

# 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 17, 1989

Senate called to Order by the President Pro Tem,  
Michael D. Pearson of Penobscot.

Prayer by Pastor J.C. Gall of the Soul Gospel Church  
in Searsport.

PASTOR GALL: Let us bow in prayer. Our Father,  
we come before You today thanking You for this day.  
And, Lord, I thank You for this Senate Chamber, I  
thank You for the men and women who are a part of  
this august Body. I thank You, Lord, that it is  
their desire to have prayer offered at the opening of  
a Session. I thank You, Lord, for the opportunity  
that I have to be here today. And, Lord, I call upon  
You, for I need You today and I am reminded of Your  
word which teaches us to trust in the Lord with all  
of our hearts and lean not unto our own  
understanding. And further Your word declares if any  
man lack wisdom, let him ask of God, Who giveth to  
all men liberally, and upbraideth not and it shall be  
given him. Lord, we realize that we do not have the  
wisdom in our flesh that we need for the conduct of  
the business of state, for the conduct of the  
business of life, for even You have said, "Man is not  
capable of judging or ruling his own footsteps."

Now, Lord, this is not a slur upon any of us  
today, it is only a recognition of our dependence  
upon You for divine wisdom. Wisdom greater than that  
of man and Lord, I come today to ask that the men and  
women in this Body be granted that wisdom from above  
to make the decisions and to lead and guide this  
great State in the way that You would have us go.  
Help all of us to realize that governments are  
ordained of God and Lord help us, everyone to be  
willing to come under the laws of our government and  
to abide by these decisions. We thank You for the  
privilege of calling upon You and at this moment of  
asking Your help and today that is exactly what we  
do. We ask now that Your blessings would be upon the  
deliberations of this day and we will praise You for  
it in Jesus' name. Amen.

Reading of the Journal of Thursday, January 12, 1989.

Off Record Remarks

PAPERS FROM THE HOUSE  
House Papers

Bill "AN ACT to Enhance the Management of the  
Fish and Game Resources of the State of Maine"  
H.P. 16 L.D. 8

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

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

Bill "An Act to Amend the Laws Regarding  
Nonresident Income Tax Returns"  
H.P. 15 L.D. 7

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

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

Resolve, to Provide for a Commemorative Motor  
Vehicle License Plate to Celebrate the  
Sesquicentennial of Aroostook County (Emergency)  
H.P. 14 L.D. 6

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

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

COMMUNICATIONS

The Following Communication:

PLANNING ADVISORY COUNCIL

December 30, 1988

The Honorable John R. McKernan, Jr.  
Governor, State of Maine

The Honorable Charles P. Pray  
President, Maine State Senate

The Honorable John L. Martin  
Speaker, Maine House of Representatives  
State House

Augusta, Maine 04333

Dear Governor McKernan, President Pray, Speaker  
Martin and Members of the 114th Legislature:

The Planning Advisory Council is pleased to  
submit its report as required by Maine's new growth  
management law (Title 30, section 4960-D, subsection  
3, paragraph G). We are also pleased to report the  
election of Jon Lund as chair of the Council.

The Planning Advisory Council is required to  
report on any changes that may be required to  
accomplish the purposes of the growth management  
law. We ask you to recognize that implementation of  
the law did not begin until August 4, 1988 when it  
took effect. Although the Planning Advisory Council  
has only had the opportunity to meet twice, we are  
able to submit some preliminary findings and  
recommendations.

The Office of Comprehensive Planning in the  
Department of Economic and Community Development has  
moved quickly to implement the growth management  
program. Attached as appendices to this report are  
important program details that provide an update as  
to the status of the program.

The members of the Planning Advisory Council are  
delighted to be able to serve the State of Maine as  
part of a program that is so critical to the state's  
future. We look forward to working with you in  
ensuring the program's success.

Sincerely,  
S/Jon A. Lund, Chairman  
Planning Advisory Council

On Behalf of:  
Mathew H. Eddy

Mark A. Kearns

John M. Lord

Rebecca Warren See1

Susan S. Thomas

Brenda V. York

Members, Planning Advisory Council

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

The Following Communication:

MAINE STATE LEGISLATURE

AUGUSTA, MAINE 04333

MAINE SPECIAL COMMISSION ON BOATING

January 10, 1989

President Pray

Speaker Martin  
State House  
Augusta, Maine 04333

Dear President Pray and Speaker Martin:

The Maine Special Commission on Boating is pleased to submit its report to the Legislature pursuant to Resolves 1987, Chapter 111.

Sincerely,  
S/Sen. Ronald E. Usher  
Chair

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

SENATE PAPERS

Resolve, to Extend the Reporting Deadline for the Commission on Maine's Future (Emergency)

S.P. 40 L.D. 9

Presented by President PRAY of Penobscot  
Cosponsored by Speaker MARTIN of Eagle Lake, Senator PERKINS of Hancock, and Representative CARROLL of Gray

Which was referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED.

Sent down for concurrence.

Resolve, to Study the Economic Effect of Competitive Telecommunication Services (Emergency)

S.P. 41 L.D. 11

Presented by Senator BOST of Penobscot  
Cosponsored by Representative CLARK of Millinocket, Speaker MARTIN of Eagle Lake and Senator CARPENTER of York

Which was referred to the Committee on UTILITIES and ORDERED PRINTED.

Sent down for concurrence.

Senate at Ease

Senate called to order by the President Pro Tem.

Senator CLARK of Cumberland was granted unanimous consent to address the Senate off the Record.

Senate at Ease

Senate called to order by the President Pro Tem.

On motion by Senator THERIAULT of Aroostook, ADJOURNED until Thursday, January 19, 1989, at 3:00 in the afternoon.

ONE HUNDRED AND FOURTEENTH MAINE LEGISLATURE  
FIRST REGULAR SESSION  
7th Legislative Day

Thursday, January 19, 1989

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

Prayer by Father Christian Roy, St. Bernard's Catholic Church, Rockland.

The Journal of Tuesday, January 17, 1989, was read and approved.

Quorum call was held.

PAPERS FROM THE SENATE

Resolve, to Extend the Reporting Deadline for the Commission on Maine's Future (Emergency) (S.P. 40) (L.D. 9)

Came from the Senate, referred to the Committee on State and Local Government and Ordered Printed.

Was referred to the Committee on State and Local Government in concurrence.

Resolve, to Study the Economic Effect of Competitive Telecommunication Services (Emergency) (S.P. 41) (L.D. 11)

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

Was referred to the Committee on Utilities in concurrence.

COMMUNICATIONS

The following Communication:

DEPARTMENT OF  
MENTAL HEALTH AND MENTAL RETARDATION

January 13, 1989  
Honorable John L. Martin  
Speaker of the House  
114th Maine Legislature  
State House #2  
Augusta, Maine 04333  
Dear Speaker Martin:

Enclosed are the required number of copies of a statutorily required report from the Maine Bureau of Mental Retardation outlining the status of services to Maine persons with mental retardation and autism. The report is addressed to Senator Gauvreau, Senate Chair of the Human Resources Committee, and Representative Peter Manning, House Chair of the Human Resources Committee, and to the Committee membership.

Many substantial gains have been made on behalf of people with mental retardation and autism, due in large part to the vigilant interest of the Maine Legislature. Much remains to be accomplished and we look forward to working with the Legislature in the stewardship of resources needed by our most vulnerable citizens.

Sincerely,  
S/Susan B. Parker  
Commissioner

Was read and with accompanying report ordered placed on file.

The following Communication:

UNIVERSITY OF MAINE SYSTEM  
OFFICE OF THE CHANCELLOR  
107 Maine Avenue  
Bangor, Maine 04401

January 17, 1989

The Honorable Charles P. Pray  
President of the Senate