

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Fifteenth Legislature

OF THE

State Of Maine

VOLUME VII

SECOND REGULAR SESSION

Senate

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HOUSE AND SENATE LEGISLATIVE SENTIMENTS

December 5, 1990 to December 1, 1992

ONE HUNDRED AND FIFTEENTH MAINE LEGISLATURE
THIRD SPECIAL SESSION
1st Legislative Day
Thursday, October 1, 1992

Ninety-Two.

S/JOHN R. McKERNAN, JR.
Governor

This being the day designated in the proclamation of the Governor for meeting of the One Hundred and Fifteenth Legislature in extra session, the members of the House of Representatives assembled in their hall at 11:00 o'clock in the morning and were called to order by the Speaker.

Prayer by Reverend Robert Hargreaves, Saint Mark's Episcopal Church, Augusta.

Pledge of Allegiance.

For the purpose of ascertaining the presence of a quorum, a roll call was taken.

The elected membership of the House being 151 and 151 being present, a quorum was found to be present.

State of Maine
PROCLAMATION

WHEREAS, there exists in the State of Maine an extraordinary need for reform of the State workers' compensation system; and

WHEREAS, the Report of the Blue Ribbon Commission convened for the purpose of studying the elements of the Maine workers' compensation system which contribute to its excessive cost, and recommending necessary changes in the Maine workers' compensation law has been finalized; and

WHEREAS, failure to take decisive action to implement the reforms recommended by the Blue Ribbon Commission Report would jeopardize the continued viability of the Maine workers' compensation system, and would leave the causes of skyrocketing costs in the system unaddressed; and

WHEREAS, quick action on the Blue Ribbon Commission Report is called for; and

WHEREAS, the appropriate hour of convention should be 11:00 a.m.,

NOW, THEREFORE, I, JOHN R. McKERNAN, JR., Governor of the State of Maine, do hereby revoke my Proclamation of the twenty-second of September, and pursuant to Article V, Part First, Section 13, do hereby convene the 115th Legislature on Thursday, the first day of October, 1992, at 11:00 a.m. in the City of Augusta.

In testimony whereof, I have caused the Great Seal of the State to be hereunto affixed GIVEN under my hand at Augusta this twenty-ninth day of September in the Year of our Lord One Thousand Nine Hundred and

S/G. William Diamond
Secretary of State

Was read and ordered placed on file.

On Motion of Representative GWADOSKY of Fairfield, the following Order:

ORDERED, that a Committee of ten be appointed to wait upon His Excellency, the Governor, and inform him that a quorum of the House of Representatives is assembled in the Hall of the House for the consideration of such business as may come before the House.

Was read and passed and the Chair appointed the following Members:

- Representative MITCHELL of Vassalboro
- Representative McHENRY of Madawaska
- Representative TRACY of Rome
- Representative RAND of Portland
- Representative LERMAN of Portland
- Representative McKEEN of Windham
- Representative GARLAND of Bangor
- Representative AIKMAN of Poland
- Representative HASTINGS of Fryeburg
- Representative BENNETT of Norway

Subsequently, Representative MITCHELL of Vassalboro reported that the Committee had delivered the message with which it was charged.

A message was received from the Senate, borne by Senator MILLS of that body, announcing a quorum present and that the Senate was ready to transact any business that might properly come before it.

On Motion of Representative PARADIS of Augusta, the following Order:

ORDERED, that a message be conveyed to the Senate that a quorum of the House of Representatives was present for the consideration of such business as may come before the House.

Was read and passed and Representative GWADOSKY of Fairfield was appointed to convey the message and subsequently reported that he had delivered the message with which he was charged.

COMMUNICATIONS

STATE OF MAINE
HOUSE OF REPRESENTATIVES

CLERK'S OFFICE
AUGUSTA, MAINE 04333

April 15, 1992

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

Dear Mr. Speaker:

Please consider this letter my resignation as Clerk of the Maine House of Representatives effective May 31, 1992.

It has been an honor and privilege to serve as the chief administrative officer of the Maine House for nearly eighteen years. I am grateful to you, to Assistant House Clerk Debbie Wood, to our dedicated staff and to the members of the House for the support and understanding I have received as we have faced the challenges of an institution in transition.

My sincere thanks and deepest appreciation for the confidence placed in me during these rewarding and thoroughly enjoyable seventeen and one-half years.

Sincerely,

S/Edwin H. Pert
Clerk of the House

Was read and ordered placed on file.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333

April 16, 1992

Honorable Edwin H. Pert
Clerk of the House
State House Station 2
Augusta, ME 04333

Dear Clerk Pert:

Pursuant to my authority under the Maine Constitution and House Rule 1, I am pleased to appoint Deborah Bedard Wood of Saco as Clerk of the House effective June 1, 1992.

Sincerely,

S/John L. Martin
Speaker of the House

Was read and ordered placed on file.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA, MAINE 04333

June 1, 1992

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

Dear Mr. Speaker:

Please consider this letter my resignation as Assistant Clerk of the Maine House of Representatives effective June 1, 1992.

It has been an honor and privilege to serve as the assistant to the chief administrative officer of the Maine House for nearly eighteen years. I am grateful to you, to our dedicated staff and to the members of the House for the support and understanding I have received, and look forward to serving the people of Maine in my new role as Clerk of the House.

I appreciate the confidence you have placed in me. Thank you.

Sincerely,

S/Deborah Bedard Wood
Assistant Clerk of the House

Was read and ordered placed on file.

SENATE PAPERS

The following Communication:

Maine State Senate
Augusta, Maine 04333

May 20, 1992

The Honorable John L. Martin
Speaker of the House
115th Legislature
Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed the following:

Upon the recommendation of the Joint Standing Committee on Agriculture:

Animal Welfare Board:

Gail Goodwin of Danville for appointment
Lincoln O. Orff of Jefferson for appointment
Clement H. Smith of Monmouth for appointment

Animal Welfare Advisory Committee:

Paul Murphy of Windham for appointment
Joseph Pio of Westbrook for appointment
Laura Pruett of Augusta for appointment

Elizabeth Sylvester of Bath for appointment

Arthur Verow of Brewer for appointment

Perry Hopkins of Kennebunk for appointment

Maine Milk Commission:

Katherine O. Musgrave of Orono for reappointment

Maine Harness Racing Commission:

Philip M. Tarr of North Bridgton for appointment as Chair

Upon the recommendation of the Joint Standing Committee on Banking and Insurance:

Bureau of Insurance:

Brian K. Atchinson of Cumberland for appointment as the Superintendent replacing Joseph Edwards

Upon the recommendation of the Joint Standing Committee on Business Legislation:

Department of Professional & Financial Regulation:

Jane E. Titcomb of Holden, Massachusetts for appointment as Commissioner

Upon the recommendation of the Joint Standing Committee on Education:

University of Maine Board of Trustees:

Patricia Collins of Caribou for reappointment

Peter Crockett of Gardiner for appointment as the Student Member

John R. DiMatteo of Falmouth for appointment replacing Harrison Richardson

Frederic A. Reynolds of Machias for appointment replacing Robert Foster

Maine Technical College System Board of Trustees:

Margaret C. Duncan of Presque Isle for appointment replacing Karl Smith

Maine Education Assistance Board:

Lucia W. Smyth of Waterville for reappointment

Upon the recommendation of the Joint Standing Committee on Energy and Natural Resources:

Sludge & Residuals Utilization Research Foundation Board of Trustees:

Paula M. Clark of Readfield for reappointment

Denise Lord of Belgrade for appointment

Darold Wooley of Lincoln for reappointment

Facility Siting Board:

Scott W. Seabury of Fort Fairfield for appointment replacing Thomas H. Stevens

Upon the recommendation of the Joint Standing Committee on Housing and Economic Development:

Department of Economic and Community Development:

Michael W. Aube of Bangor for appointment as Commissioner replacing Lynn Wachtel

Adaptive Equipment Loan Program Fund Board:

Sandra V. Bliss of Falmouth for appointment replacing Ray Emond

Natural Resources Financing and Marketing Board:

Toby Hammond of Naples for reappointment

Upon the recommendation of the Joint Standing Committee on Judiciary:

Justice of the Maine Supreme Judicial Court:

Paul L. Rudman of Bangor for appointment

Justice of the Maine Superior Court:

Kermit V. Lipez of South Portland for reappointment

Andrew M. Mead of Bangor for appointment

Active Retired Justice of the Superior Court:

the Honorable Robert Browne of Bangor for reappointment

Judge, Maine District Court:

Jeffrey L. Hjelm of Winterport for appointment, District 3 replacing Andrew Mead

John V. Romei of Machias for appointment, District 4 replacing Douglas Clapp

Workers' Compensation Commission:

Paul A. Cote, Jr. of Auburn for reappointment

Dawn M. Pelletier of Winterport for reappointment

Maine Human Rights Commission:

Dennise D. Whitley of Farmington for appointment

Upon the recommendation of the Joint Standing Committee on Legal Affairs:

Maine State Liquor Commission:

Edwin W. Bowden of Camden for reappointment

Robert F. Cosgrove of Waterville for appointment replacing Dick Olfene

Elisabeth Kelly of Yarmouth for appointment replacing Earle Ingalls

Maine State Lottery Commission:

Linwood M. Higgins of Scarborough for appointment replacing William Varney

Upon the recommendation of the Joint Standing Committee on State and Local Government:

Civil Service Appeals Board:

Annalee Z. Rosenblatt of Scarborough for reappointment

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

August 19, 1992

The Honorable John L. Martin
Speaker of the House
115th Legislature
Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed the following:

Upon the recommendation of the Joint Standing Committee on Agriculture:

Dr. Langdon Davis of Augusta for appointment to the Animal Welfare Board. Dr. Davis is replacing Russ Pinfold.

Upon the recommendation of the Joint Standing Committee on Business Legislation:

John C. Harris of Newcastle for appointment to the Maine Real Estate Commission. Mr. Harris is replacing Arthur Dexter.

Upon the recommendation of the Joint Standing Committee on Education:

Thomas Baum of Kennebunk for appointment to the Maine Technical College System Board of Trustees. Mr. Baum is replacing Jerry Hix.

Leo G. Martin of Kennebunkport for appointment as Commissioner of the Department of Education. Mr. Martin is replacing Eve Bither.

Edward M. Williams of Cape Elizabeth for reappointment to the Maine Education Assistance Board.

Upon the recommendation of the Joint Standing Committee on Energy and Natural Resources:

Charles J. Gadzik of Carroll Plantation for reappointment to the Land Use Regulation Commission.

Meredith H. Murray of New Gloucester for reappointment to the Low-Level Radioactive Waste Authority.

Stephen Wight of Bethel for reappointment to the Land Use Regulation Commission.

Upon the recommendation of the Joint Standing Committee on Fisheries and Wildlife:

Ogden E. Small of Caribou for reappointment to the Inland Fisheries and Wildlife Advisory Council.

Upon the recommendation of the Joint Standing Committee on Human Resources:

Jane Sheehan of Augusta for appointment as Commissioner of the Department of Human Services. Ms. Sheehan is replacing Rollin Ives.

Upon the recommendation of the Joint Standing Committee on Judiciary:

James F. Cox of Bangor for reappointment to the Maine Workers' Compensation Commission.

Peter P. Michaud of Cape Elizabeth for reappointment to the Maine Workers' Compensation Commission.

Ann R. Robinson of Lewiston for appointment to the Maine Human Rights Commission.

Brian E. Thibeau of Fort Fairfield for reappointment to the Maine Human Rights Commission.

Upon the recommendation of the Joint Standing Committee on Marine Resources:

J. Peter Angis of Scarborough for appointment to the Marine Resources Advisory Council. Mr. Angis is replacing David Turner.

Edward S. Gilfillan of West Boothbay Harbor for reappointment to the Marine Research Board.

Michael Hastings of Orono for appointment to the Marine Resources Advisory Council. Mr. Hastings is replacing Brian Tarbox.

Christopher S. Heinig of South Harpswell for reappointment to the Marine Research Board.

James T. List of Wells for reappointment to the Marine Research Board.

Evelyn S. Sawyer of Kennebunkport for appointment to the Marine Research Board.

Dorothy R. Spero of Lubec for appointment to the Marine Research Board.

James A. Storer of Brunswick for reappointment to the Marine Research Board.

Dr. Clarice Yentsch of West Boothbay Harbor for appointment to the Marine Research Board. Dr. Yentsch is replacing Dennis Taylor.

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

August 19, 1992

The Honorable John L. Martin
Speaker of the House
115th Legislature
Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today overrode the recommendation of the Joint Standing Committee on Education and confirmed Philip A. Dionne of Brunswick for appointment to the State Board of Education. Mr. Dionne is replacing Michael Aube.

Sincerely,

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

Was read and ordered placed on file.

COMMUNICATIONS

The following Communication:

STATE OF MAINE
DEPARTMENT OF STATE

I, the Secretary of State of the State of Maine, do hereby Certify that the paper to which this is attached is a true copy from the records of this

office.

In Testimony Whereof, I have caused the Great Seal of the State to be hereunto affixed. GIVEN under my hand at Augusta, this Fifteenth day of April in the year of our Lord one thousand nine hundred and Ninety-Two.

S/G. William Diamond
Secretary of State

RESOLUTION OF THE JOINT TRIBAL COUNCIL OF THE
PASSAMAQUODDY TRIBE, ADOPTED AT A MEETING
HELD AT INDIAN TOWNSHIP RESERVATION
ON APRIL 6, 1992

Be It Resolved That

WHEREAS, the Legislature of the State of Maine has passed "An Act Concerning Funding of Indian Schools under the Act to Implement the Maine Indian Claims Settlement," which was approved by the Governor of Maine and designated P.L. 1991, c. 705, and which includes an amendment to the Maine Indian Claims Settlement Act (the "Maine Implementing Act");

WHEREAS, Section 5 of P.L. 1991, c. 705 provides that it will not become effective unless it is approved by the Joint Tribal Council of the Passamaquoddy Tribe and a certification thereof is filed with the Maine Secretary of State within 60 days of the adjournment of the Maine Legislature;

WHEREAS, Title 25, Section 1725(e) of the United States Code grants the consent of Congress to any amendment of the Maine Implementing Act affecting the Passamaquoddy Tribe when the amendment relates to "the enforcement or application of civil, criminal, or regulatory laws of the Passamaquoddy Tribe. . . and the State within their respective jurisdictions," or to "the allocation or determination of governmental responsibility of the State and the tribe . . . over specified subject matters . . . , including provision of concurrent jurisdiction between the State and the tribe . . ." provided the amendment is made with the agreement of the Passamaquoddy Tribe;

WHEREAS, P.L. 1991, c. 705 changes the manner in which state funds for the Passamaquoddy Indian schools are calculated, enabling the schools to accept more federal

funding; and

WHEREAS, these legislative changes were enacted in response to legislation promoted by the Passamaquoddy Tribe, and are deemed beneficial to the Passamaquoddy Tribe,

NOW THEREFORE, BE IT RESOLVED:

That, pursuant to the provisions of Title 3, Section 601 of the Maine Revised Statutes and Section 5 of P.L. 1991, c. 705, the Joint Tribal Council of the Passamaquoddy Tribe hereby agrees to and approves the provisions of P.L. 1991, c. 705 enacted by the Maine Legislature, including specifically the portions thereof amending Title 30, Section 6211, and further directs that a written certification to that effect be prepared, executed and submitted to the Secretary of State of the State of Maine in accordance with the provisions of Title 3, Section 602 of the Maine Revised Statutes forthwith.

CERTIFICATION

I, the undersigned officer designated by the Joint Tribal Council of the Passamaquoddy Tribe pursuant to Title 3, Section 602 of the Maine Revised Statutes, do hereby certify that a meeting of the Joint Tribal Council of the Passamaquoddy Tribe was held at the Indian Township Reservation, Washington County, Maine on April 6, 1992, and do further certify that the foregoing Resolution was duly adopted by the Joint Tribal Council.

Dated: 4/9/92 ATTEST: S/Madonna M. Soctomah
Certifying Officer

RESOLUTION OF THE JOINT TRIBAL COUNCIL OF THE
PASSAMAQUODDY TRIBE, ADOPTED AT A MEETING
HELD AT INDIAN TOWNSHIP RESERVATION
ON APRIL 6, 1992

Be It Resolved That

WHEREAS, the Legislature of the State of Maine has passed "An Act Concerning Passamaquoddy Indian Territory," which was approved by the Governor of Maine and designated P.L. 1991, c. 720, and which includes an amendment to the Maine Indian Claims Settlement Act (the "Maine Implementing Act");

WHEREAS, Section 2 of P.L. 1991, c. 720 provides that it will not become effective unless it is approved by the Joint Tribal Council of the Passamaquoddy Tribe and a certification thereof is filed with the Maine Secretary of State within 60 days of the adjournment of the Maine Legislature;

WHEREAS, Title 25, Section 1725(e) of the United States Code grants the consent of Congress to any amendment of the Maine Implementing Act affecting the Passamaquoddy Tribe when the amendment relates to "the enforcement or application of civil, criminal, or regulatory laws of the Passamaquoddy Tribe. . . and the State within their respective jurisdictions," or to "the allocation or determination of governmental responsibility of the State and the tribe . . . over specified subject matters . . . , including provision of concurrent jurisdiction between the State and the tribe . . ." provided the amendment is made with the agreement of the Passamaquoddy Tribe;

WHEREAS, P.L. 1991, c. 720 authorizes taking into trust lands owned by the Passamaquoddy Tribe in Albany Township, Maine; and

WHEREAS, this legislative change was enacted in response to legislation initiated by the Passamaquoddy Tribe, and are deemed beneficial to the Passamaquoddy Tribe,

NOW THEREFORE, BE IT RESOLVED:

That, pursuant to the provisions of Title 3, Section 601 of the Maine Revised Statutes and Section 2 of P.L. 1991, c. 720, the Joint Tribal Council of the Passamaquoddy Tribe hereby agrees to and approves the provisions of P.L. 1991, c. 720 enacted by the Maine Legislature, including specifically the portions thereof amending Title 30, Section 6205, subsection 1, paragraph B, and further directs that a written certification to that effect be prepared, executed and submitted to the Secretary of State of the State of Maine in accordance with the provisions of Title 3, Section 602 of the Maine Revised Statutes forthwith.

CERTIFICATION

I, the undersigned officer designated by the Joint Tribal Council of the Passamaquoddy Tribe pursuant to Title 3, Section 602 of the Maine Revised Statutes, do hereby certify that a meeting of the Joint Tribal Council of the Passamaquoddy Tribe was held at the Indian Township Reservation, Washington County, Maine on April 6, 1992, and do further certify that the foregoing Resolution was duly adopted by the Joint Tribal Council.

Dated: 4/9/92 ATTEST: S/Madonna M. Soctomah
Certifying Officer

RESOLUTION OF THE JOINT TRIBAL COUNCIL OF THE
PASSAMAQUODDY TRIBE, ADOPTED AT A MEETING

HELD AT INDIAN TOWNSHIP RESERVATION
ON APRIL 6, 1992

CERTIFICATION

Be It Resolved That

WHEREAS, the Legislature of the State of Maine has passed "An Act Concerning Tribal Courts," which was approved by the Governor of Maine and designated P.L. 1991, c. 766, and which includes an amendment to the Maine Indian Claims Settlement Act (the "Maine Implementing Act");

WHEREAS, Section 2 of P.L. 1991, c. 766 provides that it will not become effective unless it is approved by the Joint Tribal Council of the Passamaquoddy Tribe and a certification thereof is filed with the Maine Secretary of State within 60 days of the adjournment of the Maine Legislature;

WHEREAS, Title 25, Section 1725(e) of the United States Code grants the consent of Congress to any amendment of the Maine Implementing Act affecting the Passamaquoddy Tribe when the amendment relates to "the enforcement or application of civil, criminal, or regulatory laws of the Passamaquoddy Tribe . . . and the State within their respective jurisdictions," or to "the allocation or determination of governmental responsibility of the State and the tribe . . . over specified subject matters . . . , including provision of concurrent jurisdiction between the State and the tribe . . ." provided the amendment is made with the agreement of the Passamaquoddy Tribe;

WHEREAS, P.L. 1991, c. 766 increases the criminal jurisdiction of the Passamaquoddy Tribal Court to include "victimless" crimes and Class D offenses; and

WHEREAS, these legislative changes were enacted in response to legislation promoted by the Passamaquoddy Tribe, and are deemed beneficial to the Passamaquoddy Tribe,

NOW THEREFORE, BE IT RESOLVED:

That, pursuant to the provisions of Title 3, Section 601 of the Maine Revised Statutes and Section 2 of P.L. 1991, c. 766, the Joint Tribal Council of the Passamaquoddy Tribe hereby agrees to and approves the provisions of P.L. 1991, c. 766 enacted by the Maine Legislature, and further directs that a written certification to that effect be prepared, executed and submitted to the Secretary of State of the State of Maine in accordance with the provisions of Title 3, Section 602 of the Maine Revised Statutes forthwith.

I, the undersigned officer designated by the Joint Tribal Council of the Passamaquoddy Tribe pursuant to Title 3, Section 602 of the Maine Revised Statutes, do hereby certify that a meeting of the Joint Tribal Council of the Passamaquoddy Tribe was held at the Indian Township Reservation, Washington County, Maine on April 6, 1992, and do further certify that the foregoing Resolution was duly adopted by the Joint Tribal Council.

Dated: 4/9/92 ATTEST: S/Madonna M. Soctomah
Certifying Officer

Was read and ordered placed on file.

The following Communication:

MAINE EDUCATIONAL LOAN AUTHORITY
P.O. Box 510
Augusta, Maine 04332-0510
April 28, 1992

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

Dear Speaker Martin:

Pursuant to Chapter 417A, Subsection 11427, 20A MRSA, I am forwarding to you the fourth annual report and financial accounting of the Maine Educational Loan Authority (MELA).

From July, 1991, through March, 1992, the Authority served more students than ever by disbursing over eight and a half million new dollars in loan funds. We anticipate disbursing an additional one million in loan funds before the end of the academic year. Since the inception of the program in 1988, MELA loans have served over 6,200 students and their families with loans of over twenty-eight million dollars of private capital.

The attached report provides MELA program information for the past year in greater detail. It is worthwhile noting that MELA's loan approval rate increased during the 1991-92 academic year, from 68 percent to 73 percent, and that the average loan amount increased from \$5,886 to \$6,492. More funds are being used by students attending Maine colleges, and more private colleges in and outside the State are using MELA funds.

The MELA program continues to meet the growing financial need of Maine students and their families for addressing the increasing cost of higher education. With the economic climate our citizens are living through, it is anticipated that the MELA program will be called upon even more frequently in the future. We are looking forward to achieving new efficiencies in the program and exploring new ways to better serve the people of Maine.

In May of this year, we will be refunding our initial thirty-five million dollar bond issue as well as creating new money to a total of sixty million dollars. This will ensure an adequate supply of loan dollars in the program for the next few years. With the low-interest rate we expect to achieve for borrowers, we continue to believe that Maine has the best supplemental education loan program in the nation! Of that, we are extremely proud.

The Authority recently completed its fourth financial audit by an independent certified public accounting firm, KPMG, Peat Marwick. Their audited financial statements are enclosed for your reference.

We wish to thank you for your consistent interest and support for the Maine Educational Loan Authority. We will continue to promote and assist higher education needs for the students and families of our state whenever and wherever the opportunity presents itself.

Sincerely,

S/Richard H. Pierce
Executive Director

Was read and with accompanying report ordered placed on file.

ADMINISTRATIVE OFFICE OF THE COURTS
P.O. Box 4820 Downtown Station
Portland, Maine 04112

May 25, 1992

Dear Speaker Martin:

It is my honor and personal pleasure to transmit to you a copy of the Fifteenth Annual Report of the Judicial Department, pursuant to the provisions of 4 MRSA section 17(10).

Sincerely,

S/Dana R. Baggett
State Court Administrator

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

Was read and with accompanying report ordered placed on file.

The following Communication:

STATE OF MAINE
DEPARTMENT OF THE SECRETARY OF STATE

I, the Secretary of State of the State of Maine, do hereby Certify that the paper to which this is attached is a true copy from the records of this office.

In Testimony Whereof, I have caused the Great Seal of the State to be hereunto affixed. GIVEN under my hand at Augusta, this First day of June in the year of our Lord one thousand nine hundred and Ninety-Two.

S/G. William Diamond
Secretary of State

RESOLUTION OF THE JOINT TRIBAL COUNCIL OF THE
PASSAMAQUODDY TRIBE, ADOPTED AT A MEETING
HELD AT PLEASANT POINT RESERVATION, PERRY, MAINE
ON MAY 11, 1992

Be It Resolved That

WHEREAS, the 115th Legislature of the State of Maine has passed Legislative Document 1776 (L.D. 1776), "An Act Concerning Indian Territory under the Maine Indian Claims Settlement Laws," which affects the exercise of powers conferred upon the Passamaquoddy Tribe in the Maine Indian Claims Settlement Act (the "Maine Implementing Act");

The following Communication:

JOINT SELECT COMMITTEE TO STUDY THE FEASIBILITY
OF A STATEWIDE HEALTH INSURANCE PROGRAM
MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333

May 8, 1992

The Honorable Charles P. Pray
The Honorable John L. Martin
Maine Legislature
State House
Augusta, ME 04333

Dear President Pray and Speaker Martin:

We are please to send you this copy of the interim report of the Joint Select Committee to Study the Feasibility of a Statewide Health Insurance Program. The joint select committee was authorized by decision of the Legislative Council on August 22, 1991.

Sincerely,

S/Sen. Judy C. Kany S/Rep. Elizabeth H. Mitchell
Senate Chair House Chair

Was read and with accompanying report ordered placed on file.

The following Communication:

STATE OF MAINE

WHEREAS, Section 2 of L.D. 1776 provides that it will not become effective unless it is approved by the Joint Tribal Council of the Passamaquoddy Tribe and a certification thereof is filed with the Maine Secretary of State within 60 days of the adjournment of the Maine Legislature;

WHEREAS, Title 25, Section 1725(e) of the United States Code grants the consent of Congress to any amendment of the Maine Implementing Act affecting the Passamaquoddy Tribe when the amendment relates to "the enforcement or application of civil, criminal, or regulatory laws of the Passamaquoddy Tribe. . . and the State within their respective jurisdictions," or to "the allocation or determination of governmental responsibility of the State and the tribe . . . over specified subject matters . . . including provision of concurrent jurisdiction between the State and the tribe . . ." provided the amendment is made with the agreement of the Passamaquoddy Tribe;

WHEREAS, L.D. 1776 makes changes in the manner in which the Passamaquoddy Tribe may exercise the general powers and duties of a Maine municipality concerning to land use regulation and natural resources protection within the portions of Passamaquoddy Indian Territory acquired from the formerly unorganized territories of the state; and

WHEREAS, these legislative changes were enacted in response to legislation initiated by the Passamaquoddy Tribe, and are deemed beneficial to the Passamaquoddy Tribe,

NOW THEREFORE, BE IT RESOLVED:

That, pursuant to the provisions of Title 3, Section 601 of the Maine Revised Statutes and Section 2 of L.D. 1776, the Joint Tribal Council of the Passamaquoddy Tribe hereby agrees to and approves the provisions of L.D. 1776 enacted by the Maine Legislature, and further directs that a written certification to that effect be prepared, executed and submitted to the Secretary of State of the State of Maine in accordance with the provisions of Title 3, Section 602 of the Maine Revised Statutes forthwith.

CERTIFICATION

I, the undersigned officer designated by the Joint Tribal Council of the Passamaquoddy Tribe pursuant to Title 3, Section 602 of the Maine Revised Statutes, do hereby certify that a meeting of the Joint Tribal Council of the Passamaquoddy Tribe was

held at the Pleasant Point Reservation, Perry, Maine on May 11, 1992, at which the foregoing Resolution was duly adopted by the Joint Tribal Council.

Dated: May 26, 1992 ATTEST: S/Madonna M. Soctomah
Certifying Officer

Was read and ordered placed on file.

The following Communication:

STATE OF MAINE
DEPARTMENT OF THE SECRETARY OF STATE

I, the Secretary of State of the State of Maine, do hereby Certify that the paper to which this is attached is a true copy from the records of this office.

In Testimony Whereof, I have caused the Great Seal of the State to be hereunto affixed. GIVEN under my hand at Augusta, this First day of June in the year of our Lord one thousand nine hundred and Ninety-Two.

S/G. William Diamond
Secretary of State

RESOLUTION
NUMBER 05-26-92-01
OF THE PENOBSCOT INDIAN NATION

WHEREAS, the Penobscot Nation is a federally recognized Indian Tribe; and

WHEREAS, the Penobscot Tribal Governor and Council is the duly authorized and elected governing body of the Penobscot Nation; and

WHEREAS, the Penobscot Nation held a General Meeting May 26, 1992, for the purpose of approving or disapproving legislation that has been submitted to the 115th Legislature of the State of Maine;

THEREFORE BE IT RESOLVED, that the Penobscot Nation approved

H.P. 1433-LD 2045
An Act Concerning Funding of Indian Schools under the Act to
Implement the Maine Indian Claims Settlement PL 1991, c. 705

CERTIFICATION

I, Lorraine Dana, hereby certify that I am the Tribal Clerk and Official Custodian of certain records, including Minutes of the Meetings of the Penobscot Indian Nation, a Federally recognized and sovereign Indian Tribe duly organized and existing under the

Laws of the United States, and that the foregoing is a true, accurate and compared transcript of a Resolution contained in the Minute Book of the Nation, adopted at a General Meeting of said Nation duly held on the 26th day of May, 1992, and that the proceedings of said Nation, and that the said Resolution has not been amended or revoked and is in full force and effect.

In Witness whereof, I hereunto set my hand as Tribal Clerk of the Penobscot Indian Nation and affixed its Tribal Seal; on 5/27/92

S/Lorraine Dana
Tribal Clerk

RESOLUTION
NUMBER 05-26-92-02
OF THE PENOBSCOT INDIAN NATION

WHEREAS, the Penobscot Nation is a federally recognized Indian Tribe; and

WHEREAS, the Penobscot Tribal Governor and Council is the duly authorized and elected governing body of the Penobscot Nation; and

WHEREAS, the Penobscot Nation held a General Meeting May 26, 1992, for the purpose of approving or disapproving legislation that has been submitted to the 115th Legislature of the State of Maine;

THEREFORE BE IT RESOLVED, that the Penobscot Nation approved

H.P. 1472-LD 2084
An Act Concerning Penobscot Nation Trust Land Designation
PL 1991, c. 721

CERTIFICATION

I, Lorraine Dana, hereby certify that I am the Tribal Clerk and Official Custodian of certain records, including Minutes of the Meetings of the Penobscot Indian Nation, a Federally recognized and sovereign Indian Tribe duly organized and existing under the Laws of the United States, and that the foregoing is a true, accurate and compared transcript of a Resolution contained in the Minute Book of the Nation, adopted at a General Meeting of said Nation duly held on the 26th day of May, 1992, and that the proceedings of said Nation, and that the said Resolution has not been amended or revoked and is in full force and effect.

In Witness whereof, I hereunto set my hand as Tribal Clerk of the Penobscot Indian Nation and affixed its Tribal Seal; on 5/27/92

S/Lorraine Dana

RESOLUTION
NUMBER 05-26-92-03
OF THE PENOBSCOT INDIAN NATION

WHEREAS, the Penobscot Nation is a federally recognized Indian Tribe; and

WHEREAS, the Penobscot Tribal Governor and Council is the duly authorized and elected governing body of the Penobscot Nation; and

WHEREAS, the Penobscot Nation held a General Meeting May 26, 1992, for the purpose of approving or disapproving legislation that has been submitted to the 115th Legislature of the State of Maine;

THEREFORE BE IT RESOLVED, that the Penobscot Nation approved

H.P. 1494-LD 2106
An Act Concerning Tribal Courts
PL 1991, c. 766

CERTIFICATION

I, Lorraine Dana, hereby certify that I am the Tribal Clerk and Official Custodian of certain records, including Minutes of the Meetings of the Penobscot Indian Nation, a Federally recognized and sovereign Indian Tribe duly organized and existing under the Laws of the United States, and that the foregoing is a true, accurate and compared transcript of a Resolution contained in the Minute Book of the Nation, adopted at a General Meeting of said Nation duly held on the 26th day of May, 1992, and that the proceedings of said Nation, and that the said Resolution has not been amended or revoked and is in full force and effect.

In Witness whereof, I hereunto set my hand as Tribal Clerk of the Penobscot Indian Nation and affixed its Tribal Seal; on 5/27/92

S/Lorraine Dana

RESOLUTION
NUMBER 05-26-92-04
OF THE PENOBSCOT INDIAN NATION

WHEREAS, the Penobscot Nation is a federally recognized Indian Tribe; and

WHEREAS, the Penobscot Tribal Governor and Council is the duly authorized and elected governing body of the Penobscot Nation; and

WHEREAS, the Penobscot Nation held a General Meeting May 26, 1992, for the purpose of approving or disapproving legislation that has been submitted to the 115th Legislature of the State of Maine;

THEREFORE BE IT RESOLVED, that the Penobscot Nation approved

H.P. 1218-LD 1776
An Act Concerning Indian Territory under the Maine Indian Claims Settlement Laws

CERTIFICATION

I, Lorraine Dana, hereby certify that I am the Tribal

Clerk and Official Custodian of certain records, including Minutes of the Meetings of the Penobscot Indian Nation, a Federally recognized and sovereign Indian Tribe duly organized and existing under the Laws of the United States, and that the foregoing is a true, accurate and compared transcript of a Resolution contained in the Minute Book of the Nation, adopted at a General Meeting of said Nation duly held on the 26th day of May, 1992, and that the proceedings of said Nation, and that the said Resolution has not been amended or revoked and is in full force and effect.

In Witness whereof, I hereunto set my hand as Tribal Clerk of the Penobscot Indian Nation and affixed its Tribal Seal; on 5/27/92

S/Lorraine Dana

Was read and ordered placed on file.

The following Communication:

Commission on Safety & Health in the Maine Workplace
State House Station #45
Augusta, Maine 04333

June 2, 1992

115th Maine Legislature
State House
Augusta, ME 04333

Dear Members of the 115th Maine Legislature:

I am pleased to submit for your information and consideration a report of the activities on the Commission on Safety and Health in the Maine Workplace. A series of recommendations meant to improve occupational safety and health are also included.

The Commission, established in Title 26 MRSA Section 51, consists of labor, management, and other knowledgeable persons concerned with occupational health and safety issues. The Commission has a broad mandate to evaluate and promote workplace safety and health. We have also advised the Department of Labor regarding its voluntary safety and health programs.

Too often the public policy debate relating to occupational health and safety has been solely in the context of workers' compensation. The Commission looks at occupational health and safety in its own light, recognizing that it touches all parts of our work life. We believe that this approach will have the greatest short and long term benefits to the Maine workplace.

I would like to thank the active participation of the Commission members (listed in Appendix A), former Labor Commissioner John Fitzsimmons and current Commissioner Charles Morrison for their support and leadership, as well as the staff of the Bureau of Labor Standards for their support and dedication to improving Maine workplaces.

If you wish further information regarding our

activities, or have comments or questions, please do not hesitate to contact myself or any Commission member.

Sincerely,

S/Charles R. Weeks, Chair

Was read and with accompanying report ordered placed on file.

The following Communication:

STATE OF MAINE
DEPARTMENT OF AUDIT
STATE HOUSE STATION 66
AUGUSTA, MAINE 04333

Letter of Transmittal

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

Dear Speaker Martin:

I am pleased to submit the fifth Single Audit of the State of Maine, covering the fiscal year ended June 30, 1991.

We conducted the audit pursuant to Title 5, MRSA, Chapter 11, which authorizes the State Department of Audit:

To perform a postaudit of all accounts and other financial records of the state government or any department or agency thereof, including the Judiciary and the Executive Department of the Governor, except the Governor's expense account, and to report annually on this audit, and at such other times as the Legislature may require.

The audit was conducted as a condition of the state having expended \$814 million in federal financial assistance and to meet the requirements of the Single Audit Act of 1984, authorized under the United States Code, USC 31, Chapter 75 and the regulations established in the U.S. Office of Management and Budget (OMB) Circular A-128, Audits of State and Local Governments.

The objectives of our audit were:

- * To determine the fairness of the presentation of the state's financial statements in accordance with generally accepted accounting principles;
- * To assess the adequacy of the state's systems and procedures for financial accounting, reporting and internal controls;
- * To determine the accountability for revenues, the propriety of expenditures, the extent to which funds have been expended in accordance with prescribed state and federal laws and regulations, and compliance with federal

regulations pertaining to financial reports and claims for reimbursements;

- * To recommend appropriate actions to correct any deficiencies noted and include a management response to our findings and recommendations.

Our review of the system and procedures of the State of Maine related to financial accounting, internal control, and compliance revealed certain weaknesses which are included in the following reports:

- * Significant weaknesses are noted in the Schedule of Reportable Conditions and the reports on compliance and internal control.
- * Federal compliance matters are included in the Schedule of Compliance Findings and Questioned Costs.
- * Other weaknesses are noted in the Management Letter.

We are again rendering a qualified opinion on the state's financial statements. The qualifications contained in the Independent Auditor's Report are as follows:

- * The state does not record certain accruals as required by generally accepted accounting principles;
- * The state did not retain records necessary for recording additional amounts of corporate taxes receivable and related revenue;
- * The state has not recorded an adequate allowance account balance for uncollectible taxes receivable.

In addition, we do not express an opinion on the General Fixed Assets Account Group because of incomplete financial records.

I commend the staff of the Department of Audit, whose professionalism and dedication made possible the preparation of this report. Through our efforts and the ongoing cooperation of the Maine Department of Administrative and Financial Services and other state agencies, we will continue to provide financial information that serves the needs of governmental decision makers, federal regulators, credit rating agencies, financial institutions and interested citizens of Maine.

We would be pleased to respond to any of your questions or comments about the 1991 Single Audit Report.

S/Rodney L. Scribner, CPA
State Auditor

July 29, 1992

Was read and with accompanying report ordered placed on file.

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333

August 3, 1992

Hon. Deborah Bedard Wood
Clerk of the House
State House Station #2
Augusta, Maine 04333

Dear Madam Clerk:

This is to notify you that pursuant to my authority under House Rule 1, I have today appointed Rep. Charlene B. Rydell, of Brunswick, to the Joint Standing Committee on Human Resources. She will be replacing Rep. Margaret Pruitt Clark who has resigned.

Sincerely,

S/John L. Martin
Speaker of the House

Was read and ordered placed on file.

The following Communication:

STATE OF MAINE
WORKERS' COMPENSATION COMMISSION
STATE HOUSE STATION 27
AUGUSTA, MAINE 04333

August 17, 1992

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

RE: Quarterly Report for the Second Quarter of
Calendar 1992
39 M.R.S.A., Section 92(3)

Dear Speaker Martin:

This letter and statistical attachments are the report of Commissioner caseload and progress mandated by 39 M.R.S.A., Section 92(3), for the second quarter of 1992.

As of June 30, 1992, the Commissioners had 8,687 undecided petitions on file. By comparison, this number was 10,377 as of December 31, 1991. The current caseload represents about 6,000 Maine workers with cases pending before the Commission. More than one petition is often filed per case.

The number of pending petitions continued to decrease during the second quarter. The reason for the decline is a combination of a high number of dispositions by the Commissioners and fewer petition filings.

Assistant Republican Floor Leader

We anticipate a lower volume of litigation during the next few years. We believe this is a cumulative product of lower employment levels. However, anecdotal evidence exists that the durational limit on partial disability, established during the 1987 reforms, also is reducing the number of heavily litigated cases.

The Commissioners disposed of 3,545 petitions by decision or dismissal in the second quarter of 1992. Litigants filed 2,919 new petitions. The number of petitions pending more than two years increased from 194 to 247. The number of these older petitions reflects a problem with primarily one Commissioner who has about 150 of the total.

A summary of caseload and dispositions is presented in the attached tables. I would be happy to discuss this report further if you wish.

Sincerely,

S/Ralph L. Tucker
Chairman

Was read and with accompanying report ordered placed on file.

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
HOUSE MINORITY OFFICE
AUGUSTA, MAINE 04333

August 17, 1992

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

Dear Speaker Martin:

As you know, Chapter 880 of the Public Laws of the Second Regular Session of the 115th Legislature provided for a change in the structure of the Commission on Governmental Ethics and Election Practices. Pursuant to the terms of Section 1 of that bill, 1 M.R.S.A. Section 1002, subsection 1 was amended under Section 1(b) to provide that the Assistant Minority Leader in the House shall appoint one member with the concurrence of two thirds of the vote of the House of Representatives. I appreciate the chance which the amendment gives me to make an appointment.

I am writing this letter to appoint one member who would be Peter B. Webster, Esquire, whose resume I enclose, and I ask that you place this matter before the House of Representatives when we meet in special session so that the House can provide the two thirds concurrence called for by the statute.

Very truly yours,

S/Francis C. Marsano

Was read and with accompanying papers ordered placed on file.

In accordance with Title 1, Section 1002, of the Maine Revised Statutes Annotated, a 2/3 vote of those members present and voting is required. 116 having voted in favor of same and none against, and accordingly the nominee was confirmed.

The following Communication:

DEPARTMENT OF LABOR
BUREAU OF LABOR STANDARDS
STATE HOUSE STATION #45
AUGUSTA, MAINE 04333

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

The Hon. Charles P. Pray
President of the Senate
State House Station #3
Augusta, ME 04333

Dear Speaker Martin and President Pray:

We are pleased to submit to the 115th Legislature the fourth Annual Report on the Status of the Maine Workers' Compensation System pursuant to Public Law 1987, Chapter 599. 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.

Like its predecessor, this report is organized into three sections. The report itself, however, is a cooperative effort.

Sincerely,

S/Brian K. Atchinson
Superintendent
Dept. of Professional & Financial Regulation
Bureau of Insurance

S/James H. McGowan
Director
Dept. of Labor
Bureau of Labor Standards

S/Ralph L. Tucker
Chairman
Workers' Compensation Commission

Was read and with accompanying report ordered placed on file.

The following Communication:

BLUE RIBBON COMMISSION
AUGUSTA, MAINE

August 31, 1992

TO: John R. McKernan, Jr., Governor

John L. Martin, Speaker of the House
Charles P. Pray, President of the Senate
Members of the 115th Legislature

Dear Governor McKernan, Speaker Martin, President Pray and Members of the 115th Legislature:

We the Members of the Blue Ribbon Commission have complied with all the mandates of the Resolve establishing the Commission (PL 1991, Chapter 59, Resolves) and present the attached finding of the majority together with proposed legislation and a timetable for implementation.

Also we consider the Pilot Project referred to in Section 1 Subsection 4 of the Resolve to be both desirable and feasible.

We have considered requests to make recommendations for handling the deficit in the current residual market and concluded that although we deem this to be a very important issue, in view of the fact that the Resolve does not ask for our recommendations we decline to do so.

Respectfully submitted,

S/Richard B. Dalbeck
S/William D. Hathaway
S/Harvey Picker

Abstained - S/Emilien Levesque

Was read and with accompanying papers ordered placed on file.

The following Communication:

DEPARTMENT OF EDUCATION
STATE HOUSE STATION 23
AUGUSTA, MAINE 04333

September 1, 1992

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

Dear Speaker Martin:

In accordance with State of Maine Laws, Title 20-A, section 256, I am pleased to submit to you the **1992 Performance Report on Maine's Schools**.

The publication of an annual report on the status of public education in the State of Maine became a statutory duty of the Commissioner of Education under the Education Reform Act of 1984.

A letter from former Commissioner Eve Bither, which is part of the report, lists progress and accomplishments in Maine education over the last five years.

I hope you will find the report useful and informative.

Sincerely,

S/Leo G. Martin
Commissioner

Was read and with accompanying report ordered placed on file.

The following Communication:

PENOBSCOT INDIAN NATION
COMMUNITY BUILDING
INDIAN ISLAND
OLD TOWN, MAINE 04468

9/10/92

Honorable Deborah Bedard Wood
Clerk of the House of Representatives
State House
Augusta, Maine 04333

Dear Madam Clerk:

This is to certify that in accordance with 3 M.R.S.A., Section 1, Second Paragraph, that Priscilla A. Attean was duly re-elected Representative to the State Legislature for a term of two years beginning on the first day of October, 1992, and ending on September 30, 1994.

The Biennial General Tribal Election was held on September 8, 1992, under the provisions of Section 4792 of Chapter IV of the Laws of the Penobscot Nation.

Sincerely,

S/Lorraine Dana
Tribal Clerk

Was read and ordered placed on file.

The following Communication:

MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333

September 1, 1992

The Honorable Charles P. Pray
The Honorable John L. Martin
Maine Legislature
State House
Augusta, ME 04333

Dear President Pray and Speaker Martin:

We are pleased to send you this copy of the final report on Environmental Crimes. The report is a staff study completed by the Office of Policy and Legal Analysis for the Joint Standing Committee on Energy and Natural Resources and the Joint Standing Committee on Judiciary pursuant to approval of the Legislative Council.

Sincerely,

S/Sen. Bonnie L. Titcomb
Senate Chair
Joint Standing Committee on Energy & Natural Resources

S/Sen. N. Paul Gauvreau
Senate Chair
Joint Standing Committee on Judiciary

S/Rep. Paul F. Jacques
House Chair
Joint Standing Committee on Energy & Natural Resources

S/Rep. Patrick E. Paradis
House Chair
Joint Standing Committee on Judiciary

Was read and with accompanying report ordered placed on file.

The following Communication:

STATE OF MAINE
DEPARTMENT OF AUDIT
STATE HOUSE STATION 66
AUGUSTA, MAINE 04333

June 4, 1992

Governor John R. McKernan
Sen. Charles P. Pray, President of the Senate
Rep. John L. Martin, Speaker of the House
Attorney General Michael E. Carpenter

Gentlemen:

We have been auditing the Seed Potato Board which is established in the Department of Agriculture, Food and Rural Resources and which has farm land in several locations including Homestead, Florida and Masardis, Maine. It appears that the financial administration of the Seed Potato Board meets the requirements of 5 M.R.S.A., Section 244 which requires the State Auditor to report:

If he shall find in the course of his audit evidence of improper transactions, or of incompetence in keeping accounts or handling funds or of any other improper practice of financial administration, he shall report the same to the Governor and the Legislature immediately. If he shall find evidence of illegal transactions, he shall forthwith report such transactions both to the Governor and to the Attorney General.

Our audit work is ongoing. Our audit findings and recommendations will be included in the next Single Audit Report of the State of Maine, which will be issued in the latter part of July.

Should you have any questions regarding this matter, please contact me.

Sincerely,

S/Rodney L. Scribner, CPA
State Auditor

Was read and ordered placed on file.

The following Communication:

THE MAINE SENATE
115th Legislature
Augusta, ME 04333

May 20, 1992

Hon. John L. Martin
State House Station #2
Augusta, Maine 04333

Dear Speaker Martin:

I am pleased to forward herewith the Final Report of the Commission on Comprehensive Energy Planning. This report was produced pursuant to Resolves Ch. 50, 1991, and represents an extensive effort to fashion a well-balanced and comprehensive energy policy for the State of Maine. The report has been approved by a two-thirds majority of the Commission, as required by law, and is offered as a consensus document dealing with a broad range of complex and difficult energy planning issues.

The members of the Commission on Comprehensive Energy Planning urge that the goals, objectives and recommendations contained in this report be adopted as Maine's energy policy.

Respectfully submitted,

S/Sen. John J. Cleveland
Chair

Was read and with accompanying report ordered placed on file.

The following Communication:

STATE OF MAINE
DEPARTMENT OF AUDIT
STATE HOUSE STATION 66
AUGUSTA, MAINE 04333

To the President of the Senate and the Speaker of the House of Representatives

We have compiled the accompanying balance sheet of the Unorganized Territory Tax District as of June 30, 1990, and the related statements of revenues, expenditures and changes in fund balance for the year then ended, in accordance with standards established by the American Institute of Certified Public Accountants.

As described in Note 1, the financial statements of the Unorganized Territory Tax District are intended to present the financial position and results of

operations and changes in fund balance of only that portion of the funds of the State of Maine that is attributable to the transactions of the Unorganized Territory Tax District.

A compilation is limited to presenting in the form of financial statements information that is the representation of management. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any form of assurance on them.

S/Rodney L. Scribner, CPA
State Auditor

May 29, 1992

Was read and with accompanying report ordered placed on file.

The following Communication:

STATE OF MAINE
DEPARTMENT OF AUDIT
STATE HOUSE STATION 66
AUGUSTA, MAINE 04333

To the President of the Senate and the
Speaker of the House of Representatives

We have compiled the accompanying balance sheet of the Unorganized Territory Tax District as of June 30, 1991, and the related statements of revenues, expenditures and changes in fund balance for the year then ended, in accordance with standards established by the American Institute of Certified Public Accountants.

As described in Note 1, the financial statements of the Unorganized Territory Tax District are intended to present the financial position and results of operations and changes in fund balance of only that portion of the funds of the State of Maine that is attributable to the transactions of the Unorganized Territory Tax District.

A compilation is limited to presenting in the form of financial statements information that is the representation of management. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any form of assurance on them.

S/Rodney L. Scribner, CPA
State Auditor

May 29, 1992

Was read and with accompanying report ordered placed on file.

The following Communication:

COMMITTEE ON TRANSITION

September 24, 1992

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

Dear Speaker Martin:

In accordance with 20-A MRSA, Section 7804, Subsection 6, I am pleased to submit to the Legislature the Annual Report of Maine's Interdepartmental Committee on Transition.

Thank you for your interest in our activities. Please feel free to contact us with your comments.

Sincerely,

S/Pamela Tetley, Chair
Committee on Transition

Was read and with accompanying report ordered placed on file.

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333

October 1, 1992

Hon. Deborah Bedard Wood
Clerk of the House
State House Station #2
Augusta, Maine 04333

Dear Madam Clerk:

On April 3, 1992, pursuant to my authority under Chapter 84 of the Private and Special Laws of 1991, I appointed Rep. Stephen P. Simonds of Cape Elizabeth to the Maine Committee for Global Education.

On April 9, 1992, pursuant to my authority under Chapter 59 of the Resolves of 1991, I appointed the Honorable Emilien A. Levesque of Farmingdale to serve on the Blue Ribbon Commission to Examine Alternatives to the Workers' Compensation System.

On April 15, 1992, pursuant to my authority under Chapter 854 of the Public Laws of 1991, I appointed Rep. B. Carolyn T. Mahany of Easton and Rep. John L. Martin of Eagle Lake to serve on the Task Force on Defense Realignment and the Economy.

On May 12, 1992, pursuant to my authority under 12 M.R.S.A., Section 7367, I appointed Dr. Paul Reinstein of Skowhegan to serve as a public member on the White Water Safety Commission. He will be replacing Thomas Wells of Wayne.

On May 18, 1992, pursuant to my authority under Chapter 854 of the Public Laws of 1991, I appointed Rep. Mark W. Lawrence of Kittery to serve on the Task Force on Defense Realignment and the Economy. His term will begin on July 1, 1992. He will be

replacing Rep. John L. Martin of Eagle Lake.

On June 30, 1992, pursuant to my authority under Chapters 830 and 832 of the Public Laws of 1991, I appointed Marjorie R. Knuuti of Searsport to serve as an at-large member on the Advisory Committee on Medical Education.

On June 30, 1992, pursuant to my authority under Chapter 95 of the Private and Special Laws of 1991, I appointed Rep. Mark W. Lawrence of Kittery; Rep. Walter W. Hichens of Eliot; and Rep. Wesley Farnum of South Berwick to the Piscataqua River Basin Council.

On June 30, 1992, pursuant to my authority under Chapter 836 of the Public Laws of 1991, I appointed Rep. Virginia Constantine of Bar Harbor as the House member representing the Joint Standing Committee on Business Legislation on the Petroleum Advisory Council.

On July 13, 1992, pursuant to my authority under Chapter 804 of the Public Laws of 1991, I reappointed Daniel Fortin of Madawaska to serve on the Pollution Prevention Advisory Committee, formerly known as the Toxics Reduction Advisory Committee.

On August 5, 1992, pursuant to my authority under Chapter 698 of the Public Laws of 1991, I appointed Susan Farnsworth of Hallowell (Public); John G. Fernald of Portland (Public); and Michael Hastings of Orono (Marine Fisheries) to serve on the Oil Spill Advisory Committee.

Sincerely,

S/John L. Martin
Speaker of the House

Was read and ordered placed on file.

The following Communication:

115th MAINE LEGISLATURE

October 1, 1992

Hon. Deborah B. Wood
Clerk of the House
State House Station #2
Augusta, Maine 04333

Dear Madam Clerk:

On June 2, 1992, pursuant to our authority by a vote of the Legislative Council on August 22, 1991, we appointed Senator Barbara Gill as one of the three adjunct members, in addition to the Joint Standing Committee on Banking and Insurance, to the Committee to Study the Feasibility of a Statewide Health Insurance Program. She will replace Senator Dale McCormick, who is no longer able to serve in the capacity of adjunct member due to her appointment as a member of the Joint Standing Committee on Banking and Insurance.

On June 8, 1992, pursuant to our authority under Chapter 35 of the Resolves of 1991, we appointed Jean

R. Nadeau of Lyman to serve on the Commission to Arrange for the Display of the Flags of Maine's Desert Storm Units in the Hall of Flags of the State House. Mr. Nadeau will be replacing Everett Roberts as a representative of the Disabled American Veterans.

On July 13, 1992, pursuant to our authority under Chapter 780 of the Public Laws of 1991, we appointed Bonnie Post of Owl's Head, Annie Sutton of Westbrook, Edward Miller of Farmingdale, Jan Hitchcock of Damariscotta, Lisa McVey of Millinocket, Sue Ann Townsend of Bangor, Margaret Hopkins of Millinocket, Dr. Ronald Deprez of Portland and Evelyne Kieltyka of Augusta to serve on the Cancer Prevention and Control Advisory Committee.

On July 29, 1992, pursuant to our authority under Chapter 63 of the Resolves of 1991, we have appointed Greta Cyr of Scarborough (School Support Staff); Ursula Slavick of Portland (Secondary School Teacher); Janie Lander of Monson (Elementary School Teacher); Debbie Drew of Sherman Station (School Counselor); and Susan Pulkkinen of Guilford (School Nurse) to serve on the Committee for Assistance to High-risk Students.

On August 18, 1992, pursuant to our authority under Chapter 854 of the Public Laws of 1991, we appointed J. Michael Huston of Freeport, Steven Deller of Orono, Peter Danton of Saco, Wanda Plummer of Brunswick, Mark Glaze of North Berwick, Robert Clark of Caribou, Roland Martin of Caribou, James Mackie of South Portland and Charles O'Leary of Bangor to serve on the Task Force on Defense Realignment and the Economy.

On August 26, 1992, pursuant to our authority under the vote of the Legislative Council on July 22, 1992, we have appointed Sen. Beverly Miner Bustin of Augusta, Co-Chair; Sen. Gerard P. Conley, Jr., of Portland; Rep. William Lemke of Westbrook, Co-Chair; Rep. Ruth Joseph of Waterville; and Rep. Hugh A. Morrison of Bangor to serve on the Commission on Recall.

Sincerely,

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

Was read and ordered placed on file.

**PETITIONS, BILLS AND RESOLVES
REQUIRING REFERENCE**

Later Today Assigned

Bill "An Act to Reform the Workers' Compensation Act and Workers' Compensation Insurance Laws" (EMERGENCY) (H.P. 1783) (L.D. 2464) (Submitted by the Blue Ribbon Commission to Examine Alternatives to the Workers' Compensation System and to Make Recommendations Concerning Replacement of the Present System pursuant to Resolve 1991, chapter 59.)

On motion of Representative Gwadodsky of Fairfield, tabled pending reference and later today assigned.

ORDERS

On motion of Speaker MARTIN of Eagle Lake, the following Joint Resolution: (H.P. 1784) (Cosponsors: Representative GWADOSKY of Fairfield, Representative MAYO of Thomaston, Representative MARSANO of Belfast, Representative WHITCOMB of Waldo, Representative COLES of Harpswell, Representative STEVENS of Sabattus, Representative CHONKO of Topsham, Representative HOLT of Bath, Representative SMALL of Bath, President PRAY of Penobscot, Senator CLARK of Cumberland, Senator DUTREMBLE of York, Senator WEBSTER of Franklin, and Senator CAHILL of Sagadahoc)

**JOINT RESOLUTION RECOGNIZING THE HONORABLE
EDWIN H. PERT ON THE OCCASION OF HIS RETIREMENT
AS CLERK OF THE HOUSE OF REPRESENTATIVES**

WHEREAS, the Honorable Edwin H. Pert, of Georgetown, has announced his retirement as Clerk of the House of Representatives after 18 years of service to that House with both great distinction and unceasing dedication; and

WHEREAS, Clerk Pert has not only served the Legislature as Clerk of the House during the 107th through 115th Legislatures, but also as Representative from Bath during the 99th Legislature and as Secretary of the Senate during the 102nd Legislature; and

WHEREAS, in addition to his distinguished legislative contributions, Ed Pert has served his native city of Bath, the Town of Georgetown and our State as a civic and political leader and as a health administrator in the public, private and nonprofit sectors of our economy; and

WHEREAS, Clerk Pert has a singularly comprehensive knowledge of the history and customs of the Legislature, especially those of the House of Representatives, and his willingness to share his knowledge and remind us of our highest traditions has enriched our understanding of the institution and has encouraged us to emulate the best of our predecessors; and

WHEREAS, the first measure of the value of Ed Pert's contributions to the Legislature is seen in the exemplary operation of the Clerk's office, no matter the time of day or night or the exigencies and pressures of the moment; and

WHEREAS, another measure of the value of Clerk Pert's contributions is his masterful orchestration of the daily business of the House; and

WHEREAS, the most important measure by far is the affection and respect Ed Pert has earned from Legislators, co-workers and his many friends over 2 decades of service to his State; now, therefore, be it

RESOLVED: That We, the members of the One Hundred and Fifteenth Legislature, now assembled in the Third Special Session, pause in our deliberations to recognize Edwin H. Pert for a job done so well for so long; and be it further

RESOLVED: That We formally express our great affection and sincere thanks to Clerk Pert and convey our genuine best wishes to him for a long, happy and fulfilling retirement; and be it further

RESOLVED: That a suitable copy of this Joint Resolution, duly authenticated by the Secretary of State, be prepared and transmitted to Edwin H. Pert as a lasting token of our friendship, gratitude and respect.

Was read and adopted and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 56 and Joint Rule 34, the following items:

Recognizing:

Nathaniel Crowley, of Stockton Springs, whose 12 years of outstanding legislative service to the people of District 112 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1324) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Harold Macomber, of South Portland, whose 12 years of outstanding legislative service to the people of District 24 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1325) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Peter Manning, of Portland, whose 12 years of outstanding legislative service to the people of District 29 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1326) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Susan J. Pines, of Limestone, whose 12 years of outstanding legislative service to the people of District 145 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1327) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Carl Sheltra, of Biddeford, whose 12 years of outstanding legislative service to the people of District 12 and whose commitment to the democratic

process exemplify the spirit of Maine and its citizens; (HLS 1328) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

John Cashman, of Old Town, whose 10 years of outstanding legislative service to the people of District 131 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1329) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

James Handy, of Lewiston, who is leaving the House of Representatives and running for the Senate after 10 years of outstanding legislative service to the people of District 68. Representative Handy's commitment to the democratic process exemplifies the spirit of Maine and its citizens; (HLS 1330) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Catharine K. Lebowitz, of Bangor, whose 10 years of outstanding legislative service to the people of District 115 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1331) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Harriet Lerman, of Portland, whose 10 years of outstanding legislative service to the people of District 30 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1332) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Joseph Mayo, of Thomaston, whose 10 years of outstanding legislative service to the people of District 80 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1333) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MARSANO of Belfast, President PRAY of Penobscot)

Paul Parent, of Benton, whose 10 years of outstanding legislative service to the people of District 85 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1334) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Patricia Stevens, of Bangor, whose 10 years of

outstanding legislative service to the people of District 117 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1335) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Tony Tammaro, of Baileyville, whose 10 years of outstanding legislative service to the people of District 138 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1336) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Bradford Boutilier, of Lewiston, whose 8 years of outstanding legislative service to the people of District 66 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1337) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Thomas Duffy, of Bangor, whose 8 years of outstanding legislative service to the people of District 116 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1338) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Michael F. Hepburn, of Skowhegan, whose 8 years of outstanding legislative service to the people of District 100 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1339) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Norman Paul, of Sanford, whose 8 years of outstanding legislative service to the people of District 11 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1340) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

P. Kelley Simpson, of Casco, whose 8 years of outstanding legislative service to the people of District 45 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1341) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Cushman Anthony, of South Portland, whose 6 years

of outstanding legislative service to the people of District 23 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1342) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Margaret Pruitt Clark, of Brunswick, whose 6 years of outstanding legislative service to the people of District 70 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1343) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Christopher Gurney, of Portland, whose 6 years of outstanding legislative service to the people of District 31 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1344) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Dana C. Hanley, of Paris, who is leaving the House of Representatives and running for the Senate after 6 years of outstanding legislative service to the people of District 51. Representative Hanley's commitment to the democratic process exemplifies the spirit of Maine and its citizens; (HLS 1345) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Walter W. Hichens, of Eliot, whose 6 years of outstanding legislative service to the people of District 3 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1346) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Francis C. Marsano, of Belfast, whose 6 years of outstanding legislative service to the people of District 111 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1347) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, President PRAY of Penobscot)

John Nutting, of Leeds, whose 6 years of outstanding legislative service to the people of District 59 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1348) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Judy Paradis, of Frenchville, who is leaving the House of Representatives and running for the Senate after 6 years of outstanding legislative service to the people of District 150. Representative Paradis's commitment to the democratic process exemplifies the spirit of Maine and its citizens; (HLS 1349) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Helen M. Tupper, of Orrington, whose 6 years of outstanding legislative service to the people of District 121 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1350) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Madeline D. Stevenson, of Unity, whose 5 years of outstanding legislative service to the people of District 109 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1351) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Jeffrey H. Butland, of Cumberland, who is leaving the House of Representatives and running for the Senate after 4 years of outstanding legislative service to the people of District 38. Representative Butland's commitment to the democratic process exemplifies the spirit of Maine and its citizens; (HLS 1352) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Mary Cahill, of Mattawamkeag, whose 4 years of outstanding legislative service to the people of District 133 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1353) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

John H. Carroll, of Southwest Harbor, whose 4 years of outstanding legislative service to the people of District 124 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1354) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Nason Graham, of Houlton, whose 4 years of outstanding legislative service to the people of District 141 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1355) by Speaker MARTIN of Eagle

Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Peter Hastings, of Fryeburg, whose 4 years of outstanding legislative service to the people of District 48 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1356) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Mark Lawrence, of Kittery, who is leaving the House of Representatives and running for the Senate after 4 years of outstanding legislative service to the people of District 1. Representative Lawrence's commitment to the democratic process exemplifies the spirit of Maine and its citizens; (HLS 1357) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

M. Ida Luther, of Mexico, who is leaving the House of Representatives and running for the Senate after 4 years of outstanding legislative service to the people of District 52. Representative Luther's commitment to the democratic process exemplifies the spirit of Maine and its citizens; (HLS 1358) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Kathryn D. Merrill, of Dover-Foxcroft, whose 4 years of outstanding legislative service to the people of District 106 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1359) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

John O'Dea, of Orono, who is leaving the House of Representatives and running for the Senate after 4 years of outstanding legislative service to the people of District 130. Representative O'Dea's commitment to the democratic process exemplifies the spirit of Maine and its citizens; (HLS 1360) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

John H. Richards, of Hampden, whose 4 years of outstanding legislative service to the people of District 113 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1361) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Rodney V. Bowers, of Sherman, whose 2 years of outstanding legislative service to the people of District 140 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1362) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Susan D. Duplessis, of Old Town, whose 2 years of outstanding legislative service to the people of District 128 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1363) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Tracy Goodridge, of Pittsfield, whose 2 years of outstanding legislative service to the people of District 101 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1364) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

Elmer N. Savage, of Union, whose 2 years of outstanding legislative service to the people of District 84 and whose commitment to the democratic process exemplify the spirit of Maine and its citizens; (HLS 1365) by Speaker MARTIN of Eagle Lake. (Cosponsors: Representative GWADOSKY of Fairfield, Representative WHITCOMB of Waldo, Representative MAYO of Thomaston, Representative MARSANO of Belfast, President PRAY of Penobscot)

On motion of Representative Gwadosky of Fairfield, the House reconsidered its action whereby HLS 1324 through 1365 was passed.

Subsequently, Representative Gwadosky of Fairfield withdrew his objections.

Representative Gwadosky of Fairfield was granted unanimous consent to address the House:

Representative GWADOSKY: Mr. Speaker, Ladies and Gentlemen of the House: The items before us, 5-1 through 5-42 are expressions of Legislative Sentiment on behalf of those members of the House, our colleagues, who have either chosen to seek a different office or who have made a personal decision not to run again as a member of the Maine Legislature and will be retiring.

We had the good opportunity last night to honor some of our members and hope to complete that in a very short period of time.

There are all sorts of recognitions for distinguished public service. In some areas of life, it's a stripe on a uniform; in some areas, it's a special pin for your lapel; in some areas, it's a commemorative time piece that somehow keeps track of the many years by keeping track of the hours. In my mind, the truest form of recognition is that which

comes from the hearts of friends and of fellow colleagues.

This legislature is a family and as a family we have celebrated the joys of the birth of our children and our grandchildren and as a legislative family, we have also experienced the death of our colleagues and of their families. The legislature is a second family for some, it is a first family for some and it is the only family for others.

The tension, the tedium, the disappointments and the triumphs of past legislative sessions I think have bonded us together. Collectively, we share a respect and affection that neither earned nor learned. It simply comes from sharing in this common experience known as legislative service, an experience I would suggest shapes us all as much as we attempt to shape the government that we serve in.

For those of you who are leaving, we say thank you. We thank you for your commitment, we thank you for your sacrifices, we thank you for your dedication. This institution will go on, it just won't be quite the same in many respects. Before you go, we have a job to do. The past two years have been very difficult and many people are rightly concerned, I believe, about their perception of state government that perhaps has been somewhat unresponsive during a period of tremendous transition. Those of us who believe that state government can and must play an important role in people's lives have an obligation to affirm that principle over the next day or so.

The challenges before this legislature are no less than monumental but the opportunity is great. We need to prove to Maine people that we can work together as Democrats and Republicans. We need to prove to Maine people that this legislature and this administration can work together. This is not a time, nor should it be a time, for rhetoric. It is not a time for ultimatums and it is not a time for tricks. Rather indeed, let us all seize the moment and prove to Maine people that we can work together in a spirit of trust, mutual cooperation and respect.

Representative Marsano of Belfast was granted unanimous consent to address the House:

Representative MARSANO: Mr. Speaker, Ladies and Gentlemen of the House: As one of the retiring members, I want to thank the Representative from Fairfield for his comments which were made in the fashion and which I think this House has come to expect the Representative from Fairfield to address it when he is calling upon us to perform to the highest degree.

I know that as a retiring member, I am appreciative of those comments as I was receiving the certificate this morning and I am sorry to be leaving in many ways. However, I am not planning to leave until we do the task which is assigned to us. I know that I speak for all of my colleagues who have elected, for one reason or another, not to come back to this House at this point to say that we recognize that and are still firmly committed to advancing the interests of Maine people. We intend, even though our careers are now numbered and our days are short, to pursue those goals with the kind of intensity that we have always done. We are stimulated to do that even more by the kind comments of the gentleman from

Fairfield. Thank you Representative Gwadosky.

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

COMMUNICATIONS

The following Communication: (S.P. 975)

COMMISSION TO STUDY THE FUTURE OF MAINE'S COURTS
142 FEDERAL STREET, ROOM 317
PORTLAND, ME 04101

April 30, 1992

Senator Charles P. Pray
President of the Senate
State House Station 3
Augusta, ME 04333

Dear Sen. Pray:

The Commission to Study the Future of Maine's Courts is pleased to send you its Phase I: Interim Report. This working document represents a compilation of the research performed and information gathered over the last 10 months.

The Commission now faces the equally interesting but more difficult task of making recommendations for a system of justice that will meet the needs of the citizens of Maine in the 21st century. We also must address issues of immediate concern to the Legislature.

We expect to have a preliminary draft report available for your inspection and public comment by November 1992. After a series of public hearings in November and December, the Commission will revise its preliminary draft to reflect comments received at such hearings. The final report will be published by February 28, 1993.

Sincerely,

S/Harriet P. Henry
Chair

Came from the Senate, read and with accompanying report ordered placed on file.

Was read and with accompanying report ordered placed on file in concurrence.

The following item appearing on Supplement No. 3 was taken up out of order by unanimous consent:

REPORTS OF COMMITTEES

Unanimous Ought Not to Pass

Representative GRAY from the Committee on State and Local Government on Resolve, to Establish A Unified Department of Children and Families (EMERGENCY) (H.P. 1573) (L.D. 2220) reporting "Ought Not to Pass"

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

The following item appearing on Supplement No. 5 was taken up out of order by unanimous consent:

COMMUNICATIONS

The following Communication:

STATE OF MAINE
ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON TAXATION

September 25, 1992

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

Dear Speaker Martin:

Pursuant to Chapter 121, Private and Special Law, the Joint Standing Committee on Taxation has reviewed various tax credits that were proposed to spur economic recovery in the State of Maine. The attached report briefly outlines the credits discussed by the Committee and their estimated fiscal impact.

While the Committee generally supports the concept of using tax credits for economic development, we do not believe that this special session is the time or place to enact new credits. Therefore, we are not submitting implementing legislation. However, a draft bill has been prepared and will be made available to the First Session of the 116th Legislature for review and discussion at that time.

Thank you for the opportunity to study this issue during the interim.

Sincerely,

S/Stephen M. Bost
Senate Chair

S/John A. Cashman
House Chair

Was read and with accompanying report ordered placed on file.

On motion of Representative PARADIS of Augusta, Representative STEVENS of Bangor, Representative SIMONDS of Cape Elizabeth, Representative GRAHAM of Houlton, Representative DAGGETT of Augusta, Representative LAWRENCE of Kittery, Representative LEBOWITZ of Bangor, Representative STROUT of Corinth were appointed a Committee to receive, sort and count votes for the Clerk of the House.

The SPEAKER: The Chair recognizes the Representative from Rockland, Representative Melendy.
Representative MELENDY: Mr. Speaker, I move that

the name of Joseph W. Mayo of Thomaston be placed in nomination for Clerk of the House.

Mr. Speaker, Members of the House: It is with great enthusiasm that I offer the name of Joseph W. Mayo for the position of Clerk of the House. Joe Mayo brings honor, integrity, fairness and astuteness to this position that characterized the people that have held this position throughout history.

I have known Joe Mayo for many years. I have known him as a friend, as an outstanding legislator, as a very well respected moderator of town meetings, as a loving husband and father and as a very compassionate person. He has a deep sense of respect and love for the people of Maine and for the legislature. The people of Maine could not ask for a more devoted and capable person to help conduct the people's business.

Joe Mayo has demonstrated fairness, objectivity, and a commitment to connect this building in both his roles as a legislator and as a moderator at town meetings. Residing in a town in which most residents are Republicans, Joe has been elected time and time again as a moderator of town meetings. He has worked diligently to bring people together in his legislative district to resolve the problems confronting the towns.

As a legislator, I have seen Joe work tirelessly to resolve crises that require support from people on both sides of the aisle. His efforts to help resolve the budget crises and build consensus required him to work long hours into the night. With very little sleep, he worked to keep state government open and to reduce tension and hostility.

Joe brings to the position of Clerk of the House a strong commitment to detail. His background as an accountant gives him skills that would be extremely useful to the legislative process and the operation of the House.

Just as Joe is required in his accounting work to balance assets and liabilities, as well as income and expenditures, Joe always has balanced partisan work with bipartisan work. I have seen Joe work with members of the other side of this aisle to understand the legislative process. I have seen him helping Republicans and Democrats alike with constituent work. There is no doubt that Joe has always been a good Democrat. His father, James Mayo, served in this House. His family has worked long and hard for the democratic party but Joe, like his family, has always put the public interest first. His constituents know this and he has been elected in a heavily Republican district to serve five terms in this House.

In closing, I want to point out Joe's compassion and sensitivity to people. Not only has he been a good son and a loving father and husband, he has been generous and compassionate with people from all walks of life. His compassion and sensitivity know no political affiliations. Joe will uphold the honor of this institution and do us proud.

Representative HALE of Sanford seconded the nomination of JOSEPH W. MAYO for Clerk of the House.

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Reed.

Representative REED: Mr. Speaker, I move that the name of Linwood Higgins of Scarborough be placed in nomination for the office of Clerk of the Maine House of Representatives.

Mr. Speaker, Ladies and Gentlemen of the House: These are unusual times. The fact that we are here on a beautiful October day when we would normally be gathering the produce of our gardens perhaps or preparing our homes for winter or whatever we do when we are not here make it an unusual time.

The fact that our state and this country continue to struggle with chronic economic under-achievement makes it an unusual time. The fact that this institution is under intense public scrutiny and pressure and not infrequent criticism makes this an unusual time.

An earlier speaker used the phrase "seize the day" and that I am sure conjured up in your mind the scene from the "Dead Poet Society" when Robin Williams gathers the students together and says, "Can you hear what the poets are saying? They are saying "carpe diem", which is Latin for "seize the day." This may be a day for us to seize the day and take unusual action in an unusual time.

I am very pleased to nominate Linwood Higgins for this office. Most of you know him, perhaps some do not. He served in this body for 16 years, he was accorded the honor of being elected floor leader by his party, an office which he held for four years. He served many, many years on the Joint Standing Committee on Appropriations and Financial Affairs, not an easy assignment.

I believe that we all know that Representative Linwood Higgins, if accorded this honor, would discharge the duties of that office as they have been in the past with only the highest professionalism and integrity so it is with distinct pleasure and a singular honor for me to offer his name to you for consideration.

The SPEAKER: The Chair recognizes the Representative from Presque Isle, Representative MacBride.

Representative MACBRIDE: Mr. Speaker, Ladies and Gentlemen of the House: I am honored to second the nomination of Linwood M. Higgins for the office of Clerk of the House of Representatives.

Lin has been a good friend of mine for the fourteen years that I have served in the Maine Legislature and I was privileged to nominate him for minority leader of the House in 1980. Lin was only 32 years old then and in my book, he is still a young man at 44.

Linwood was a dedicated minority leader, he was very fair, understanding and was very helpful to all members of the caucus. He is most knowledgeable of state of affairs and was an excellent parliamentarian, keeping his eye on the Speaker at that time as well as holding parliamentary classes for the Republican minority.

He is an extremely capable gentleman and he is fair in all of his dealings. I have the greatest respect for Linwood Higgins and am proud to second the nomination of him for Clerk of the House.

Representative GWADOSKY of Fairfield moved that nominations cease.

Subsequently, having attended to the duties assigned it, the Committee reported as follows:

Total number of votes cast	144
Necessary for choice	73
Joseph W. Mayo	88
Linwood M. Higgins	54

Deborah B. Wood

2

Whereupon, Joseph W. Mayo, having received a majority of all the votes cast, was declared elected Clerk of the House for the remainder of the session. (Applause)

On motion of Representative MITCHELL of Vassalboro, Representative DAGGETT of Augusta, Representative FARNSWORTH of Hallowell, Representative JACQUES of Waterville, Representative TREAT of Gardiner, Representative JOSEPH of Waterville, Representative AULT of Wayne and Representative MARSH of West Gardiner were appointed a Committee to receive, sort and count votes for Assistant Clerk of the House.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Paradis.

Representative PARADIS: Mr. Speaker, Ladies and Gentlemen of the House: I move that the name of Millicent M. MacFarland of Augusta be placed in nomination for Assistant Clerk of the House.

Very briefly on the Record, I would like to say that we have known Millicent MacFarland for these last several years as the Chief Calendar Clerk in this body. Those of us in this House who have had to attach amendments have come into direct contact and have learned first-hand how valuable an asset she has been to this process. She has instructed us line by line on the procedures to use under our rules in order to do it adequately.

She has been a valuable asset to both Ed Pert, our Clerk of long standing, and to Debbie Bedard Wood, the Assistant Clerk of the House in this body, so it is a great pleasure for me to nominate a constituent of mine, someone I have known for many years. She worked for Governor Longley in the 1970's and in 1978 she moved up here to the Clerk's Office and steadily rose in responsibility and in duties to become the Chief Calendar Clerk several years ago. Today, it is really a great pleasure that I place in nomination the name of Millicent MacFarland to be Assistant Clerk of the House.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Daggett.

Representative DAGGETT: Mr. Speaker, Men and Women of the House: I would like to second the nomination of Millie MacFarland for Assistant Clerk of the House.

In seconding the nomination of Millie MacFarland, I would like to acknowledge that she is one of those dedicated people who has provided support to this legislature with her tireless service and to those others in the Clerk's Office who have frequently gone unrecognized. She has been here long before session began and after session was finished.

She has always been very professional in the way that she handled her duties, quietly going about her work without calling attention to herself but with confidence and competence.

I hope you will join me in supporting Millie so she can continue serving this legislature and the people of the State of Maine.

Representative MARSANO of Belfast moved that nominations cease.

On motion of Representative GWADOSKY of

Fairfield, the Committee cast one vote for the House for MILLICENT M. MacFARLAND, and thereupon she was elected Assistant Clerk of the House. (Applause)

House and Assistant Clerk of the House to the rostrum, amid applause, the members rising.

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

At this point, the Sergeant-at-Arms escorted Deborah Bedard Wood from the hall of the House, amid prolonged applause, the members rising.

REPORTS OF COMMITTEES

Unanimous Ought Not to Pass

Representative McHENRY from the Committee on Labor on Bill "An Act to Reform the Workers' Compensation System" (H.P. 1735) (L.D. 2423) reporting "Ought Not to Pass"

(At Ease)

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

The House was called to order by the Speaker.

The following item appearing on Supplement No. 4 was taken up out of order by unanimous consent:

The following item appearing on Supplement No. 6 was taken up out of order by unanimous consent:

COMMUNICATIONS

The following Communication:

REPORTS OF COMMITTEES

STATE OF MAINE
HOUSE OF REPRESENTATIVES
MAJORITY OFFICE
AUGUSTA, MAINE 04333

Unanimous Ought Not to Pass

Oct. 1, 1992

Representative TRACY from the Committee on Banking and Insurance on Bill "An Act to Revise the Workers' Compensation Laws" (H.P. 1571) (L.D. 2218) reporting "Ought Not to Pass"

The Honorable John R. McKernan
State House Station #1
Augusta, Maine 04333

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

Dear Governor McKernan:

I hereby resign the office of Representative to the Legislature from House District 80.

By unanimous consent, all matters having been acted upon requiring Senate concurrence were ordered sent forthwith to the Senate.

I have enjoyed my years of service to the people of my district and the State of Maine and will carry many wonderful memories for the rest of my life.

Sincerely,

S/Joseph W. Mayo
House Majority Whip

At the request of Representative ERWIN of Rumford, Representative HICHBORN of Howland, Representative CATHCART of Orono, Representative CARROLL of Gray, Representative MACOMBER of South Portland, Representative GWADOSKY of Fairfield, Representative MELENDY of Rockland, Representative SKOGLUND of St. George, Representative CARROLL of Southwest Harbor and Representative MORRISON of Bangor escorted the Clerk-elect and the Assistant Clerk-elect to the Office of the Governor for the purpose of taking and subscribing to the necessary oaths of office to qualify them to enter upon the discharge of their official duties as Clerk of the House and Assistant Clerk of the House.

Was read and ordered placed on file.

The following item appearing on Supplement No. 2 was taken up out of order by unanimous consent:

SENATE PAPER

The following Joint Resolution: (S.P. 976)

JOINT RESOLUTION HONORING DOROTHY L. ROLLINS ON THE OCCASION OF HER RETIREMENT

Subsequently Representative HICHBORN of Howland reported that the Clerk and Assistant Clerk had subscribed to the necessary oaths of office to qualify them to enter upon the discharge of their duties.

WHEREAS, Dorothy L. Rollins has officially retired as Coordinator of the Legislative Information Office after 23 years of service to the Legislature and more than 25 total years of service in State Government; and

The Sergeant-at-Arms escorted the Clerk of the

WHEREAS, her length of legislative service must be counted not only in years, but in the often unending hours that she has devoted to the legislative institution and its process; and

WHEREAS, she has been an active participant in the transformation of the Legislature's capacity to provide accurate and timely information to both its own members and staff and the general public regarding its official activity; and

WHEREAS, in addition to her contributions to the development of what we know today as the Bill Status System, she has acquired a notable mastery of parliamentary procedure which she readily offered to all with a need to know; and

WHEREAS, she has shared with us all not only her knowledge and experience but her unfailing courtesy, graciousness, patience and willingness to assist in whatever way she could; now, therefore, be it

RESOLVED: That We, the members of the 115th Legislature now assembled in the Third Special Session, formally express our deep appreciation to Dot Rollins for her many years of dedicated service to the Maine Legislature and extend our best wishes to her for a happy, healthy and fulfilling retirement; and be it further

RESOLVED: That a suitable copy of this Resolution, duly authenticated by the Secretary of State, be presented to Dorothy L. Rollins as a lasting token of our friendship, gratitude and respect.

Came from the Senate, read and adopted.

Was read and adopted in concurrence.

On motion of Representative Anderson of Woodland,
Adjourned at 6:29 p.m. until Friday, October 2,
1992, at nine o'clock in the morning.
