

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Fourteenth Legislature

OF THE

State Of Maine

VOLUME I

FIRST REGULAR SESSION

December 7, 1988 to May 10, 1989

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

In Senate Chamber
Tuesday
January 10, 1989

Senate called to Order by the President Pro Tem,
Nancy Randall Clark of Cumberland.

Prayer by Reverend Trueman Bray of the Penny Memorial
Baptist Church in Augusta.

REVEREND BRAY: Let us pray together. Oh
gracious God, our Father, we pause at the beginning
of this session to ask Thy blessing upon and Your
guidance for the deliberations of this day. We often
perform our prayers in a rather perfunctory manner,
as if the importance of our agenda far exceeds our
recognition of Your greatness. And that we only hold
our positions by Your great mercy and grace. Forgive
us for this. Help us to begin every day seeking Your
direction and Your help. Your divine intervention in
our lives to make us what we ought to be. We thank
You for the leadership that is represented here. For
skills and abilities, for vision and foresight. In
the busyness of this day, may these women and men
walk with You. May their judgements and decisions
reflect Your will. In the difficult issues of the
budget grant, Oh God, that You will give them wisdom
and may they always be willing to speak for those
least able to speak for themselves. Bless their
families in a very special way. That in the stress
and demands of government, they may be a resource of
strength and encouragement. And when the day is
over, and the clamor of voices cease, grant, Oh God,
that we will not be ashamed or embarrassed by
anything we have said or done, but may rest in
confidence in Thee. For in the name of Jesus, our
Lord, we pray. Amen.

Reading of the Journal of Thursday, January 5, 1989.

PAPERS FROM THE HOUSE
Joint Orders

The following Joint Order: H.P. 9
ORDERED, the Senate concurring, that the Joint
Standing Committee on State and Local Government
report out to the House such legislation as it sees
fit to revise the salaries of county officers and lay
the county taxes for the year 1989.
Comes from the House READ and PASSED.
Which was READ and PASSED, in concurrence.

COMMUNICATIONS

The Following Communication: H.P. 11
STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333
October 5, 1988

Hon. Stanley R. Tupper
102 Townsend Avenue
Boothbay Harbor, Maine 04569
Dear Mr. Tupper:

We are pleased to appoint you as Chair of the
Blue Ribbon Commission to Examine Ethics in State
Government. We appreciate your willingness to serve
in this capacity, and are grateful to have you lend
your considerable experience and prestige to this
endeavor.

As you know, we are also appointing former
Governor Kenneth M. Curtis and Professor Eugene
Mawhinney to serve with you on the Commission. Thank
you for your contribution to solving this very
difficult public policy issue.

Sincerely,

S/Charles P. Pray
President of the Senate
Comes from the House READ and
FILE.

S/John L. Martin
Speaker of the House
ORDERED PLACED ON
FILE.

Which was READ and ORDERED PLACED ON FILE, in
concurrence.

The Following Communication: H.P. 12
COMMISSION TO EXAMINE ETHICS
IN STATE GOVERNMENT

December 30, 1988

TO: The Honorable John L. Martin
Speaker of the House
The Honorable Charles P. Pray
President of the Senate

FROM: Commission to Examine Ethics in State
Government

SUBJECT: Report, including recommendations
The undersigned, after examining existing standards
pertaining to ethics in State government,
respectfully submit our recommendations as to ways to
tighten these standards.

Because of time constraints, we necessarily had to
focus on certain areas that we considered the most
important.

We believe that the Legislature should constantly
seek ways to increase public confidence in state
government, and offer these recommendations only as a
beginning of such an ongoing effort.

We wish to express our appreciation for assistance
rendered to us by attorneys John D. Gleason, Esq.,
Gerald Petruccelli, Esq. and William Stokes, Esq.

S/Stanley R. Tupper
Chairman
S/Kenneth M. Curtis
S/Eugene Mawhinney

Comes from the House READ and with Accompanying
Papers ORDERED PLACED ON FILE.

Which was READ and with Accompanying Papers
ORDERED PLACED ON FILE, in concurrence.

Off Record Remarks

The Following Communication: S.P. 27
114TH MAINE LEGISLATURE
January 5, 1989

Senator Zachary E. Matthews
Representative Charles R. Priest
Chairpersons
Joint Standing Committee on Legal Affairs
114th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan,
Jr. has nominated Margaret C. Kenney of East Winthrop
for appointment to the Maine State Lottery Commission.
Pursuant to Title 8, M.R.S.A. Section 352, this
nomination will require review by the Joint Standing
Committee on Legal Affairs and confirmation by the
Senate.

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

Which was READ and referred to the Committee on LEGAL AFFAIRS.
Sent down for concurrence.

The Following Communication: S.P. 33
114TH MAINE LEGISLATURE
January 5, 1989

Senator Zachary E. Matthews
Representative Charles R. Priest
Chairpersons
Joint Standing Committee on Legal Affairs
114th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Mary Anne Smith of Norway for appointment to the Maine State Liquor Commission.

Pursuant to Title 28, M.R.S.A. Section 52, this nomination will require review by the Joint Standing Committee on Legal Affairs and confirmation by the Senate.

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

Which was READ and referred to the Committee on LEGAL AFFAIRS.
Sent down for concurrence.

The Following Communication:
STATE OF MAINE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE 04333

January 6, 1989
Honorable Joy J. O'Brien
Secretary of the Senate
State House Station 3
Augusta, ME 04333

Dear Madam Secretary:

Pursuant to my authority under 20A M.R.S.A., Section 11801, I have appointed Senator Bonnie L. Titcomb to the Advisory Committee on Medical Education.

Pursuant to my authority under 38 M.R.S.A., Section 1453, I have appointed Senator Stephen M. Bost, Senator Judy C. Kany, Senator Margaret G. Ludwig, and Ms. Nancy Holland to the Advisory Commission on Radioactive Waste.

Pursuant to my authority under 12 M.R.S.A., Section 7369A, I have appointed Senator Edgar E. Erwin to the White Water Advisory Committee.

Pursuant to my authority under 3 M.R.S.A., Section 227, I have reappointed Senator Dennis L. Dutremble, Senator Georgette B. Berube, and Mr. Roger Daigle to the Maine Canadian Legislative Advisory Committee.

Pursuant to my authority under 3 M.R.S.A., Section 227, I have appointed Senator Raynold Theriault to the Maine Canadian Legislative Advisory Committee.

Pursuant to my authority under 3 M.R.S.A., Section 231, I have reappointed Senator Georgette B. Berube to the New England Eastern Canadian Legislative Commission.

Pursuant to my authority under 3 M.R.S.A., Section 231, I have appointed Senator Raynold Theriault to the New England Eastern Canadian Legislative Commission.

Pursuant to my authority under 3 M.R.S.A., Section 201, I have appointed Senator Georgette B. Berube and Senator Muriel D. Holloway to the Commission on Interstate Cooperation.

Pursuant to my authority under 3 M.R.S.A., Section 201 I have reappointed Senator Nancy Randall Clark to the Commission on Interstate Cooperation.

Pursuant to my authority under 5 M.R.S.A., Section 251, I have appointed Senator Stephen C. Estes to the Maine-New Hampshire Boundary Commission.

Pursuant to my authority under 3 M.R.S.A., Section 271, I have reappointed Senator Thomas R. Perkins and myself to the Commission on Intergovernmental Relations.

Pursuant to my authority under 23 M.R.S.A., Section 4501, I have appointed Senator R. Donald Twitchell to the Maine Transportation Capital Planning Improvement Commission.

Pursuant to my authority under Chapter 471 of the Public Laws of 1987, I have reappointed Senator Nancy Randall Clark as my designee on the Maine Human Resource Development Council.

Pursuant to my authority under 12 M.R.S.A., Section 7369A, I have appointed Senator Donald E. Esty, Jr. to the White Water Advisory Committee.

Pursuant to my authority under the Resolves of 1983, Chapter 46, I have appointed Senator R. Donald Twitchell to the Regional Agriculture Committee.

Pursuant to my authority under 3 M.R.S.A., Section 2-A, I have appointed Mr. Robert Reny to the State Compensation Commission.

Pursuant to my authority under 3 M.R.S.A., Section 2-A, I have reappointed Mr. Phillip Annis to the State Compensation Commission.

Pursuant to my authority under 5 M.R.S.A., Section 3517, I have appointed Senator John E. Baldacci to the Community Services Advisory Board.

Pursuant to my authority under 34 M.R.S.A., Section 2613, I have appointed Senator Bonnie L. Titcomb to the Maine Committee on the Problems of the Mentally Retarded.

Pursuant to my authority under 22 M.R.S.A., Section 5314, I have reappointed Senator N. Paul Gauvreau to the Maine Human Services Council.

Pursuant to my authority under 20-A M.R.S.A., Section 603, I have reappointed Senator Stephen C. Estes to the Education Commission of the States.

Pursuant to my authority under 22 M.R.S.A., Section 7107, I have reappointed Senator Beverly Miner Bustin to the Maine Council on Alcohol and Drug Abuse.

Pursuant to my authority under 22 M.R.S.A., Section 5108-A, I have reappointed Senator Nancy Randall Clark to the Maine Committee on Aging.

Pursuant to my authority under 5 M.R.S.A., Section 19103, sub-section 1, I have reappointed Senator N. Paul Gauvreau and Mr. James Coffey to the Maine Health Policy Council.

Pursuant to my authority under 5 M.R.S.A., Section 19202, I have reappointed Senator Barbara A. Gill to the Committee to Advise the Department of Human Services on AIDS.

Please let me know if you have any questions about these appointments.

Sincerely,
S/Charles P. Pray
President of the Senate

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
STATE OF MAINE
114TH LEGISLATURE
LEGISLATIVE COUNCIL

January 6, 1989

Honorable Joy J. O'Brien
Secretary of the Senate
State House Station 3
Augusta, Maine 04333

Dear Secretary O'Brien:

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

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

Sincerely,
S/John L. Martin
Chairman
Legislative Council

Which was READ and ORDERED PLACED ON FILE.

On motion by Senator HOLLOWAY of Lincoln,
ADJOURNED until Thursday, January 12, 1989, at 10:00
in the morning.

Off Record Remarks

On motion by Senator TITCOMB of Cumberland,
RECESSED until the sound of the bell.

After Recess

Senate called to order by the President Pro Tem.

Out of order and under suspension of the Rules,
the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Regarding the Lease-Purchase of
Computer Equipment" (Emergency)

H.P. 13 L.D. 5

Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS
suggested and ORDERED PRINTED.

Comes from the House, under suspension of the
Rules, READ TWICE and PASSED TO BE ENGROSSED, without
reference to a Committee.

Which was, under suspension of the Rules, READ
TWICE and PASSED TO BE ENGROSSED, without reference
to a Committee, and ORDERED PRINTED, in concurrence.

Under suspension of the Rules, ordered sent
forthwith to the Engrossing Department.

Off Record Remarks

On motion by Senator PEARSON of Penobscot,
RECESSED until the sound of the bell.

After Recess

Senate called to order by the President Pro Tem.

Out of order and under suspension of the Rules,
the Senate considered the following:

ENACTORS

The Committee on Engrossed Bills reported as
truly and strictly engrossed the following:

Emergency

An Act Regarding the Lease-Purchase of Computer
Equipment

H.P. 13 L.D. 5

This being an Emergency Measure and having
received the affirmative vote of 28 Members of the
Senate, with No Senators having voted in negative,
and 28 being more than two-thirds of the entire
elected Membership of the Senate, was PASSED TO BE
ENACTED and having been signed by the President Pro
Tem, was presented by the Secretary to the Governor
for his approval.