

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**One Hundred And Fourteenth Legislature**  
OF THE  
**State Of Maine**

**VOLUME IV**

**FIRST SPECIAL SESSION**  
August 21, 1989 to August 22, 1989  
Index

**FIRST CONFIRMATION SESSION**  
October 30, 1989  
Index

**SECOND CONFIRMATION SESSION**  
December 12, 1989  
Index

**SECOND REGULAR SESSION**  
January 3, 1990 to March 19, 1990

H.P. 1462 L.D. 2039  
(C "A" H-817)

Which was READ A SECOND TIME.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Carpenter.

Senator CARPENTER: Mr. President, Ladies and Gentlemen of the Senate. I would request that this Bill be Tabled until Later in Today's Session, pending Amendment.

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's session, pending PASSAGE TO BE ENGROSSED AS AMENDED, in concurrence.

Senate As Amended

Bill "An Act to Authorize the Annexation of Land Adjacent to the Town of East Millinocket" (Emergency)

S.P. 746 L.D. 1950  
(C "A" S-547)

(See Action Later Today)

Bill "An Act to Provide Equitable Representation on the Board of Trustees of the Maine State Retirement System"

S.P. 751 L.D. 1959  
(C "A" S-542)

Bill "An Act to Require That Certain 3rd-party Prescription Drug Programs Be Subject to the Provisions of the Appropriate Preferred Provider Arrangement Act"

S.P. 816 L.D. 2080  
(C "A" S-543)

Resolve, Authorizing the Director of the Bureau of Public Improvements to Sell the Maine Criminal Justice Academy Campus in Waterville, Maine

S.P. 872 L.D. 2234  
(C "A" S-548)

Which were READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.

Sent down for concurrence.

Senate at Ease

Senate called to order by the President.

ORDERS OF THE DAY

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

Bill "An Act to Promote and Assist Barrier-free Construction in Places of Public Accommodation and Places of Employment"

S.P. 733 L.D. 1932  
(C "A" S-536)

Tabled - March 5, 1990, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED AS AMENDED

(In Senate, March 5, 1990, READ A SECOND TIME.)

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending PASSAGE TO BE ENGROSSED AS AMENDED.

Off Record Remarks

Senate at Ease

Senate called to order by the President.

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

An Act Regarding the Availability of Insurance Loss Information

H.P. 1318 L.D. 1820

(C "A" H-800)

Tabled - March 5, 1990, by Senator CLARK of Cumberland.

Pending - ENACTMENT

(In Senate, February 27, 1990, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-800), in concurrence.)

(In House, March 2, 1990, PASSED TO BE ENACTED.)

Which was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Off Record Remarks

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

HOUSE REPORTS - from the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Establish the Department of Child and Family Services" (Emergency)

H.P. 1199 L.D. 1666

Majority - Ought to Pass as Amended by Committee Amendment "C" (H-820).

Minority - Ought Not to Pass.

Tabled - March 5, 1990, by Senator CLARK of Cumberland.

Pending - ACCEPTANCE OF EITHER REPORT

(In Senate, March 5, 1990, Reports READ.)

(In House, March 2, 1990, the Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "C" (H-820).)

Senator BERUBE of Androscoggin moved to ACCEPT the Minority OUGHT NOT TO PASS Report in NON-CONCURRENCE.

At the request of Senator CLARK of Cumberland, a division was had. 13 Senators having voted in the affirmative and 18 Senators having voted in the negative the motion of Senator BERUBE of Androscoggin, to ACCEPT the Minority OUGHT NOT TO PASS Report in NON-CONCURRENCE, FAILED.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Berube.

Senator BERUBE: Mr. President, Ladies and Gentlemen of the Senate. May I request a roll call please and speak?

THE PRESIDENT: The Chair would inform the Senator that he has already announced the vote.

The President moved ACCEPTANCE of the Majority OUGHT TO PASS AS AMENDED Report, in concurrence.

At the request of Senator WEBSTER of Franklin, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Berube.

Senator BERUBE: Thank you Mr. President. Ladies and Gentlemen of the Senate. I would like to share with you Ladies and Gentlemen, my reasons for voting the Ought Not To Pass Report.

If I sincerely thought the creation of a new Department would help elevate the problems, or improve the delivery of services to the children of this state, I certainly would have supported the Report.

The Bill does not deal at all with direct services to those unable to access them. In my view, this new level of bureaucracy will do nothing to elevate the actual problems that may exist. Unless, and very importantly, unless, we allocate the necessary monies to do so, and this Bill does not do that.

Here is what the Bill does. Last year there was a Bill L.D. 1666, the original Bill which had five