

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

Was read and with accompanying report ordered placed on file.

(At Ease)

The House was called to order by the Speaker.

PASSED TO BE ENGROSSED
WITHOUT REFERENCE TO COMMITTEE

Bill "An Act Concerning Legislative Review of Nominations for Chief Executive Officer of the Finance Authority of Maine" (EMERGENCY) (H.P. 18) (L.D. 13) (Presented by Representative GWADOSKY of Fairfield) (Cosponsored by Senator CLARK of Cumberland, Senator PERKINS of Hancock and Speaker MARTIN of Eagle Lake) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

By unanimous consent, without reference to any committee, the Bill was read twice.

Representative Gwadowsky of Fairfield offered House Amendment "A" (H-2) and moved its adoption.

House Amendment (H-2) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended by House Amendment "A" and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

ORDERS

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

ORDERED, that Representative Bradford E. Boutillier of Lewiston be excused January 17 for personal reasons.

Was read and passed.

(At Ease)

The House was called to order by the Speaker.

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

PASSED TO BE ENACTED
Emergency Measure

An Act Concerning Legislative Review of Nominations for Chief Executive Officer of the Finance Authority of Maine and for the Natural Resource Financing and Marketing Board (H.P. 18) (L.D. 13) (H. "A" H-2)

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. 124 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.

By unanimous consent, ordered sent forthwith to the Senate.

(Off Record Remarks)

On motion of Representative McGowan of Canaan, Adjourned until Thursday, January 26, 1989, at eleven-thirty in the morning.

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

In Senate Chamber
Tuesday
January 24, 1989

Senate called to Order by the President.

Prayer by Pastor Norman Deakin of the Seventh Day Adventist Church in Farmingdale.

PASTOR DEAKIN: Before we have the prayer, I would like to read Psalm 24 verses 1-5 for us.

"The earth is the Lord's and the fullness thereof; the world and they that dwell within. For he founded upon the seas and established it upon the floods. Who shall ascend into the hill of the Lord? Who shall stand in his holy place? He that hath clean hands and a pure heart, who hath not lifted up his soul under vanity or sworn deceitfully. He shall receive the blessing from the Lord and righteousness from the God of his salvation."

Shall we bow our heads. Our heavenly Father, the only true and great God of this world, and the giver of every good gift. We come before Thy throne of grace this morning with our prayer because You have told us in Your word that if we want something we are to ask for it, and if it be according to Thy will, it will be given.

Thus we come, recognizing the awesome responsibility that rests upon each shoulder in this Chamber today. And the great need to find solutions and answers to the problems and issues that will be faced.

But, our heavenly Father, we recognize our own weakness, and we see in You the great strength and that there is nothing impossible for You to solve. Where You spoke a word and this world with all its complexities came into being. The problems to be faced here this day, fade into insignificance in the face of all that Thou has done.

So we ask, our heavenly Father, that Your blessing be upon this Senate and its members, that Your presence be in this Chamber. That wisdom and understanding be given to each of its members. That the wonderful state of Maine that we all love, will not only grow and prosper, but will provide a little taste of heaven here on earth. Bless each one and all that is done, and we thank You, our God, giving all honor and glory to Thy most precious and wonderful name. Amen.

Reading of the Journal of Thursday, January 19, 1989.

Off Record Remarks

PAPERS FROM THE HOUSE
Joint Resolutions

The Following Joint Resolution: H.P. 19
JOINT RESOLUTION IN RECOGNITION OF
DOROTHY WALKER BUSH LEBLOND

Whereas, Dorothy Walker Bush LeBlond, affectionately known as Doro, is the only daughter of the President and Mrs. George Herbert Walker Bush; and
Whereas, Doro LeBlond is also the daughter of the great State of Maine, as she, her husband William and their 2 children, Sam and Ellie, have wisely chosen Maine as their home; and

Whereas, Doro LeBlond exemplifies virtues that the citizens of the United States and Maine hold

dear, especially, devotion to family and community; and

Whereas, the people of the State of Maine are honored to have as their favorite daughter this bright, young woman whose unflinching support of her father's successful bid for the highest office in the land has earned the respect and admiration of all who know her; now, therefore, be it

Resolved: That We, the Members of the 114th Legislature now assembled in the First Regular Session, join in recognizing Doro Bush LeBlond as Maine's honored daughter; and be it further

Resolved: That suitable copies of this resolution be prepared and transmitted forthwith by the Secretary of State to Dorothy Walker Bush LeBlond. Comes from the House READ and ADOPTED.

Which was READ and ADOPTED, in concurrence.

Joint Resolution in Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of:

Louis E. Ayoob, lifelong resident of Ft. Fairfield, who was a successful local businessman, community and state leader, having been a member of the 102nd Legislature;

HLS 47

Which was READ.

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending ADOPTION.

COMMUNICATIONS

The Following Communication:

ALCOHOL AND DRUG ABUSE PLANNING COMMITTEE
STATE HOUSE STATION 11
AUGUSTA, MAINE 04333

January 20, 1989

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

FROM: S/John Atwood, Chairperson
Alcohol and Drug Abuse Planning Committee
In accordance with PL 1983, Chapter 464, the Alcohol and Drug Abuse Planning Committee (ADPC) is to conduct a statewide needs assessment every four (4) years. Although the next required assessment is not due until 1991, the ADPC felt that it was timely to conduct a needs assessment two (2) years following the major increase in the Premium Fund. This allows us to assess not only the current needs for substance abuse prevention, education and treatment programs/services, but also the change in needs resulting from the increase in the Premium Fund. The enclosed needs assessment document presents the substance abuse needs in the areas of dual diagnosis, education, law enforcement, corrections, and treatment as identified by individuals attending regional meetings. Comparing these results with those of the 1984 needs assessment, it is clear that the 1988 participants were better able to provide the specifics as they related to both need and methods for addressing the needs. Please note that in addition to the recommendations, a listing of the participants making the recommendations are included. I have enclosed a sufficient number of copies of this report so that each legislator will have their own copy. A copy of the transmittal letter has been inserted.

If you have any questions, please contact Al Anderson or me.

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

The Following Communication:
BLUE RIBBON COMMISSION ON THE
REGULATION OF HEALTH CARE
EXPENDITURES

AUGUSTA, MAINE 04333

January 23, 1989

President Pray
Speaker Martin
State House
Augusta, ME 04333

Dear President Pray and Speaker Martin:

The Blue Ribbon Commission on the Regulation of Health Care Expenditures is pleased to submit its report to the Legislature pursuant to P.L. 1987, c.440, Section 8.

Sincerely,
S/Sen. N. Paul Gauvreau
Chair

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

Senate at Ease

Senate called to order by the President.

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

Senator WEBSTER of Franklin was granted unanimous consent to address the Senate off the Record.

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

After Recess

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Concerning Legislative Review of Nominations for Chief Executive Officer of the Finance Authority of Maine" (Emergency)

H.P. 18 L.D. 13

Committee on HOUSING AND ECONOMIC DEVELOPMENT suggested and ORDERED PRINTED.

Comes from the House, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-2), without reference to a Committee.

Which was, under suspension of the Rules, READ ONCE.

House Amendment "A" (H-2) READ and ADOPTED, in concurrence.

Under suspension of the Rules, READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended, 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

Senate at Ease

Senate called to order by the President.

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 Concerning Legislative Review of Nominations for Chief Executive Officer of the Finance Authority of Maine and for the Natural Resource Financing and Marketing Board

H.P. 18 L.D. 13

(H "A" H-2)

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with No Senators having voted in negative, and 30 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, was presented by the Secretary to the Governor for his approval.

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

THE PRESIDENT: The Chair would like to express his appreciation to the Majority Leader and the Assistant Majority Leader, to the Senator from Penobscot, Senator Pearson and the Senator from Kennebec, Senator Bustin, for presiding in my absence.

On motion by Senator ANDREWS of Cumberland, ADJOURNED, in memory of John J. Joyce, until Thursday, January 26, 1989, at 11:30 in the morning.

**ONE HUNDRED AND FOURTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION**

9th Legislative Day
Thursday, January 26, 1989

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

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

The Journal of Tuesday, January 24, 1989, was read and approved.

Quorum call was held.

COMMUNICATIONS

The following Communication:

DEPARTMENT OF LABOR

Bureau of Labor Standards

State House Station #45

Augusta, Maine 04333

January 25, 1989

John L. Martin
Speaker of the House
State House Station #2
Augusta, ME 04333

Dear Speaker Martin:

We are pleased to submit to you the first Annual Report on the Status of the Maine Workers' Compensation system pursuant to Public Law 1987, Chapter 559. This document summarizes the results of data collection by the three agencies involved and is intended to present a profile of the workers' compensation system including costs, administration, adequacy, and an evaluation of the entire system.

To a large extent, each agency is involved with different operational concerns and views the system from a different perspective. Accordingly, this first report is organized into three sections. On the other hand, the report itself is very much a cooperative effort.

Sincerely,

S/ Joseph A. Edwards,

Superintendent,
Bureau of Insurance

S/ James H. McGowan

Director,
Bureau of Labor Standards

S/ Ralph L. Tucker

Chairman,
Workers' Compensation
Commission

Was read and with accompanying report ordered placed on file.

**PETITIONS, BILLS AND RESOLVES
REQUIRING REFERENCE**

The following Bills were received and, upon the recommendation of the Committee on Reference of Bills, were referred to the following Committees, Ordered Printed and Sent up for Concurrence:

Appropriations and Financial Affairs

Bill "An Act Making Additional Appropriations from the General Fund and Allocations from Other Funds for the Expenditures of State Government for the Fiscal Year Ending June 30, 1989" (EMERGENCY) (H.P. 26) (L.D. 24) (Presented by Representative CARTER of Winslow) (Cosponsored by Senator PEARSON of Penobscot, Senator PERKINS of Hancock and Representative HIGGINS of Scarborough)

Ordered Printed.

Sent up for Concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Taxation