

MAINE STATE LEGISLATURE

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House Legislative Record
of the
One Hundred and Eighteenth Legislature
of the
State of Maine

Volume II

First Special Session

May 16, 1997 - June 20, 1997

Second Regular Session

January 7, 1998 - March 18, 1998

ONE HUNDRED AND EIGHTEENTH LEGISLATURE
SECOND REGULAR SESSION
33rd Legislative Day
Monday, March 16, 1998

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

Prayer by Reverend Sharon Hughes, St. Ansgar Evangelical Lutheran Church, Portland.

National Anthem by Gorham High School Chamber Singers.

Pledge of Allegiance.

Doctor of the day, Walter Keller, D.O., Portland.

The Journal of Friday, March 13, 1998 was read and approved.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act to Promote Competitiveness Regarding the Sale of Recreational Vehicles by Allowing Better Discounts"

(H.P. 1370) (L.D. 1920)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-853) in the House on March 11, 1998.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-853) AND SENATE AMENDMENT "A" (S-509) in NON-CONCURRENCE.**

The House voted to **RECEDE AND CONCUR.**

COMMUNICATIONS

The Following Communication: (S.C. 612)

**THE SENATE OF MAINE
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

March 12, 1998

The Honorable Joseph W. Mayo

Clerk of the House

State House Station 2

Augusta, ME 04333

Dear Clerk Mayo:

Please be advised that pursuant to Joint Order, S.P. 831, President Lawrence has appointed the following Senate members to serve on the Joint Select Committee on Research and Development:

Senator Mary R. Cathcart of Penobscot

Senator Jill M. Goldthwait of Hancock

Senator Bruce W. MacKinnon of York.

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 614)

**THE SENATE OF MAINE
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

March 13, 1998

The Honorable Elizabeth H. Mitchell

Speaker of the House

118th Maine Legislature

2 State House Station

Augusta, Maine 04333

Dear Speaker Mitchell:

In accordance with Joint Rule 506, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Labor the nominations of Karl Dornish, Jr. of Winslow for appointment as the Primary Employer Representative Member of the Maine Labor Relations Board, Gwendolyn Gatcomb of Winthrop for reappointment as the Primary Employee Representative Member of the Maine Labor Relations Board, Carol B. Gilmore of Charleston for reappointment as an Alternate Employee Representative Member of the Maine Labor Relations Board and Wayne Whitney of Brunswick for reappointment as an Alternate Employee Representative Member of the Maine Labor Relations Board.

Thank you for your attention to this matter.

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 615)

**THE SENATE OF MAINE
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

March 13, 1998

The Honorable Joseph W. Mayo

Clerk of the House

State House Station 2

Augusta, Maine 04333

Dear Clerk Mayo:

Please be advised that the Senate today Adhered to its previous action whereby the Minority Ought Not To Pass Report from the Committee on Appropriations and Financial Affairs on Bill "An Act to Establish a State Disaster Relief Trust Fund" (H.P. 1097) (L.D. 1540) was accepted.

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 519 and Joint Rule 213, the following items:

Recognizing:

the social workers of this State for a century of helping individuals and effecting social change that benefits everyone. We appreciate the service the social workers offer and look forward to their continuing to provide valuable services in health and mental health, child welfare, aging and other areas that reach all of humanity. We join the Governor of the State in commending all members of this profession and recognize March as Professional Social Worker Centennial Month;

(HLS 1267)

Presented by Representative TESSIER of Fairfield.

Cosponsored by Representative BRENNAN of Portland, Representative KANE of Saco, Senator PARADIS of Aroostook.

On **OBJECTION** of Representative TESSIER of Fairfield, was **REMOVED** from the Special Sentiment Calendar.

The **SPEAKER**: The Chair recognizes the Representative from Fairfield, Representative Tessier.

Representative TESSIER: Madam Speaker, Men and Women of the House. Traditionally the month of March is celebrated as National Social Work Month. This is true again this year. However, there is even more cause for the profession

to celebrate this occasion since it marks the 100th year of the profession. It was in 1898 that the first formal course in social work was offered and this gave birth to a profession that has touched the lives of most Americans in some way. The social work profession is dedicated to service to others. This service comes in many forms and I would like to give you a few examples. In a hospital setting, social workers will be found screening patients that may need help adjusting and coping with their illness and offering to provide the service that they need or making a referral to somewhere else. They will, at the same time, be performing discharge planning services to ensure that the patients have continuity of care when they leave the hospital. Elsewhere in the hospitals social workers are providing individual and group therapy to patients on the psychiatric ward or they may be working in the various clinics providing outpatient counseling and referrals for needed services. Outside the hospital social workers are working in the mental health clinics or in private practice providing individual group and marital counseling as well as family therapy. In the Department of Human Services social workers are investigating reports of child abuse and providing appropriate interventions. Other state social workers are involved in the planning for mental health services to Maine citizens and a variety of other social services to Maine citizens as well. Social workers are an integral part of hospice services. They are involved in adoptions, foster care, working with the elderly, the disadvantaged, victims of family violence, daycare and community action programs. These are but a few places that you will find social workers. You will even find them in the House of Representatives, three of them to be precise. Here to help celebrate this 100th year of the profession, our social work students from three colleges in Maine that offer social work degrees, the University of Maine graduates and undergraduate schools of social work, Lewiston/Auburn College and the Maine branch of the Boston College School of Social Work. Also, seated in the gallery are members of the National Association of Social Workers. I am proud to be part of this honorable profession. I would ask that each of you think about how your life may have been positively touched by someone from this profession. When you have the chance, thank them for choosing this proud profession. Thank you Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Kane.

Representative KANE: Madam Speaker, Ladies and Gentlemen of the House. I have had the privilege of being a professional social worker, administrative clinician for 37 years. I have been a member of the professional association for nearly 40 years. Social workers have staffed key positions, both administration and direct service in human services in Maine and the United States for these 100 years. The quality of life of our most vulnerable citizens, children, elderly, low income, mentally and physically challenged, is better for the work of social workers. We social workers in this body ask that you join us in recognizing the social work profession for a century of service. Thank you.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Lemke.

Representative LEMKE: Madam Speaker, Men and Women of the House. Realizing it is against the House rules to have an audio visual, I would like to describe it at least verbally. If you go downstairs to the exhibit for social workers, there is a poster that displays some of the famous social workers of American history and one of the people displayed on that poster is Dorothea Dix from Hampden, Maine. Dorothea Dix did pioneer work before the term social worker was ever applied in the area of mental health in reforming the horrendous treatment, at that time, of people in mental institutions. She also went on to be the chief of

the union effort for nursing during the Civil War introducing female nurses for the first time on the battlefield. This is something that we, in the State of Maine, as well as nationally should honor and be very proud of.

READ and **PASSED** and sent up for concurrence.

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-504)** on Bill "An Act to Protect Customers of Consumer-owned Utilities"

(S.P. 740) (L.D. 2018)

Signed:
Senators:

CAREY of Kennebec
CLEVELAND of Androscoggin
HARRIMAN of Cumberland

Representatives:

JONES of Bar Harbor
USHER of Westbrook
O'NEAL of Limestone
COLWELL of Gardiner
LaVERDIERE of Wilton
TAYLOR of Cumberland
JOY of Crystal
BERRY of Belmont

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representative:

VEDRAL of Buxton

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-504)**.

READ.

On motion of Representative O'NEAL of Limestone the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-504)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Tuesday, March 17, 1998.

CONSENT CALENDAR

First Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(S.P. 709) (L.D. 1957) Bill "An Act to Amend the Charter of the Sanford Sewerage District" Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-499)**

(S.P. 753) (L.D. 2031) Bill "An Act to Amend the Motor Vehicle Laws" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-498)**

(H.P. 1515) (L.D. 2137) Bill "An Act to Address the Crisis in Access to Dental Care for Low-income Children" (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-895)**

(H.P. 1521) (L.D. 2143) Bill "An Act to Restore Advocacy for Handicapped Students" Committee on **EDUCATION AND**

CULTURAL AFFAIRS reporting **Ought to Pass as Amended by Committee Amendment "A" (H-898)**

(S.P. 802) (L.D. 2172) Bill "An Act to Provide for the Licensing of Farmstead Cheese" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-500)**

(S.P. 818) (L.D. 2204) Bill "An Act to Extend the Electric Rate Stabilization Program" (EMERGENCY) Committee on **UTILITIES AND ENERGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-505)**

(H.P. 1614) (L.D. 2240) Bill "An Act to Provide for Equitable Taxation of All Financial Institutions" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-899)**

There being no objections, the above items were ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Friday, March 13, 1998, have preference in the Orders of the Day and continue with such preference until disposed of as provided by House Rule 502.

An Act to Clarify the Tax-exempt Status of the Maine School of Science and Mathematics (EMERGENCY)

(H.P. 1488) (L.D. 2087)
(C. "A" H-843)

TABLED - March 13, 1998 (Till Later Today) by Representative KONTOS of Windham.

PENDING - **PASSAGE TO BE ENACTED.**

On motion of Representative KONTOS of Windham, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

An Act to Inform Crime Victims about the Disposition of Charges (MANDATE)

(H.P. 1369) (L.D. 1919)
(C. "A" H-840)

TABLED - March 13, 1998 (Till Later Today) by Representative KONTOS of Windham.

PENDING - **PASSAGE TO BE ENACTED.**

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 21 of Article IX of the Constitution, 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 0 against, and accordingly the Mandate was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

TABLED AND TODAY ASSIGNED

The Chair laid before the House the following item which was **TABLED** and today assigned:

HOUSE DIVIDED REPORT - Majority (8) **Ought to Pass** - Minority (5) **Ought Not to Pass** - Committee on **LABOR** on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish a Contractual Obligation for Members of the Maine State Retirement System

(H.P. 735) (L.D. 999)

TABLED - March 13, 1998 by Representative HATCH of Skowhegan.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT TO PASS** Report.

On motion of Representative HATCH of Skowhegan, **TABLED** pending her motion to **ACCEPT** the **Majority Ought to Pass** Report and specially assigned for Tuesday, March 17, 1998.

On motion of Representative HATCH of Skowhegan, the House adjourned at 10:56 a.m., until 9:00 a.m., Tuesday, March 17, 1998.