

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred And Fourteenth Legislature
OF THE
State Of Maine

VOLUME IV

FIRST SPECIAL SESSION
August 21, 1989 to August 22, 1989
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October 30, 1989
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SECOND CONFIRMATION SESSION
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SECOND REGULAR SESSION
January 3, 1990 to March 19, 1990

ONE HUNDRED AND FOURTEENTH MAINE LEGISLATURE
FIRST SPECIAL SESSION
First Legislative Day
Monday, August 21, 1989

This being the day designated in the proclamation of the Governor for meeting of the One Hundred and Fourteenth Legislature in extra session, the members of the House of Representatives assembled in their hall at 2:00 o'clock in the afternoon and was called to order by the Speaker.

Prayer by Father Donald MacInnis, St. Denis Catholic Church, North Whitefield.
Pledge of Allegiance.

For the purpose of ascertaining the presence of a quorum, a certified roll of the Representatives was taken.

The elected membership of the House being 151 and 143 members having answered to their names with 8 absent, a quorum was found to be present.

Absent were Representatives Bailey of Farmington, Carter of Winslow, Dellert of Gardiner, Jackson of Harrison, Lord of Waterboro, Pines of Limestone, Richard of Madison, and Richards of Hampden.

State of Maine
PROCLAMATION

WHEREAS, there exists in the State of Maine an extraordinary occasion arising out of agreements between the State of Maine and various labor organizations representing several bargaining units of public employees, which agreements will alter the compensation and benefits to be received by said public employees; and

WHEREAS, the laws of the State of Maine require legislative approval of certain financial provisions of any contract between the State and an employee organization; and

WHEREAS, Maine needs to make a new and expanded commitment to a major capital improvement program in our corrections system in order to ensure that incarcerated offenders serve their time without threat to public safety and within Constitutional requirements; and

WHEREAS, it is necessary to receive legislative approval of a corrections bond issue in a timely fashion so that the issue may be included on the ballot for consideration by the voters at referendum in November of this year,

NOW, THEREFORE, I, JOHN R. MCKERNAN, JR., Governor of the State of Maine, by virtue of the constitutional power vested in me as Governor, do hereby convene the Legislature of this State, hereby requesting the Senators and Representatives to assemble in their respective chambers at the Capitol in Augusta on Monday, the twenty-first (21st) day of August, 1989 at two (2) o'clock in the afternoon in order to receive communications, enact legislation to approve certain collective bargaining agreements, approve a corrections bond issue and conduct such other legislative business as may be appropriate.

In testimony whereof, I have caused the Great Seal of the State to be hereunto affixed GIVEN under my hand at Augusta this tenth (10th) day of August in the Year of our Lord One Thousand Nine Hundred and Eighty-Nine.
S/JOHN R. MCKERNAN, JR.

Governor

ATTEST: S/G. William Diamond
Secretary of State
Was read and ordered placed on file.

On Motion of Representative GWADOSKY of Fairfield, the following Order:

ORDERED, that a Committee of ten be appointed to wait upon His Excellency, the Governor, and inform him that a quorum of the House of Representatives is assembled in the Hall of the House for the consideration of such business as may come before the House.

Was read and passed and the Chair appointed the following Members:

Representative PRIEST of Brunswick
Representative PAUL of Sanford
Representative JALBERT of Lisbon
Representative LAPOINTE of Auburn
Representative LAWRENCE of Kittery
Representative PLOURDE of Biddeford
Representative MURPHY of Berwick
Representative BEGLEY of Waldoboro
Representative STEVENS of Sabattus
Representative TUPPER of Orrington

Subsequently, Representative PRIEST reported that the Committee had delivered the message with which it was charged.

On Motion of Representative MAYO of Thomaston, the following Order:

ORDERED, that a message be conveyed to the Senate that a quorum of the House of Representatives is present for the consideration of such business as may come before the House.

Was read and passed and Representative GWADOSKY of Fairfield was appointed to convey the message and subsequently reported that he had delivered the message with which he was charged.

COMMUNICATIONS

The following Communication:

Department of Administration
BUREAU OF EMPLOYEE RELATIONS
State House Station 79
Augusta, Maine 04333

August 2, 1989

John L. Martin
Speaker of the House
114th Legislature
State House Station #2
Augusta, ME 04333
Charles P. Pray
President of the Senate
114th Legislature
State House Station #3
Augusta, ME 04333

Dear Mr. Speaker and Mr. President:

Enclosed please find a Summary of Changes for the 1989-92 collective bargaining agreements between the State of Maine and the Maine State Employees Association and the American Federation of State, County and Municipal Employees unions. The tentative agreements have been ratified by the respective unions and we are currently in the process of preparing changes for the entire agreement which I will forward to you by August 14, 1989.

We are in the process of drafting legislation to provide for the funding and implementation of the

negotiated agreements. We continue negotiations with the Maine State Troopers Association and are hopeful that an agreement can be reached with that unit as well. If so, I will provide you with the details of the settlement as soon as possible thereafter.

Please do not hesitate to contact me if I can be of further assistance or provide you with any additional information concerning the terms of the agreements.

Sincerely,
S/Kenneth A. Walo
Director
BUREAU OF EMPLOYEE RELATIONS

Was read and with accompanying papers ordered placed on file.

The following Communication:

Department of Administration
BUREAU OF EMPLOYEE RELATIONS
State House Station 79
Augusta, Maine 04333
August 8, 1989

John L. Martin
Speaker of the House
114th Legislature
State House Station #2
Augusta, ME 04333
Charles P. Pray
President of the Senate
114th Legislature
State House Station #3
Augusta, ME 04333

Dear Mr. Speaker and Mr. President:

Enclosed please find a Summary of the Tentative Agreement between the State of Maine and the Maine State Troopers Association. Upon ratification we will prepare the changes for the entire agreement which I will forward to you by August 14, 1989.

Please do not hesitate to contact me if I can be of further assistance or provide you with any additional information concerning the terms of the agreements.

Sincerely,
S/Kenneth A. Walo
Director
BUREAU OF EMPLOYEE RELATIONS

Was read and with accompanying papers ordered placed on file.

The following Communication:

Department of Administration
BUREAU OF EMPLOYEE RELATIONS
State House Station 79
Augusta, Maine 04333
August 14, 1989

John L. Martin
Speaker of the House
114th Legislature
State House Station #2
Augusta, ME 04333
Charles P. Pray
President of the Senate
114th Legislature
State House Station #3
Augusta, ME 04333

Dear Mr. Speaker and Mr. President:

Enclosed please find copies of the final drafts of the five (5) 1989-92 collective bargaining agreements between the State of Maine and the Maine State Employees Association.

The final draft agreement between the State and the American Federation of State, County and

Municipal Employees will follow shortly. Also, today we expect ratification results of the tentative agreement reached with the Maine State Troopers Association.

Please do not hesitate to contact me if I can be of further assistance or provide you with any additional information concerning the terms of the agreements.

Sincerely,
S/Kenneth A. Walo
Director
BUREAU OF EMPLOYEE RELATIONS

Was read and with accompanying papers ordered placed on file.

The following Communication:

Department of Administration
BUREAU OF EMPLOYEE RELATIONS
State House Station 79
Augusta, Maine 04333
August 15, 1989

John L. Martin
Speaker of the House
114th Legislature
State House Station #2
Augusta, ME 04333
Charles P. Pray
President of the Senate
114th Legislature
State House Station #3
Augusta, ME 04333

Dear Mr. Speaker and Mr. President:

Enclosed please find a copy of the final draft of the 1989-92 collective bargaining agreement between the State of Maine and the American Federation of State, County and Municipal Employees.

This office has just been advised that, as a result of a ratification vote, the tentative agreement reached with the Maine State Troopers Association has been rejected by the membership.

Please do not hesitate to contact me if I can be of further assistance or provide you with any additional information concerning the terms of the agreement.

Sincerely,
S/Kenneth A. Walo
Director
BUREAU OF EMPLOYEE RELATIONS

Was read and with accompanying papers ordered placed on file.

The following Communication:

State of Maine
OFFICE OF THE GOVERNOR
Augusta, Maine 04333
August 15, 1989

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

Dear Speaker Martin:

Board of Environmental Protection member Hervey Triplett's term expired on May 21, 1989, and he has continued to serve in that capacity. As you know, by law he can only serve 90 days beyond the expiration of his term unless I notify the Legislature of my findings that extension of a member's term beyond this period is in the best interest of the work of the board. Pursuant to MRSA 38, Section 361, I hereby submit a formal notification of my intention to extend Mr. Triplett's term beyond August 19, 1989.

It is also my intention to nominate a replacement for Mr. Triplett on the Board of Environmental Protection when I announce the next round of appointments requiring legislative confirmation, which will be in conjunction with the enactment of laws passed during the First Regular Session of the 114th Legislature.

In the meantime, it is imperative that Mr. Triplett continue to participate as a member of BEP. Of special interest is a major case now pending before the Board regarding the Penobscot Energy Recovery Facility. The BEP is expected to make its decision on this case within the next two months and his knowledge of the complex issues of the case makes it desirable to have him take part in the final deliberations and resolution.

Thank you for your consideration.

Sincerely,
S/John R. McKernan, Jr.
Governor

Was read and ordered placed on file.

The following Communication:

MAINE LABOR RELATIONS BOARD
STATE OFFICE BUILDING - Room 710
STATE HOUSE STATION #90
AUGUSTA, MAINE 04333
July 24, 1989

Hon. John Martin
Speaker of the House
State House Station 2
Augusta, Maine 04333
Dear Speaker Martin:

Attached are copies of the annual reports for the Maine Labor Relations Board, the Panel of Mediators, and the Board of Arbitration and Conciliation, which were submitted to the Governor's Office, as required by statute, on June 30, 1989.

Best wishes for a good summer.

Sincerely,
S/Nancy Connolly Fibish
Executive Director

Was read and with accompanying report ordered placed on file.

The following Communication:

DEPARTMENT OF PUBLIC SAFETY
State House Station 42
Augusta, Maine 04333
August 4, 1989

The Honorable John L. Martin
Speaker of the House
State House Station #2
Augusta, Maine 04333
Dear Speaker Martin:

Pursuant to 25 MRSA 1544, it is my privilege to present to you and the members of the House the 14th Crime in Maine Annual Report.

Since the inception of the Uniform Crime Reporting Program in Maine in 1974, the Maine State Police and the Department of Public Safety have been proud to serve as the sponsoring agency for the collection, analysis and dissemination of our State's only source of reported crime data.

It is to the credit of the 120 state, county and local law enforcement agencies throughout the State that these vital criminal statistics are available to measure the impact of crime and law enforcement's response to it.

As this year's report identifies a modest increase in the crime rate, it becomes obvious that all levels of law enforcement and government must

work in the spirit of cooperation in preserving Maine's quality of life.

With the ever-increasing pressures on state and local government to provide crucial services, it is hoped that the information contained herein will be a valuable informational tool to assist in the weighty decisions concerning the allocation of resources, creation of new laws and the adjudication of our legal system.

Should you like further information concerning Maine's growing crime challenge, please feel free to contact Stephan Bunker, Uniform Crime Reporting Supervisor, at 289-2025.

Sincerely,
S/John R. Atwood
Commissioner
Department of Public Safety

Was read and with accompanying report ordered placed on file.

The following Communication: (H.P. 1299)

State of Maine
House of Representatives
Augusta, Maine 04333
August 16, 1989

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

Dear Mr. Speaker and Mr. President:

On August 16, 1989, eight Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on August 16, 1989 as follows:

Appropriations and Financial Affairs

Bill "An Act to Clarify the Question to Be Presented to the Voters Concerning the Maine Vocational-Technical Institute System Bonds" (EMERGENCY) (H.P. 1292) (L.D. 1785) (Presented by Representative GWADOSKY of Fairfield) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Provide Funding for Group Care Services" (H.P. 1293) (L.D. 1786) (Presented by Representative CARROLL of Gray) (Cosponsored by Senator HOLLOWAY of Lincoln, Representative GWADOSKY of Fairfield and Representative LUTHER of Mexico) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Continue Vital Community Services" (EMERGENCY) (H.P. 1295) (L.D. 1788) (Presented by Representative FOSTER of Ellsworth) (Cosponsored by Representative CARROLL of Gray, Senator PERKINS of Hancock and Senator GAUVREAU of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Appropriate Funds for Vocal Relay Telecommunication Services Provided to Deaf and Hearing Impaired Persons" (EMERGENCY) (H.P. 1298) (L.D. 1791) (Presented by Representative ANTHONY of South Portland) (Cosponsored by Senator PERKINS of Hancock and Senator BRANNIGAN of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act Permitting the Issuance of Certain Pending Revenue Obligation Securities" (EMERGENCY) (H.P. 1296) (L.D. 1789) (Presented by Representative GWADOSKY of Fairfield)

Energy and Natural Resources

Bill "An Act to Control the Installation of Underground Oil Tanks in the Shoreland Zone" (EMERGENCY) (H.P. 1294) (L.D. 1787) (Presented by Representative PARADIS of Old Town) (Cosponsored by Representative MICHAUD of East Millinocket, Senator PERKINS of Hancock and Representative STROUT of Windham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Housing and Economic Development

Bill "An Act to Break the Cycle of Homelessness in Maine" (EMERGENCY) (H.P. 1297) (L.D. 1790) (Presented by Representative NADEAU of Lewiston) (Cosponsored by Senator DUTREMBLE of York and Representative BAILEY of Farmington) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Legal Affairs

Bill "An Act to Improve Enforcement of Liquor Licensure Laws" (H.P. 1291) (L.D. 1784) (Presented by Representative GWADOSKY of Fairfield) (Cosponsored by Senator MATTHEWS of Kennebec, Representative PRIEST of Brunswick and Representative MURPHY of Berwick) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Sincerely,
S/Edwin H. Pert
Clerk of the House
S/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file.

The following Communication: (H.P. 1304)
August 17, 1989

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

Dear Mr. Speaker and Mr. President:

On August 17, 1989, two Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on August 17, 1989 as follows:

Appropriations and Financial Affairs

Bill "An Act Concerning Reimbursement to Municipalities with Certain State Facilities" (H.P. 1303) (L.D. 1804) (Presented by Representative MAYO of Thomaston) (Cosponsored by Senator BUSTIN of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Education

Bill "An Act Concerning Geographic Isolation Grants" (H.P. 1305) (L.D. 1805) (Presented by Representative SKOGLUND of St. George) (Cosponsored by Representative MILLS of Bethel, Speaker MARTIN of Eagle Lake and Senator COLLINS of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

State and Local Government

Bill "An Act to Authorize Aroostook County to Make Certain Expenditures in the Renovations of the Houlton District Court" (EMERGENCY) (H.P. 1302) (L.D. 1800) (Presented by Speaker MARTIN of Eagle Lake)

Utilities

Bill "An Act to Revise the Charter of the Madawaska Water District" (EMERGENCY) (H.P. 1301) (L.D. 1799) (Presented by Representative McHENRY of Madawaska) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Sincerely,
S/Edwin H. Pert

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

Was read and ordered placed on file.

The following Communication:

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

August 18, 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 Chapter 58 of the Resolves of Maine, 1989, On July 24, 1989 I appointed Representative Susan Farnsworth, of Hallowell, and Representative Virginia Constantine, of Bar Harbor, to serve as the House Members on the Commission to Study the Level of Services for Maine's Elderly Citizens.

On July 24, 1989, pursuant to my authority under Chapter 576 of the Public Laws of Maine, 1989, I appointed Representative Donnell Carroll of Gray to serve as House member on the Maine Human Development Commission, which replaces the Maine Human Services Council.

On July 24, 1989, pursuant to my authority under Chapter 501 of the Public Laws of Maine, 1989, I appointed Representative Neil Rolde of York, Representative Herbert C. Adams of Portland and Representative Ruth S. Foster of Ellsworth to serve as House members on the Special Commission to Study the Organization of the State's Cultural Agencies.

On July 27, 1989, pursuant to my authority under Chapter 73 of the Public Laws of Maine, 1989, I reappointed Representative Christine F. Burke of Vassalboro to serve as House member on the Maine Advisory Committee on Mental Retardation, formerly known as the Maine Committee on the Problems of the Mentally Retarded.

On July 27, 1989, pursuant to my authority under Chapter 55 of the Resolves of Maine, 1989, I appointed Representative James Handy of Lewiston, Representative Marge Kilkelly of Wiscasset, Representative Mary Cathcart of Orono and Representative Wesley Farnum of South Berwick to serve on the Blue Ribbon Task Force to Promote Equity of Opportunity for Women in the Public School System.

On July 27, 1989, pursuant to my authority under Chapter 501 of the Public Laws of Maine, 1989, I appointed Representative Patrick K. McGowan of Canaan and Representative Herbert E. Clark of Millinocket to serve as House members on the Advisory Committee to Update the Maine Aviation Systems Plan.

On July 27, 1989, pursuant to my authority under Chapter 588 of the Public Laws of Maine, 1989, I appointed Representative Charlene B. Rydell of Brunswick to serve as House member on the Maine Health Program Advisory Committee.

On July 27, 1989, pursuant to my authority under Chapter 35 of the Private and Special Laws of Maine, 1989, I appointed Representative Constance Cote of Auburn to serve as House member on the Commission to Implement Computerization of Criminal History Record Information Deadline. She will be replacing Senator Joseph Brannigan who is now serving as a Senate member.

On July 27, 1989, pursuant to my authority under Chapter 496 of the Public Laws of Maine, 1989, I appointed Representative Jo Anne Lapointe of Auburn

and Representative Judy A. Paradis of Frenchville to serve as House members on the Advisory Committee on Home Health.

On July 27, 1989, pursuant to my authority under Chapter 534 of the Public Laws of Maine, 1989, I appointed Representative Neil Rolde of York, Representative Arnold Brewer, Jr. of Boothbay Harbor and Representative Donald A. Strout of Corinth to serve as House members on the Commission to Study Problems with the Municipal Assessment Valuation and Collection of Property Taxes.

On July 27, 1989, pursuant to my authority under Chapter 501 of the Public Laws of Maine, 1989, I appointed Representative Lorraine Chonko of Topsham and Representative Christine Burke of Vassalboro to serve as House members from the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Human Resources, respectively, on the Commission to Evaluate the Adequacy of the Aid to Families with Dependent Children Need and Payment Standards.

On August 1, 1989, pursuant to my authority under 5 M.R.S.A., section 7021, I appointed Jo Karr of Kittery to serve on the Maine Commission for Women. She will be replacing Representative Mary Cathcart who has resigned. I have also reappointed Caroline Gentile of Presque Isle to this panel.

On August 1, 1989, pursuant to my authority under Chapter 588 of the Public Laws of Maine, 1989, I appointed Representative Margaret Pruitt Clark of Brunswick and Representative Peter J. Manning of Portland to serve as House members on the Commission to Study the Certificate of Need Law and the Impact of Competitive Market Forces on Ambulatory Health Services. I have also appointed W. Christopher DeSerres of Hallowell to serve as a consumer member.

On August 1, 1989, pursuant to my authority under Chapter 59 of the Resolves of Maine, 1989, I appointed Representative Joseph W. Mayo of Thomaston, Representative Mark W. Lawrence of Kittery and Representative Helen M. Tupper of Orrington to serve as House members on the Commission to Study Public Financing of Elections.

On August 2, 1989, pursuant to my authority under Chapter 574 of the Public Laws of Maine, 1989, I appointed Representative Vinton T. Ridley of Shapleigh, representing the Joint Standing Committee on Appropriations and Financial Affairs, Representative Patrick E. Paradis of Augusta, representing the Joint Standing Committee on Judiciary and Representative Ruth Joseph of Waterville representing the Joint Standing Committee on State and Local Government to serve as House members on the Commission on Codification of Rules.

On August 3, 1989, pursuant to my authority under Chapter 464 of the Public Laws of Maine, 1989, I appointed Mark Bryant of South Windham to serve as the representative of organized labor on the State Emergency Response Commission.

On August 17, 1989, pursuant to my authority under Chapter 464 of the Public Laws of Maine, 1989, I appointed Eric W. Dunn of Yarmouth to serve as the representative of volunteer firefighters on the State Emergency Response Commission.

On August 18, 1989, pursuant to my authority under Title 5, M.R.S.A., Section 7021, I appointed Ellen F. Golden of Woolwich, to the Maine Commission for Women. She will be replacing Celeste Branham of Lewiston, whose term has expired.

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

Was read and ordered placed on file.

The following Communication:

114TH MAINE LEGISLATURE

August 2, 1989

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

Dear Clerk Pert:

Pursuant to our authority we have appointed the following:

Cancer Prevention and Control Advisory Board (Public Laws of 1987, Chapter 380):

Ms. Margaret Hopkins of Millinocket
Dr. Leslie Fernow of Dover-Foxcroft (reappointment)
Ms. Elizabeth Richard of Rockport (reappointment)
Ms. Jean Callum of Bangor (reappointment)

State House and Capitol Park Commission (Public Laws of 1989, Chapter 410) (Formerly known as the State Capitol):

Merle Nelson of Falmouth
Don Cyr of Lille-Sur-St. Jean
Mrs. John Rand of Freeport (reappointment)
Ms. Joan Woodcock of Bangor (reappointment)
Commission to Evaluate the Adequacy of AFDC Need and Payment Standards (Public Laws of 1989, Chapter 501):

Professor John Romanyszyn of Peaks Island
Kathy Klein-Pickering of Millinocket
Marilyn Cameron of Dover-Foxcroft
Ms. Bernice Rogalinski of Dover-Foxcroft
Ms. Diane Gower of Auburn
Ms. Julie Firestone of Fort Kent (representative of recipients of AFDC)
Ms. Kathy Moore, of Waterville (representative of recipients of the AFDC Advisory Council)

Special Commission to Study the Organization of the State's Cultural Agencies (Public Laws of 1989, Chapter 501):

Mrs. Barbara Mason of Millinocket
Mr. Harold Pachios of Portland

Mandated Benefits Advisory Commission (Public Laws of 1989, Chapter 556):

Senator Raynold Theriault of Aroostook
Rep. Phyllis R. Erwin, of Rumford
Rep. Everett O. Pederson, of Bangor
Mr. Norman Soucie of Bangor
Ms. Carol Harris of Greenville
Dr. Robert Lynch of South Portland
Dr. David Lambert of Portland (the public health professional)

Student Financial Aid Transition Committee (Public Laws of 1989, Chapter 559):

Senator Stephen Bost of Penobscot, Chair
Senator Barbara Gill of Cumberland
Rep. Nathaniel Crowley of Stockton Springs
Rep. John O'Dea of Orono
Rep. Omar Norton of Winthrop
Mr. James Grandmaison of Fort Kent
Mr. Dean Smith of Dover-Foxcroft

Affordable Housing Alliance Advisory Committee (Public Laws of 1989, Chapter 581):

Ms. Cathy Carothers of South Portland
Mr. Luke Muzzy of Greenville
Sister Lucy Poulin of Orland
Mr. James Sullivan of Wellington

Interagency Task Force on Homelessness and Housing Opportunities (Public Laws of 1989, Chapter 581):

Mr. Tom Nelson of Sanford
Mr. Don Gean of Alfred
Ms. Doris Hohman of Portland
Ms. Christiana Lynn Cote of Augusta
Mr. Charles Woodward of Leeds

Maine Health Program Advisory Committee (Public Laws of 1989, Chapter 588):

Ms. Christine Hastedt of Augusta
 Ms. Barbara Darling of Portland
 Ms. Bonnie Post of Owls Head (the Special Select
 Commission on Access to Health Care)
 Blue Ribbon Task Force to Promote Equity of
 Opportunity for Women in the Public School System
 (Resolves of 1989, Chapter 55):

Senator Stephen Estes of York
 Senator Nancy Randall Clark of Cumberland
 Ms. Marcia Hamlyn-Bechard of Winthrop
 Mr. Terry Daigle of Millinocket
 Mr. Robert Kautz of Wells (the Maine School
 Superintendents' Association)
 Ms. Elizabeth Crowley of Mercer (the Maine School
 Board Association)
 Ms. Sarah Shed of Hallowell
 Ms. Rita Pineau of Alfred (the Maine Federation of
 Teachers)

Commission to Study Public Financing of Elections
 (Resolves of 1989, Chapter 59):

Rep. Charles R. Priest of Brunswick, Chair
 Commission to Study the Problems with the Municipal
 Assessment, Valuation, and Collection of Property
 Taxes (Public Laws of 1989, Chapter 534):

Mr. Michael Austin of Bath
 Mr. David Cota of Greenville

Maine Health Program Advisory Committee (Public Laws
 of 1989, Chapter 588):

Ms. Susan M. Soucie of Eagle Lake
 Affordable Housing Alliance Advisory Committee
 (Public Laws of 1989, Chapter 581):

Ms. Margaret Haynes of Rockland
 Commission to Study the Level of Services for Maine's
 Elderly (Resolves of 1989, Chapter 58):

Ms. Belle Rush of Millinocket
 Mr. Woodrow Page of Dover Foxcroft
 Ms. Madeleine Freeman of Brewer
 Mr. Ronald Thurston of Augusta
 Margaret Russell of Augusta (Maine Committee on
 Aging)

Ernest Marriner of No. Monmouth (American
 Association of Retired Persons)

Myron McIntire of Augusta (Health Insurance
 Providers)
 Maryanna Arseneault of Saco (The Home Care
 Alliance)

Norman Fournier of Wallagrass (Maine Hospital
 Association)

E. Stuart Fergusson of No. Whitefield (public, 60
 and over)

Please let one of us know if you have any
 questions about these appointments.

Sincerely,

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

ORDERS

On motion of Representative PARADIS of Old Town,
 the following Joint Resolution: (H.P. 1300)
 (Cosponsors: Representatives JALBERT of Lisbon and
 GREENLAW of Standish) (Approved for introduction by a
 majority of the Legislative Council pursuant to Joint
 Rule 35)

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO IMPOSE SANCTIONS AGAINST THE GOVERNMENTS OF THOSE COUNTRIES WITH TIES TO TERRORIST ORGANIZATIONS

WE, your Memorialists, the Members of the One
 Hundred and Fourteenth Legislature of the State of
 Maine now assembled in the First Special Session,
 most respectfully present and petition the President

of the United States and the Members of the United
 States Congress as follows:

Whereas, governments are and must be responsible
 and accountable for the actions of the people they
 govern; and

Whereas, acts of aggression against the citizens
 of other countries by lawless people and governments
 that do not recognize fundamental principles of
 international law must be strongly condemned by
 civilized nations; and

Whereas, We view with outrage and revulsion the
 cowardly, despicable and unwarranted act of hanging
 Lieutenant Colonel William R. Higgins, United States
 Marine Corps, a member of the United Nations
 peacekeeping force, in retribution for an unrelated
 grievance against an ally of this nation; and

Whereas, it is considered appropriate for a duly
 authorized government to protect, secure and bring to
 justice those who harm, molest or detain its citizens
 unlawfully and without cause; 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 Special Session,
 request and urge the President and the Members of
 Congress of the United States in their capacity as
 leaders of a prominent world power to take any
 actions and bring any sanctions against those
 governments and lawless people sufficient to deter
 them from future aggressions against citizens of this
 nation; and be it further

Resolved: That the President and the Members of
 Congress of the United States demand the immediate
 release of American hostages wherever and by whomever
 held and treat failure to comply with this demand in
 a most serious and appropriate manner; and be it
 further

Resolved: That suitable copies of this Memorial,
 duly authenticated by the Secretary of State, be
 transmitted to the President of the United States,
 the President of the Senate and 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 Old Town, Representative Paradis.

Representative PARADIS: Mr. Speaker, Members of
 the House: I hope you will join with me today in
 accepting this Resolution so that we may pass it and
 send it on to the President and to members of
 Congress.

With the passage of this Resolution, I believe
 that we will signify our support for such action as
 may be appropriate in the future dealing with not
 only the future but the past actions of hostages in
 confronting our situation. The situation has been on
 our minds for ten years and these terrorists of the
 mid-east have imposed themselves upon us and
 disrupted our international travel. A few weeks ago,
 we had displayed for the world to see the hanging of
 Lieutenant Colonel William R. Higgins, United States
 Marine Corps who was then in the performance of duty
 as a member of the United Nations Peacekeeping Forces
 in the mid-east. This was a despicable act and it
 brought a great deal of anger and discomfort to our
 people in this country by such an act. The greatest
 part of the frustration has been the inability to
 deal with it. Over the past ten years, the
 leadership of our country has, more or less, brought
 before us the solution of "we must wait and see." We
 have waited and seen and the people of the country
 have been particularly patient and have waited now
 for a considerable period of time for resolution and

action which would deal with these situations in a forceful manner.

I think, as I mentioned, the passage of the Resolution would signify to Congress and certainly to the members of our congressional delegations that the members of this body in this House and I hope the other House will signify the support and encouragement for future action that they deem to be appropriate. I hope that you will support passage of this Resolution.

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

Representative JALBERT: Mr. Speaker, Ladies and Gentlemen of the House; I think the Representative from Old Town, Representative Paradis, has put it very well. I know that this is a despicable act and I know that everybody in this country felt that maybe we should take some drastic action but I think that will not solve the problem. I think the time has come now that we must render our support behind President Bush in the efforts that he is trying to make in order to solve this problem and to bring back the rest of the hostages. I hope you support the Resolution.

Subsequently was adopted and sent up for concurrence.

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

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

Bill "An Act to Clarify the Procedures for Placement of Existing Utility Lines Underground" (H.P. 1307) (L.D. 1811) (Presented by Representative DEXTER of Kingfield) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

(Committee on Energy and Natural Resources was suggested)

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

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

Resolve, to Allow the Oxford County Commissioners to Release Interest in Land to the Oxford County Association for Retarded Children (H.P. 1306) (L.D. 1810) (Presented by Representative LUTHER of Mexico) (Cosponsored by Senator ERWIN of Oxford and Representative ERWIN of Rumford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

(Committee on State and Local Government was suggested)

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

REPORTS OF COMMITTEES

Unanimous Ought Not to Pass

Representative CHONKO from the Committee on Appropriations and Financial Affairs on Bill "An Act to Provide Funding for Group Care Services" (H.P. 1293) (L.D. 1786) reporting "Ought Not to Pass"

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

CONSENT CALENDAR

First Day

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

(H.P. 1292) (L.D. 1785) Bill "An Act to Clarify the Question to Be Presented to the Voters Concerning the Maine Vocational-Technical Institute System Bonds" (EMERGENCY) Committee on Appropriations and Financial Affairs reporting "Ought to Pass"

(H.P. 1296) (L.D. 1789) Bill "An Act Permitting the Issuance of Certain Pending Revenue Obligation Securities" (EMERGENCY) Committee on Appropriations and Financial Affairs reporting "Ought to Pass"

Under suspension of the rules, Second Day Consent Calendar notification was given, the House Papers were passed to be engrossed and sent up for concurrence.

A message was received from the Senate, borne by Senator DUTREMBLE of that body, announcing a quorum present and that the Senate was ready to transact any business that might properly come before it.

On motion of Representative PARADIS of Augusta, the following Order:

ORDERED, that the Clerk of the House is authorized to issue to each member of the House and the Indian Representatives 100 25¢ postage stamps. Was read and passed.

(At Ease)

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.

(Off Record Remarks)

(At Ease to Gong)

The House was called to order by the Speaker.

The following items appearing on Supplement No. 2 were taken up out of order by unanimous consent:

COMMUNICATIONS

The following Communication: (S.P. 681)
Maine State Senate
Office of the Secretary
Augusta, Maine 04333

August 17, 1989

The Honorable Charles P. Pray
President of the Senate
114th Legislature
The Honorable John L. Martin
Speaker of the House
114th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today five bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing

Committees and ordered printed on August 17, 1989, as follows:

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act to Fund and Implement Certain Collective Bargaining Agreements and Benefits for Certain Employees Excluded from Collective Bargaining" (EMERGENCY) (S.P. 679) (L.D. 1797) (Presented by Senator PEARSON of Penobscot)

Bill "An Act to Make Supplemental Appropriations and Allocations for Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1990, and June 30, 1991" (EMERGENCY) (S.P. 680) (L.D. 1798) (Presented by Senator PEARSON of Penobscot)

Bill "An Act to Adjust the Compensation for Active Retired Judges" (S.P. 683) (L.D. 1802) (Presented by Senator CAHILL of Sagadahoc) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

EDUCATION

Bill "An Act Establishing the Higher Education Students Financial Assistance Board" (EMERGENCY) (S.P. 684) (L.D. 1803) (Presented by Senator BOST of Penobscot) (Cosponsored by Senator GILL of Cumberland, Representative CROWLEY of Stockton Springs and Representative NORTON of Winthrop) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

TRANSPORTATION

Bill "An Act Concerning Operator Licenses Held by Persons 15 Years of Age" (EMERGENCY) (S.P. 682) (L.D. 1801) (Presented by Senator CLARK of Cumberland) (Cosponsored by Representative GWADOSKY of Fairfield and Representative HOGGLUND of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Sincerely,
S/Joy J. O'Brien
Secretary of the Senate
S/Edwin H. Pert
Clerk of the House

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

Was read and ordered placed on file in concurrence.

The following Communication:
114TH MAINE LEGISLATURE
August 21, 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 our authority under Chapter 58 of the Resolves of 1989, we have today appointed Rep. Virginia Constantine, of Bar Harbor, to serve as Chair of the Commission to Study the Level of Services for Maine's Elderly Citizens.

Pursuant to our authority under Chapter 574 of the Public Laws of 1989, we have also today appointed Sen. Georgette B. Berube, of Lewiston, to serve as Chair of the Commission on Codification of Rules.

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

The following items appearing on Supplement No. 3 were taken up out of order by unanimous consent:

COMMUNICATIONS

The following Communication: (S.P. 689)
Maine State Senate
State House
Augusta, Maine 04333
August 18, 1989

The Honorable Charles P. Pray
President of the Senate
114th Legislature
The Honorable John L. Martin
Speaker of the House
114th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today one resolve and three bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees and ordered printed on August 18, 1989, as follows:

JUDICIARY

Bill "An Act Concerning Errors and Inconsistencies in the Laws of Maine" (EMERGENCY) (S.P. 687) (L.D. 1808) (Presented by Senator HOBBS of York) (Cosponsored by Representative PARADIS of Augusta) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

LEGAL AFFAIRS

Bill "An Act Providing for the Immediate Enforcement of Laws Governing the Operation of a Watercraft While Under the Influence" (EMERGENCY) (S.P. 685) (L.D. 1806) (Presented by Senator ESTY of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

STATE AND LOCAL GOVERNMENT

Resolve, to Revise the Kennebec County Budget (EMERGENCY) (S.P. 686) (L.D. 1807) (Presented by Senator BUSTIN of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act Relating to Various Commissions, Task Forces and Committees" (EMERGENCY) (S.P. 688) (L.D. 1809) (Presented by President PRAY of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Sincerely,
S/Joy J. O'Brien
Secretary of the Senate
S/Edwin H. Pert
Clerk of the House

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

Was read and ordered placed on file in concurrence.

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

COMMUNICATIONS

The following Communication:
114TH MAINE LEGISLATURE
August 21, 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 our authority under Chapter 58 of the Resolves of 1989, we have today appointed Rep. Virginia Constantine, of Bar Harbor, to serve as Chair of the Commission to Study the Level of Services for Maine's Elderly Citizens.

Pursuant to our authority under Chapter 574 of the Public Laws of 1989, we have also today appointed Sen. Georgette B. Berube, of Lewiston, to serve as Chair of the Commission on Codification of Rules.

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

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

CONSENT CALENDAR

First Day

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

(S.P. 669) (L.D. 1783) Bill "An Act Relating to Funding for Adult Day Care Services" (EMERGENCY) Committee on Appropriations and Financial Affairs reporting "Ought to Pass"

(S.P. 672) (L.D. 1793) Bill "An Act to Fund and Implement Collective Bargaining Agreements with Certain Employees of the Maine Vocational-Technical Institute System" (EMERGENCY) Committee on Appropriations and Financial Affairs reporting "Ought to Pass"

(S.P. 679) (L.D. 1797) Bill "An Act to Fund and Implement Certain Collective Bargaining Agreements and Benefits for Certain Employees Excluded from Collective Bargaining" (EMERGENCY) Committee on Appropriations and Financial Affairs reporting "Ought to Pass"

(S.P. 684) (L.D. 1803) Bill "An Act Establishing the Higher Education Students Financial Assistance Board" (EMERGENCY) Committee on Education reporting "Ought to Pass"

(S.P. 671) (L.D. 1792) Bill "An Act to Fund and Implement Collective Bargaining Agreements with Employees of the Judicial Department" (EMERGENCY) Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-447)

Under suspension of the rules, Second Day Consent Calendar notification was given, the Senate Papers were passed to be engrossed or passed to be engrossed as amended in concurrence.

The following items appearing on Supplement No. 6 were taken up out of order by unanimous consent:

PAPERS FROM THE SENATE

Unanimous Leave to Withdraw

Report of the Committee on Appropriations and Financial Affairs reporting "Leave to Withdraw" on Bill "An Act to Adjust the Compensation for Active Retired Judges" (S.P. 683) (L.D. 1802)

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

COMMUNICATIONS

The following Communication: (S.P. 678)

WORKERS' COMPENSATION COMMISSION

STATE HOUSE STATION 27

AUGUSTA, MAINE 04333

July 24, 1989

Honorable Charles P. Pray

President of the Senate

State House Station 3

Augusta, Maine 04333

RE: Quarterly Report for the Second Quarter of Calendar 1989

39 M.R.S.A. section 92(3)

Dear President Pray:

This letter and statistical attachments are the quarterly report of Commissioner caseload and progress mandated by 39 M.R.S.A. section 92(3).

During the second quarter of 1989 the Commission received an estimated 2,456 petitions and disposed of 2,373 by decision or dismissal. Backlog remained in the area of 7,500 undecided petitions.

We are in the process of reviewing the workers' compensation legislation enacted during the first session of the 114th Legislature.

There have been no complaints or filings in connection with the 30 day decision rule of 39 M.R.S.A. section 99-B as implemented by Commission Rule 22.11.

A summary of caseload and dispositions is presented in the attached tables. I would be happy to discuss this report further is you wish.

Sincerely,
S/Ralph L. Tucker
Chairman

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

COMMUNICATIONS

The following Communication: (S. P. 677)

Maine State Senate

State House

Augusta, Maine 04333

August 16, 1989

The Honorable Charles P. Pray

President of the Senate

114th Legislature

The Honorable John L. Martin

Speaker of the House

114th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today seven bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees and ordered printed on August 16, 1989, as follows:

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act Relating to the Compeer Program" (EMERGENCY) (S.P. 668) (L.D. 1782) (Presented by President PRAY of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act Relating to Funding for Adult Day Care Services" (EMERGENCY) (S.P. 669) (L.D. 1783) (Presented by Senator CLARK of Cumberland) (Cosponsored by Senator BRANNIGAN of Cumberland, Representative HICKEY of Augusta and Senator GOULD of Waldo) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Fund and Implement Collective Bargaining Agreements with Employees of the Judicial Department" (EMERGENCY) (S.P. 671) (L.D. 1792) (Presented by Senator PEARSON of Penobscot)

Bill "An Act to Fund and Implement Collective Bargaining Agreements with Certain Employees of the Maine Vocational-Technical Institute System" (EMERGENCY) (S.P. 672) (L.D. 1793) (Presented by Senator PEARSON of Penobscot)

Bill "An Act to Authorize General Fund Bond Issues in the Amounts of \$35,000,000 and \$14,500,000 for Construction and Renovation of Correctional

Facilities" (EMERGENCY) (S.P. 673) (L.D. 1794)
(Presented by Senator PERKINS of Hancock)

HUMAN RESOURCES

Bill "An Act to Ensure Prompt Collection of Certain Outpatient Health Care Data" (S.P. 0675) (L.D. 1796) (Presented by Senator GAUVREAU of Androscoggin) (Cosponsored by Senator COLLINS of Aroostook and Representative RYDELL of Brunswick) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

JUDICIARY

Bill "An Act to Amend the Law Allowing an Officer of a Corporation to Represent that Corporation in any Court Action" (EMERGENCY) (S.P. 674) (L.D. 1795) (Presented by Senator WEBSTER of Franklin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Sincerely,
S/Joy J. O'Brien
Secretary of the Senate
S/Edwin H. Pert
Clerk of the House

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

Was read and ordered placed on file in concurrence.

The following items appearing on Supplement No. 8 were taken up out of order by unanimous consent:

PAPERS FROM THE SENATE

The following Joint Resolution: (S.P. 676)

JOINT RESOLUTION RECOGNIZING THE CONTRIBUTIONS OF RETIRED ADMIRAL ARLEIGH BURKE TO THE PRESERVATION OF AMERICAN FREEDOMS

Whereas, Retired Admiral Arleigh Burke has earned every medal and honor the United States Navy is able to award for his great personal courage and extraordinary heroism; and

Whereas, Retired Admiral Burke has also received the highest civilian honor this nation has to give, the Medal of Freedom; and

Whereas, Admiral Burke served his country for an unprecedented 3 terms as Chief of Naval Operations; and

Whereas, in World War II, Admiral Burke commanded Destroyer Squadron 23, whose men won more honors in less time than any squadron in any United States navy; and

Whereas, 4 of the 8 ships in Admiral Burke's squadron were built at Bath Iron Works; and

Whereas, Bath Iron Works is the lead shipyard for the new Arleigh Burke-class destroyer, the most technologically advanced ship of its type in any navy; and

Whereas, Admiral Burke and his wife, Roberta, sponsor of the ship, have visited Bath Iron Works on numerous occasions to contribute their special presence during the construction process of a ship whose duty it will be to protect America's interests and freedoms; 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 Special Session, recognize the contributions of Retired Admiral Arleigh Burke to the preservation of American freedoms and join in the celebration of the launching of the Arleigh Burke-class destroyer on September 16, 1989, at Maine's Bath Iron Works; and be it further

Resolved: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to Retired Admiral and Mrs. Arleigh Burke.

Came from the Senate, read and adopted.

Was read and adopted in concurrence.

The following Joint Order: (S.P. 670)
ORDERED, the House concurring, that Bill, "Resolve, Concerning the Development of a New Master Plan for the Capitol Area," H.P. 1172, L.D. 1626, and all its accompanying papers, be recalled from the Governor's desk to the Senate.

Came from the Senate, read and passed.
Was read and passed in concurrence.

The following item appearing on Supplement No. 9 was taken up out of order by unanimous consent:

PAPER FROM THE SENATE

The following Communication:

Maine State Senate
Augusta, Maine 04333

August 21, 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 the Governor's nomination of the following:

Upon the recommendation of the Joint Standing Committee on Agriculture:

Andrew B. Berry of North Whitefield for reappointment as a member of the Board of Pesticides Control.

Upon the recommendation of the Joint Standing Committee on Education:

Fred Reynolds of Machias for appointment as a member of the Maine Educational Loan Authority Board. Fred Reynolds is replacing Marilyn Crandlemire.

Upon the recommendation of the Joint Standing Committee on Energy and Natural Resources:

Robert Hazelwood of Grand Lake Stream and Linda Alverson of Ashland for reappointment as members of the Land Use Regulation Commission.

L. Philip Soucy of Ft. Kent for appointment as a member of the Board of Environmental Protection. L. Philip Soucy will be replacing Leo Ribocaud.

Peter DeAngelis of Orrington for reappointment as a member of the Low-Level Radioactive Waste Authority.

Upon the recommendation of the Joint Standing Committee on Housing and Economic Development:

Daniel M. Parker of Westbrook for appointment as a member of the Adaptive Equipment Loan Program Fund Board.

Samuel G. Davidson of South Portland for appointment as a member of the Natural Resources Financing and Marketing Board.

Upon the recommendation of the Joint Standing Committee on Judiciary:

The Honorable Clifford O'Rourke of Camden for appointment as a Judge of the Maine District Court, District VI.

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

Was read and ordered placed on file.

The following items appearing on Supplement No. 10 were taken up out of order by the unanimous consent:

PASSED TO BE ENACTED
Emergency Measure

An Act to Clarify the Question to Be Presented to the Voters Concerning the Maine Vocational-Technical Institute System Bonds (H.P. 1292) (L.D. 1785)

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. 103 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 Permitting the Issuance of Certain Pending Revenue Obligation Securities (H.P. 1296) (L.D. 1789)

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. 103 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 Clarify the Procedures for Placement of Existing Utility Lines Underground (H.P. 1307) (L.D. 1811)

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.

FINALLY PASSED

Resolve, to Allow the Oxford County Commissioners to Release Interest in Land to the Oxford County Association for Retarded Children (H.P. 1306) (L.D. 1810)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, finally passed, 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.

(At Ease to Gong)

The House was called to order by the Speaker.

The following items appearing on Supplement No. 11 were taken up out of order by unanimous consent:

PASSED TO BE ENGROSSED

WITHOUT REFERENCE TO COMMITTEE

Bill "An Act Relating to the Inspection of Sample Ballots Prior to General, Primary and Special Elections" (EMERGENCY) (H.P. 1308) (L.D. 1812) (Presented by Representative MANNING of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.) (Committee on Legal Affairs 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.

REPORTS OF COMMITTEES

Unanimous Leave to Withdraw

Representative LISNIK from the Committee on Appropriations and Financial Affairs on Bill "An Act to Continue Vital Community Services" (EMERGENCY) (H.P. 1295) (L.D. 1788) reporting "Leave to Withdraw"

Representative LISNIK from the Committee on Appropriations and Financial Affairs on Bill "An Act to Appropriate Funds for Vocal Relay Telecommunication Services Provided to Deaf and Hearing Impaired Persons" (EMERGENCY) (H.P. 1298) (L.D. 1791) reporting "Leave to Withdraw"

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

The following item appearing on Supplement No. 12 was taken up out of order by unanimous consent:

CONSENT CALENDAR

First Day

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

(H.P. 1294) (L.D. 1787) Bill "An Act to Control the Installation of Underground Oil Tanks in the Shoreland Zone" (EMERGENCY) Committee on Energy and Natural Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-719)

Under suspension of the rules, Second Day Consent Calendar notification was given, the House Paper was passed to be engrossed as amended and sent up for concurrence.

The following items appearing on Supplement No. 13 were taken up out of order by unanimous consent:

PASSED TO BE ENACTED

Emergency Measure

An Act Relating to Funding for Adult Day Care Services (S.P. 669) (L.D. 1783)

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. 101 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.

ENACTOR

Emergency Measure

Later Today Assigned

An Act to Fund and Implement Collective Bargaining Agreements with Certain Employees of the Maine Vocational-Technical Institute System (S.P. 672) (L.D. 1793)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

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

ENACTOR

Emergency Measure

Later Today Assigned

An Act to Fund and Implement Certain Collective Bargaining Agreements and Benefits for Certain

Employees Excluded from Collective Bargaining (S.P. 679) (L.D. 1797)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Representative Gwadosky of Fairfield, tabled pending passage to be enacted and later today assigned.

PASSED TO BE ENACTED
Emergency Measure

An Act Establishing the Higher Education Students Financial Assistance Board (S.P. 684) (L.D. 1803)

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. 107 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.

ENACTOR
Emergency Measure
Later Today Assigned

An Act to Fund and Implement Collective Bargaining Agreements with Employees of the Judicial Department (S.P. 671) (L.D. 1792) (C. "A" S-447)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Representative Gwadosky of Fairfield, tabled pending passage to be enacted and later today assigned.

(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.

The following items appearing on Supplement No. 14 were taken up out of order by unanimous consent:

Unanimous Leave to Withdraw

Report of the Committee on Appropriations and Financial Affairs reporting "Leave to Withdraw" on Bill "An Act Relating to the Compeer Program" (EMERGENCY) (S.P. 668) (L.D. 1782)

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

CONSENT CALENDAR
First Day

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

(S.P. 685) (L.D. 1806) Bill "An Act Providing for the Immediate Enforcement of Laws Governing the Operation of a Watercraft While Under the Influence" (EMERGENCY) Committee on Legal Affairs reporting "Ought to Pass"

Under suspension of the rules, Second Day Consent Calendar notification was given, the Senate Paper was passed to be engrossed in concurrence.

The following item appearing on Supplement No. 15 was taken up out of order by unanimous consent:

PAPER FROM THE SENATE

The following Joint Resolution: (S.P. 690)

JOINT RESOLUTION IN SUPPORT OF THE
"TREATMENT WORKS!" CAMPAIGN

WHEREAS, alcoholism and drug dependency threaten the lives, health, jobs and families of many Maine residents; and

WHEREAS, these disorders exact a tremendous toll on the social and economic health of the State; and

WHEREAS, treatment of alcoholism and drug dependency victims is strongly encouraged and supported by the State; and

WHEREAS, in recognition of the importance of alcoholism and drug dependency treatment to Maine communities, the Honorable John R. McKernan, Jr., Governor of the State of Maine, has proclaimed September 1989 as "Treatment Works! Month"; and

WHEREAS, the United States Congress has designated September 1989 as "National Alcohol and Drug Treatment Month"; 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 Special Session, recognize the month of September 1989 as "Treatment Works! Month" and encourage Maine residents who are afflicted or affected by alcoholism or drug dependency to seek the treatment and services available to them; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Office of Alcoholism and Drug Abuse Prevention.

Came from the Senate, read and adopted.

Was read and adopted in concurrence.

The following item appearing on Supplement No. 18 was taken up out of order by unanimous consent:

CONSENT CALENDAR

First Day

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

(H.P. 1301) (L.D. 1799) Bill "An Act to Revise the Charter of the Madawaska Water District" (EMERGENCY) Committee on Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (H-720)

Under suspension of the rules, Second Day Consent Calendar notification was given, the House Paper was passed to be engrossed as amended and sent up for concurrence.

The following items appearing on Supplement No. 21 were taken up out of order by unanimous consent:

PAPERS FROM THE SENATE

Unanimous Leave to Withdraw

Report of the Committee on Judiciary reporting "Leave to Withdraw" on Bill "An Act to Amend the Law Allowing an Officer of a Corporation to Represent that Corporation in any Court Action" (EMERGENCY) (S.P. 674) (L.D. 1795)

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

CONSENT CALENDAR

First Day

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

(S.P. 682) (L.D. 1801) Bill "An Act Concerning Operator Licenses Held by Persons 15 Years of Age" (EMERGENCY) Committee on Transportation reporting "Ought to Pass" as amended by Committee Amendment "A" (S-452)

Under suspension of the rules, Second Day Consent Calendar notification was given, the Senate Paper was passed to be engrossed as amended in concurrence.

The following item appearing on Supplement No. 22 was taken up out of order by unanimous consent:

PAPER FROM THE SENATE
Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-449) on Bill "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1990, and June 30, 1991" (EMERGENCY) (S.P. 680) (L.D. 1798)

Signed:
Senators: PEARSON of Penobscot
BRANNIGAN of Cumberland
Representatives: POULIOT of Lewiston
LISNIK of Presque Isle
McGOWAN of Canaan
CARROLL of Gray
CHONKO of Topsham
RIDLEY of Shapleigh

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "B" (S-450) on same Bill.

Signed:
Representatives: FOSTER of Ellsworth
FOSS of Yarmouth

Came from the Senate with the Majority "Ought to Pass" as amended Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-449).

Reports were read.

The SPEAKER: The Chair recognizes the Representative from Presque Isle, Representative Lisnik.

Representative LISNIK: Mr. Speaker, I move that the House accept the Majority "Ought to Pass" Report. I further request a roll call.

The SPEAKER: The Chair would pose a question to the Representative from Presque Isle, Representative Lisnik since he is acting Chair as to why the names of the Representative from Hancock, Senator Perkins and the Representative from Scarborough, Representative Higgins are on the Report?

Representative LISNIK: Mr. Speaker, Men and Women of the House: It is unclear to me as to why the names are on there as they were not present at any deliberations. There was some discussion by committee staff that it had been a tradition that, even though people were not present during deliberations, that they were allowed to sign on to the report.

The SPEAKER: The rules have been violated and their names will be removed from the jacket.

The Chair recognizes the Representative from Ellsworth, Representative Foster.

Representative FOSTER: Mr. Speaker, Ladies and Gentlemen of the House: First of all, I apologize to all of you for not being able to come to a majority report. We stayed here the other night until three o'clock and I hate to keep you here tonight and I

hate to have you come back and for that I am very sorry.

There are some differences between the two reports and I will point out the differences and I think they are very minor, a few, -- some may be more major.

First, I really wanted a balanced budget and as we worked toward this end, we were short and we continued to be short of funds to include everything in a budget. Different types of funding were brought forth. Would we look at some programs already in place and cut from those -- general assistance? No. ICF beds? No. What would we do if we hired someone on that would check Internal Revenue forms and come up with the money we needed? Ladies and gentlemen of the House, we just hired about five people to do that and I felt very ill at ease having a bill that was contingent upon finding money from the source. So, at about two-thirty in the morning, Friday, we sat down and went over the budget bill and the other version does not include some of the things in the Majority Report. In other words, we are not depending on hiring someone to bring in the revenues necessary to balance the budget. I think the things we cut from the budget, and I pledge to you that in January, they can be taken care of -- one was the Constitutional Officers' salary increases, which amounts to \$46,500 and a roll call machine for the House that I think can wait until January.

I think the thing that sort of bothered me the most was that we have a compensation committee that comes up with recommendations for what we as legislators should have for salaries, that we should have for many other things that are necessary for us to serve in the legislature, and they did not recommend Day Care for legislators. I think that is something that should come from them. I also felt that the security of the President was something that Maine people are proud to do.

It is a very unpleasant day. You have many, many friendships and I don't know how to tell you that we are very, very close. Our budgets are the same on purchases for social services, our budgets do differ in money for the homeless. Money to the homeless -- we have put half of the money going to the Community Services, i.e., the CAP Agency that's already geared for direct services and the other to Maine State Housing. This is and should be still a negotiable item. I think many of these things are negotiable and I really wish that it could have happened.

The SPEAKER: The Chair recognizes the Representative from Presque Isle, Representative Lisnik.

Representative LISNIK: Mr. Speaker, Ladies and Gentlemen of the House: The Representative from Ellsworth mentioned a few cuts in the Minority package. One of the cuts mentioned was the roll call machine and it is my understanding that that issue was discussed by the gentlelady from Ellsworth as well as the Speaker a few weeks ago and a commitment was given at that time, that should we come in in Special Session and that they would support this. As I said in caucus, this was an efficiency measure for this body and I understand there was some criticism from the Executive Branch to oppose us for trying to make our body more efficient. That sort of flies in the face of logic in that, as you all recall, we appropriated several millions of dollars to the computer system downstairs for just that purpose, for a better efficiency of the state so it just seems to me that there is no logic in cutting that.

The gentlelady also said that the compensation committee did not recommend Day Care and that is true

nor did the compensation committee recommend spousal health care in the increase by 10 percent but the two Republicans present at negotiations did not object to the latter at all. They said that that was reasonable but what when it came to Day Care, for whatever the reasons, the same logic did not follow. I am not sure why that happened.

We were very, very close on Saturday at two o'clock in the morning but just couldn't put the final touch on this package. When we finally broke up and signed separate jackets, there was some movement in the hall -- could we get back together? It just seems to me that there is a point where you just finally have to say, we have done the best we can and two in the morning, I think, is getting very close to that time. We are not that far apart, I believe that the package is very acceptable, there are no great differences in the packages and I urge that you accept the Majority "Ought to Pass" Report.

The SPEAKER: The Chair recognizes the Representative from Ellsworth, Representative Foster.

Representative FOSTER: Mr. Speaker, Men and Women of the House: I was the sponsor of the so-called COLA bill, the increase in purchased social services and early on in the day, I was told by Democratic members of my committee, how much money they would spend COLA's. I put together a budget that would spend exactly that amount of money and at that time, we had a balanced budget, I thought. We had heard anywhere from \$500,000 to \$750,000 for the homeless and all of a sudden, we were short \$250,000. I am committed and I have told the Speaker that he shall have his roll call machine, that will happen. I am committed to many things in this budget but I cannot at this time have a budget that doesn't have the money there. What is more important today has to be the top priority. I don't know how to say it any better.

You have a commitment, today it is important that we do not depend upon something that might be so. This summer the people of Maine are experiencing a decrease in retail sales and automobile sales. I don't know about you but if you are in business the way I am in business, this has not been the best summer that I have seen in a long time. Money is tight. If you live on Social Security, retirement, or you work for someone, you are lucky because the person out there in business is suffering this summer. The deposits to long ratios at banks are high, deposits are not coming in and this is not the year to bank on money that you don't have in your pocket.

At this point, the Speaker appointed Representative Gwadodsky of Fairfield to act as Speaker pro tem.

The House was called to order by the Speaker pro tem.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative MARTIN: Mr. Speaker, Members of the House: The comments of the Representative from Ellsworth, Representative Foster, has brought me to my feet. I find it interesting that it is my roll call machine when the criticism during the past legislative session came from members of her party because they had problems with the switches. I don't have any problem with my switch, it works right, I get the votes I want, I don't seem to have a problem

with it at all. The reason for the meeting in which two members of the Minority Party and Representative Chonko was present was to discuss the problem that we had with this machine in terms of what happens with the switches somehow being uncontrollable and sometimes controlled by papers that are in front of the switches. The machine is affected by the heat since it is located in a cupboard in front of my office -- that is, computer parts or the lack thereof. I suspect tonight might be a good time for that to occur and, of course, as you may well remember in past instances, I was accused of breaking the machine in order to get some votes. You must all remember that for those of you who were here in previous sessions and to now find that it is my machine, I find that somewhat disconcerting and frankly a personal slap in the face.

I would like to explain the purpose of the machine to you. The switches were going to be placed on the top so that it would not be affected by what is on your desks. There would be a light on the switches so you would know just by looking down whether you are recorded and how you are recorded. All of the guts in effect would be controlled in a box somewhere like a foot square, a computer structure. It would be hooked into the Wang system that we have in this legislative structure of ours. The machine would in effect have the capacity of being able to identify what issues were before us and, as you walk into the House, some of you would not have the problem of asking Pages where we were and to what you were voting on, because it would be recorded. That is not for me because I am here all the time, not like some of you who wander the halls going to committee meetings, doing other things, smoking from time to time. It was an attempt to provide better utilization of time.

As a matter of fact, in a short period of time, it would pay for itself because the maintenance fee was going to be about half of what it is now. Perhaps I should mention to members of the Augusta delegation but it would actually be owned by the state and therefore cut our costs as a legislative body. The savings to the state would be tremendous. So, I wanted to dispel that it is not mine, it is yours, I don't need it, I have no problems recording the votes, no problems at all. Please, when the debate continues, leave that issue out. It actually was a unanimous recommendation from the entire committee before two o'clock Saturday morning.

I also find it interesting that what is now contained in the Minority Report does not include the money for the Fish River Chain of Lakes, I suppose that is probably because I brought that item up as well. That is rather ironic because the Governor called me during the week and said, "Do you mind, we are finally going to get federal money for that water project in Aroostook County. We have put the money in and it never was funded and now I have been notified by Mitchell and Cohen that the money is there." I said, "Fine, I have no problem with that." I was thinking all along that what he was talking to me about was what had been removed in the Part II requests from the Governor's Office at the end of this past Regular Session. It wasn't until ten-thirty or so Friday night that I found out that in fact it was an irrigation project for central Aroostook and that the money for the Fish River Chain of Lakes which is for water quality was actually not in the budget. I just brought out the fact that that money was available and that the federal government was funding 75 percent and, of course, that was not to be in the Minority Report. I am sure that it is purely an accident that those were the two that were

picked on because that's a way to balance the \$250,000 which was the shortfall in the request on behalf of the Democratic members of the Appropriations Committee when they wanted to move the purchased services from January to September. All of a sudden, people needed \$250,000 and the committee went short, then there was interference from the Governor's staff and then all dickens broke loose at that point. The rest is history. That is all there is to that story, nothing more than that. We ought not to make more of it than there is.

Frankly, it was disappointing to watch what took place with members of the Governor's staff. I watched the whole scene. Commissioner Ives was trying to help us find money and, all of a sudden, a member of the staff whispers into the ear of the Commissioner and the Commissioner changes, appropriately I might point out, being a good staffer, a good employee of the Governor. I was right there and heard the story from the staffer to Commissioner Ives. Commissioner Ives then reversed the direction that the staff was going and said, "Oh, I guess we can't make any cuts here because we are going to need that money." I understand all that but we ought to be realistic and tell the truth as to what happened. We shouldn't try to make up some story as to money being short here and money being short there. Who is kidding who? If money is short, what are we doing? What does the Governor do when he appropriated or he authorized and signed \$68 million into state employee contracts? If money is short, it is short. But \$68 million was approved and, all of a sudden, we are short \$250,000? Come on, who are we kidding? It is short when you want to be short and it is all there when you want it. You can't have it both ways. So we ought to go about our business and make sure we understand.

As for the security of the President, the money doesn't make a darn bit of difference because, unless we change the law and tell State Police not to provide the security, security is going to be provided by the State Police because it is their job. It is their job and they will have to do it unless there is a portion in the Majority Report that says they are not going to do it. The difference will be, come January, the State Police account may well be short, that's all. It certainly won't be the last time that we transfer funds from the fourth quarter to the third quarter, the third quarter to the second quarter to make up shortfalls and it won't be the last time that we appropriate money in January to complete the budget of a department, whether it be Public Safety, and in the years that I have been here, it usually has been the Department of Human Services, under whichever Governor it has been, from John Reed on. We have made adjustments, we have had to, and that is not going to change.

As we move on, we ought to make it clear and tell our constituents that, frankly, it fell apart. I don't blame members of the Appropriations Committee of either party, I was here through the whole process and they worked hard, the blame lies elsewhere.

Representative Foster was granted permission to speak a third time.

Representative FOSTER: Mr. Speaker, Men and Women of the House: As I mentioned, the purchased social services bill was mine and I was asking \$1.9 million. Naturally, I was delighted to start it in September, I would like to have started it with \$1.9.

I apologize to the Speaker if he thinks, in any way, that this was geared to him because I felt the roll call machine was for us. I knew he had no need for it and I thought that was something that we as legislators really didn't need right now. He doesn't

need it, he said he didn't need it. I didn't think at the time when we were looking for \$250,000, with everything else in the budget, that that was very important. Maybe I am wrong, maybe it was, but he said it wasn't important to him, it is not important to me, it can wait until January. I thought that was great.

To go through the budget documents and find more money, I don't know -- at three o'clock in the morning, what do you look at? I certainly was not going to cut money to look at Norridgewock, I had seen the tape on television, they needed help there. Representative Luther had a bill for constituents that was needed. We need a bill for the hearing impaired for \$51,000 to continue the telecommunications. These were non-partisan issues. I thought to myself -- take the ones that can wait. This is what we tried to do, we tried to take the things that could wait and only the things that were emergency measures.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Presque Isle, Representative Lisnik.

Representative LISNIK: Mr. Speaker, Men and Women of the House: I would just remind the gentelady that many of the things that are now in the Minority Report, at the very end of the evening or morning, they had actually agreed to them. The things that were taken out came after we broke up.

There was an inference made that the budget was not balanced somehow. I assure you that the budget is balanced in both reports. It is close, I think it is like \$300 or \$400 left over in the Minority Report and \$20,000 or so left over in the Majority Report but the budget is balanced. In addition to that, there is a lapse balance that is coming in and we talked about this in caucus today and I am sure the Republican caucus talked about it as well. We have in the Majority Report \$2.5 million of that aside in the Rainy Day Fund and the rest will go into the General Fund.

I understand the gentelady's concern about declining revenues, the economy, this is something that we will all have to deal with in the next year and in the following biennium but I would remind you that the Governor has committed \$28 million, not in this biennium, but in the following biennium, for collective bargaining for the third year, that tail that everybody keeps talking about in legislation that we will have to pay or we will have to face in the 115th. So, I don't think we were being irresponsible, we were spending money that we knew we had, that we knew we could identify, and it is at the end of the budgetary process. There will be things that will come up over the next year, we will deal with those things as we take them on, but I don't think there is anybody here that was proposing that we spend that kind of money in the following biennium.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Yarmouth, Representative Foss.

Representative FOSS: Mr. Speaker, Members of the House: I would like to give my perspective on Friday night. We had several million dollars to spend, some was required for the state employee contract, the Governor submitted his budget, the decisions were left to the Appropriations Committee. As the prior speakers have mentioned, we all worked long and hard together in good faith bargaining. In fact, as the Representative from Presque Isle, Representative Lisnik, mentioned earlier, it had been suggested that Republicans on the committee went too far.

I want you to know that I started the day and made a public statement during one of our hearings that I wanted all excess revenues put into the Rainy

Day Fund. As was mentioned earlier, July revenues are down, we depended on the Rainy Day Fund in June to close our prior budget. We could not have done the same for this next biennium that we did from the Rainy Day Funds. We had raided that fund down to almost nothing and it was my position that a savings account for the state as opposed to a checking account is much more difficult to tap those funds and we should make every effort to avoid new spending and put our money in the Rainy Day Fund. There is a difference in the two reports based on that philosophy.

In the Majority Report, the Rainy Day Fund is capped at \$2.5 million from lapsed balances. At this point, we don't know the amount. The Minority Report puts all lapsed balances into the Rainy Day Fund.

This is an important issue to me, I feel that we should put that money aside whenever we can and we did debate this during the day. This was originally in the Governor's budget at \$2.5 million but he had also put \$2 million of present revenues into the Rainy Day Fund and we spent all of that so we virtually are committing ourselves to only \$2.5 million, if available from lapsed balances, into that.

It got to be late in the evening and we did run out of money and we felt very strongly that we had enough money to work with and that remaining quarter of a million dollars should be found within existing revenues, thus, we chose what we felt were the two issues that could be deferred until the next Regular Session.

I want to make brief mention of security for the President — it is our feeling and we did address this bill earlier this session, which was put in by Representative Seavey. It was a unanimous report out of Appropriations last session that it is the federal government's responsibility. Since that time, we have the Governor of this state talk with Washington and asked for their help, we have Senators Cohen and Mitchell putting in a bill requesting federal assistance — that bill would help a municipality, it is clear that there will be no money forthcoming for the state. When Commissioner Atwood was asked by the Secret Service to help defend the President, we thought it was important to put that money in upfront, to make a commitment from the citizens of Maine to do our part to protect the President when he is in our state.

I want to make mention of another issue that was mentioned by the Speaker, that we had served another master, that the Governor's Office was intrusive into our negotiations — to the contrary, I think it is realistic for all of us to admit that we all serve other masters. We have caucuses we have to defend our positions, we have constituents we consider, we get information from many different sources and that we all made our individual choices and that leadership as well as the Executive Branch had a very important role on Friday night.

At this point, Speaker Martin resumed the Chair.

The House was called to order by the Speaker.

Representative Lisnik of Presque Isle was granted permission to speak a third time.

Representative LISNIK: Mr. Speaker, Ladies and Gentlemen of the House: Very briefly, the Rainy Day Fund, as you all know, was established by Representative Carter who is unable to be here for this Special Session and it was established at a time

when revenues were really come into this state. We were in good economic times and the philosophy behind that was, while we are in the throes of this wonderful economy, let's make sure we don't spend everything. We set up a mechanism whereby monies could go into this Rainy Day Fund up to a \$25 million cap. Everybody here knows that it takes two-thirds to get that money out of there. One thing certainly has changed, we are not experiencing those great economic times at this moment, it is already raining, so we are using the money now.

State Police — I just want you to know that through the negotiating process, everyone was in agreement. As the gentlelady from Yarmouth said, it was a unanimous report out of committee that we not fund it, it was a federal issue. Everyone was in agreement the other night that we would not fund it until things broke down. As a matter of fact, through that process, we were asked if we would put language in the budget that would simply say we would reimburse the State Police, if they incurred overtime, and we said, no, we didn't want to do that because we didn't want to send a message to Washington that we were going to pick up this responsibility, we felt that it was clearly a federal responsibility. The State of Maine ought not to be picking that up and we didn't want to send anyone a message that we were going to. Later he came back and said, "Will you just send me a letter saying that you would do that?" Again, we said, "No, we are not going to do that, it is the responsibility of the State Police to protect the citizens of the State of Maine. If, over time, you incur costs, come back to the Appropriations Committee and we will treat you responsibly."

The SPEAKER: The Chair recognizes the Representative from Brunswick, Representative Clark.

Representative CLARK: Mr. Speaker, Men and Women of the House: I don't generally rise to speak on Appropriation matters but I do when I listen to debate about what our priorities are. They are concerned about the fact the Minority budget will not institute any COLA until January for our social service agencies. These are the people, ladies and gentlemen, that providing the day-to-day services in our communities. They are providing mental health services, child care services, substance abuse services, a myriad of services to each and every one of our communities. These are private, non-profit agencies that we continue to ask to bite the bullet and be leveled-funded.

The original budget, back in January, asked them to take a 3 percent cut in their budget. That was restored and a 1 percent addition put in for 1990 but the message that we give to those social service agencies on which everyone in our communities depend on is, "You are not important, you don't count." We are hearing on the one hand that we ought to be contracting out more and more and more of our services but, on the other hand, we hear that we are not willing to pay for them. I, for one, was very, very concerned about that kind of message and I do not wish to be part of it so I urge you to join me in not being part of that charade.

The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Foss.

Representative FOSS: Mr. Speaker, Ladies and Gentlemen of the House: I want to make it very clear that both reports have COLA's to be implemented September 1st. This bill was sponsored by a member of the Minority Report, Representative Foster, and she has spoken loud and clear for COLA's over the past several months. I think it is unfair to make those statements that that 3 percent was restored on

a unanimous basis by the Appropriations Committee. Both parties were strongly in support and the Minority Report institutes COLA's the same day in September as does the Majority Report. We are just paying for it with different dollars.

I want to make one other comment about the Rainy Day Fund — I know that it was Representative Carter's bill and that I am proud that he put it in but it is my opinion that we should replenish it more in bad times and in good times because we don't know what lies ahead. For those of us who read the Boston papers or looking at the Massachusetts problems now, certainly we don't want to find ourselves in that situation in six or twelve months. I think it is more important that we put aside savings today to maintain our current programs and the commitment to our citizens.

The SPEAKER: The Chair recognizes the Representative from Brunswick, Representative Clark.

Representative CLARK: Mr. Speaker, Men and Women of the House: I hope that the gentlelady from Ellsworth and from Yarmouth will accept my apology, I did not see that when I read the budget quickly when it was distributed. The fact remains, however, that I wish to be on Record as saying that, to me, if we are talking about priorities, social service expenditures are absolutely right up there on top.

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 Chair recognizes the Representative from Scarborough, Representative Higgins.

Representative HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: I don't think there is any secret to the fact that I wasn't here during the debate on Friday and the ensuing work session that took place. However, I did spend some time today reading over differences in the budget and didn't choose to sign one. I think it is important somehow to focus a little bit on precisely what the differences are and how it appeared to me from a procedural standpoint having walked in here sort of cold off the street.

The differences between the Majority Report and the Minority Report focus on what I consider to be four issues. The Majority Report does spend about \$250,000 more than the Minority Report because it includes some money for the Madawaska Lake project, the roll call machine, the Constitutional Officers' salaries and some potential child care benefits. For the members of the 115th Legislature, I am sort of unclear as to how that would be dealt with, whether it is even legal or not to allow the Executive Director, Sally Diamond's Office, to make a determination on how that would be implemented. Nevertheless, that seemed to be the four major issues that separated the two parties on reaching some sort of a compromise. I think at first blush it appeared to me that we were more concerned about feathering our own nests and some of the people that we were directly related to or responsible to or they were responsible to us than we were simply coming in here and dealing with the more specific issues that we were called to resolve.

The one issue that I am greatly concerned about is the issue of the Rainy Day Fund. That money was in there was taken, perhaps \$25 million, as you

recall at the very end of the last session, and right now we have nothing in there. I have a real concern about not replenishing that money. The Governor had made a commitment earlier on when he said he was going to take that money out and use it for some projects that needed to be done but I want to make sure that we put all the money we possibly can back in there as quickly as possible. The Minority Report does that and the Majority Report does not.

As far as the issue of COLA's go, and I would like to address the issue of the fact that the Governor's Office has been involved in the negotiations, I guess I would ask if that isn't part of his job? I don't find it terribly appalling, I probably would if I were a Democrat and probably did when I was still a Republican when the Brennan administration was here, but I don't think the Majority Party at that time was intending to send a budget or any other piece of legislation down to their Governor that he intended to veto or that he was unhappy with. So, for us as minority members of the party, we have a responsibility to our caucus and we also have a responsibility to the Chief Executive Officer to send him something that he can reasonably accept. It would be foolish or embarrassing for us to send down a budget that the Republicans said they signed onto and sort of ask him to veto it. That is not going to happen now and it certainly did not happen when there was a Democratic Governor. I guess I take the comments from the Speaker, I understand his concern and frustration but, at the same time, I think if you would look at the way the Constitution was crafted and that sort of thing, there is a responsibility there by the Chief Executive Officer to have a certain handle on how the financial affairs of the state are made.

That brings me to the other point I wanted to make relative to COLA's and relative to the Governor's input in how this is resolved. I don't think it is any secret that the Governor and I disagreed on some items at the very end of the session about two months ago as well as some other members of the Republican caucus. We resolved those issues. The same thing happened, perhaps, on the issue of COLA's — if you will recall, my understanding is that COLA's were not an issue as far as the Governor was concerned and yet those COLA's are in both reports. That is a legislative prerogative that the Governor has to accept. We have to accept the same prerogative that the Governor has to have some input into how that budget is crafted. I bring that up simply because of the concern that the Speaker has about this overwhelming input that the Governor had in the legislative process and not having been here and sort of being one that tries to look at it from the perspective of, "Wasn't this how the people, when they crafted the Constitution, intended us to work out compromises?" I say, yes it was and I applaud that and I understand the frustration but I did want to share those comments with you.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Manning.

Representative MANNING: Mr. Speaker, Men and Women of the House: I wasn't going to get up but the last comments about frustration got to me. I want to tell you about frustration. The last week of this legislative session I spent about 85 or 90 hours trying to get a compromise together dealing with mental health. I heard that we absolutely unequivocally needed 85 positions at AMHI across the river. Last Tuesday night, ladies and gentlemen, we had our first mental health subcommittee meeting. We found out that we didn't need those 85 positions,

that was one or two weeks after the legislature had adjourned. The positions that were absolutely needed, according to the Commissioner of Mental Health, were all of a sudden switched. There are three nurses over there that were absolutely needed and now they are telling us they don't need them until January. Some of those monies that came out of the Rainy Day Fund was for some of those reasons. Those are the frustrations that one legislator had dealing with the administration. We heard, time and time again for a week and a half, we need those positions and finding out right off the bat, within two weeks after we adjourned, that those positions were really not needed. Three of them probably won't be needed until the 1st of January. That is frustration.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Gwadosky.

Representative GWADOSKY: Mr. Speaker, Ladies and Gentlemen of the House: I am not frustrated one bit because it is about eleven minutes to nine and I can't think of a place I'd rather be than debating issues such as this before the Maine House of Representatives particularly when I have seen the job that the Joint Standing Committee on Appropriations has done and particularly when I have seen results of the Majority Report. I couldn't be happier with the report that was put together by the Majority Democrats of that particular committee.

We have heard some comments raised and, if anything, I think we have found how little differences there are perhaps between the two bills and the spin doctors have been out there during the day today manufacturing bad things that are in each of the bills. The fact is, there is a lot more agreement than there is disagreement but clearly there is a better bill and that is the Majority Report. We have heard Representative Higgins and a few others this evening talking about the MSEA contract and, as you know, this is our first experience with a three year contract and the Governor sat down in good faith to deal with MSEA and developed an extremely lucrative contract, extremely lucrative.

Representative Jacques mentioned earlier today in our caucus how ironic it was that this Governor, who had such a hard time imagining a ten cent increase for the working people of this state when we wanted to raise the minimum wage, could develop such a lucrative contract for the state employees of the State of Maine. We are talking about increases for as long and as far as the eye can see, a 3 percent increase retroactive to last July, another 3 percent increase April 1, 1990, another 3 percent increase, (very conveniently) one month before the election on October 1st, another 3 percent increase April 1, 1991, a 7 percent increase July 1, 1991 and another 5 percent for those confidential classified supervisors who are also going to get another 5 percent on top of everything else. That sounds pretty lucrative to me and to you, I am sure. That is a tail if I have ever seen a tail. Where are we going to find the money for that 7 percent in July of 1991, which is the 1992 budget? We are going to have to make priorities. Does it bother the Governor that we are going into the hole a little bit to make that type of commitment? Evidently not.

There have been concerns about the health benefits. As you know, every state employee in the state is going to be getting those pay raises, we support that, we think they are worth it, we think they deserve it. They are also going to be getting an increase in their health coverage from 50 to 60

percent of the dependent coverage. We are providing that to legislative employees and we are also going to be applying that to members of the legislature so it is ironic that certain members of the Appropriations Committee would then throw out the red herring of child care, how inappropriate it is to be even considering child care for legislators. It is almost as though legislators don't have kids.

If you look at the state employee contract, you will see that child care is a reimbursement provided on a sliding scale. If you make under \$25,000, you get a certain amount; if you make \$25,000 to \$30,000, you get a lesser amount and if you make over \$30,000, you get absolutely nothing so the fact is, the realities of life for most legislators with combined incomes of under \$30,000 (we do have a few people in that capacity) — but wouldn't it be a nice thing for the state to provide them a little help with Day Care expenditures just like we apply to 13,000 state employees, just like we apply to every legislative employee — is that such a terrible thing or is that just fair? I would submit that that is just fair.

We have heard some talk about the roll call machine and as soon as there was a disagreement at two o'clock Saturday morning, it was no longer the roll call machine, it was the Speaker's roll call machine. Today, you have heard the efficiencies described of that roll call machine, what it will mean for all of us, you know the problems that we have had in the past, the hard feelings that it caused, and while certain members of the Appropriations Committee wanted to argue and be concerned about a \$50,000 or \$60,000 appropriation, I heard no one as Representative Lisnik said, complain about an \$11 million dollar computer system downstairs in which we spent \$7 million just for consultants.

We have heard some talk about the homeless package — one of the priorities of the Democrats coming before the legislature this year was to do something about the homeless in the Special Session. Representative Nadeau spoke eloquently at the end of our last legislative session and said, if there was money available, we were going to try to do something this winter before the weather got cold. About ten days ago, we met with members of the Governor's Office for the first time on the homeless issue. We told him we had some legislation and we were told that the administration didn't have any legislation. They said, why don't you go ahead and submit your legislation, we did just that, tailored after the legislation that was defeated last session. We began to meet with commissioners to discuss this issue. I remember it vividly because during the discussions, the Commissioner of Economic Community Development asked the Representative who was there from the State Housing Authority, "Now what is it you do on rental assistance?" A member of the Maine State Housing Authority informed her that they did about \$30 million of rental assistance last year in every community in this state except for those who have their own. One of the major differences in the homeless presentation in the Majority and the Minority Reports is the Majority Report utilizes the Maine State Housing Authority to distribute and implement those funds to the 35 non-profit shelters across this state, in your communities and mine, because they have got a track record of doing it. They deal with the shelters on a regular basis and they are the most logical people to do it.

The Minority Report splits that money with the various CAP agencies — why do they do that? Quite frankly, because they don't care much for the Maine State Housing Authority, don't take my word for it,

just look at history. The Task Force created affordable housing earlier this year, appointed by the Governor, excluded membership for the Maine State Housing Authority until we insisted that they be a member. The federal government now has monies available perhaps for some states so each state has to put together a comprehensive assistance plan for homelessness. This Governor puts together an interagency task force of the seven major departments in state government, headed up by the Department of Economic and Community Development and, lo and behold, he leaves out in that interagency task force, the one agency that knows more about homelessness than anyone and that is the Maine State Housing Authority. Was that an accident or was that done by design? I think we all know the answer to that.

We heard the issues about the presidential security -- we talked about this a lot over the weekend and we debated among ourselves -- is this a federal responsibility or not? Certainly the members of the Appropriations Committee felt that way earlier in the year because, by unanimous vote as you heard this evening on an early bill submitted, they turned that down unanimously because they felt it was a federal responsibility. The fact is, there was going to be a shortfall this year because the Maine State Police have been working overtime because the President is spending a little bit more time than perhaps anybody anticipated in the State of Maine. As Democrats, we don't mind the President coming to the State of Maine, if he wishes to come to Maine and make this his summer home, we are proud of that. We think it is appropriate and we don't mind it but, as Representative Lisnik informed you, their only concern was to make sure that the federal government doesn't get used to the idea of the State of Maine picking up the tab on a regular basis on an issue which everybody generally concedes is a federal responsibility. So we informed the Governor and the Republicans on the Appropriations Committee that we would pay the bill when it came up, we would take care of the state troopers, take care of that overtime pay, so let nobody state that we don't care that the President of this country is residing in this state, whether it be for summer vacation or to come here anytime he wants to, because that is absolutely not the case.

The Majority Report before you is a solid report, it meets the emergency needs for the people of our state, whether it be the homeless people, provides a cost of living increase for those people who are in the fields and various clinics providing special services, makes the necessary adjustments we need to make in state government and sets aside some money in the Rainy Day Fund. It is a very fair proposal and it is a proposal that deserves your support and I would certainly urge you to support the Majority Report.

The SPEAKER: The Chair recognizes the Representative from Cape Elizabeth, Representative Webster.

Representative WEBSTER: Mr. Speaker, Men and Women of the House: I am pleased to say that the Representative from Fairfield, Representative Gwadosky, is at least half right in my estimation. I think the half right side of his remarks are that we are very close to an agreement. There are a lot of things in this budget that we have agreed on and that everybody in this body is going to vote for. I think the half part that he is wrong about is the fact that the Majority Report is the best report. There are a great many things that we have agreed on in passing the budget that we passed earlier this summer. We have passed over \$3 billion worth of new and expanded

programs and ongoing programs for the State of Maine and that includes over \$600 million in new programs for this biennium.

The Minority Report is just ever so slightly more conservative than the Majority Report in this emergency budget. I think the Minority Report reflects the fact that the times are different than the fast growth times that we had a few years ago. It is time for us to take a step back and not be as aggressive as the Majority Report is. The Minority Report goes as far as we think we can go at this time in our fiscal history. So, I hope that those of you who are opposed to the Majority Report will vote no on this roll call.

The SPEAKER: The pending question before the House is the motion of Representative Lisnik of Presque Isle that the House accept the Majority "Ought to Pass" Report. This being an emergency measure, a two-thirds vote of the members present and voting is necessary. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 158

YEA - Adams, Allen, Anthony, Bell, Brewer, Burke, Cahill, M.; Carroll, D.; Cashman, Cathcart, Chonko, Clark, H.; Clark, M.; Coles, Conley, Constantine, Cote, Crowley, Daggett, Dore, Dutremble, L.; Erwin, P.; Farnsworth, Graham, Gurney, Gwadosky, Hale, Handy, Heeschen, Hichborn, Hickey, Hogle, Holt, Hussey, Jacques, Jalbert, Joseph, Ketover, LaPointe, Larrivee, Lawrence, Lisnik, Luther, Macomber, Mahany, Manning, Marston, Martin, H.; Mayo, McGowan, McHenry, McKeen, McSweeney, Melendy, Michaud, Mills, Moholland, Nadeau, G. G.; Nadeau, G. R.; O'Dea, O'Gara, Oliver, Paradis, J.; Paradis, P.; Paul, Pederson, Pineau, Plourde, Pouliot, Priest, Rand, Ridley, Rotondi, Ruhlman, Rydell, Sheltra, Simpson, Skoglund, Smith, Stevens, P.; Swazey, Tamaro, Tardy, Townsend, Tracy, Walker, The Speaker.

NAY - Aikman, Anderson, Ault, Begley, Butland, Carroll, J.; Curran, Dexter, Donald, Duffy, Farnum, Farren, Foss, Foster, Garland, Gould, R. A.; Greenlaw, Hanley, Hastings, Hepburn, Higgins, Hutchins, Lebowitz, Libby, Look, MacBride, Marsano, Marsh, McCormick, McPherson, Merrill, Murphy, Norton, Paradis, E.; Pendleton, Reed, Seavey, Sherburne, Small, Stevens, A.; Stevenson, Strout, B.; Strout, D.; Telow, Tupper, Webster, M.; Wentworth, Whitcomb.

ABSENT - Aliberti, Bailey, Boutilier, Carter, Dellert, DiPietro, Jackson, Kilkelly, Lord, Mitchell, Nutting, Parent, Pines, Richard, Richards, Rolde.

Yes, 87; No, 48; Absent, 16; Paired, 0; Excused, 0.

87 having voted in the affirmative and 48 in the negative with 16 being absent, the Majority "Ought to Pass" Report was accepted, the Bill read once.

Committee Amendment "A" (S-449) was read by the Clerk and adopted.

Under suspension of the rules, the Bill was read a second time, passed to be engrossed as amended by Committee Amendment "A" in concurrence.

By unanimous consent, ordered sent forthwith to Engrossing.

The following item appearing on Supplement No. 24 was taken up out of order by unanimous consent:

CONSENT CALENDAR

First Day

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

(H.P. 1302) (L.D. 1800) Bill "An Act to Authorize Aroostook County to Make Certain Expenditures in the Renovations of the Houlton District Court"

(EMERGENCY) Committee on State and Local Government reporting "Ought to Pass"

Under suspension of the rules, Second Day Consent Calendar notification was given, the House Paper was passed to be engrossed and sent up for concurrence.

On motion of Representative Martin of Van Buren, Adjourned until Tuesday, August 22, 1989, at nine-thirty in the morning.

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

In Senate Chamber
Monday
August 21, 1989

In Compliance with a proclamation of His Excellency, Governor JOHN R. MCKERNAN, JR., the Senators will convene in the Senate Chamber at 2:00 in the afternoon.

Senate called to Order by the President.

Prayer by the Honorable Nancy Randall Clark of Cumberland.

SENATOR CLARK: Shall we be in the spirit of prayer. Eternal Spirit, with humility and consideration of the needs of others, let us come near to You, confident in Your grace and finding in You our refuge and strength. Move within our hearts that we may give ourselves in joy this day for the sake of Your Kingdom, O God, and the people of our State of Maine. Amen.

The Secretary will read the Proclamation.

State of Maine
PROCLAMATION

WHEREAS, there exists in the State of Maine an extraordinary occasion arising out of agreements between the State of Maine and various labor organizations representing several bargaining units of public employees, which agreements will alter the compensation and benefits to be received by said public employees; and

WHEREAS, the laws of the State of Maine require legislative approval of certain financial provisions of any contract between the State and an employee organization; and

WHEREAS, Maine needs to make a new and expanded commitment to a major capital improvement program in our corrections system in order to ensure that incarcerated offenders serve their time without threat to public safety and within Constitutional requirements; and

WHEREAS, it is necessary to receive legislative approval of a corrections bond issue in a timely fashion so that the issue may be included on the ballot for consideration by the voters at referendum in November of this year,

NOW, THEREFORE, I, JOHN R. MCKERNAN, JR., Governor of the State of Maine, by virtue of the constitutional power vested in me as Governor, do hereby convene the Legislature of this State, hereby requesting the Senators and Representatives to assemble in their respective chambers at the Capitol in Augusta on Monday, the twenty-first (21st) day of August, 1989 at two (2) o'clock in the afternoon in order to receive communications, enact legislation to approve certain collective bargaining agreements, approve a corrections bond issue and conduct such other legislative business as may be appropriate.

In testimony whereof, I have caused the Great Seal of the State to be hereunto affixed GIVEN under my hand at Augusta this tenth (10th) day of August in the Year of our Lord One Thousand