

# 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  
February 9, 1989

Senate called to Order by the President.

Prayer by Major Walter Douglass of the Salvation Army in Augusta.

MAJOR DOUGLASS: Shall we pray. Almighty God and gracious heavenly Father, the day is long and well spent, and while many are returning home others must continue to work. Teach us, Lord, to number our days that we may apply our hearts to wisdom. May we be found using wisely our time, our talents and our strength. Save these Thy servants, chosen of the people, from the tyranny of the nonessential, from the weary round of that which saps strength, frays nerves, shortens life, and adds nothing to their influence with Thee and the governing of this great State. Help them to give themselves to that which is important and to recognize the trivial when they see it. May Thy holy presence permeate this hallowed room; and Thy blessing upon the work to be accomplished this evening. May clear minds and cool heads prevail over the decisions to be made. This we ask in the name of Jesus Christ, the Son, our Lord. Amen.

Reading of the Journal of Tuesday, February 7, 1989.

Off Record Remarks

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

S.P. 103

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 14, 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  
Non-concurrent Matter

Resolve, Authorizing the Director of Parks and Recreation to Convey by Deed the Interest of the State in Certain Parcels of Real Property

S.P. 78 L.D. 68

In Senate, February 2, 1989, referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED.

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

On motion by Senator CLARK of Cumberland, the Senate INSISTED.

Sent down for concurrence.

House Papers

Bill "An Act to Allow Additional Veterans to be Eligible for Veterans' Preference for State Positions"

H.P. 75 L.D. 106

Comes from the House referred to the Committee on AGING, RETIREMENT AND VETERANS and ORDERED PRINTED.

Which was referred to the Committee on AGING, RETIREMENT AND VETERANS and ORDERED PRINTED, in concurrence.

Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund, and Changing 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)

H.P. 69 L.D. 93

Bill "An Act to Establish a Matching Grant Program for Removal of Hazardous Chemicals from Schools" (Emergency)

H.P. 71 L.D. 102

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

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

Resolve, Establishing the Commission to Study the Regulation of Welders

H.P. 78 L.D. 109

Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS suggested and ORDERED PRINTED.

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

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

Bill "An Act to Alter the Method of Approving Equivalent Instruction in Home Schools"

H.P. 77 L.D. 108

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

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

Bill "An Act to Increase the Number of Moose Hunting Permits"

H.P. 70 L.D. 101

Comes from the House referred to the Committee on FISHERIES AND WILDLIFE and ORDERED PRINTED.

Which was referred to the Committee on FISHERIES AND WILDLIFE and ORDERED PRINTED, in concurrence.

Bill "An Act to Amend the Law Regarding Food Services Operated by the Blind in Public Buildings"

H.P. 72 L.D. 103

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

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

Bill "An Act to Curtail Fraud in the Workers' Compensation System"

H.P. 74 L.D. 105

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

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

Bill "An Act Concerning Payments in Lieu of Taxes to Municipalities with State-owned Property"

H.P. 52 L.D. 73

Bill "An Act to Amend the Real Estate Lien Discharge Law"

H.P. 76 L.D. 107

Bill "An Act to Clarify the Blueberry Tax Laws"

H.P. 79 L.D. 110

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

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

Resolve, to Name the Bridge over the Carrabasset River in North Anson the "Robert Garland Bridge"

H.P. 80 L.D. 111

Bill "An Act to Make Additional Allocations from the Highway Fund for the Fiscal Year Ending June 30, 1989" (Emergency)

H.P. 81 L.D. 112

Bill "An Act to Extend the Reporting Deadline on the Casco Bay Ferry Service Study" (Emergency)

H.P. 82 L.D. 113

Bill "An Act to Require Motor Vehicle Registration for Island Automobiles"

H.P. 85 L.D. 114

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

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

Pursuant to Resolves  
SPECIAL COMMISSION ON

EARLY CHILDHOOD DEVELOPMENT AND EDUCATION

The SPECIAL COMMISSION ON EARLY CHILDHOOD DEVELOPMENT AND EDUCATION, pursuant to Resolves 1987, Chapter 110, ask leave to submit its findings and to report that the accompanying Bill "An Act Appropriating Funds to the Department of Educational and Cultural Services for Early Childhood Education"

H.P. 23 L.D. 18

Be referred to the Joint Standing Committee on EDUCATION for Public Hearing and printed pursuant to Joint Rule 18.

Comes from the House with the Report READ and ACCEPTED and the Bill referred to the Committee on EDUCATION and ORDERED PRINTED, pursuant to Joint Rule 18.

Which Report was READ and ACCEPTED, in concurrence.

The Bill referred to the Committee on EDUCATION and ORDERED PRINTED, pursuant to Joint Rule 18, in concurrence.

Pursuant to Public Law  
SPECIAL COMMISSION TO STUDY  
SCHOOL FUNDING AND STATE TAX LAW

The SPECIAL COMMISSION TO STUDY SCHOOL FUNDING AND STATE TAX LAW, pursuant to Public Law 1987, Chapter 848, ask leave to submit its findings and to report that the accompanying Resolve, to Establish a Commission to Study Problems with the Municipal Assessment and Collection of Property Taxes (Emergency)

H.P. 67 L.D. 91

Be referred to the Joint Standing Committee on TAXATION for Public Hearing and printed pursuant to Joint Rule 18.

Comes from the House with the Report READ and ACCEPTED and the Resolve referred to the Committee on

TAXATION and ORDERED PRINTED, pursuant to Joint Rule 18.

Which Report was READ and ACCEPTED, in concurrence.

The Resolve referred to the Committee on TAXATION and ORDERED PRINTED, pursuant to Joint Rule 18, in concurrence.

Pursuant to Private and Special Laws  
COMMISSION ON MANUFACTURED HOUSING

The COMMISSION ON MANUFACTURED HOUSING, pursuant to P&SL 1987, Chapter 139, ask leave to submit its findings and to report that the accompanying Resolve, Directing the Office of Comprehensive Land Use Planning to Prepare a Guide to the Manufactured Housing Laws (Emergency)

H.P. 47 L.D. 61

Be referred to the Joint Standing Committee on HOUSING AND ECONOMIC DEVELOPMENT for Public Hearing and printed pursuant to Joint Rule 18.

Comes from the House with the Report READ and ACCEPTED and the Resolve referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED, pursuant to Joint Rule 18.

Which Report was READ and ACCEPTED, in concurrence.

The Resolve referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED, pursuant to Joint Rule 18, in concurrence.

Study Report

MUNICIPAL SOLID WASTE MANAGEMENT STUDY COMMITTEE

Report of the MUNICIPAL SOLID WASTE MANAGEMENT STUDY COMMITTEE to which was referred by the Legislative Council the Study Relative to Municipal Solid Waste Management have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill "An Act to Create Tax Incentives for the Use of Recycled Packaging"

H.P. 68 L.D. 92

Be referred to the Joint Standing Committee on BUSINESS LEGISLATION for Public Hearing and printed pursuant to Joint Rule 19.

Comes from the House with the Report READ and ACCEPTED and the Bill referred to the Committee on TAXATION and ORDERED PRINTED, pursuant to Joint Rule 19.

Which Report was READ and ACCEPTED, in concurrence.

The Bill referred to the Committee on TAXATION and ORDERED PRINTED, pursuant to Joint Rule 19, in concurrence.

Joint Resolution

The Following Joint Resolution: H.P. 84

JOINT RESOLUTION RECOGNIZING

MAINE SCHOOL COUNSELORS

DURING NATIONAL SCHOOL COUNSELING WEEK

FEBRUARY 6 to 10, 1989

WHEREAS, school counselors are employed in public and parochial schools to help students reach their fullest potential as human beings; and

WHEREAS, school counselors are concerned with students being better able to understand themselves, their abilities, strengths and talents as they relate to career development and awareness; and

WHEREAS, counselors help parents to focus on ways to further the positive educational, personal and social growth of their children; and

WHEREAS, counselors care about uniting teachers, parents, administrators, special service personnel, mental health professionals and college admission counselors to form an effective guidance program for students; and

WHEREAS, counseling is seen as an essential part of the educational process for all students as they adjust to our very complex society; now, therefore, be it

RESOLVED: That We, the Members of the 114th Legislature of the State of Maine, now assembled in the First Regular Session, take this opportunity to commend all those who provide school counseling throughout the State and offer our support and encouragement for their dedicated efforts; and be it further

RESOLVED: That suitable copies of this Joint Resolution, duly authenticated by the Secretary of State, be transmitted to the Department of Educational and Cultural Services for use in their recognition of National School Counseling Week, February 6 to 10, 1989.

Comes from the House READ and ADOPTED.  
Which was READ and ADOPTED, in concurrence.

COMMUNICATIONS

The Following Communication: H.P. 83  
PUBLIC UTILITIES COMMISSION  
STATE HOUSE STATION 18  
AUGUSTA, MAINE 04333  
February 1, 1989

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

In accordance with Title 35-A of the Maine Statutes, I am enclosing the Annual Report of the Maine Public Utilities Commission.

Please do not hesitate to call if you have any questions regarding the materials contained in the report.

Sincerely,  
S/Charles A. Jacobs  
Administrative Director

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.

The Following Communication:  
114TH MAINE LEGISLATURE  
January 4, 1989

Robert L. Woodbury, Chancellor  
University of Maine System  
107 Maine Avenue  
Bangor, Maine 04401-1805  
Dear Chancellor Woodbury:

Pursuant to 20-A MRSA, Section 10902-B, we are pleased to invite you to address a joint session of the 114th Maine State Legislature on Tuesday, February 14, at eleven o'clock in the morning, on the state of the University System and any other matters which you may care to bring to our attention.

We look forward to seeing you then. Best wishes.

Sincerely,  
S/Charles P. Pray John L. Martin  
President of the Senate Speaker of the House  
Which was READ and 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  
The Honorable John L. Martin  
Speaker of the House  
State House  
Augusta, Maine 04333

Dear President Pray and Speaker Martin:

I am pleased to have your invitation to address a Joint Convention of the 114th Maine State Legislature on February 14. I am delighted to accept and look forward to sharing with you and your colleagues my sense of the state of the University System in this last year of the decade.

Sincerely,  
S/Robert L. Woodbury  
Chancellor

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
COMMITTEE ON HOUSING AND ECONOMIC DEVELOPMENT  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
February 7, 1989

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 114th Maine Legislature, the Joint Standing Committee on Housing and Economic Development has had under consideration the nomination of M. Kelly Matzen of Auburn, for reappointment as a member of the Maine State Housing Authority.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 2  
Representatives 7

NAYS: 0

ABSENT: 4 Sen. Dutremble of York,  
Rep. Graham of Houlton,  
Rep. Bell of Caribou,  
Rep. Donald of Buxton

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of M. Kelly Matzen of Auburn, for reappointment as a member of the Maine State Housing Authority be confirmed.

Sincerely,  
S/Dennis L. Dutremble S/Gregory G. Nadeau  
Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on HOUSING AND ECONOMIC DEVELOPMENT has recommended the nomination of M. Kelly Matzen of Auburn, for reappointment as a member of the Maine State Housing Authority, be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on HOUSING AND ECONOMIC DEVELOPMENT be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 114th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A vote of No will be in favor of sustaining the recommendation of the Committee.  
Is the Senate ready for the question?

At this time, the Chair noted the absence of the Senator from York, Senator HOBBS and further excused the same Senator from today's Roll Call votes.

The Doorkeepers will secure the Chamber.  
The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None  
NAYS: Senators ANDREWS, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, DILLENBACK, DUTREMBLE, EMERSON, ERWIN, ESTES, ESTY, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, PEARSON, PERKINS, RANDALL, THERIAULT, TITCOMB, TWITCHELL, WEBSTER, WEYMOUTH, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators BALDACCI, COLLINS, WHITMORE  
EXCUSED: Senator HOBBS

No Senators having voted in the affirmative and 31 Senators having voted in the negative, with 3 Senators being absent, and 1 Senator having been excused, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of M. Kelly Matzen, for reappointment as a member of the Maine State Housing Authority, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:  
COMMITTEE ON HOUSING AND ECONOMIC DEVELOPMENT  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
February 7, 1989

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 114th Maine Legislature, the Joint Standing Committee on Housing and Economic Development has had under consideration the nomination of Harland Bragg of Waterville, for appointment to the Natural Resources Financing and Marketing Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 2  
Representatives 7  
NAYS: 0

ABSENT: 4 Sen. Dutremble of York,  
Rep. Graham of Houlton,  
Rep. Bell of Caribou,  
Rep. Donald of Buxton

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Harland Bragg of Waterville, for appointment to the Natural Resources Financing and Marketing Board be confirmed.

Sincerely,

S/Dennis L. Dutremble S/Gregory G. Nadeau

Senate Chair House Chair  
Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on HOUSING AND ECONOMIC DEVELOPMENT has recommended the nomination of Harland Bragg of Waterville, for appointment to the Natural Resources Financing and Marketing Board, be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on HOUSING AND ECONOMIC DEVELOPMENT be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 114th Legislature, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of overriding the recommendation of the Committee.

A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None  
NAYS: Senators ANDREWS, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, DILLENBACK, DUTREMBLE, EMERSON, ERWIN, ESTES, ESTY, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, PEARSON, PERKINS, RANDALL, THERIAULT, TITCOMB, TWITCHELL, WEBSTER, WEYMOUTH, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators BALDACCI, COLLINS, WHITMORE  
EXCUSED: Senator HOBBS

No Senators having voted in the affirmative and 31 Senators having voted in the negative, with 3 Senators being absent, and 1 Senator having been excused, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Harland Bragg, for appointment to the Natural Resources Financing and Marketing Board, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

SENATE PAPERS

Bill "An Act to Amend the Law Concerning Insurance Cancellation Control"

S.P. 99 L.D. 118

Presented by Senator COLLINS of Aroostook  
Cosponsored by Representative ALLEN of Washington, Representative GARLAND of Bangor and Senator TWITCHELL of Oxford

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.

Bill "An Act to Clarify the Functions of Subregistrars"

S.P. 98 L.D. 117

Presented by Senator CAHILL of Sagadahoc  
Cosponsored by Senator THERIAULT of Aroostook, Representative FARNUM of South Berwick and Representative BOUTILIER of Lewiston

Submitted by the Department of Human Services pursuant to Joint Rule 24.

Which was referred to the Committee on BUSINESS LEGISLATION and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Amend the Law Regarding the State Forest Nursery" (Emergency)

S.P. 97 L.D. 116

Presented by Senator PEARSON of Penobscot  
Cosponsored by Representative HICHBORN of LaGrange, Representative PARADIS of Old Town and Representative MICHAUD of East Millinocket  
Submitted by the Department of Conservation pursuant to Joint Rule 24.

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

Sent down for concurrence.

Bill "An Act to Make Changes to the Human Resource Development Council in Order to Conform with the United States Economic Dislocation and Worker Adjustment Assistance Act of 1988" (Emergency)

S.P. 101 L.D. 120

Presented by Senator COLLINS of Aroostook  
Cosponsored by Representative REED of Falmouth and Representative RUHLIN of Brewer  
Submitted by the Department of Labor pursuant to Joint Rule 24.

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

Sent down for concurrence.

Bill "An Act Relating to State Personnel Administration"

S.P. 100 L.D. 119

Presented by Senator BERUBE of Androscoggin  
Cosponsored by Senator CARPENTER of York, Representative BEGLEY of Waldoboro and Representative JOSEPH of Waterville  
Submitted by the Department of Administration pursuant to Joint Rule 24.

Bill "An Act to Establish a Portion of the Boundary Between the Town of Lincoln and the Town of Enfield in the County of Penobscot from the Penobscot River to the Westerly Shore of Cold Stream Pond"

S.P. 102 L.D. 121

Presented by Senator PEARSON of Penobscot  
Cosponsored by Representative CAHILL of Mattawamkeag and Representative HICHBORN of LaGrange

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

Sent down for concurrence.

ORDERS

Joint Resolution

On motion by Senator BOST of Penobscot (Cosponsored by: Representative RUHLIN of Brewer, Representative TUPPER of Orrington) the following Joint Resolution:

S.P. 104

JOINT RESOLUTION COMMEMORATING THE 100th ANNIVERSARY OF THE CITY OF BREWER, MAINE

WHEREAS, one of the chain of historically important cities that is located along the banks of the Penobscot River is Brewer, well known for its excellence in manufacturing and ship building; and

WHEREAS, an early settlement was incorporated as the Town of Brewer in 1822, and was subsequently incorporated in 1889 as the city of Brewer; and

WHEREAS, Brewer is not only historically important as an early brick-making center but also as

a hub of the State's ice-making and lumber industries; and

WHEREAS, Brewer stands as a gateway to Downeast Maine and the Canadian Maritimes and is one of Maine's outstanding communities; now, therefore, be it

RESOLVED: That We, the Members of the 114th Legislature of the State of Maine now assembled in the First Regular Session, take this special opportunity on the 100th anniversary of the City of Brewer to commend the officials and citizens of this great city for the success which they have achieved together for more than the last century and to extend to each our sincere hopes and best wishes for continued achievement over the next 100 years; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the citizens and officials of this proud community in honor of the occasion.

Which was READ and ADOPTED.

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

COMMITTEE REPORTS

House

Leave to Withdraw

The following Leave to Withdraw Report shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Committee on AGRICULTURE on Bill "An Act Concerning Membership on the Maine Blueberry Commission"

H.P. 25 L.D. 20

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 to Amend the Medical Practice Laws

H.P. 30 L.D. 30

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with No Senators having voted in negative, and 31 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.

ORDERS OF THE DAY

The Chair laid before the Senate the Tabled and Specially Assigned matter:

Bill "An Act to Amend the Laws Governing the Operation of a Watercraft While Under the Influence"

S.P. 84 L.D. 84

Tabled - February 7, 1989, by Senator CLARK of Cumberland.

Pending - REFERENCE

(Committee on LEGAL AFFAIRS suggested and ORDERED PRINTED.)

(In Senate, February 2, 1989, Report of the SPECIAL COMMISSION ON BOATING READ and ACCEPTED.)

Which was referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED.

Sent down for concurrence.

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

Senator GAUVREAU: Thank you Mr. President. Mr. President, men and women of the Maine Senate: As you may be aware over the course of the past few weeks, the Joint Standing Committee on Human Resources, which I serve as Senate Chair, has involved itself rather extensively into hearings pertaining to problems which beset the Augusta Mental Health Institute. We have completed, as of today, six full days of legislative hearings which comprise nearly fifty hours of Committee time. As a result of the hearings, we have ascertained that there indeed do exist severe and grave problems dealing with psychiatric and medical care for patients at the AMHI facility. We have also today, in concert with Legislative Leadership and the Governor, worked toward establishing a framework for bringing about an orderly resolution of the problems at the Augusta Mental Health Institute.

At this point, I would like to express my appreciation to members of the Committee who have worked long and diligently over the course of the last two weeks. Truly, I think these members do deserve praise, they put in long and very difficult hours. I would also like to express my sincere appreciation to all members who came before the Committee from the Executive branch of government as well as the families and relatives of individuals who are currently receiving or have received treatment at AMHI. I think perhaps in the course of the past few days, as a logical consequence of the emotion which the hearings engendered, there have been some comments perhaps which were stated by some in a moment of extreme emotion that they upon reflection might offer different comments and that is understandable. I think there have been some questions raised at various times as to the method by which Representative Manning and I chaired the proceedings. I am pleased to report that I have had an opportunity to meet with members of the Committee and I think any questions which might have arisen have been more than satisfactorily addressed. In fact, the Committee has worked very well in unveiling the very serious problems which do exist at the AMHI facility. I think it was in large part due to the work product of the Committee as well as the sincerity from all individuals involved, not only from our branch of government, but also from the Executive branch of government, that we have been able to reach the conceptual framework as far as devising a long-term strategy to reorganize and improve conditions at AMHI.

I rise this afternoon to express my appreciation to all who have been involved in this process, although I am mindful of the obstacles which might lie ahead of us, I do think we have an opportunity during this Legislative year to truly embark upon historic progress in providing a decent and appropriate level of care for those patients who are residing at our Acute Care Mental Health Hospitals in our State. Thank you very much.

Senate at Ease

Senate called to order by the President.

The ADJOURNMENT ORDER having been returned from the House READ and PASSED, in concurrence, on motion by Senator GAUVREAU of Androscoggin, ADJOURNED until Tuesday, February 14, 1989, at 10:00 in the morning.

ONE HUNDRED AND FOURTEENTH MAINE LEGISLATURE  
FIRST REGULAR SESSION  
14th Legislative Day  
Tuesday, February 14, 1989

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

Prayer by Rabbi Raymond Krinsky, Beth Israel Congregation, Waterville.

Pledge of Allegiance.  
The Journal of Thursday, February 9, 1989, was read and approved.

Quorum call was held.

PAPERS FROM THE SENATE

The following Communication:

Maine State Senate  
Augusta, Maine 04333

February 9, 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, upon the recommendation of the Joint Standing Committee on Housing and Economic Development, the Governor's nomination of M. Kelly Matzen of Auburn for reappointment as a member of the Maine State Housing Authority.

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

Was read and ordered placed on file.

The following Communication:

Maine State Senate  
Augusta, Maine 04333

February 9, 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, upon the recommendation of the Joint Standing Committee on Housing and Economic Development, the Governor's nomination of the Honorable Harland Bragg of Waterville for appointment to the Natural Resources Financing and Marketing Board.

The Honorable Harland Bragg is replacing William J. Ginn.

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

Was read and ordered placed on file.

Bill "An Act to Amend the Law Concerning Insurance Cancellation Control" (S.P. 99) (L.D. 118)

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

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

Bill "An Act to Clarify the Functions of Subregistrars" (S.P. 98) (L.D. 117)

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