

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred And Fifteenth Legislature
OF THE
State Of Maine

VOLUME I

FIRST REGULAR SESSION

House of Representatives
December 5, 1990 to May 16, 1991

ONE HUNDRED AND FIFTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION
9th Legislative Day
Thursday, January 17, 1991

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

Prayer by Father Gilbert Patenaude of Augusta, (retired).

The Journal of Monday, January 14, 1991, was read and approved.

SENATE PAPERS

Bill "An Act Concerning Liquor Pricing" (S.P. 74) (L.D. 130)

Came from the Senate, referred to the Committee on **Legal Affairs** and Ordered Printed.

Was referred to the Committee on **Legal Affairs** in concurrence.

COMMUNICATIONS

The following Communication:

STATE OF MAINE
OFFICE OF SECRETARY OF STATE
AUGUSTA, MAINE 04333

January 15, 1991

Honorable Edwin H. Pert
Clerk of the House
115th Legislature
State House Station 2
Augusta, Maine 04333

Dear Clerk Pert:

Governor John R. McKernan, Jr. has set Tuesday, February 5, 1991 as the date for the special elections to be held in Representative District 86 and Representative District 90.

Very truly yours,

s/G. William Diamond
Secretary of State

Was read and ordered placed on file.

The following Communication:

DEPARTMENT OF CONSERVATION
State House Station 22
Augusta, Maine 04333

January 9, 1991

The Honorable John R. McKernan, Jr.
Governor of the State of Maine
Station #1

Augusta, Maine 04333

The Honorable Charles P. Pray
President of the Senate
Senate Chambers
Station #3
Augusta, Maine 04333

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

Members of the Joint Standing Committee
on Energy and Natural Resources
State of Maine
Station #2
Augusta, Maine 04333

Dear Governor McKernan, President Pray, Speaker Martin, and Members of the Joint Standing Committee on Energy and Natural Resources:

I am pleased to transmit An Analysis of Inconsistencies in the Regulation of Forest Management. The report is a review of Titles 12, 36 and 38 and rules promulgated under those titles pursuant to P.L. 89 c. 555, the Forest Practices Act, and was carried out in coordination with the Citizens' Forestry Advisory Council.

The report clearly indicates that there is much that can be done to make regulations affecting forest management less cumbersome while still maintaining the current level of environmental protection. It is also clear that dealing with the inconsistencies will be a technical and time consuming process. With this in mind, the Departments of Conservation, Environmental Protection and Inland Fisheries and Wildlife have developed a Memorandum of Understanding to work together to reduce existing inconsistencies as identified in the report and to develop a method of preventing inconsistencies in the future.

While many of the inconsistencies can be dealt with administratively by the Departments, several of them would need to be addressed through the Administrative Procedures Act, the Legislature or existing boards. The Departments have established a September 15, 1991 target to have specific recommendations for changes identified and to develop the process to carry out those changes.

Sincerely yours,

s/C. Edwin Meadows, Jr.
Commissioner

Was read and with accompanying report ordered placed on file.

The following Communication:

115TH MAINE LEGISLATURE

January 11, 1991

Hon. Edwin H. Pert
Clerk of the House
State House Station #2
Augusta, Maine 04333

Dear Clerk Pert:

This is to notify you that pursuant to our authority under Chapter 581 of the Public Laws of 1989, we have today appointed Cheryl Wildes, of Bowdoinham, to serve as a representative of municipalities on the Interagency Task Force on Homelessness and Housing Opportunities. She will be replacing Peggy Dunn who is unable to serve.

Sincerely,

s/Charles P. Pray s/John L. Martin
President of the Senate Speaker of the House

Was read and ordered placed on file.

The following Communication:

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BUREAU OF BANKING
STATE HOUSE STATION 36
AUGUSTA, MAINE 04333

January 15, 1991

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

Dear Speaker Martin:

In accordance with Title 9-B Maine Revised Statutes Annotated section 217, as amended, I am submitting "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. Nineteen-ninety was a challenging year for the state of Maine and its banking system. This year's report has sections dealing with new issues such as credit availability and regulatory concerns.

Copies of this report have been distributed to the Office of the Clerk of the House of Representatives in order to provide one copy for each member of the House.

Very truly yours,

s/H. Donald DeMatteis
Superintendent

Was read and with accompanying report ordered placed on file.

The following Communication:

EXECUTIVE DEPARTMENT
OFFICE OF SUBSTANCE ABUSE
STATE HOUSE STATION #159
AUGUSTA, MAINE 04333

January 15, 1991

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

Dear Speaker Martin:

Enclosed is a copy of the State Plan for alcohol and other drug abuse services required to be submitted by the Office of Substance Abuse (OSA) to the Legislature on January 15, 1991.

The basic thrust of the Plan is to set forth a common philosophy and to outline what must be done to achieve OSA's potential and responsibility for bringing about a more coordinated, comprehensive, accountable, and ultimately more effective Statewide system of alcohol and other drug abuse services.

As mentioned in the Plan, with budgetary information unavailable earlier, it was not possible to include biennial departmental figures in this document. However, OSA intends to provide this information as an addendum as soon as possible. Rather than delay submission of this Plan, it was decided to submit it as is. The State Plan available for more general distribution will include this fiscal information.

The Office of Substance Abuse looks forward to working with you and the Legislature in dealing with the issues of alcohol and other drug abuse as they affect all of us in some way in the State of Maine.

Sincerely,

s/Ronald G. Speckmann
Acting Director
Office of Substance Abuse

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:

Aging, Retirement and Veterans

Bill "An Act to Change the Time Required for Purchase of Armed Forces Service Credit" (H.P. 96) (L.D. 137) (Presented by Representative GOULD of Greenville)

Ordered Printed.

Sent up for Concurrence.

Appropriations and Financial Affairs

Bill "An Act to Appropriate Funds to Continue the Surname Index Project at the Maine State Library" (H.P. 97) (L.D. 138) (Presented by Representative SPEAR of Nobleboro) (Cosponsored by Representative NORTON of Winthrop)

Ordered Printed.
Sent up for Concurrence.

Energy and Natural Resources

Bill "An Act to Exempt the Repair and Maintenance of Road Culverts from Approval by the Department of Environmental Protection" (H.P. 98) (L.D. 139) (Presented by Representative ANDERSON of Woodland) (Cosponsored by Speaker MARTIN of Eagle Lake, Senator COLLINS of Aroostook and Representative BAILEY of Farmington)

Bill "An Act to Establish Standards of Financial Need for Grants under the Small Community Grants Program" (EMERGENCY) (H.P. 99) (L.D. 140) (Presented by Representative ANDERSON of Woodland) (Cosponsored by President PRAY of Penobscot, Representative GOULD of Greenville and Representative JACQUES of Waterville)

Ordered Printed.
Sent up for Concurrence.

Labor

Bill "An Act to Change the Title of the Commission on Safety in the Maine Workplace" (H.P. 100) (L.D. 141) (Presented by Representative HASTINGS of Fryeburg) (Cosponsored by Senator ESTY of Cumberland and Representative PINEAU of Jay) (Submitted by the Department of Labor pursuant to the Joint Rule 24.)

Ordered Printed.
Sent up for Concurrence.

PASSED TO BE ENACTED

Emergency Measure

An Act to Allow the Systems Assessment Commission to Extend Reporting Deadlines (S.P. 70) (L.D. 126) (H. "A" H-10)

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. 101 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.

The following Joint Order was taken up out of order by unanimous consent:

On motion of Representative JOSEPH of Waterville, the following Joint Order: (H.P. 101)

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 1991.

Was read and passed and sent up for concurrence.

Representative Whitcomb of Waldo was granted unanimous consent to address the House:

Representative WHITCOMB: Mr. Speaker, Men and Women of the House: Governor McKernan has asked me express his most sincere appreciation for the many prayers and expressions of support for his son, Peter. The Governor said that he expects a new medical report this morning and you can be certain that his office will attempt to provide us with any further information as it becomes available.

I think it is needless to say that the situation remains very grave.

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

SENATE PAPERS

The following Joint Order: (S.P. 77)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 22, 1991, at 4 o'clock in the afternoon.

Came from the Senate, read and passed.

Was read and passed in concurrence.

On motion of Representative Cahill of Mattawamkeag,

Adjourned at 9:29 a.m. until Tuesday, January 22, 1991, at four o'clock in the afternoon pursuant to Joint Order (S.P. 77)