNED, pursuant to the Joint Order, until Thursday, June 29, 10:00 in the morning.

ONE HUNDRED AND FOURTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION
90th Legislative Day
Thursday, June 29, 1989

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

Prayer by Reverend Bruce Hudson, Highland Avenue United Methodist Church, Gardiner.

Pledge of Allegiance.

The Journal of Thursday, June 22, 1989, was read and approved.

Quorum call was held.

At this point, Conan Higgins from Waterville, representing Boys State, was escorted to the rostrum.

Committee of Conference

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on: Bill "An Act to Establish Occupational Health and Safety Standards for Operators of Video Display Terminals" (H.P. 481) (L.D. 661) have had the same under consideration and asked leave to report: that the Senate Recede from Passage to be Engrossed as Amended by Committee Amendment "A" (H-563) as Amended by Senate Amendment "A" (S-308) thereto in non-concurrence.

The Senate Recede from Adoption of Committee Amendment "A" (H-563) as Amended by Senate Amendment "A" (S-308) thereto.

The Senate Recede from Adoption of Senate Amendment "A" (S-308) to Committee Amendment "A" (H-563). Indefinitely Postpone Senate Amendment "A" (S-308) to Committee Amendment "A" (H-563).

Read and Adopt Conference Committee Amendment "A" (S-402) to Committee Amendment "A" (H-563).

Adopt Committee Amendment "A" (H-563) as Amended by Conference Committee Amendment "A" (S-402) thereto.

Pass the Bill to be Engrossed as Amended by Committee Amendment "A" (H-563) as Amended by Conference Committee Amendment "A" (S-402) thereto, in non-concurrence.

The House Recede and Concur with the Senate.

(Signed) Senator CLARK of Cumberland, Senator BALDACCI of Penobscot, Senator GILL of Cumberland - of the Senate.

Representative CARROLL of Gray, Representative RUHLIN of Brewer, Representative MURPHY of Berwick - of the House.

Came from the Senate with the Committee of Conference Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-563) as amended by Conference Committee Amendment "A" (S-402) thereto in non-concurrence.

Report was read and accepted.

The House voted to recede and concur.

PAPERS FROM THE SENATE

The following Communication:

Maine State Senate
Augusta, Maine 04333
June 22, 1989

Honorable Edwin H. Pert

Clerk of the House
State House Station 2
Augusta, Maine 04333

Dear Clerk Pert:

Please be advised that the Senate today Insisted and Joined in the Committee of Conference on Bill "An Act Regarding Governmental Ethics" (H.P. 1282) (L.D.

1773). The President appointed the following Conferees on the part of the Senate:

- Senator Hobbins of York
- Senator Clark of Cumberland
- Senator Perkins of Hancock

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

Was read and ordered placed on file.

The following Communication:

Maine State Senate
Augusta, Maine 04333
June 22, 1989

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

Please be advised that the Senate today Insisted and Joined in the Committee of Conference on Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$49,500,000 for Construction and Renovation of Correctional Facilities" (S.P. 608) (L.D. 1702). The President appointed the following Conferees on the part of the Senate:

- Senator Pray of Penobscot
- Senator Bustin of Kennebec
- Senator Perkins of Hancock

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

Was read and ordered placed on file.

COMMUNICATIONS

The following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
Augusta, Maine 04333
June 27, 1989

TO: The Honorable Members of the 114th Legislature
I am returning without my signature or approval, H.P. 1032, L.D. 1438, "AN ACT to Simplify the Process by Which People with Disabilities Are Able to Acquire Information and Apply for Services."

While this bill addresses one of the recommendations of the Maine Independent Living Center Commission which would facilitate increased access to information about services for people with disabilities, it does not appropriate the necessary funding proposed in the original bill to establish and operate this central information system.

The Department of Educational and Cultural Services would be required to absorb the cost of this program and allocate money out of its own budget to an outside agency not operated or controlled by that Department.

This bill would reinforce or encourage further demands on Departments to fund legislative mandates that are not included in their budgets for purposes over which they have no control. I am very concerned that, if I were to accept this bill, future Legislatures may find it increasingly convenient to pass bills with implied costs and ask Departments to implement such legislation within existing resources.

Because of the reservations and objections outlined above, I am in opposition to L.D. 1438 in its present form and respectfully urge you to sustain my veto. However, if this bill was properly funded, I would have no reservations about signing it.

Sincerely,
S/John R. McKernan, Jr.

Governor

Was read and ordered placed on file.

The accompanying Bill "An Act to Simplify the Process by Which People with Disabilities Are Able to Acquire Information and Apply for Services" (H.P. 1032) (L.D. 1438) (H. "A" H-473 to C. "A" H-391).

Was read.

On motion of Representative Gwadosky of Fairfield, tabled pending further consideration and later today assigned.

The following Communication:

DEPARTMENT OF FINANCE
BUREAU OF ACCOUNTS AND CONTROL
STATE HOUSE STATION 14
AUGUSTA, MAINE 04333

John L. Martin
Speaker of the House
114th Legislature
Charles P. Pray
President of the Senate
114th Legislature
Dear Mr. Speaker and Mr. President:

In accordance with Title 5, Maine Revised Statutes Annotated, Section 1547, the accompanying Financial Report of the State of Maine is submitted for the fiscal year ended June 30, 1988.

The first section of the report consists of the General Purpose Financial Statements for all funds reported in accordance with generally accepted accounting principles. Generally accepted accounting principles for the Governmental Funds uses the modified accrual basis of accounting. Revenues are recognized when they become measurable and available as current assets. Expenditures are generally recognized when the related fund liability is incurred. Exceptions to generally accepted accounting principles in these financial statements include accumulated unpaid vacation and sick leave which has not been recorded, and interest on general long-term debt which is recognized when due.

The second section is reported as it has been in the past, based upon the budgetary and legal requirements. Please refer to Note 7 of the General Notes to the Financial Statements for the reconciliation of the fund balances between the two sections. Comparative budgetary data and statistical information have also been included in this report to promote a better understanding of the State's finances.

Questions and comments about this report or any phase of State finances are always welcome.

Sincerely,
S/David A. Bourne S/Victor E. Fleury
State Controller Deputy State Controller
Was read and with accompanying report ordered placed on file.

The following Communication:

STATE OF MAINE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
COMMITTEE ON ENERGY AND NATURAL RESOURCES
June 21, 1989

The Honorable John L. Martin
Speaker of the House
114th Legislature
Dear Speaker Martin:

We are pleased to report that all business which was placed before the Committee on Energy and Natural Resources during the First Regular Session of the 114th Legislature has been completed. The breakdown of bills referred to our committee follows:

LEGISLATIVE RECORD - HOUSE, JUNE 29, 1989

Total number of bills received	146
Unanimous reports	141
Leave to Withdraw	8
Ought to Pass	5
Ought Not to Pass	59
Ought to Pass as Amended	68
Ought to Pass in New Draft	0
Rereferred	1
Divided reports	2
Carry Overs	3

Respectfully submitted,
 S/Sen. Judy C. Kany S/Rep. Michael H. Michaud
 Senate Chair House Chair
 Was read and ordered placed on file.

The following Communication:
 STATE OF MAINE
 ONE HUNDRED AND FOURTEENTH LEGISLATURE
 COMMITTEE ON FISHERIES AND WILDLIFE
 June 20, 1989

The Honorable John L. Martin
 Speaker of the House
 114th Legislature
 Dear Speaker Martin:
 We are pleased to report that all business which was placed before the Committee on Fisheries and Wildlife during the First Regular Session of the 114th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	59
Unanimous reports	56
Leave to Withdraw	6
Ought to Pass	3
Ought Not to Pass	33
Ought to Pass as Amended	14
Ought to Pass in New Draft	0
Divided reports	3

Respectfully submitted,
 S/Sen. Edgar E. Erwin S/Rep. Paul F. Jacques
 Senate Chair House Chair
 Was read and ordered placed on file.

The following Communication:
 STATE OF MAINE
 ONE HUNDRED AND FOURTEENTH LEGISLATURE
 COMMITTEE ON HOUSING AND ECONOMIC DEVELOPMENT
 June 20, 1989

The Honorable John L. Martin
 Speaker of the House
 114th Legislature
 Dear Speaker Martin:
 We are pleased to report that all business which was placed before the Committee on Housing and Economic Development during the First Regular Session of the 114th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	31
Unanimous reports	29
Leave to Withdraw	15
Ought to Pass	3
Ought Not to Pass	1
Ought to Pass as Amended	7
Ought to Pass in New Draft	0
Rereferred	3
Divided reports	0
Carry Overs	2

Respectfully submitted,
 S/Dennis L. Dutremble S/Gregory G. Nadeau
 Senate Chair House Chair
 Was read and ordered placed on file.

The following Communication:
 STATE OF MAINE
 ONE HUNDRED AND FOURTEENTH LEGISLATURE
 COMMITTEE ON LABOR
 June 21, 1989

The Honorable John L. Martin
 Speaker of the House
 114th Legislature
 Dear Speaker Martin:
 We are pleased to report that all business which was placed before the Committee on Labor during the First Regular Session of the 114th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	72
Unanimous reports	52
Leave to Withdraw	19
Ought to Pass	1
Ought Not to Pass	7
Ought to Pass as Amended	18
Ought to Pass in New Draft	2
Rereferrals	3
Pursuant to Rule #22	2
Divided reports	17
Carry Overs	3

Respectfully submitted,
 S/Sen. Esty, Jr. S/Rep. McHenry
 Senate Chair House Chair
 Was read and ordered placed on file.

The following Communication:
 STATE OF MAINE
 ONE HUNDRED AND FOURTEENTH LEGISLATURE
 COMMITTEE ON LEGAL AFFAIRS
 June 16, 1989

The Honorable John L. Martin
 Speaker of the House
 114th Legislature
 Dear Speaker Martin:
 We are pleased to report that all business which was placed before the Committee on Legal Affairs during the First Regular Session of the 114th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	111
Unanimous reports	108
Leave to Withdraw	34
Ought to Pass	07
Ought Not to Pass	24
Ought to Pass as Amended	43
Ought to Pass in New Draft	00
Divided reports	02
Carry over	01

Respectfully submitted,
 S/Sen. Zachary E. Matthews S/Rep. Charles R. Priest
 Senate Chair House Chair
 Was read and ordered placed on file.

The following Communication:
 STATE OF MAINE
 ONE HUNDRED AND FOURTEENTH LEGISLATURE
 COMMITTEE ON MARINE RESOURCES
 June 20, 1989

The Honorable John L. Martin
 Speaker of the House
 114th Legislature
 Dear Speaker Martin:
 We are pleased to report that all business which was placed before the Committee on Marine Resources during the First Regular Session of the 114th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	29
Unanimous reports	27
Leave to Withdraw	3
Ought to Pass	2
Ought Not to Pass	2
Ought to Pass as Amended	19
Ought to Pass in New Draft	1
Divided reports	2

Respectfully submitted,
 S/Joseph C. Brannigan S/James Mitchell
 Senate Chair House Chair
 Was read and ordered placed on file.

The following Communication:
 STATE OF MAINE
 ONE HUNDRED AND FOURTEENTH LEGISLATURE
 COMMITTEE ON TRANSPORTATION
 June 20, 1989

The Honorable John L. Martin
 Speaker of the House
 114th Legislature
 Dear Speaker Martin:
 We are pleased to report that all business which was placed before the Committee on Transportation during the First Regular Session of the 114th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	100
Unanimous reports	97
Leave to Withdraw	33
Ought to Pass	9
Ought Not to Pass	20
Ought to Pass as Amended	35
Ought to Pass in New Draft	0
Divided reports	2
Carry Over	1

Respectfully submitted,
 S/R. Donald Twitchell S/Fred W. Moholland
 Senate Chair House Chair
 Was read and ordered placed on file.

The following Communication:
 STATE OF MAINE
 ONE HUNDRED AND FOURTEENTH LEGISLATURE
 COMMITTEE ON AGRICULTURE
 June 21, 1989

The Honorable John L. Martin
 Speaker of the House
 114th Legislature
 Dear Speaker Martin:
 We are pleased to report that all business which was placed before the Committee on Agriculture during the First Regular Session of the 114th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	51
Unanimous reports	48
Leave to Withdraw	9
Ought to Pass	7
Ought Not to Pass	9
Ought to Pass as Amended	23
Ought to Pass in New Draft	0
Divided reports	1
Carry Overs	2

Respectfully submitted,
 S/R. Donald Twitchell S/Robert J. Tardy
 Senate Chair House Chair
 Was read and ordered placed on file.

The following Communication:
 MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
 LEGISLATIVE COUNCIL

June 21, 1989
 Honorable Joy J. O'Brien, Secretary of the Senate
 Honorable Edwin H. Pert, Clerk of the House
 114th Maine Legislature
 Augusta, Maine 04333
 Dear Madam Secretary and Clerk Pert:

Enclosed are revised final letters from the Joint Standing Committees on Business Legislation and Aging, Retirement and Veterans. The original letters appeared on the House Calendar this week. Revised copies are necessary to reflect a miscalculation of committee reports and additional bills referred to the committees since the date of the original letter. I would be happy to answer any questions you have about these revised letters.

Sincerely,
 S/Sally Diamond
 Executive Director,
 Legislative Council

Was read and ordered placed on file.

STATE OF MAINE
 ONE HUNDRED AND FOURTEENTH LEGISLATURE
 COMMITTEE ON BUSINESS LEGISLATION
 June 21, 1989

The Honorable John L. Martin
 Speaker of the House
 114th Legislature
 Dear Speaker Martin:
 We are pleased to report that all business which was placed before the Committee on Business Legislation during the First Regular Session of the 114th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	85
Unanimous reports	80
Leave to Withdraw	30
Ought to Pass	6
Ought Not to Pass	3
Ought to Pass as Amended	39
Ought to Pass in New Draft	0
Rereferrals	2
Divided reports	3
Carry Overs	2

Respectfully submitted,
 S/John E. Baldacci S/Carol M. Allen
 Senate Chair House Chair
 Was read and ordered placed on file.

STATE OF MAINE
 ONE HUNDRED AND FOURTEENTH LEGISLATURE
 COMMITTEE ON AGING, RETIREMENT AND VETERANS
 June 20, 1989

The Honorable John L. Martin
 Speaker of the House
 114th Legislature
 Dear Speaker Martin:
 We are pleased to report that all business which was placed before the Committee on Aging, Retirement and Veterans during the First Regular Session of the 114th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	37
Unanimous reports	33
Leave to Withdraw	14
Ought to Pass	2
Ought Not to Pass	0
Ought to Pass as Amended	17
Ought to Pass in New Draft	0

Divided reports 2
 Carry overs 2
 Respectfully submitted,
 S/Bonnie L. Titcomb S/Daniel B. Hickey
 Senate Chair House Chair
 Was read and ordered placed on file.

The following Communication:
 STATE OF MAINE
 ONE HUNDRED AND FOURTEENTH LEGISLATURE
 COMMITTEE ON JUDICIARY
 June 21, 1989

The Honorable John L. Martin
 Speaker of the House
 114th Legislature

Dear Speaker Martin:

We are pleased to report that all business which was placed before the Committee on Judiciary during the First Regular Session of the 114th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	158
Unanimous reports	134
Leave to Withdraw	43
Ought to Pass	21
Ought Not to Pass	4
Ought to Pass as Amended	66
Ought to Pass in New Draft	0
Divided reports	4
Carry Overs	20

Respectfully submitted,
 S/Barry J. Hobbins S/Patrick E. Paradis
 Senate Chair House Chair
 Was read and ordered placed on file.

**PASSED TO BE ENGROSSED
 WITHOUT REFERENCE TO COMMITTEE**

Bill "An Act to Correct Certain Technical Errors in the Laws of Maine" (EMERGENCY) (H.P. 1285) (L.D. 1777) (Presented by Speaker MARTIN of Eagle Lake) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

(The Committee on Judiciary was suggested)

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

ORDERS

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

ORDERED, that Representative James G. Skoglund of St. George be excused June 16 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Susan E. Dore of Auburn be excused June 19 and 20 for personal reasons.

Was read and passed.

On motion of Representative PARADIS of Augusta, the following Joint Resolution: (H.P. 1286) (Cosponsors: Senator DUTREMBLE of York, Representative GWADOSKY of Fairfield and Representative BREWER of Boothbay Harbor) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 35)

**JOINT RESOLUTION MEMORIALIZING CONGRESS
 TO AMEND THE UNITED STATES CONSTITUTION**

TO MAKE DESECRATION OF THE AMERICAN FLAG A CRIME

WE, your Memorialists, the Members of the One Hundred and Fourteenth Legislature of the State of Maine, now assembled in the First Regular Session,

most respectfully present and petition the United States Congress, as follows:

WHEREAS, the American flag is a symbol of national unity; and

WHEREAS, the American flag provides a beacon of hope and liberty for every nation in the world; and

WHEREAS, our Armed Forces have defended our country's freedoms under the banner of the Stars and Stripes from the Revolutionary War to the present day; and

WHEREAS, the American flag is a source of tremendous national pride; and

WHEREAS, the American flag is cherished as the embodiment of our country's history, traditions and ideals; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Fourteenth Legislature of the State of Maine, now assembled in the First Regular Session respectfully request the Congress of the United States to propose and pass an amendment to the United States Constitution making it a crime to desecrate the American flag; and be it further

RESOLVED: That a duly authenticated copy of this Memorial be submitted immediately by the Secretary of State to the Honorable George H.W. Bush, the President of the United States, to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States, and to each Member of the Maine Congressional Delegation.

Was read.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Paradis.

Representative PARADIS: Mr. Speaker, Ladies and Gentlemen of the House: Last Thursday, the Supreme Court of the United States in a very narrowly judged decision, ruled a Texas statute unconstitutional because it levied criminal sanctions against anyone who desecrated by action the American Flag. Several days ago, I filed a request with the council to permit the legislature of the 114th to memorialize Congress to pass a constitutional amendment to reinstate criminal penalties for desecrating the American Flag.

We hear on the news as of this morning that the Congress of the United States is now considering such a constitutional amendment and it is not unlikely that we could be considering ratifying such a constitutional amendment this fall.

Ladies and Gentlemen of the House, the American Flag is the standard of this country, it has been since the earliest moments of our republic. There are many of you who can speak far more eloquently than I as to its meaning and to its proper place in our homes and society.

Justice Stevens in his dissenting opinion of the court said, and I quote: "The case has nothing to do with disagreeable ideas, it involved disagreeable conduct. We protect freedom of speech under the First Amendment."

Speech is one thing, action is another. It ought to be outlawed to desecrate the American Flag either by burning it in public, by spitting on it, by other lewd acts that have been done that are seriously out of place and improper to the Flag of the United State.

The Majority Leader of the United States Senate, Senator Mitchell from Maine, said in the Congressional Record last week, "I do not believe that Americans have to see the flag that symbolizes their freedom to speak devalued and cheapened in the cause of preserving that freedom. Every American has a right to speak freely and to dissent from the policies of government, from the orthodox and accepted views of the day. It is precisely that vast

freedom that renders so unnecessary, the condoning of the desecration of the flag as a means of expressing dissent. The courts decision is wrong and it should be corrected."

Three years ago, I had the honor of visiting communist China, spending three weeks touring throughout the country. One particular afternoon, we were guests of the Ambassador of the United States at the Embassy in Beijing. We witnessed the United States Marines there lowering the Colors at the end of the day. For anyone to be in a foreign country, let alone a communist country, and to witness the Stars and Stripes being lowered on what is considered to be property of the United States under diplomatic immunity, is a very moving experience, one which I hope all of you may one day be able to witness. To be an American on foreign soil, to be an American on communist soil, especially in light of the events that happened in the last several weeks in China says that this flag is our constitution, it's the embodiment of our country. I urge adoption of this Resolution.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Anthony.

Representative ANTHONY: Mr. Speaker, Ladies and Gentlemen of the House: I rise with great reluctance to speak against this Joint Resolution. It is not an easy thing to speak against a resolution proposed by your Committee Chair, your Majority Floor Leader and so on. But, I did know that this was coming up and I was really troubled by it. I made a point of getting the decision that this is based on. I want to read briefly certain portions of that decision to inform the House what the decision was all about and then offer just a very few remarks of my own.

The decision arises out of a case in Texas while the Republican National Convention was taking place in Dallas in 1984. Texas versus Gregory Lee Johnson. Mr. Johnson participated in a political demonstration dubbed the Republican War Chest Tour. As explained in literature distributed by the demonstrators and in speeches made by them, the purpose of the event was to protest the policies of the Reagan Administration and of certain Dallas-based corporations. Demonstrators marched through the Dallas streets chanting political slogans and stopping at several corporate locations to stage die-ins, intended to dramatize the consequences of nuclear war. On several occasions, they spray-painted the walls of buildings and overturned potted plants, but Johnson himself took no part in such activities. He did, however, accept an American flag handed to him by a fellow protester who had taken it from a flagpole outside one of the targeted buildings. The demonstration ended in front of Dallas City Hall where Johnson unfurled the American flag, doused it with kerosene, and set it on fire. While the flag burned, other protesters chanted "America, the red, white and blue, we spit on you." After the demonstrators dispersed, a witness to the flag burning collected the flag's remains and buried them in his backyard. No one was physically injured or threatened with injury though several witnesses testified that they had been seriously offended by the flag burning. Of the approximately 100 demonstrators, Johnson alone was charged with the crime. The only criminal offense with which he was charged was the desecration of a venerated object in violation of the Texas Penal Code. After a trial, he was convicted, sentenced to one year in prison and fined \$2,000.

I read you that because I want you to at least understand the backdrop of this situation.

I have a sense that although many people have been concerned about this decision, very few people have actually read the decision -- I would be willing to wager I am one of less than five people on the floor of this House that has read this decision at this point.

I want to read you briefly from a dissenting opinion which supported the constitutionality of the flag desecration statute. "The American flag is more than a proud symbol of the courage, the determination and the gifts of nature, that transformed 13 fledgling colonies into a world power. It is a symbol of freedom, of equal opportunity, of religious tolerance and of good will of other people to share our aspirations. The symbol carries its message to dissidents both at home and abroad who may have no interest at all in our national unity or survival. The ideas of liberty and equality have been an irresistible force in motivating leaders like Patrick Henry, Susan B. Anthony and Abraham Lincoln, school teachers like Nathan Hale and Booker T. Washington, the Philippine scouts who fought at the time and the soldiers who scaled the bluff at Omaha Beach. If those ideas are worth fighting for and our history demonstrates that they are, it cannot be true that the flag that uniquely symbolizes their power is not itself worthy of protection from unnecessary desecration. I respectfully dissent."

On the other hand, the members of the Majority offered among the rationale the following words, "If there is a bedrock principle underlying the first amendment, it is that the government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable. The constitutionally guaranteed freedom to be intellectually diverse or even contrary and the right to differ as to things that touch the heart of the existing order encompass the freedom to express publicly one's opinions about our flag, including those opinions which are defiant or contemptuous. A Bill of Rights, which guards the individuals right to speak his own mind left open to the public authorities to compel him to utter what is not on his mind. If there is any fixed star on our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion or other matters of opinion or force citizens to confess by word or act their faith therein. It is not the state's ends but its means to which we object. We do not doubt that the government has a legitimate interest in making efforts to preserve the national flag as an unalloyed symbol of our country. To say that the government has an interest in encouraging proper treatment of the flag, however, is not to say that it may criminally punish a person for burning a flag as a means of political protest. National unity as an end which officials may foster by persuasion and example is not in question. The problem is whether under our constitution compulsions as here employed is a permissible means for its achievements." They conclude by saying, "We are tempted to say in fact that the flag's deservedly cherished place in our community will be strengthened, not weakened by our holding today. Our decision is a reaffirmation of the principles of freedom and inclusiveness that the flag best reflects and of the conviction that our toleration of criticism such as Johnson's is a sign and source of our strength. Indeed, one of the proudest images of our flag, the one immortalized in our own National Anthem is, if the bombardment had survived at Ft. McHenry, it is the nation's resilience, not its rigidity, that Texas sees reflected in the flag and it is that resilience that

we reassert today. The way to preserve the flag's special role is not to punish those who feel differently about these matters, it is to persuade them that they are wrong. We can imagine no more appropriate response to burning a flag than waving one's own; no better way to counter a flag burner's message than by saluting the flag that burns. No surer means of preserving the dignity even of the flag that burned than by, as one witness here did, according its remains a respectful burial. We do not consecrate the flag by punishing its desecration for in doing so, we dilute the freedom that this cherished emblem represents."

Both of these opinions are very thoughtful, there is much to be said for each of them. When all is said and done, I probably agree more with the minority and would have upheld the conviction of this individual. I probably would have upheld the constitutionality of the law in question.

However, I am deeply troubled by the suggestion that we should amend the constitution and edit the Bill of Rights in response to that decision. I offer you two reasons.

First, there is a wave of displaced patriotism which is sweeping the country. All of our energies are going into protecting the flag rather than advancing the nation or protecting the people of our country. Where would we be if all of our political leaders put the same degree of energy into housing the homeless, caring for the nation's children or providing for the elderly and the infirmed? Why can Congress not balance the budget but can call with all pious righteousness for the protection of our flag? Why can't we in these legislative halls put this same energy into protecting our mentally ill, our children, and even our railroads from outside capitalists instead of memorializing Congress about flag burning?

However, there is a second and much more critical and important reason why I cannot join in this Resolution that is presented here today. I do not believe that the proper way to overturn a decision of the Supreme Court is to amend the Constitution except in very rare cases. I feel that especially in the area of protection of the portion of the Constitution affected as here, the Bill of Rights. We should not seek to undo 200 years of history over an improvident decision. I do agree that it is an improvident decision.

America has become the country of the instant fix. We want everything to be pleasing to us now or at least by next week.

Friends and colleagues, the legal process at its best takes time. Let's not rush into amending the Bill of Rights, decreasing the rights we hold under the Constitution because of our disaffection over this one decision. If we start doing that, if we begin a process of amending the Bill of Rights, reducing our liberties, where will that process end? I believe that the Bill of Rights is at least as sacred as the flag. The flag is a symbol but the Bill of Rights is the substance, they are very much at the heart of why America is a special place in which to live.

Let's not attack the substance in our haste to protect the symbol. Desecration of the flag does not justify desecration of the Bill of Rights.

Mr. Speaker, in order that I may be recorded as not agreeing with this Joint Resolution, I ask for a Division.

The SPEAKER: The Chair recognizes the Representative from Boothbay Harbor, Representative Brewer.

Representative BREWER: Mr. Speaker, Men and Women of the House: I was very honored to be asked to cosponsor this Resolution. I respect the American flag as well as anybody in this body. Old Glory has been around for a long time. It has served this nation well. It has been in many battle fields in the Civil War, it has been to France and Germany, it has been on the beaches of Iwo Jima and Anzio and I cannot for the life of me visualize the burning of the American flag. I think it is ludicrous and I vehemently oppose any such action. I ask for your support on this Resolution.

The SPEAKER: The Chair recognizes the Representative from Old Town, Representative Paradis.

Representative PARADIS: Mr. Speaker, Members of the House: I support this Resolution which is before us this morning. I do believe it is most important that we show respect for this national symbol. It starts in the school and we ourselves know (who grew up with the flag as a symbol in our classrooms) the reverence with which our teachers taught us to respect this flag and it goes on into adulthood. It was carried by a lot of men in a lot of places in defense of our people, in defense of our community, and in defense of our way of life. I say, if the law is broken, let's fix it. If there is no law in order to ensure proper respect and to ensure that there is no disrespect shown to this symbol which represents our people, which represents ourselves, then I say let's fix the law, let's place the law with sufficient force in it that will preclude this type of action.

Mr. Speaker, I do hope that we have a roll call on this motion so that I can be as recorded positively.

The SPEAKER: The Chair recognizes the Representative from Lisbon, Representative Jalbert.

Representative JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I know that the good gentleman from South Portland is much younger than I am but I saw a picture of this individual (I will not call him a gentleman) in Texas burning the flag. I can't help but remember in 1942 as a 17 year old boy seeing the Japanese pull down the American flag on Bataan in Corregidor and step on it. They didn't burn it, they stepped on it. It is a wonder they didn't burn it.

Representative Paradis said he saw the American flag being lowered and raised in Beijing. I, as a young 22-year-old boy, saw the American flag go up in Tokyo. I saw it go up in Bonn but at the costs of thousands and thousands of lives. That is what we are talking about.

If you go to Washington and go to Arlington, you see the Iwo Jima memorial. You realize that within five days, thousands and thousands of American boys, young boys, cream of the crop, died so that those three men could not go on top of that mountain and raise that flag. It isn't just a piece of cloth. When they say it is only symbolic, it is not just symbolic, it is the basis to this country where many people died defending it. In how many wars did we do it? I can't help but think of the many veterans who are buried in the cemetery right here in Augusta who fought so that this individual in Texas can have the right to burn it. That is what I am talking about.

This individual in Texas reminds me of someone who has to use vulgarity to get their point across, they are too ignorant to fight the way it should be done. There are ways of protesting in this country but when they are protesting by burning the flag, they are taking rights away from me. You talk about civil rights -- I have a right to have that flag stay there and not have somebody desecrate it. I will

vote for this Resolution and hope we pass it, the sooner, the better.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Macomber.

Representative MACOMBER: Mr. Speaker, Ladies and Gentlemen of the House: I rise very briefly just to say one thing. Representative Anthony speaks only for himself, he doesn't speak for me, he doesn't speak for Representative DiPietro and he doesn't speak for the people of the City of South Portland.

The SPEAKER: The Chair recognizes the Representative from York, Representative Rolde.

Representative ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I had not read the exact decision of the court although I had read about it. Perhaps the court was correct in its interpretation that the Texas law at this point was unconstitutional. But, the United States is also a very special place because of the flexibility of our constitution. I would remind you that the Supreme Court once decided that slavery was constitutional and that the Income Tax was unconstitutional. Those things were changed because we have the mechanism for changing it, which is to amend the Constitution. We leave it to the people to decide.

I was reading about this case yesterday in the New York Times. Apparently this individual, Mr. Johnson from Texas, was not happy with the court decision. He attacked the court, he attacked the constitution -- that is his right, he has free expression to do that. As the Majority Leader in the U.S. Senate George Mitchell said, "He has all the free expression in the world but what he did was not free expression." The court decided that that particular law was unconstitutional, fine. Now we need to change the constitution. I will support this Resolution.

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Erwin.

Representative ERWIN: Mr. Speaker, Ladies and Gentlemen of the House: I am a veteran having joined the U.S. Navy during the Korean War. As a veteran, I joined the American Legion. I am also a member of the American Legion Auxiliary. One of the things that we emphasize in the American Legion is respect of the American flag. We have a special ceremony for burning a flag that has become old and tattered, which is a very fine ceremony. I am disturbed by the burning of the flag showing disrespect. I strongly support this Resolution. I have been very pleased in the past few years that patriotism has risen and there is much more respect for our country and our flag. I urge your support of this Resolution.

The SPEAKER: The Chair recognizes the Representative from Waterboro, Representative Lord.

Representative LORD: Mr. Speaker, Ladies and Gentlemen of the House: Last Sunday morning, I watched Senator Mitchell on television on "Face the Nation." I was very pleased and respected his opinion that was given when questioned by one of the reporters on the burning of the flag. He said very pointedly, "I was a federal judge at one time and I do not agree with the decision of the Supreme Court." He said, "Any person has a right to protest, freedom of speech, but the act that was committed against the American flag was wrong." I agree with him 100 percent and I want to go on Record of voicing my objection of what happened.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Aliberti.

Representative ALIBERTI: Mr. Speaker, Men and Women of the House: You heard me make a very emotional speech here on that great anniversary date,

June 14th in honor of our Stars and Stripes. Little did I realize that it would be desecrated in the way that it was.

As a son of an immigrant, a first generation son of an immigrant, 1942, it was that very, very symbol that prompted me to be willing to defend these very rights. I am not a jingoist. A jingoist is a flag waver. I am not a flag waver. I have a great deal of love and affection to give and I say today, all that love and affection is for that symbol which allows some people to exercise their rights in a way that seems to be an expression of freedom but I think it is a violation of what we stand for.

The SPEAKER: The Chair recognizes the Representative from Easton, Representative Mahany.

Representative MAHANY: Mr. Speaker, Ladies and Gentlemen of the House: I, too, have great respect for the flag. I spent many years abroad and I always displayed the flag at my apartment. I was confronted sometimes with more or less latent or not so latent anti-Americanism and I wanted whoever crossed into my territory, as it were, to know that I was American and that I stood by that flag and criticism of my country notwithstanding, I was proud of being an American and I wanted to be identified as being American.

I can say that I have seen things happen to the flag, not on American soil necessarily, that I didn't particularly like. In fact, a number of things that I disliked including seeing the stars of the flag be replaced by swastikas and carried in demonstrations. Nevertheless, with all of my respect for the flag, I am so convinced that the Bill of Rights is the greatest political heritage that we have and is the heritage that guarantees everything that is precious to us as Americans. It is the very essence of our freedom. I cannot support anything that would, even in the slightest way, threaten that precious heritage and the Bill of Rights. To me, the Bill of Rights and the freedom of speech and the actions that it guarantees should not be questioned in any way, should not be placed at risk to any degree, no precedent whatsoever should be established that could in the short of a long run undermine that precious heritage, that Bill of Rights. I think such a threat does exist in this kind of wave of reaction to the decision of the Supreme Court with which I wholeheartedly agree. For that reason, I will vote against this Resolution.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Dore.

Representative DORE: Mr. Speaker, Men and Women of the House: During these last speeches, I have been giving a lot of thought to my memories of flag burning. I have a lot of memories of flag burning dating back to 20 years ago. It was a time in this country where there was a lot of dissent about a war on a foreign soil. There was a lot of dissent about the rights of women and I did see flags burned and I did see people wear them on the backs of their pants and in other offensive manner. Those of us who were active at that time working against that cause never saw those people working against that particular war or working for the rights of women. They were sort of children acting out a childish fantasy of destruction. They were not constructive, they did not work for anything, they did not represent the feeling of the Americans who were opposed to that particular war. Those people stayed in offices until three in the morning working on signatures and voting lists. I find it very difficult to support this and I am going to tell you why, because even though they behaved like jerks, our Constitution gives them the right to behave like jerks.

When we curb our Constitutional rights and our Bill of Rights and we start reacting to specific actions by specific people, we are doing damage to the democracy that we represent throughout the world. We damage our flag more when we aggressively overrespond to childish actions by immature and fringe groups. That is when we damage our flag.

If you want to protect the American flag, you have to protect what it symbolizes and what it symbolizes is the freedoms we have in this country. We do not protect people from pornography and yet I find that offensive. We allowed the Nazis's to march in Skokie and as the mother of two Jewish children, I find that offensive but it is their right to do that in this country. I can tell you that there are holocaust victims who swallow hard and say yes, it is their right to do that in this country and that if we are not in this country with these freedoms that fringe groups abuse, then we will no longer be the country for which these many soldiers died.

I cannot support this. I cannot support any infringement on the Bill of Rights because even though it protects the jerks, it also protects everyone else's ability to petition the government. I think that we all value our country because we are not afraid of petitioning our government. I would hate to see any beginning of unweaving that blanket.

The SPEAKER: The Chair recognizes the Representative from Madison, Representative Richard.

Representative RICHARD: Mr. Speaker, Ladies and Gentlemen of the House: We have heard a great deal this morning about rights. I would go along with everyone else in supporting a person's right but we oftentimes forget con-competent that goes with the idea of having rights, we have responsibilities. I say anyone who desecrates our flag has indeed upheld his rights by this desecration and has forgotten his responsibilities. Therefore, I urge you to support this Resolution.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of more than one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question before the House is adoption of Joint Resolution (H.P. 1286). Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 146

YEA - Aikman, Aliberti, Allen, Ault, Bailey, Begley, Bell, Boutilier, Brewer, Burke, Butland, Cahill, M.; Carroll, D.; Carroll, J.; Carter, Cathcart, Chonko, Clark, H.; Cote, Curran, Daggett, Dellert, Dexter, Dipietro, Donald, Dutremble, L.; Erwin, P.; Farnum, Farren, Foss, Foster, Garland, Graham, Greenlaw, Gurney, Gwadosky, Hale, Hanley, Hastings, Hepburn, Hichborn, Hickey, Higgins, Hussey, Hutchins, Jackson, Jacques, Jalbert, Joseph, Ketover, Kilkelly, LaPointe, Lawrence, Lebowitz, Libby, Lisnik, Look, Lord, Luther, MacBride, Macomber, Manning, Marsano, Marsh, Marston, Martin, H.; Mayo, McLormick, McGowan, McKeen, McPherson, McSweeney, Melendy, Merrill, Michaud, Mills, Mitchell, Moholland, Murphy, Nadeau, G. G.; Norton, Nutting, O'Gara, Paradis, E.; Paradis, P.; Parent, Paul, Pederson, Pendleton, Pineau, Pines, Plourde, Priest, Reed, Richard, Richards, Rolde, Rotondi, Ruhlin, Seavey, Sheltra, Sherburne, Simpson, Small, Smith, Stevens, A.; Stevenson, Strout, B.; Strout, D.;

Swazey, Tamaro, Telow, Townsend, Tracy, Tupper, Walker, Webster, M.; Wentworth, Whitcomb, The Speaker.
NAY - Adams, Anthony, Clark, M.; Coles, Conley, Constantine, Dore, Farnsworth, Gould, R. A.; Heesch, Hoglund, Holt, Larrivee, Mahany, McHenry, Nadeau, G. R.; Rand, Rydell, Skoglund, Stevens, P.; Tardy.

ABSENT - Anderson, Cashman, Crowley, Duffy, Handy, O'Dea, Oliver, Paradis, J.; Pouliot, Ridley.

Yes, 120; No, 21; Absent, 10; Paired, 0; Excused, 0.

120 having voted in the affirmative, 21 in the negative, with 10 being absent, the Resolution was adopted. Sent up for concurrence.

SPECIAL SENTIMENT CALENDAR

Recognizing:

the Samoset Resort on the ocean in Rockport on the occasion of its centennial celebration July 1st - July 4th and in extending our best wishes as it celebrates 100 years of Maine hospitality; (SLS 260)

On motion of Representative Mayo of Thomaston, was removed from the Special Sentiment Calendar.

Was read.

On motion of Representative Mayo of Thomaston, tabled pending passage and later today assigned.

Recognizing:

the Rockland District High School Boys Baseball Team on their victory in the Class B State Baseball Championship; (SLS 262)

On motion of Representative Mayo of Thomaston was removed from the Special Sentiment Calendar.

Was read.

On motion of Representative Mayo of Thomaston, tabled pending passage and later today assigned.

PASSED TO BE ENACTED

Emergency Measure

An Act to Change the Method of Approving Equivalent Instruction in Home Schools (H.P. 949) (L.D. 1317) (H. "A" H-636 to C. "A" H-544)

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. 117 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 to Require Liquor Seller Compliance and Education (S.P. 151) (L.D. 271) (Conf. Com. "A" H-685)

An Act to Clarify the Definition of Seasonal Workers under the Workers' Compensation Law (S.P. 550) (L.D. 1521) (H. "A" H-637 to C. "A" S-293)

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.

(At Ease)

The House was called to order by the Speaker.

By unanimous consent, all matters having been acted upon requiring Senate concurrence were ordered sent forthwith to the Senate.

(Off Record Remarks)

(At Ease to the Gong)

The House was called to order by the Speaker.

At this point, the rules were suspended for the purpose of removing jackets for the remainder of today's session.

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

COMMUNICATIONS

The following Communication: (S.P. 661)
114TH MAINE LEGISLATURE
June 26, 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 withdrawn his nomination of Daniel Parker of Westbrook for appointment to the Adaptive Equipment Loan Program Fund Board.

Pursuant to Public Law 1989, Chapter 276, this nomination is currently pending before the Joint Standing Committee on Housing and Economic Development.

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 item appearing on Supplement No. 2 was taken up out of order by unanimous consent:

PAPER FROM THE SENATE

The following Communication:
Maine State Senate
Augusta, Maine 04333
June 29, 1989

The Honorable John L. Martin
Speaker of the House
114th 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 Housing and Economic Development, the Governor's nomination of the following for appointments to the Adaptive Equipment Loan Program Fund Board:

- Raymond L. Emond, Jr. of Auburn
- Gail Lawley of Winslow
- Thelma H. Pray of East Lebanon
- Arthur Redman of Augusta
- Michael J. Levensaler of Friendship
- Roland Bracy of Portland

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file.

The following item appearing on Supplement No. 4 was taken up out of order by unanimous consent:

PASSED TO BE ENACTED

An Act to Establish Occupational Health and Safety Standards for Operators of Video Display Terminals (H.P. 481) (L.D. 661) (Conf. Com. "A" S-402) to C. "A" H-563)

Was 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.

The following items appearing on Supplement No. 5 were taken up out of order by unanimous consent:

PAPER FROM THE SENATE

The following Communication:
Maine State Senate
Augusta, Maine 04333

June 29, 1989
Honorable Edwin H. Pert
Clerk of the House
State House Station 2
Augusta, Maine 04333

Dear Clerk Pert:

House Paper 100 Legislative Document 119, An Act Relating to State Personnel Administration, having been returned by the Governor together with his objections of the same pursuant to the provisions of the Constitution of the State of Maine, after reconsideration the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, accordingly, it was the vote of the Senate that the Bill not become law and the veto was sustained.

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

Was read and ordered placed on file.

The following Communication:
Maine State Senate
Augusta, Maine 04333
June 29, 1989

Honorable Edwin H. Pert
Clerk of the House
State House Station 2
Augusta, Maine 04333

Dear Clerk Pert:

Senate Paper 544 Legislative Document 1515, An Act Amending the Law Governing the Maine Committee on Aging, having been returned by the Governor together with his objections of the same pursuant to the provisions of the Constitution of the State of Maine, after reconsideration the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, accordingly, it was the vote of the Senate that the Bill not become law and the veto was sustained.

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

Was read and ordered placed on file.

(Off Record Remarks)

(At Ease)

The House was called to order by the Speaker.

The following item appearing on Supplement No. 7 was taken up out of order by unanimous consent:

PAPER FROM THE SENATE

The following Joint Order: (S.P. 664)

ORDERED, the House concurring, that in accordance with emergency authority granted under the Revised Statutes, Title 3, section 2, the First Regular Session of the 114th Legislature shall be extended for two legislative days, in accordance with the Provisions of said section.

Came from the Senate, read and passed.

Was read.

The SPEAKER: Pursuant to Revised Statutes, Title 3, section 2, passage requires the two-thirds vote 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.

109 having voted in the affirmative, 12 in the negative, the Joint Order was passed in concurrence.

On motion of Representative O'Gara of Westbrook, Adjourned until Friday, June 30, 1989, at one o'clock in the afternoon.

STATE OF MAINE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION
JOURNAL OF THE SENATE

In Senate Chamber
Thursday
June 29, 1989

Senate called to Order by the President.

Prayer by the Honorable Michael D. Pearson of Penobscot.

SENATOR PEARSON: Bless this state O God we pray, keep it safe by night and day. Bless this Senate and all who serve, make them ever mindful of Thy word. Lead us always by Thy grace, until finally the people's work we all embrace. When the storms of strive arise, let us remember it is You who is wise. To my seat mate Peter Whitmore, you are the best, you could not be more. To all the rest who also serve, may you all have a summer that is just superb.

Reading of the Journal of Thursday, June 22, 1989.

COMMUNICATIONS

The Following Communication: S.P. 661
114TH MAINE LEGISLATURE
June 26, 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 withdrawn his nomination of Daniel Parker of Westbrook for appointment to the Adaptive Equipment Loan Program Fund Board.

Pursuant to Public Law 1989, Chapter 276, this nomination is currently pending before the Joint Standing Committee on Housing and Economic Development.

Sincerely,
S/Charles P. Pray
President of the Senate
S/John L. Martin
Speaker of the House

Which was READ and referred to the Committee on HOUSING AND ECONOMIC DEVELOPMENT.
Sent down for concurrence.

The Following Communication:
COMMITTEE ON HOUSING AND ECONOMIC DEVELOPMENT
ONE HUNDRED AND FOURTEENTH LEGISLATURE
June 26, 1989

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 114th Maine Legislature, the Joint Standing Committee on Housing and Economic Development has had under consideration the nomination of Raymond L. Emond, Jr. of Auburn, for appointment to the Adaptive Equipment Loan Program Fund Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the