

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
Thursday
January 19, 1989

Senate called to Order by the President Pro Tem,
Beverly Miner Bustin of Kennebec.

Prayer by Reverend Earl Gray of the Riverside United
Methodist Church in Kezar Falls.

REVEREND GRAY: Let us be in prayer. Oh Lord,
our heavenly Father, Whose glory is in all of the
world and especially this great state of Maine and
Who does, from Thy throne, behold all the dwellers
upon this earth. Most heartedly we ask You with Your
favor to behold and bless Your servants. Madam
President of these Chambers, Senators and all others
who bear the rule and the burden of rule throughout
the state and yes, indeed, the world, grant them
wisdom and strength to know and do Thy will. Fill
them with the love of truth and righteousness, so
rule their hearts and prosper their endeavors that
law and order and justice and peace may everywhere
prevail to the honor of Your holy name. We ask in
the name of Christ our Lord. Amen.

Reading of the Journal of Tuesday, January 17, 1989.

Out of order and under suspension of the Rules,
on motion by Senator DUTREMBLE of York, the following
Joint Order:

S.P. 43

ORDERED, the House concurring, that when the
House and Senate adjourn, they do so until Tuesday,
January 24, 1989, at 10 o'clock in the morning.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down
forthwith for concurrence.

PAPERS FROM THE HOUSE
House Papers

Bill "An Act to Clarify the Automatic Public
Intervenor Provisions of the Solid Waste Management
Laws" (Emergency)

H.P. 17 L.D. 10

Comes from the House referred to the Committee on
ENERGY AND NATURAL RESOURCES and ORDERED PRINTED.

Which was referred to the Committee on ENERGY AND
NATURAL RESOURCES and ORDERED PRINTED, in concurrence.

COMMUNICATIONS

The Following Communication: S.P. 44
114TH MAINE LEGISLATURE
January 18, 1989

Senator Bonnie L. Titcomb
Representative Daniel B. Hickey
Chairpersons
Joint Standing Committee on Aging, Retirement and
Veterans
114th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan,
Jr. has nominated Jon A. Lund of Hallowell for
reappointment and William J. Deering of Bangor for
appointment to the Maine State Retirement Board of
Trustees.

Pursuant to Title 5, M.R.S.A. Section 17102,
these nominations will require review by the Joint
Standing Committee on Aging, Retirement and Veterans
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
AGING, RETIREMENT AND VETERANS.
Sent down for concurrence.

The Following Communication:
BUREAU OF BANKING
STATE HOUSE STATION 36
AUGUSTA, MAINE 04333
January 17, 1989

The Honorable Charles P. Pray
President of the Senate
State House Station 3
Augusta, Maine 04333
Dear President Pray:

In accordance with Title 9-B, Section 217, Maine
Revised Statutes Annotated of 1975, as amended, I am
submitting the attached "Annual Report on the Status
of Maine's Financial Institutions".

This report contains information on the number,
type and legal structure of all regulated financial
institutions in the State of Maine, as well as the
location of offices and total deposits held by these
institutions. An analysis of the programs offered by
Maine financial institutions with out-of-state
ownership, to meet the credit needs of Maine
consumers and businesses, is also included.

Originals of the report have been provided to the
State Printing Office for duplication in order to
provide one copy for each member of the Senate.
Those copies will be delivered to you shortly.

Respectfully submitted,
S/H. Donald DeMatteis
Superintendent

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

SENATE PAPERS

Bill "An Act to Clarify the Law Concerning the
Inclusion of Nursing Home Benefits in Life Insurance
Policies"

S.P. 42 L.D. 12

Presented by Senator THERIAULT of Aroostook
Cosponsored by Senator COLLINS of Aroostook
Submitted by the Department of Professional and
Financial Regulation pursuant to Joint Rule 24.
Which was referred to the Committee on BANKING
AND INSURANCE and ORDERED PRINTED.
Sent down for concurrence.

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

COMMUNICATIONS

The Following Communication: S.P. 45
114TH MAINE LEGISLATURE
January 19, 1989

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

Please be advised that Governor John R. McKernan, Jr. has nominated Ellen A. Gorman of Cumberland for appointment as Judge-at-Large of the Maine District Court and Bernard C. Staples of Bar Harbor for appointment as Judge of the Maine District Court, District V.

Pursuant to Title 4, M.R.S.A. Section 157, these nominations will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

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

Which was READ and referred to the Committee on JUDICIARY.

Sent down for concurrence.

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

COMMUNICATIONS

The Following Communication: S.P. 46
114TH MAINE LEGISLATURE

January 19, 1989

Senator Georgette B. Berube
Representative Ruth Joseph
Chairpersons
Joint Standing Committee on State and Local Government
114th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has withdrawn his nomination of the Honorable Harland Bragg of Waterville for appointment to the Natural Resources Financing and Marketing Board.

Pursuant to Title 10, M.R.S.A. Section 985, this nomination is currently pending before the Joint Standing Committee on State and Local Government.

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 STATE AND LOCAL GOVERNMENT.

Sent down for concurrence.

Senator GAUVREAU of Androscoggin was granted unanimous consent to address the Senate off the Record.

Senator DUTREMBLE of York was granted unanimous consent to address the Senate off the Record.

The ADJOURNMENT ORDER having been returned from the House READ and PASSED, in concurrence, on motion by Senator THERIAULT of Aroostook, ADJOURNED until Tuesday, January 24, 1989, at 10:00 in the morning.

ONE HUNDRED AND FOURTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION
8th Legislative Day
Tuesday, January 24, 1989

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

Prayer by Reverend Gary Capen, First United Methodist Church, Boothbay Harbor.

National Anthem by Mount View High School Band, Thorndike.

The Journal of Thursday, January 19, 1989, was read and approved.

Quorum call was held.

PAPERS FROM THE SENATE

Bill "An Act to Clarify the Law Concerning the Inclusion of Nursing Home Benefits in Life Insurance Policies" (S.P. 42) (L.D. 12)

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

Was referred to the Committee on Banking and Insurance in concurrence.

COMMUNICATIONS

The following Communication: (S.P. 44)
114TH MAINE LEGISLATURE

January 18, 1989

Senator Bonnie L. Titcomb
Representative Daniel B. Hickey
Chairpersons
Joint Standing Committee on Aging, Retirement and Veterans
114th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Jon A. Lund of Hallowell for reappointment and William J. Deering of Bangor for appointment to the Maine State Retirement Board of Trustees.

Pursuant to Title 5, M.R.S.A. Section 1031, these nominations will require review by the Joint Standing Committee on Aging, Retirement and Veterans and confirmation by the Senate.

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

Came from the Senate, Read and Referred to the Committee on Aging, Retirement and Veterans.

Was Read and Referred to the Committee on Aging, Retirement and Veterans in concurrence.

The following Communication: (S.P. 45)
114TH MAINE LEGISLATURE

January 19, 1989

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

Please be advised that Governor John R. McKernan, Jr. has nominated Ellen A. Gorman of Cumberland for appointment as Judge-at-Large of the Maine District Court and Bernard C. Staples of Bar Harbor for appointment as Judge of the Maine District Court, District V.