

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Sixteenth Legislature

OF THE

State Of Maine

VOLUME I

FIRST REGULAR SESSION

House of Representatives
December 2, 1992 to May 13, 1993

ONE HUNDRED AND SIXTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION
3rd Legislative Day
Tuesday, January 5, 1993

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

Prayer by Reverend Bryan Jessup, Unitarian Universalist Church, Sanford.

Pledge of Allegiance.

The Journal of Thursday, December 3, 1992, was read and approved.

(At Ease to Gong)

The House was called to order by the Speaker.

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

**PASSED TO BE ENGROSSED
WITHOUT REFERENCE TO COMMITTEE**

Bill "An Act to Make Supplemental Appropriations for the Expenditures of State Government for the Fiscal Year Ending June 30, 1993" (EMERGENCY) (H.P. 17) (L.D. 18) (Presented by Representative LIPMAN of Augusta) (Cosponsored by Representative MORRISON of Bangor and Senator BUSTIN of Kennebec) (Governor's Bill)

(The Committee on Reference of Bills had suggested reference to the Committee on Appropriations and Financial Affairs.)

Under suspension of the rules, without reference to any Committee, the bill was read twice, passed to be engrossed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

COMMUNICATIONS

The following Communication: (S.P. 13)

THE MAINE SENATE
116th Legislature

December 2, 1992

The Honorable Joy J. O'Brien
Secretary of the Senate
116th Maine Legislature
State House Station 3
Augusta, ME 04333

Dear Madam Secretary:

Pursuant to my authority under Article IV, Part Third, Section 1-A of the Constitution of Maine, I have appointed Senator Jane A. Amero of Cumberland

and Senator Dana C. Hanley of Oxford to serve on the Apportionment Commission.

Please don't hesitate to contact me should you have any questions.

Sincerely,

S/Pamela L. Cahill
Senate Minority Leader

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

Was read and ordered placed on file in concurrence.

The following Communication: (H.P. 11)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

December 3, 1992

Hon. Joseph W. Mayo
Clerk of the House
State House Station #2
Augusta, Maine 04333

Dear Clerk Mayo:

This is to notify you that pursuant to my authority under Article IV, Part Third, Section 1-A, of the Constitution of the State of Maine, I am today appointing the following House members from the majority party to serve on the Reapportionment Commission:

Rep. Paul F. Jacques, of Waterville
Rep. Michael H. Michaud, of East Millinocket
Rep. Sharon Anglin Treat, of Gardiner

Sincerely,

S/John L. Martin
Speaker of the House

Was read and ordered placed on file and sent up for concurrence.

The following Communication: (H.P. 12)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
HOUSE MINORITY OFFICE
AUGUSTA, MAINE 04333-0002

December 3, 1992

Hon. Joseph Mayo
Clerk of the House
State House Station #2
Augusta, Maine 04333

Dear Clerk Mayo:

Pursuant to my authority under Article IV, Part Three, Section 1-A of the Maine Constitution, I am today appointing Rep. Ronald Bailey of Farmington, Rep. Joan Pendexter of Scarborough and Rep. Mary Small of Bath to serve on the 1993 Redistricting Commission.

Sincerely,

S/Walter E. Whitcomb
House Minority Leader

Was read and ordered placed on file and sent up for concurrence.

The following Communication: (H.P. 13)

THE MAINE REPUBLICAN PARTY
3 Wade Street
P. O. Box 0
Augusta, Maine 04332

December 2, 1992

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

Dear Mr. Speaker:

In accordance with the Constitution of Maine (Article IV, part three, section 1-A), I am pleased to designate Kenneth M. Cole III of Portland as the representative of the chairman of the Maine Republican Party to the reapportionment commission.

Please notify Mr. Cole directly about commission meetings. He may be contacted as follows:

Kenneth M. Cole III
Jensen Baird Gardner & Henry
P. O. Box 4510
Portland, ME 04112

Tel. 775-7271
Fax 775-7935

Thank you for your consideration of this appointment, and congratulations on your reelection as Speaker.

Sincerely,

S/Edward S. O'Meara, Jr.
Chairman

Was read and ordered placed on file and sent up for concurrence.

The following Communication: (H.P. 14)

THE MAINE SENATE
116th Legislature

December 14, 1992

The Honorable Joseph W. Mayo
Clerk of the House
State House Station 2
Augusta, ME 04333

Dear Clerk Mayo:

This is to notify you that Joseph Garland of Bangor has been selected by the Republican members of the Apportionment Committee to serve as Public Member for the 1993 Apportionment Committee.

Sincerely,

S/Dana C. Hanley, Chairman
Republican Delegation

Was read and ordered placed on file and sent up for concurrence.

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

December 14, 1992

Hon. Joseph W. Mayo
Clerk of the House
State House Station #2
Augusta, Maine 04333

Dear Clerk Mayo:

This is to notify you that pursuant to my authority under House Rule 1, I have today made the following temporary appointments to the Joint Standing Committee on Banking and Insurance:

Elizabeth H. Mitchell, Vassalboro, Chair
Phyllis R. Erwin, Rumford
Richard H. C. Tracy, Rome
Ruth Joseph, Waterville
Anne M. Rand, Portland
Edward L. Pineau, Jay
Charlene Rydell, Brunswick
Rosalie H. Aikman, Poland
Richard A. Bennett, Norway
Stephen M. Zirnkilton, Mount Desert

The purpose of these interim appointments which will expire on December 31, 1992, is to allow the Committee to act on the nominations by the Governor to the new Board of Directors of the Maine Employers' Mutual Insurance Company.

Sincerely,

S/John L. Martin
Speaker of the House

Was read and ordered placed on file.

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

December 17, 1992

Hon. Joseph W. Mayo
Clerk of the House
State House Station #2
Augusta, Maine 04333

Dear Clerk Mayo:

This is to notify you that pursuant to my authority under Joint Rule 13-B adopted by the 116th Legislature, I have appointed the following House members to serve on the Joint Select Committee on Rules:

- Rep. Charlene B. Rydell, of Brunswick, Chair
- Rep. Elizabeth H. Mitchell, of Vassalboro
- Rep. Clyde A. Hichborn, of Howland
- Rep. James Reed Coles, of Harpswell
- Rep. Marge L. Kilkelly, of Wiscasset
- Rep. Ellen W. Walker, of Blue Hill
- Rep. Gary W. Reed, of Falmouth
- Rep. Richard A. Bennett, of Norway
- Rep. David N. Ott, of York
- Rep. Debra D. Plowman, of Hampden

Sincerely,

S/John L. Martin
Speaker of the House

Was read and ordered placed on file.

The following Communication:

DEPARTMENT OF EDUCATION
State House Station 23
Augusta, Maine 04333

December 14, 1992

TO: Joy J. O'Brien, Secretary to the Senate
Joseph W. Mayo, Clerk of the House
Jack Nicholas, Director, Bureau of the Budget

FROM: S/Leo G. Martin, Commissioner

SUBJECT: Certified Funding Level for Adult Education - FY 94

Pursuant to the provision of Title 20-A, M.R.S.A., Chapter 315, Section 8606-A, I am required to certify, prior to December 15, 1992 to the Legislature and to the Bureau of the Budget, a recommendation for the funding level for the various program categories in Adult Education.

Please see the recommendation below:

EDUCATION: ADULT EDUCATION

FY94

All Other Category 6400 - Grants to private organizations. \$ 85,500.00

Category 6300 - Grants to cities and towns. (This includes grants to programs for high school completion, adult literacy, general adult education, adult handicapped, adult vocational education and administration) \$ 5,204,439.00

Was read and ordered placed on file.

The following Communication: (H.P. 15)

UNIVERSITY OF MAINE
MARGARET CHASE SMITH CENTER
FOR PUBLIC POLICY
15 Coburn Hall
Orono, ME 04469-0114

December 9, 1992

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

Dear Speaker Martin:

In accordance with 1967 Public Law, Chapter 493, I am pleased to enclose copies of the report for the 1992 Maine State Government Internship Program.

Again, due to budget limitations, we are distributing this report only to Legislative Leadership. A few additional copies are available should you need them.

The 1992 Internship Program placed thirty-two Maine College Students in four State Agencies for a 12-week paid work experience. Evaluations from both Interns and Supervisors again affirmed the value of this experience for both students and State Government.

We are pleased to be associated with the Program and would be happy to answer any questions you might have.

Sincerely,

S/Steven Ballard
Director

Was read and with accompanying report ordered placed on file and sent up for concurrence.

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

December 21, 1992

Hon. Joseph W. Mayo
Clerk of the House
State House Station #2
Augusta, Maine 04333

Dear Clerk Mayo:

This is to notify you that pursuant to my authority under House Rule 1, I have today made the following temporary appointments to the Joint Standing Committee on Banking and Insurance:

Rep. Patrick Paradis, of Augusta, to replace Rep. Richard Tracy who is unable to serve.

Rep. Beverly Daggett, of Augusta, to replace Rep. Edward Pineau who is also unable to serve.

Sincerely,

S/John L. Martin
Speaker of the House

Was read and ordered placed on file.

The following Communication:

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333

December 14, 1992

The Honorable Dennis L. Dutremble
The Honorable John L. Martin
Maine Legislature
State House
Augusta, ME 04333

Dear President Dutremble and Speaker Martin:

We are pleased to send you this copy of the final report on Confidentiality of Public Records. The report is a staff study completed by the Office of Policy and Legal Analysis as authorized by the Legislative Council of the 115th Legislature.

Sincerely,

S/Martha E. Freeman
Director

Was read and with accompanying report ordered placed on file.

The following Communication:

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

December 2, 1992

The Honorable Dennis L. Dutremble
The Honorable John L. Martin
Maine Legislature
State House
Augusta, ME 04333

Dear President Dutremble and Speaker Martin:

The Joint Select Committee to Study the Feasibility of a Statewide Health Insurance Program is pleased to submit its report to the Legislature. The Committee was created by vote 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:

CALAIS, MAINE
CITY BUILDING
CALAIS, MAINE 04619

December 23, 1992

Honorable Joseph W. Mayo
Clerk of the House
State House Station #2
Augusta, ME 04333-0002

Dear Clerk Mayo:

I am pleased to transmit to the Legislature the Resolution of the City of Calais approving the acquisition of land in Calais by the Passamaquoddy Tribe for the development of a hotel and casino.

If you need anything further, please do not hesitate to contact me.

Respectfully,

S/Theresa M. Porter
City Clerk

Was read and with accompanying papers ordered placed on file.

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

December 10, 1992

December 29, 1992

Honorable Joseph W. Mayo
Clerk of the House
State House Station 2
Augusta, ME 04333-0002

Dear Clerk Mayo:

Pursuant to my authority under the House Rules I have appointed the following to the House Chamber Staff:

- Michael Cote, Sergeant-at-Arms
- David Parent, Assistant Sergeant-at-Arms/House Courier
- Kevin Charette, Page/Assistant House Courier
- Trudy DeLong, Page
- Charles Dow, Page
- Albenie Boutot, Page
- Absalom Dow, Page
- Keith Walsh, Page
- William Fleming, Doorkeeper
- Ronald Neilson, Doorkeeper

Sincerely,

S/John L. Martin
Speaker of the House

Was read and ordered placed on file.

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

December 29, 1992

Honorable Joseph W. Mayo
Clerk of the House
State House Station 2
Augusta, ME 04333-0002

Dear Clerk Mayo:

Pursuant to my authority under the House Rules I have appointed Cheryle Owen of Augusta as Document Clerk for the 116th Legislature.

Sincerely,

S/John L. Martin
Speaker of the House

Was read and ordered placed on file.

The following Communication: (H.P. 16)

DEPARTMENT OF CONSERVATION
State House Station 22
Augusta, Maine 04333

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

The Honorable Dennis L. Dutremble
President of the Maine Senate
State House Station #3
Augusta, Maine 04333

Senate Chair
Joint Standing Committee on
Energy and Natural Resources
State House Station #3
Augusta, Maine 04333

House Chair
Joint Standing Committee on
Energy and Natural Resources
State House Station #2
Augusta, Maine 04333

Re: Reestablishment of the Commission's Jurisdiction
in Brighton Plantation

Dear Speaker Martin, President Dutremble, Senate
Chair and House Chair:

Please find enclosed a copy of a rule, entitled "Chapter 17; Reestablishment of Commission Jurisdiction" which was adopted on July 30, 1992 by the Maine Land Use Regulation Commission. The effect of this rule is to reestablish the jurisdiction of the Maine Land Use Regulation Commission in Brighton Plantation, a plantation which is not a municipality and has no local land use program.

By way of background, Brighton Plantation, located in Somerset County, assumed local land use control in 1990 after approval of a local Comprehensive Land Use Plan and Zoning Ordinance by the Maine Land Use Regulation Commission and Town voters, in accordance with land use regulation law, 12 MRSA, section 685-A(4). In March of 1992, the Plantation abolished its Planning Board and voted to return to the jurisdiction of the Commission. It reaffirmed its earlier decision in May of 1992.

In addition, 12 MRSA, section 685-A(4) provides that the Commission reestablish its jurisdiction in a community that was at one time within the Commission's jurisdiction, but which abolishes its administrative bodies and no longer administers its comprehensive land use plan and related land use ordinances.

This rule reestablishes Commission jurisdiction in Brighton Plantation, as provided by 12 MRSA, section 685-A(4). Because Brighton Plantation has abolished its Planning Board, development and other land use permits could not be issued by the Plantation nor could other land use functions be performed. Reestablishment of Commission jurisdiction within Brighton Plantation will provide for continued land use planning, development permit review and land use enforcement for the Plantation.

The reestablishment of Commission jurisdiction in Brighton Plantation meets the legislative purposes of applying sound planning, zoning and subdivision control to the unorganized and deorganized townships of the State; to preserve public health, safety and general welfare; to prevent inappropriate residential, recreational, commercial and industrial uses detrimental to the proper use or value of these areas; to prevent the intermixing of incompatible industrial, commercial, residential and recreational activities; to provide for appropriate residential, recreational, commercial and industrial uses; to prevent the development in these areas of substandard structures or structures located unduly proximate to waters or roads; to prevent the despoliation, pollution and inappropriate use of the water in these areas; and to preserve ecological and natural values.

12 M.R.S.A., section 685-A(4), specifies that action taken by the Commission to reestablish its jurisdiction over a plantation or municipality shall be effective immediately, but shall be submitted to the current or next regular session of the Legislature for approval. If the Legislature fails to act, the action shall continue in effect.

This submission is to fulfill the Commission's obligation under 12 MRSA, section 685-A(4).

If you have any questions or if I may be of assistance in your review of the rule, please do not hesitate to call me at 287-2631.

Sincerely,

S/David E. Boulter
Director
Maine Land Use Regulation
Commission

Was read and with accompanying papers ordered placed on file and sent up for concurrence.

**PETITIONS, BILLS AND RESOLVES
REQUIRING REFERENCE**

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

Energy and Natural Resources

Bill "An Act to Authorize Financing of Solid Waste Districts on a Per Capita or a State Valuation Basis" (EMERGENCY) (H.P. 9) (L.D. 16) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsored by Senator LUDWIG of Aroostook)

Ordered Printed.
Sent up for Concurrence.

Fisheries and Wildlife

Bill "An Act to Prohibit the Use of Jet Skis on

Great Ponds" (H.P. 10) (L.D. 17) (Presented by Representative STEVENS of Sabattus) (By Request) (Cosponsored by Representative BARTH of Bethel)

Ordered Printed.
Sent up for Concurrence.

Marine Resources

Bill "An Act to Retain the Current Standard for the Release of Tributyltin in Marine Antifouling Paints" (EMERGENCY) (H.P. 7) (L.D. 14) (Presented by Representative HEINO of Boothbay) (Cosponsored by Representative TOWNSEND of Eastport and Senator VOSE of Washington)

Resolve, Directing the Commissioner of Marine Resources to Mediate a Conflict between Those Fishing for Lobster with Short Trawls and Those Using Long Trawls in the Harraseeket River (EMERGENCY) (H.P. 6) (L.D. 13) (Presented by Representative MITCHELL of Freeport) (Cosponsored by Senator HARRIMAN of Cumberland)

Ordered Printed.
Sent up for Concurrence.

Taxation

Bill "An Act to Exempt Emergency Food Banks from State Sales Tax" (H.P. 5) (L.D. 12) (Presented by Representative ALIBERTI of Lewiston) (Cosponsored by Representative DORE of Auburn, Representative STROUT of Corinth and Senator BUSTIN of Kennebec)

Ordered Printed.
Sent up for Concurrence.

Utilities

Bill "An Act to Increase the Debt Limit of the South Berwick Sewer District" (EMERGENCY) (H.P. 8) (L.D. 15) (Presented by Representative FARNUM of South Berwick) (Cosponsored by Representative MURPHY of Berwick, Senator CARPENTER of York and Representative CARR of Sanford)

Ordered Printed.
Sent up for Concurrence.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the following members of the Maine 4.5 women's team, for their first-time entry in the United States Tennis Association's 4.5 women's team division and their participation in the national championship held in October, 1992: Carol Andrews, Nancy Beebe, Debbie

Crowley, Lisa Gilbride, Mary Noyes, Sharon Tanerillo, Mary Buxton, Beverly Daggett, Kelly Howe, Cyncee Shuman and Caroline Towne; (HLS 24) by Representative RYDELL of Brunswick. (Cosponsor: Senator BUSTIN of Kennebec)

On motion of Representative Rydell of Brunswick, tabled pending passage and specially assigned for Friday, January 8, 1993.

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

PASSED TO BE ENACTED

Emergency Measure

An Act to Make Supplemental Appropriations for the Expenditures of State Government for the Fiscal Year Ending June 30, 1993 (H.P. 17) (L.D. 18)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Gwadosky.

Representative GWADOSKY: Mr. Speaker, Ladies and Gentlemen of the House: Before we enact this bill, I just want to put on the Record a couple of the concerns that have been expressed by members of the Democratic caucus as we proceed with this item. We fully expect to support this issue. Our concern is the importance that those state employees at the Augusta Mental Health Institute and Bangor Mental Health Institute receive their paychecks for work that they have provided for the last couple of weeks and that there also be some funds available for the next payroll period beyond that. That's paramount and our concern is that we make money available. We know that if we don't take action today, those employees will not receive their checks this week.

Secondly, we have been assured that the funds being made available are not going to, in any way, harm those clients or services within the mental health community and that is critical as we progress from this point on.

The past couple of years have been difficult to say the least and we can fully expect the next two years to be very similar in terms of the depth of the budget and the impact upon people. We are fortunate today that the funds that are being utilized are not going to impact on people or services. We won't have that luxury in the next six months when we begin the biennial budget because those will be affecting people and services across this state.

I have been very much impressed by the willingness of both parties to work together. They have come here this year working hand in hand to work cooperatively on the issues that confront us. We know that in order to meet the challenges that we are going to have to rise perhaps to a new level of cooperation between parties. We know that individually and collectively that we have philosophical differences but I sense a willingness to set those aside, to do the business of the people of this great state, and to tackle the many problems that confront us. In that element, it is also going

to be critical for the Governor of this state and the Administration to fully engage and come to the table as an active participant in this process and that is a process that will begin on Friday with the submission of our biennial budget for the next two years.

We have had two circumstances so far during this session, the first dealing with the transfer of funds from the University and the second dealing with the ability to make payroll checks at AMHI. I think the communication through the Administration to this Legislative Branch has been less than ideal. I think communication between the Administration and members of Democratic and Republican leadership has been less than ideal. I know the communication with Appropriations, Democratic and Republicans, has been less than ideal. We would like to think that those events and those instances are not going to be the standard. In fact, we need to insist upon taking a proactive stance as we begin to deal with this budget over the next two years. We cannot continue to do business the way we have done business today and the way we have done business on our opening day when we transferred those funds. There needs to be a greater sense of cooperation and communication between the Legislative Branch and the Executive Branch, if indeed that is going to happen. We need to ensure that the budget we deal with on Friday that we receive that budget with a commitment from the Administration, that they are going to be active participants in this process. That is something that I hope we can receive and ensure that that is going to be a realistic budget. Many members of our caucus were concerned at the thought of dipping into community-based monies when in fact the whole direction we have taken in mental health in the last couple of years has been to shift towards a community-based setting.

The budget we passed in 1991-1992 envisioned savings in the amount of \$3.8 million by shifting towards the community-based setting. We know now, tragically, that we are not going to realize those savings and for a variety of reasons. Appropriations had a very enlightening discussion about — Democrats and Republicans have shared their concerns as to why we haven't moved more quickly in the areas of a community-based setting for mental health. They discussed the issues of Certificate of Need and what they can do to create an accelerated process and where we need to go from here prospectively.

I have been very impressed by the working relationship I have seen between Democrats and Republicans, rank-and-file members, and leadership to deal with this circumstance, the bill we had previously dealing with the borrowing at the University of Maine and I am encouraged that we will continue that working relationship when we receive the Governor's budget for the next two years on Friday.

I hope that we all insist that the Administration be an active participant in that process and I hope that we also insist that that budget will be a realistic budget and will attempt to meet the needs of Maine people for the next two years. The Governor will be providing us with a budget that doesn't include the temporary taxes and I think that is a goal we should all strive for but that goal can only be met if that budget is put together realistically. We want to ensure the types of things we have seen in these first two instances are not repeated.

As we move into a more proactive approach, opening up the Appropriations process, taking a longer term view, reaching an earlier consensus on revenues as a collective body of legislators, let's insist upon the active participation of this Administration to work with us as an equal partner in solving the problems and meeting the goals and needs of Maine people.

With that being said, I hope that you will support this document. I can only express the frustration of members of my caucus. As I talked with some Republican legislators, they are equally frustrated at being pushed to vote yes or no to deny somebody their paychecks for work they have already done because we weren't able to get this information to us in a manner in which we could present it over a longer term view in a timely fashion. No one likes to be put in that position and frankly no one should be put in that position. It is not the way to do business. We can change the process if you and I have the willingness to do that. I would urge you to do just that.

With that said, I hope you will indeed vote to enact this measure today so we can be ensured that those state employees who have worked so hard for us under some terrible conditions within the areas of mental health receive the payments they deserve.

The SPEAKER: The Chair recognizes the Representative from Waldo, Representative Whitcomb.

Representative WHITCOMB: Mr. Speaker, Ladies and Gentlemen of the House: I want to concur with the Representative from Fairfield in regard to his comments that stressed the importance of us working together under an immense problem that we will be facing over the next six months.

I think today, although it had some rocky edges, some rough edges, a rocky beginning, we did prove that we can do what we have to do as a legislature and that is to come up with a bipartisan solution to a difficult problem. I want to commend this body for being on the verge of taking that action. I want to commend Democratic leaders and other Republican leaders who worked together late last night to identify what we thought would be some difficulties between the two caucuses, to remove those difficulties and to come up with an interim solution recognizing that the tiny part of the problem we have been dealing with today will be immersed in an immense problem we will be exposed to on Friday.

Obviously, we have to expect full communication with the Executive Branch but we as legislators have a job to do after the budget document is given to us and I look forward to working with all of you in a bipartisan way to come up with some mutually acceptable solution.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative DiPietro.

Representative DIPIETRO: Mr. Speaker, may I ask a question?

Mr. Speaker, is this the tone that the session is going to have this year, that we stand here our first day with a gun to our heads to vote on a bill either yes or no?

Is this what the rest of the session is going to be like, if you can possibly answer my question?

The SPEAKER: The Chair has many ways he could answer the question. I made comments at the Democratic caucus, which I do not believe need to be repeated to you.

I certainly concur with the remarks of both Majority and Minority Leaders that total cooperation will determine our ability not to have this happen through this session. That cooperation requires the cooperation of the Administration and everyone in every single department at all levels of this government.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 133 voted in favor of the same and 6 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith to the Senate.

On motion of Representative Small of Bath,
Adjourned at 12:26 p.m. to Friday, January 8,
1993, at eleven o'clock in the morning.
