

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Twelfth

Legislature

OF THE

STATE OF MAINE

VOLUME II

SECOND REGULAR SESSION

April 3 - April 16, 1986

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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION
JOURNAL OF THE SENATE

COMMUNICATIONS

The Following Communication:

COMMITTEE ON JUDICIARY
ONE HUNDRED AND TWELFTH LEGISLATURE

In Senate Chamber
Wednesday
April 16, 1986

April 15, 1986

Senate called to Order by the President.

Prayer by Father Renald LaBarre of St. Philip's
Catholic Church in Auburn.

FATHER LABARRE: Let us pray. Almighty and everlasting God, who alone works great wonders, put upon us and the Members of the Senate and upon all committed to their care the spirit of Your saving grace that we may truly please You and grow under the continual grace of Your blessing. Lord may we be the recipients of Your choice as favor as we strive to use the time allocated to us for the growth and the welfare of all Your people. Look favorably, O Lord, upon the prayers we offer, for You are the giver of peace and the lover of charity. May no plan of our leaders ever go astray, nor our dream of improvement not come to fruition, nor prayer be in vain. May our leaders be ever faithful in the execution of their duty and responsibility and be an inspiration improving the quality of life for our citizenry. Everloving Father stretch forth Your hand and bless them and us as one we may glorify Your name and in justice and peace built Your kingdom on earth. Amen.

Reading of the Journal of Yesterday.

Off Record Remarks

The Honorable Charles P. Pray
President of the Senate
112th Legislature

Dear President Pray:

We are pleased to report that all business which was placed before the Committee on Judiciary during the Second Regular Session of the 112th Legislature has been completed. The breakdown of bills referred to our committee follows:

Total number of bills received	70
Unanimous reports	61
Leave to Withdraw	26
Ought to Pass	6
Ought Not to Pass	1
Ought to Pass as Amended	13
Ought to Pass in New Draft	15
Divided reports	9

Respectfully submitted,

S/Senator Michael Carpenter
Senate Chair

S/Rep. Edward Kane
House Chair

Which was READ and ORDERED PLACED ON FILE.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$12,100,000 for Various Projects at the University of Maine"

H.P. 1639 L.D. 2311
(C "A" H-697)

In Senate, April 12, 1986, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-697).

Comes from the House Bill and Accompanying Papers RECOMMITTED to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

Non-concurrent Matter

Bill "An Act to Authorize the Payment of Retention and Recruitment Stipends in State Government" (Emergency)

H.P. 1676 L.D. 2362

In House, April 12, 1986, PASSED TO BE ENACTED.

In Senate, April 15, 1986, Bill and Accompanying Papers INDEFINITELY POSTPONED in NON-CONCURRENCE.

Comes from the House, that Body ADHERED.

Senator PEARSON of Penobscot moved that the Senate RECEDE and CONCUR.

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Out of order and under suspension of the Rules, the Senate considered the following:

ENACTORS

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

An Act to Amend and Improve the Education Laws of Maine

S.P. 957 L.D. 2399
(S "B" S-526)

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

An Act Relating to Medical and Legal Professional Liability

S.P. 958 L.D. 2400
(S "A" S-521)

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

Senator CARPENTER: Mr. President, Ladies and Gentlemen of the Senate. This Bill is the medical malpractice bill, which has been discussed at great length in this Chamber, and elsewhere in this Legislature this term. As the Bill was proceeding on its way, and after it was engrossed, the legal counsel on the third floor, the legal counsel to the Legislature, determined that there were certain technical flaws, and we have prepared an amendment to deal with it. It is in your book under filing number S-543. So, with the permission of the Senate, I will be backing this Bill up, amending it, in about five sections, but again, I assure you that there are no substantiate changes in this amendment.

On motion by Senator CARPENTER of Aroostook, the Senate RECONSIDERED it's action whereby this Bill was PASSED TO BE ENGROSSED.

On further motion by same Senator, Senate Amendment "C" (S-543) READ.

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

Senator CARPENTER: Mr. President, we have neglected to put in for the appointing authority of the Chair of the Mediation Panel to replace the Chair, if the Chair was unwilling, or unable to serve. That is the first item in the amendment.. If the Chair is challenged by a party to the proceedings, we neglected to specify how that challenge was to be undertaken. We also clarified the authority of the Chair of the Mediation Panel, if you will, to issue subpoenas, that is the Chair's authority. It said in the original bill that the Maine Rules of Evidence did not apply because we wanted this mediation panel to be basically informal, along the lines of the Workers Compensation Commission, however, we didn't use any standard other than the Maine Rules of Evidence. So, we have now lifted the standard from the Administrative Procedures Act, and that is, such evidence upon which reasonably persons are accustomed to rely in the conduct of serious affairs. That is the language under the APA. We took out some wording in the next section, and the rest of it is simply clarifications, and in two instances there were typos involved. Then, because we are going to call professionals under greater scrutiny, it affects the number of complaints that are settled against them, within a period of time. We knew that we had to have additional staff, and so the wording that we used, we thought we would get twice as much staff in the Department of Human Services and the Attorney General's Office than we wanted, so we made sure that we clarified that.

On motion by Senator CARPENTER of Aroostook, Senate Amendment "C" (S-543) ADOPTED.

Which was PASSED TO BE ENGROSSED, as Amended in NON-CONCURRENCE.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

Senator CARPENTER of Aroostook was granted unanimous consent to address the Senate Off the Record.

Senate at Ease

Senate called to order by the President.

ORDERS OF THE DAY

On motion by Senator PEARSON of Penobscot the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

An Act to Provide for a Clean-up Program Concerning Natural Die-off of Fish in the Coastal Waters of the State

H.P. 1383 L.D. 1952

Tabled - March 11, 1986, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, March 10, 1986, PASSED TO BE ENACTED.)

(In Senate, March 5, 1986, PASSED TO BE ENGROSSED, in concurrence.)

On motion by Senator CHALMERS of Knox, the Senate SUSPENDED THE RULES.

On further motion by same Senator, the Senate RECONSIDERED its action whereby the Bill was PASSED TO BE ENGROSSED.

On further motion by same Senator, Senate Amendment "A" (S-539) READ and ADOPTED.

Which was PASSED TO BE ENGROSSED, as Amended in NON-CONCURRENCE.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

On motion by Senator PEARSON of Penobscot, the Senate removed from the SPECIAL APPROPRIATIONS TABLE the following:

An Act to Authorize Additional Facilities for Long-term Care

S.P. 913 L.D. 2280

Tabled - April 12, 1986, by Senator PEARSON of Penobscot.

Pending - ENACTMENT

(In House, April 12, 1986, PASSED TO BE ENACTED.)

(In Senate, April 10, 1986, PASSED TO BE ENGROSSED.)

On motion by Senator BERUBE of Androscoggin, the Senate SUSPENDED THE RULES.

On further motion by same Senator, the Senate RECONSIDERED its action whereby the Bill was PASSED TO BE ENGROSSED.

On further motion by same Senator, Senate Amendment "B" (S-538) READ.

THE PRESIDENT: The Chair recognizes the same Senator.

Senator BERUBE: Mr. President, Ladies and Gentlemen of the Senate. Presently, the monies that are in the Home Base Care Account are being used and tapped for the match for medicaid waiver, resulting in a depletion of their resources that are needed to help the home bound elderly. The amendment then addressed the problem by turning back to the the Home Base Account \$500,000 of the surpluses in the ICF account. There will be left in that particular account, a cushion of \$500,000, plus they will continue to keep \$950,000 from the Home Base Care Account, to be utilized for the medicaid waiver. This will alleviate a very serious problem that exists right now, because since the advent of the medicaid waiver program, many elderly have been unable to be served because of the depletion of the resources of the Home Base Care Account. As you know, the Home Base Care program serves the need of those who are least able to care for themselves and this amendment will alleviate that need. Thank you.

On motion by Senator BERUBE of Androscoggin, Senate Amendment "B" (S-538) ADOPTED.

Which was PASSED TO BE ENGROSSED, as Amended in NON-CONCURRENCE.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

COMMITTEE REPORTS

Senate

Ought to Pass in New Draft

Senator CHALMERS for the Committee on JUDICIARY on Bill "An Act to Make Corrections of Errors and Inconsistencies in the Laws of Maine" (Emergency)

S.P. 905 L.D. 2272

Reported that the same Ought to Pass in New Draft under same title (Emergency).

S.P. 965 L.D. 2405

Which Report was READ and ACCEPTED.

The Bill in NEW DRAFT READ ONCE.

The Bill in NEW DRAFT LATER TODAY ASSIGNED FOR SECOND READING.

On motion by Senator KERRY of York RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

Out of order and under suspension of the Rules, the Senate considered the following:

COMMUNICATIONS

The Following Communication: H.P. 1710

MAINE MEDICAL CENTER
PORTLAND, MAINE 04102

Honorable John L. Martin Honorable Charles P. Pray
Speaker of the House President of the Senate
State House State House
Augusta, ME 04333 Augusta, ME 04333

Dear Speaker Martin and President Pray:

On behalf of the Select Committee to Address Training and Employment Opportunities for Handicapped Youths Beyond School Age, we are pleased to transmit our final report to the Legislature. The report was mandated by resolve of the 111th Legislature and prepared with funding from the Maine Advisory Council on Developmental Disabilities. Additional staff support was provided by the Department of Mental Health and Retardation, the Department of Educational and Cultural Affairs, and the Department of Human Services.

We apologize for the lateness of the report; it was to have been delivered in January of this year. However, I hope that you agree that the short delay was acceptable in the interest in addressing such a complicated issue in a comprehensive manner.

Respectfully submitted,

S/Richard M. Balser, Chairperson
Select Committee to Address
Training and Employment
Opportunities for Handicapped
Persons Beyond School Age

Comes from the House READ and with Accompanying Papers ORDERED PLACED ON FILE.

Which was READ and with Accompanying Papers ORDERED PLACED ON FILE, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Joint Resolution

The Following Joint Resolution: H.P. 1709

JOINT RESOLUTION IN RECOGNITION OF THE 350TH ANNIVERSARY OF THE COUNTY OF YORK

WHEREAS, in the year 1636, King Charles I of England granted to the nobleman Sir Ferdinando Gorges land in continental North America that was later to become York County; and

WHEREAS, this act led to Maine's most southern county as it exists today and has given rise to a celebration of this the 350th anniversary; and

WHEREAS, York County has undergone numerous boundary and name changes in the course of its historic development; and

WHEREAS, once known as New Somersetshire, Yorkshire, Surrey, Devon, Cornwall and County of Canada, its land reached north to the Canadian border and as part of the Dominion of New England has extended as far south as New Jersey; and

WHEREAS, York County, the second largest and the fastest growing county in the State of Maine, it is truly a treasure of natural beauty, rich with history and tradition, which the citizens of the State proudly acknowledge; now, therefore, be it

RESOLVED: That We, the Members of the 112th Legislature of the great and sovereign State of Maine now assembled in the Second Regular Session pause in our deliberations to acknowledge the 350th anniversary of the founding of York County and commend its citizens and officials for the many successes which they have achieved together, over the years, and extend to all inhabitants of York County our highest hopes and best wishes for continued success in future years; and be it further

RESOLVED: That copies of this Joint Resolution, duly authenticated by the Secretary of State, be transmitted to appropriate officials of York County to commemorate this special occasion.

Comes from the House READ and ADOPTED.

Which was READ and ADOPTED, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

ENACTORS

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

Emergency

An Act to Revise the Salaries of Certain County Officers

H.P. 1707 L.D. 2404

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, for the Laying of the County Taxes and Authorizing Expenditures of Penobscot County for the Year 1986

H.P. 1706 L.D. 2403

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with 1 Senators having voted in negative, and 26 being more than two-thirds of the entire elected Membership of the Senate, was FINALLY PASSED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Non-concurrent Matter

Resolve, in Favor of Edgar Warren, of Portland, for Injuries Received While He was a Ward of the State

H.P. 1377 L.D. 1940
(C.C. "A" S-487)

In House, April 14, 1986, FINALLY PASSED.

In Senate, April 15, 1986, Bill and Accompanying Papers INDEFINITELY POSTPONED in NON-CONCURRENCE.

Comes from the House; PASSED TO ENGROSSED AS AMENDED BY COMMITTEE OF CONFERENCE AMENDMENT "A" (S-487) AS AMENDED BY HOUSE AMENDMENT "A" (H-739) in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

Out of order and under suspension of the Rules, the Senate considered the following:

COMMITTEE REPORTS

House

Ought to Pass

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Fund and Implement a Certain Collective Bargaining Agreement" (Emergency) H.P. 1684 L.D. 2373

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Under suspension of the Rules, READ A SECOND TIME and PASSED TO BE ENGROSSED, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

COMMITTEE REPORTS

House

Committee of Conference

The Committee of Conference on the disagreeing action between the two branches of the Legislature, on Bill "An Act to Revise the Energy Building Standards Act"

H.P. 1385 L.D. 1954

have had the same under consideration and ask leave to Report that they are UNABLE TO AGREE

Signed on the part of the House:

Representative JACQUES of Waterville
Representative RIDLEY of Shapleigh
Representative DEXTER of Kingfield

Signed on the part of the Senate:

Senator USHER of Cumberland
Senator KANY of Kennebec
Senator HICHENS of York

Comes from the House with the Report READ and REJECTED.

Which Report was READ and ACCEPTED in NON-CONCURRENCE.

Sent down for concurrence.

ORDERS OF THE DAY

On motion by Senator VIOLETTE of Aroostook, the Senate removed from the Tabled and specially assigned the following:

Bill "An Act to Provide Community Education and Family Health Services"

S.P. 835 L.D. 2124
(C "A" S-494)

Tabled - April 15, 1986, by Senator VIOLETTE of Aroostook.

Pending - FURTHER CONSIDERATION

(In Senate, April 12, 1986, RECEDED and CONCURRED to PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-494). Subsequently RECONSIDERED the motion to RECEDE and CONCUR.)

(In House, April 12, 1986, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-494) in NON-CONCURRENCE.)

On motion by Senator PEARSON of Penobscot the Senate RECEDED.

Committee Amendment "A" (S-494) READ.

On further motion by same Senator, Senate Amendment "A" (S-537) to Committee Amendment "A" (S-494) READ and ADOPTED.

On motion by Senator CHALMERS of Knox, Senate Amendment "C" (S-507) to Committee Amendment "A" (S-494) READ and ADOPTED.

Committee Amendment "A" (S-494) as Amended by Senate Amendments "A" (S-537) and "C" (S-507), thereto ADOPTED in NON-CONCURRENCE.

Which was PASSED TO BE ENGROSSED, as Amended in NON-CONCURRENCE.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Senator HICHENS of York was granted unanimous consent to address the Senate On the Record.

A FOND FAREWELL

There comes a time within the lives of men,
When they must make decisions that will change
Their course of life and new directions take;
Their way of living they must rearrange.
They're in a groove, from which they must escape;
A way of life that they must leave behind
And look to new horizons up ahead,
Or thoughts of leisure time may come to mind.
And so with twenty years of service I
Feel that my Legislative days are at an end
And that I've earned the right to seek a way
Of relaxation as life's twilight years I spend.
I must admit I'll miss activities
That I've engaged in through these many years
In serving those I represent here in the State.
I've had my times of laughter, even tears,
I've known frustration, yet have known success
In ventures that I've been entangled in,
And leaving friends I've made throughout
these years, leaves an empty feeling deep within.
And where the road leads me, God only knows
How many days in life that's left for me,
Is in this hands but I can rest assured
That where He leads, content I'm sure I'll be.
Who'll be the Senate poet, I don't know
But I am sure that as I from here go,
That there will be one who'll aptly fill my place,
And write your verses with great art and grace.
So as I stand before you all today,
I leave you with fond wishes, yet sincere,
That God may bless you all as He's blessed me
In all the twenty years that I've served here.

Senator HICHENS of York was granted unanimous consent to address the Senate Off the Record.

Senator TUTTLE of York was granted unanimous consent to address the Senate On the Record.

Senator TUTTLE: Mr. President and Members of the Senate. As I am sure we are all aware, some Members of this Body will not be running for re-election. Some have chosen to run for other offices, some plan to retire. To our friends, Senator Brown, Carpenter, my leader Senator Violette, Senator Diamond, my good seat mate Senator Hichens, Senator McBreairty, Senator Najarian, Senator Shute, Senator Trafton, Senator Stover, my fellow Member on the Local and County Committee, I wish you all well. In whatever you choose to do, we will miss you in the Senate, and the people of Maine will miss you in this Body.

I used a quote earlier this year, in commemorating Senator Hichens' birthday, and I would like to repeat that today. I said, "Good people all remind us, we can live our lives sublime, parting leave behind us, footprints on the sands of time." To all my friends, my seat mate, and my fellow committee member, a fond farewell until we meet again.

Off Record Remarks

Senator PEARSON of Penobscot was granted unanimous consent to address the Senate On the Record.

Senator PEARSON: Mr. President, Men and Women of the Senate. I am told that my transportation for going home is going to be going home at two o'clock, and so consequently, I may not be here for the rest of the afternoon. I would like to make just a few remarks. All of those people that are not returning of their own volition, and maybe there are some of us that won't be coming back even if we want to, I may be one of them. But, they are all real fine people. Senator Trafton, I thank him for his legal advice and many kindness he has shown me. Senator Carpenter, I suspect our paths, since we live in sort of the same neck of the woods, will cross many times in the future. Bill Diamond is not here right now, and I know he and I will never lose contact. Senator Najarian, what a marvel she is, because in mid-life went to law school and graduated with high marks. I don't know how anybody can do that and handle as much as she did. Senator Shute has been a good friend, Senator Hichens, Senator Brown. Senator Stover is such a decent person, but Senator McBreairty is real special. I have never met anybody that had as much perseverance and at the same time patience and kindness and decency as he does. I hope that in the years to come, after having served on the Committee with him so many times, that we will never lose contact.

Senator NAJARIAN of Cumberland was granted unanimous consent to address the Senate On the Record.

Senator NAJARIAN: Mr. President and Members of the Senate. I want to thank Senator Tuttle and Senator Pearson for the kind words and Senator Hichens, and especially to Senator Pearson. He really handed me a compliment, he is calling my age mid-life which means that I will live to be 106 years old. I have regrets about leaving this Body, I have been here fourteen years and that is a big segment out of my life, and I will miss you.

I will miss the process, but I am also looking forward to a new kind of life and new experience. I leave knowing that I am leaving the Senate in good and capable hands, and I will be reading about you all in the newspapers. I hope you will stop these secret caucus's.

Senator STOVER of Sagadahoc was granted unanimous consent to address the Senate On the Record.

Senator STOVER: Thank you, Mr. President and fellow Members of the Senate. This concludes 46 years of public life for me, starting on the town and county level and then up here for the last ten years. I have to admit that I am going to miss the special excitement of being a part of so many things at once. However, I leave with no regrets, I am going to leave with a lot of wonderful memories and the enthusiastic anticipation of tomorrow.

Senator BALDACCI of Penobscot was granted unanimous consent to address the Senate On the Record.

Senator BALDACCI: Mr. President and Members of the Senate. There is another Senator who has come with us for just this last year of the Session, among all the others, that are retiring or not running again. Someone who I have gained a lot of respect for, and I have talked to individual Members of this Senate, and they feel the same way that I do about the good Senator from York, Senator Kerry. Senator Kerry is a very bright and sensitive individual and a true thinker. Some have said that even though he has been here for a short while, he has left an impact, and as I talked to other Members of the Chamber, I think that they think an awful lot of him and are sorry to see the Senator deciding that maybe this is not the life for him. As some have said, maybe he is just a faster learner than some of us in the Chamber. I would say that it would be an unanimous report that this Senate will be a little bit less without the good Senator from York, Senator David Kerry.

Senator MCBREAIRTY of Aroostook was granted unanimous consent to address the Senate On the Record.

Senator MCBREAIRTY: Mr. President and Honorable Members of the Senate. When I ran for the Legislature, twelve years ago, in 1974, I had no idea that the people would want me here as long as they have put me here, or that you people would have to put up with me as long. Sometimes teachers have a great influence on our lives.

I had a teacher one time that told me that if you first do not succeed try, try, again. So I guess that is a policy that stuck with me and as many of you know, I have tried and tried again, and sometimes became successful. Serving in this Body and also in the other, has been a great experience for me. All I can say is thanks to every one of you for the help you have given me over the years. I will never forget the experiences that I have had here. I tell all young people that I see, that if they can run for the Legislature and get six to ten years of service here, that they would get an education that they could get no where else in the world. I strongly believe that. Thanks again.

Off Record Remarks

Senator PERKINS of Hancock was granted unanimous consent to address the Senate Off the Record.

On motion by Senator MCBREAIRTY of Aroostook RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

Out of order and under suspension of the Rules, the Senate considered the following:

SECOND READERS

The Committee on Bills in the Second Reading reported the following:

Senate

Bill "An Act to Make Corrections of Errors and Inconsistencies in the Laws of Maine" (Emergency)
S.P. 965 L.D. 2405

Which was READ A SECOND TIME.

On motion by Senator ANDREWS of Cumberland, the Senate SUSPENDED THE RULES.

On further motion by same Senator, Senate Amendment "A" (S-546) READ.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Perkins.

Senator PERKINS: Mr. President, I would like an explanation of this amendment.

THE PRESIDENT: The Senator from Hancock, Senator Perkins, has posed a question through the Chair to any Senator who may care to respond.

The Chair recognizes the Senator from Cumberland, Senator Andrews.

Senator ANDREWS: Mr. President, Men and Women of the Senate. To answer the good Senator's question, this amendment addresses a bill that we passed several weeks ago, that dealt with the fuel assistance program. As you know, we made some changes in the program to allow municipalities that are currently administering locally that program, to continue to administer that under certain conditions. Because of a drafting error, we, in fact, amended a statute which we had repealed earlier. So this amendment, in essence, puts this bill that we discussed and passed several weeks ago, into the Division of Community Services section of law. There has been no substantive change, it simply places this statute that we passed several weeks ago in it's proper place in the books.

On motion by Senator ANDREWS of Cumberland, Senate Amendment "A" (S-546) ADOPTED.

On motion by Senator CARPENTER of Aroostook, the Senate SUSPENDED THE RULES.

On further motion by same Senator, Senate Amendment "B" (S-548) READ.

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

Senator CARPENTER: Mr. President, Ladies and Gentlemen of the Senate. This is an issue that arose this morning and I apologize for the lateness of bringing this issue before the Legislature. Under Title 1, section 71, Rules of Construction, sub-section 7, says words of a masculine gender may include the feminine, however, it is my understanding that under the recodification of the education laws, in Title 20-A last year, Title 20-A, sub-4 says, ignore this gender in neutral paragraph of Title 1. We are now repealing that ignore language, if you will, and we are adding a couple of more words and that is, where every reasonable, as determined by the revisor of statutes, nouns rather than pronouns shall be used, to refer to persons in order to avoid gender identification. The participants in this controversy, have included Senator Clark, and persons who don't reside in this Body, but yet, who do reside on this floor, and it is my understanding that although this could arguably be a substantiative change, it is something that the Revisor of Statutes feels is necessary to help him clear up his books for now and in the future.

On motion by Senator CARPENTER of Aroostook, Senate Amendment "B" (S-548) ADOPTED.

On further motion by same Senator, the Senate SUSPENDED THE RULES.

On further motion by same Senator, Senate Amendment "C" (S-549) READ.

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

Senator CARPENTER: Mr. President, Ladies and Gentlemen of the Senate. Our friend from Waldo County, yesterday, correctly picked up some incorrect dates in the Compensation Commission Bill, so-called, and we thought those were going to be taken care of, just routinely at the Engrossing Department.

In fact, that was not possible because the Bill had already been engrossed, with the errors in them. The Governor signed the Bill this morning. We rushed around and got a Chapter number on it and now we are correcting those. We did change those dates to conform with what the Compensation Commission had originally intended.

On motion by Senator CARPENTER of Aroostook, Senate Amendment "C" (S-549) ADOPTED.

Which was PASSED TO BE ENGROSSED, as Amended.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

ORDERS

Joint Resolution

On motion by Senator GAUVREAU of Androscoggin (Cosponsored by: Senator PERKINS of Hancock, Representative NELSON of Portland, Representative TAYLOR of Camden) the following Joint Resolution:
S.P. 966

JOINT RESOLUTION MEMORIALIZING CONGRESS TO EVALUATE FURTHER THE HEALTH RISK FROM THE PRESENCE OF METHYLENE CHLORIDE AS A RESIDUE FROM ITS USE AS A SOLVENT IN THE EXTRACTION OF CAFFEINE FROM GREEN COFFEE BEANS

WE, your Memorialists, the Senate and House of Representatives of the State of Maine, in the One Hundred and Twelfth Legislative Session assembled, most respectfully request and petition the Congress of the United States, as follows:

WHEREAS, certain brands of coffee are decaffeinated by a method which uses methylene chloride as a solvent, leaving a residue of methylene chloride in the dry coffee product; and

WHEREAS, the United States Food and Drug Administration has determined that methylene chloride is carcinogenic when used in aerosol products such as hair sprays; and

WHEREAS, the United States Food and Drug Administration has determined that methylene chloride may be present in coffee as a residue from its use as a solvent in the extraction of caffeine from green coffee beans at a level not to exceed 10 parts per million; and

WHEREAS, the methodologies used by the Environmental Protection Agency to evaluate cancer risks from methylene chloride have projected a risk that is 26 times greater than the United States Food and Drug Administration projections; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request the Congress of the United States to take immediate action to request further testing and evaluation of the safety and advisability of the acceptable level, if any, of methylene chloride allowed in coffee as a residue from its use as a solvent in the extraction of caffeine from green coffee beans; and; and be it further

RESOLVED: That the disparity between safe levels of methylene chloride as recognized by the United States Food and Drug Administration and the Environmental Protection Agency be reevaluated and explained; and be it further

RESOLVED: That copies of this Memorial, duly authenticated by the Secretary of State, be immediately transmitted by the Secretary of State to the Congress of the United States.

Which was READ and ADOPTED.

Sent down for concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Maintain the Sanford Unemployment Office" (Emergency)

S.P. 942 L.D. 2360
(S "A" S-544)

In Senate, April 15, 1986, PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-544).

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-544) AND HOUSE AMENDMENT "A" (H-741) in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

Out of order and under suspension of the Rules, the Senate considered the following:

COMMUNICATIONS

The Following Communication:

STATE OF MAINE
OFFICE OF THE PRESIDENT

April 16, 1986

Hon. Joy J. O'Brien
Secretary of the Senate
State House Station #3
Augusta, ME 04333

Dear Madam Secretary:

I am pleased to authorize and direct you to serve on a full-time basis when the 112th Legislature is not in regular or special session, as provided in Section 22 of Title 3 of the Maine Revised Statutes Annotated.

Sincerely,

S/Charles P. Pray
President of the Senate

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
OFFICE OF THE PRESIDENT

April 16, 1986

Hon. Joy J. O'Brien
Secretary of the Senate
State House Station #3
Augusta, ME 04333

Dear Madam Secretary:

I am pleased to authorize and direct Pamela Lovely, Assistant Secretary of the Senate, to serve on a full-time basis when the 112th Legislature is not in regular or special session, as provided in Section 22 of Title 3 of the Maine Revised Statutes Annotated.

Sincerely,

S/Charles P. Pray
President of the Senate

Which was READ and ORDERED PLACED ON FILE.

Out of order and under suspension of the Rules, the Senate considered the following:

ENACTORS

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

An Act to Clarify the Application of Water Quality Standards to Hydroelectric Projects
H.P. 1495 L.D. 2107
(H "C" H-738)

An Act Relating to the Transfer of Authority from the District Courts to the Secretary of State to Adjudicate the Commission of Traffic Infractions
H.P. 1689 L.D. 2379
(S "A" S-540)

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

Out of order and under suspension of the Rules, the Senate considered the following:

ENACTORS

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

Resolve

Resolve, in Favor of Edgar Warren, of Portland, for Injuries Received While He was a Ward of the State
H.P. 1377 L.D. 1940
(H "A" H-739 to C.C. "A" S-487)

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

Emergency

An Act to Fund and Implement a Certain Collective Bargaining Agreement
H.P. 1684 L.D. 2373

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with No Senators having voted in negative, and 26 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Out of order and under suspension of the Rules, the Senate considered the following:

ENACTORS

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$10,500,000 for Coastal Access, Harbor Improvements and Marine Laboratory Improvements
S.P. 895 L.D. 2250
(H "B" H-737 to C "B" S-490)

This being a Bond Authorization Act and having received the affirmative vote of 25 Members of the Senate, with 1 Senator having voted in negative, and 25 being more than two-thirds of the Membership present and voting was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Bond Issue

An Act to Authorize the Issuance of a Bond not Exceeding \$8,000,000 for the Financing of the Maine Inland Fisheries and Wildlife Acquisition Fund
S.P. 695 L.D. 1781
(C "A" S-481; H "A" H-736)

Comes from the House FAILING of PASSAGE TO BE ENACTED.

On motion by Senator VIOLETTE of Aroostook, the Senate SUSPENDED THE RULES.

On further motion by same Senate, the Senate RECONSIDERED it's action whereby the Bill was PASSED TO BE ENGROSSED AS AMENDED.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Diamond.

Senator DIAMOND: Mr. President, Men and Women of the Senate. This being my Bill, I am just a little bit curious as to what is happening with it.

Emergency

An Act to Reorganize the Department of Finance and Administration and the Department of Personnel
S.P. 954 L.D. 2392
(H "A" H-721; S "A"
S-530 to S "A" S-527)

Off Record Remarks

THE PRESIDENT: The Chair understands that the Senator from Cumberland, Senator Diamond, has received an answer to his inquiry.

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

On motion by Senator PERKINS of Hancock, the Senate SUSPENDED THE RULES.

Senate at Ease

On further motion by same Senator, the Senate RECONSIDERED its action whereby Committee Amendment "A" (S-481) was ADOPTED.

Senate called to order by the President.

On further motion by same Senator, Committee Amendment "A" (S-481) INDEFINITELY POSTPONED in NON-CONCURRENCE.

On motion by Senator GILL of Cumberland, the Senate RECONSIDERED its action whereby House Amendment "A" (H-736) was ADOPTED.

Senator KANY from Kennebec was granted unanimous consent to address the Senate On the Record.

On further motion by same Senator, House Amendment "A" (H-736) INDEFINITELY POSTPONED in NON-CONCURRENCE.

Senator KANY: Mr. President and fellow Senators, I just wanted to mention On the Record that today is not only the statutory deadline for the Legislative Session ending, but it is also the final day that the U.S. Department of Energy will receive responses to its Draft Area Recommendation Report, in which it announced on January 16, that two of Maine's granite bodies were selected for further consideration as a possible host for half of the Nation's nuclear waste. Of course, there are one hundred operating and licensed nuclear power plants in the Country, and we have been accumulating high-level radioactive waste from defense activities since the 1940's. That is a substantial amount of high-level radioactive waste that the U.S. Department of Energy is considering locating here in the State of Maine. The Governor's task force on high-level nuclear waste was able, with a great deal of effort and cooperation on everyone's part, to put together a very good document, and that did arrive, if all went as planned, in Washington and Illinois today. I do have just about five copies of the executive summary of that report here, and if there is anyone who would like one today, please come and see me afterwards.

Which was PASSED TO BE ENGROSSED in NON-CONCURRENCE.

Sent down for concurrence.

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

ENACTORS

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

Secondly, each of you has received the entire report from the Advisory Commission on radioactive waste, and we issued this report not only to the Department of Energy, and hopefully they received one at the Washington and Illinois offices today. Because of our statutory responsibilities to you to report to the Maine Legislature and to the Governor on the activities of the Advisory Commission during the Legislative Session.

There are many of you, if not all of you, who would rather see someone else have a copy of this document than yourselves. If that is indeed the case, I hope that you would ask a Page to deliver it to me, or if you would make certain that I get it, or one of the other two members of the Commission instead of just throwing them away, because we did only have five hundred copies printed and we have already had many requests. I would appreciate if we could get them back so we could distribute them.

I would also like to wish those of you who are retiring, well. I am going to miss each and every one of you, and I can't imagine that the Maine Senate will function without you. It is really kind of impossible to imagine that so many experienced, qualified, responsible veterans are retiring this year. It seems like a little bit too much. I especially would like to thank Mary Najarian, who really served as my mentor when I entered the Legislature, in the House, and who has been very special, always gracious to everyone, and I particularly thank her, but I have enjoyed each and every one of you and I just wish you godspeed.

Senator CARPENTER of Aroostook was granted unanimous consent to address the Senate On the Record.

Senator CARPENTER: Mr. President, Ladies and Gentlemen of the Senate. This is a day that I have both dreaded and looked forward to now for these last twelve years. Dreaded that it is always difficult for me to say good-bye to anything that I hold very dear, but look forward to, in that I have always felt badly for those persons who left here one session thinking that they were returning and didn't return, and never had the chance to say good-bye and thanks for the memories. I guess that is what I am doing here today. Twelve years worth of memories, almost one-third of my entire life is very difficult to sum up. I tried to jot down some feelings and some thoughts and decided that it was probably better to just let fly with whatever I was feeling. I almost got up this morning, when other Members who are retiring made their remarks, and then I decided that it probably would be better, especially after my colleague from Aroostook, Senator McBreairey, got done, I wasn't sure I could follow that act. Twelve years is a long time, and for somebody who sort of came out of the woods of Aroostook County, literally, from a one room school house, and when he was twenty-six years old, agreed as a favor to a group of people, to put his name on the ballot as a ballot filler, and lo and behold ended up down here. Some wonderful things have happened to me and many of those things have been as a direct result of my affiliation with this Body or the Body at the other end of the Hall, and with the individuals in the Body. I commented when I first ran for election in 1974, that I only wanted to go to Augusta for a couple of years, and if I could come home as idealistic as when I had gone down, that I would be very well satisfied.

Let me assure you today, even with all the agony and pain of the last few days of the Legislature and defeats that we all have suffered here and there, I go home today with a great deal of pride in the Maine Legislature, and I will continue to, as I have in the past twelve years, tell the people of Maine they have all the right in the world to be very, very proud. I am very proud of my service here and the friendships that I have made. I remember when Sam Collins stood on this floor two years ago and made his parting remarks. He pointed out something to me that I wasn't aware, Sam being the thorough person that he is, had gone to do some research, because he and his brother Don had both served in this Chamber and he wasn't sure that two brothers had ever served in the Legislature at the same time. Lo and behold, he came back and told me that three brothers had served in the House at one point together, from the towns of Howland, Dover-Foxcroft and Patten, and that their name was Carpenter. They were my great, great, however many, uncles. That made me proud.

To you, who suffered through law school with me for three years, I thank you very much for your patience. I only wish that Gerry Conley, Frank Wood and Sam Collins, and those people were here. I served in this Body for ten years, I was very honored to serve as the Assistant Floor Leader here for two years, and now these past two years, which have been my best two years, my most enjoyable two years of my twelve, I have served as the Chair of the Judiciary Committee. Nothing could have come to me as a greater honor or have given me greater pride. It is very difficult for me to leave here and I have thought about it now for the last few days, and the more I thought about it, the more difficult it got. As most of you know, I am attempting, at least, to come back to this city in a different suit of clothes, if you will, but regardless of that, I leave here, and I hope with your friendship. I can't say thank you enough to the people that I have served with here, and most of you have been here for a number of years with me now, regardless of political party, some of my best friends are on the other side of the aisle. Thank you to the people who have worked here, I couldn't begin to name all of them, I tried to list a few of them and I got the Kevin McVey's and those people, I look to, the Sue's, Peggy's, Marcia's, Molly's, Timmy's, Tommy's, Jim's, Henry's, and all of the people who have worked here, Carol Carothers, Judy Brown, Dan Paradee, Kim Monaghan, I hope I didn't leave anyone out, I am sure that I did.

I say thank you so very much, there are some very special people, some very special friends that you make over the years. Persons such as Joy O'Brien and Charlie Pray, Paul Violette, and Pam Lovley, how could I possibly stand here and make any comments about my last twelve years without including Pam. To each of you, thank you, godspeed, and thanks for the memories.

Senator BUSTIN of Kennebec was granted unanimous consent to address the Senate On the Record.

Senator BUSTIN: Thank you Mr. President, Ladies and Gentlemen of the Senate. I am going to read a poem to you about this back row that I sit in because I am losing half of them and I thought it was appropriate. But I am not a writer or a poet, so I asked our poet laureate to write the poem for me so it is with the good graces of the good Senator from York, Senator Hichens that I read this.

I sat in this back row for these two years
 Surrounded by these learned men of State,
 But now a twinge of sadness comes to mind
 And reasons for this sadness I relate.
 On my left-hand side sits Melvin Shute,
 Mike Carpenter has flanked me on the right.
 And then on down the line there are three more,
 Who give me a big smile when in sight.
 The dapper Larry Brown just stirs my heart,
 Whenever my eyes chance over his way.
 And next to him Bill Diamond - maybe Gov.
 Then Trafton rises up and has his say.
 It's quite a change that will be mine to face,
 When the 113th rolls around.
 And I just want to share with you right now,
 That in the newer group will not be found,
 A Senator that can really fill the shoes.
 Of those who say good-bye to us today.
 So stand with me and give them all a hand,
 And ask the best for them along life's way.

Senator CLARK of Cumberland was granted unanimous consent to address the Senate On the Record.

Senator CLARK: Thank you Mr. President, Men and Women of the Senate. I have been requested to share an expression from Pat Ellis down stairs. Pat, as you know, is that lovely, gentle, good friend of all of ours at the State House snack bar, and she writes:

T'was the night before Session,
 And all through the House
 L.D.'s had been left,
 by some dirty louse.

The Senate was there,
 quite simply aghast,
 For none could say
 just how long this would last.

But with "Gov. Joe" at the helm
 And Charlie and John by his side,
 The fifty day cruise
 should be a smooth ride.

So with the committees all formed
 And the clerks already to go,
 It's on with the hearings,
 let's start the show.

For there's "LMS" and seatbelts
 The "Big A" was a mess,
 The length of the debate
 was anyone's guess.

But when the bills are all signed,
 And the laws are all passed,
 The gavel will come down,
 A sign of peace at last!

To those who are resigning
 I wish you the best life has in store,
 To those who are campaigning
 I wish you success forever more.

So with no further ado
 It is with sadness I say
 Many thanks to you all
 And to all a good day.

Senator GILL of Cumberland was granted unanimous consent to address the Senate On the Record.

Senator GILL: Mr. President and Members of the Senate. Some of the people who are leaving, I have had the joy of spending quite a bit of time with. Some of them have been here a shorter time, such as David Kerry, but I feel like I have known David longer than his time here, because I have known the family and have known him in the past a little. Michael Carpenter, I almost feel like a mother to him, I feel like the mother of the Senate, in spite of my young age. But Senator Carpenter and I have gone back a long ways, since all of my time in the Senate. I have lived through his baby horse, I have lived through various friends that he has had in his life, and I lived through him getting married and now his new expectant child, so I feel like I am going to be a grandmother to the child. Senator Trafton, we have not worked that closely together, but I had the pleasure of serving with Senator Trafton's wife, Barbara Trafton, in my first term in the Legislature, and we served on the same Committee together. Everyone here, we have some memories of.

Larry Brown, I wish he was here, because I sit here and I twinkle down at him, we have a little eye contact and a little body language that both of us understand and it makes it very pleasant during some of the more dull moments here. Mary Najarian, I just feel like I have been part of her law career, she made the announcement to me when we were in Texas at a Conference, that she had been accepted to law school, and I feel like I have been through law school with her, and I don't understand why I didn't get a degree when she got her degree. And of course, Paul Violette, he is my traveling companion now, we have done quite a few little jaunts together and I am going to be really sorry to see Paul Violette leave these halls because he has been a gentleman and he has represented the State very well, outside the State in the travels that we have done.

I have to speak to the members of my own caucus who are leaving. The oldest member of our caucus is Senator Hichens, with all the service that he has given the State of Maine, he has the longest term of service other than the President, President Pray, but he is the longest length of service that we have and we all know Walter has been our poet laureate, and I don't know who is going to replace him, although a couple of people here today have made an attempt to replace him in the future. I think we will remember Walter for his strawberries, those of us who have been here later in the Session, the First Session, we always are able to have extra strawberries because he brings them up, and we are all able to take some home with us. We also have the peas when they are in, and Walter will bring his peas up so we can all buy those. He is writing a book and I think we all ought to be kind of wondering what will appear in this book. I am sure he will insert all of our names in some place because he wants us all to buy a copy of it when it is printed. We have enjoyed having the Members of our caucus, in knowing them all these years. I particularly have enjoyed Walter, he has been the moral conscience of a lot of people, he prays for me every Wednesday, I know, because he has told me so, and you had better start adding a few other days, Walter. I think that we will all miss him, we will miss having him in and out of the hall writing the poems and being available for his input. I have a little bouquet that I would like to give Walter to take home to his wife, because having been a Legislative widow before I became a real widow in life, I know how hard it is for wives to stay home and take care of the home and hearth. Although we have seen Myra here on many occasions, she is not here today, so I would like to have Walter bring this home to give to her.

Jim McBreairty is sitting in the back row. Senator McBreairty spoke this morning a little bit, and he mentioned that one of his teachers told him, if at first you don't succeed try, try again, and how much of an influence that teacher was in his life. Well Jim McBreairty has been a great influence for many, many young people in the State of Maine, and I might add at his own expense. We have all seen Jim's students here throughout the many years that we have been here, and he brings them down and takes them through the whole governmental process, and as some of us Legislators probably could have learned a lot if we had Jim McBreairty take us around some of those first few days we were here, because he knows this place inside and out. Sometimes Jim has earned the name of bull dog because he is dogged, he is persistent, but it certainly has paid off for the people in the area that he represents. Jim has an awful lot of information and if people would stop to listen to him, and many have, and did learn a lot from him. I have appreciated being able to work with Jim. He also is known as King of Sentiment, because he has acknowledged the people in his area, and I also have a bouquet of flowers for Jim to give Doris, and I know Doris is sitting right in back of me. Doris is one of the balcony beauties, as is Myra. But they have been constant companions and constant workers and we have appreciated the effort that they have offered the Legislature and many people here. I am going to turn this over to my seat mate Senator Perkins.

Senator PERKINS of Hancock was granted unanimous consent to address the Senate On the Record.

Senator PERKINS: Mr. President, Ladies and Gentlemen of the Senate. It is my pleasure, and yet my sadness, to add to this occasion, and I would like to start with my good friend and loyal colleague, Courtney Stover, and of course where Senator Gill has laid the groundwork where, in essence, we are really honoring his wife, Ida, who through all this ten years of service, has been the one who has provided the homestead and kept things on an even keel at that level, so that Courtney could leave early in the morning and arrive late home in the evening. After spending the day here on many occasions, I am sure not especially anxious to discuss what happened here, because if he is like the rest of us, he is not sure in many cases. I do believe that here in these Body's, the Legal Affairs Committee, and the Local and County Government because of his experience in town government and his experience has led a steady and honorable influence to those Committee's which I think will be hard to replace for either side of the aisle. Each of us campaign in our own way, and do things in our own way. Courtney never sends out a news letter, and yet he sends many letters, but he addressed them by long hand. His association with the people is not by the media, but by first hand eye to eye contact. He has done all his legislative career and has made a practice of dealing with the people on a first hand basis, and his integrity and reputation in his area can only attest to his success. Courtney if you would be so kind to take that to Ida with our best wishes and tell her although we will miss you, we wish you both the best.

I left for last my colleague, in my adjoining County, who was here when I joined the Legislature twelve years ago, and served with me, trained me and tolerated me on my first years of being on the Legal Affairs Committee, and taught me some of the basics of the good politics for Eastern Maine. Who, through the years, whenever there was a chance for help or a chance for guidance, or a chance that perhaps I was strained and not appreciating the touch and feel of the people in coastal and eastern Maine, he was one of the first to come and offer suggestions and offer that help which drew me back into a more rational pose. I don't think, through the years, that our votes you'd have more than two dozen votes that he and I varied on through our legislative careers. It has been my pleasure to work with someone who you could go to and get a distinct feel for the people that you are representing. Knowing that in the past few years Mel Shute has been able to provide that type of representation that others felt it wasn't worthwhile to run against him, I think is a tribute to any Legislator. Mel, if you would take that to Jan, and perhaps she would put that in the travel trailer and you could take that along the way and think of those of us here in the Senate in the next few months. Although you may have a great time, we certainly will miss you.

Senator BUSTIN of Kennebec was granted unanimous consent to address the Senate On the Record.

Senator BUSTIN: Thank you Mr. President, Ladies and Gentlemen of the Senate. I rise again to honor the seat mate on my right who I have enjoyed very much this last Session. But he went and got married on me, and besides that, he went and became an expectant father. We all know that this Senator is expecting that baby in June. What you may not know is that I also make babies. Now don't laugh at that. I am a grandmother, but I still make babies, they just happen to be cabbage patch babies. This is a borrowed cabbage patch, but I promise you Senator Carpenter, that by the time your baby arrives, you will have one of these. We have borrowed this from a dear friend of mine, I have made about sixteen of these over the years since they became a fad. That little friend of mine is in the back of the Chamber, and she agreed that Senator Carpenter could hold this baby, and get used to holding a new baby, until his came, so Senator here is your baby for the interim.

Off Record Remarks

Senator CARPENTER of Aroostook was granted unanimous consent to address the Senate Off the Record.

Senator HICHENS of York was granted unanimous consent to address the Senate Off the Record.

Senator VIOLETTE of Aroostook was granted unanimous consent to address the Senate On the Record.

Senator VIOLETTE: Mr. President, Ladies and Gentlemen of the Senate. As Leader of this group, band of some twenty-four Members of this Body, I guess I have somewhat of an obligation to rise and recognize those Members of not only my party, but those of the other who are leaving. So I sat down at a lavish lunch this afternoon, with my staff, out at Arby's, out on the patio, and we composed some few choice words for some of the Members who are leaving. We have heard from Senator Carpenter, Senator Najarian, Senator McBreairty, Senator Hichens and Senator Stover about their illustrious careers, and we have applauded them, and now I am just going to high light some of their finer points.

Unfortunately, the Senate Sweetheart has already gone, but Senator Brown will not be returning, and so I am sure the "Short Women's Lobby," so aptly named as I understand it, as a result of serious study and deliberations, will have to make a new selection. I am sorry that I won't be here to be in the running, but nonetheless, our southern blue grass Senator with the gentlemanly way will be missed. Really this thoroughbred, who was kicked out of the State of Kentucky, and the only other place in the Country he could find was Washington County, to take him in, but he will be missed and I am sorry he is not here this afternoon, but he is out flying around the Country somewhere, opening up another nursing home.

Senator Carpenter, who is my dear friend from Aroostook County, has been involved in politics for many years. One of my roles, as Majority Leader, is in the morning to find out which one of my Senators is here and which aren't. In the case of Senator Carpenter, I really don't have to look very far. I just look for the coconut donut droppings. If they are in my office or in the staff office, if I see them, he is here. If I don't see them, he isn't here. I must admit that I am not going to miss that - the droppings all over the carpet. I do tend to be a little neat in my office, that, and the ashtrays, the no smoking sign discarded, but anyway, sometimes I look over to the other side of the Chamber and sometimes I am confused. Is it the picture of Senator Carpenter or who is that? We have the country lawyer over there, he really is the example of the country lawyer. I think he really has enjoyed his new role. I trust that you and your wife will enjoy your new addition to the family, and I wish you the best of luck in your run for Attorney General. As I am leaving here and not being held accountable for the things that I am saying, I hope you win.

Senator Diamond, the man in the boots. I am sure he has heard this one so often but, Maine's Gary Hart, the Senate's fair haired golden boy, who lost out to Larry Brown, the man whose angelic face belies his true character, for his constant disruption of these distinguished and dignified decorum of this Body, with evidence by the recipients of his notes, these little gems that we all receive. Anyone who has received these little gems knows what I am talking about. I won't even begin to read the one that I just received from him earlier today, it would just ruin the decorum of this Chamber. To you Senator, I wish you the best on your trail to higher positions in government. I have no doubt that you will do well, you will fare well and your name will continue to appear before the Maine people.

Senator Hichens, the Senate's poet laureate. It was only the other day when Walter and I were over to the Senator having a few, and we were talking about his legendary prominence regarding the Christian Civic League, and I must admit he was a force to be reckoned with. Walter we will miss you, as you are the ranking Senator in terms of service, you are a senior Senator, and you are to be commended, and we will miss you, your spontaneity, your wit and your humor. God Bless you Walter and may the force be with you.

To our newest colleague, and one that has gone in and out of here the quickest I have ever seen, Senator Kerry, truly one of the longest careers in the Maine Senate. We will surely miss your great oratorical skills. I was looking at the Record only yesterday, the Record is replete with your comments, but I only wish I could have controlled you a little better. I still don't understand how you got this friendship with the Senator from Penobscot, Senator Baldacci, but I will try to understand this, and it is one of the many mysteries of the Maine Legislature. I wish you the very best and probably the next time I am in Old Orchard, there will be another tower bearing the Kerry name, running up against our former colleague, Senator Danton.

Senator McBreaarty, the true saviour and the Lord of Maine's unorganized masses. If the Lord put Jim McBreaarty on this earth, it was to do one thing, and that was to deliver the unorganized from the territorial hands of the State Government. He is to be commended for that, quite frankly. We shall miss him. We wish you luck in your bid for the other office. Jim is running for County Treasurer in Aroostook County, and in that race I may just decide to endorse you, quite frankly, knowing who your opponent is. But don't hold me to that, Jim. My other colleague from Aroostook knows what I am talking about.

Senator Najarian, I am not really going to say good-bye to Senator Najarian, I understand next week that you and I and the Senators of Maine's Chapter of Hell's Angels are going to be having a party somewhere on some lovely beach, and I commend you for that legislation. I am selling my lot in Cape Elizabeth. Mary, truly you are to be commended. When you first came to the Legislature, women were not in positions of great prominence here, there were far fewer of them. You and other women Members of the Legislature rose to positions of great height, quite frankly, members of Leadership and other important and influential positions here, and you have served as a role model for other women who have entered the Legislature. Mary is leaving us to pursue a new career in law, and I commend her and wish her my very best wishes.

Mel Shute. Mel and I both co-chaired that illustrious Committee on Legal Affairs back in the 111th. Mel was right when he called it the Committee that makes all the good things legal. We had the slot machines, and we had the liquor, and we had the lottery and we had everything in that Committee, and I spent six years on that illustrious Committee, and I guess I learned an awful lot. But I think Mel will most be remembered for his great prowess at the baseball bat. For a couple of those years, when he led us to many victories, and to you Mel, I wish you good luck and I wish you good health.

Courtney Stover, you are the Senate's eldest statesman in terms of your longevity in life. You are a true gentleman. You leave us after a long and distinguished career of public service and local county and state government. I wish you best wishes in all of your future undertakings. You serve as a role model and an inspiration for all of us who are far junior to you in our age, and I wish you godspeed and good luck in your future.

Well, Senator Trafton. If I can't find him, if I wake up in the morning and the sun is out and the wind is up, I know he isn't going to be here. He is going to be out on that lake somewhere skin diving, windsurfing, sailing, ice sailing, I don't know what else he can do over there at Lake Auburn, but I know when he is going to be here and I know when he is going to be gone. I am amazed that he is here today, when I see the sun, but there is no wind so the Senator is here with us. I don't even have to call him at the law office because if I call him there, they say "you know where he is." To you Dick, I am not going to hold in account all the things you said against me when you ran against me for Majority Leader, because I would have to do the same to you, but best wishes to you. I am sure the Trafton name will continue to appear before the public for many years to come. Good luck to you in your future career.

We have eleven Members who are leaving and they served 68 terms in the Maine Legislature, 136 years of service is departing this year. To those of you who are not running again, consider yourself lucky, because you don't get any of these kind remarks, but I do wish you'd say just a few comments. I have enjoyed being here my five terms in the Legislature. I shall miss my friends and my colleagues. I have spent more than one-third of my lifetime in the Maine Legislature, it is a place that will have many memories. I shall miss my lunches with Senators Twitchell, Dow, Dutremble, Usher and Erwin, who I have lunched with often, a very bad, motley crowd, but nonetheless I have enjoyed them. I could not have been more fortunate than to have Senator Gill and Senator Perkins as my fellow Floor Leaders. They have worked with me and with us and I think, in that respect, they have been successful. I think they took the appropriate tact in terms of leadership. I shall miss my relationships with my colleagues. Senator Kany drives me crazy, but she is a good Senator. I'll miss Senator Gauvreau's words of the week, I don't know what they are sometimes, and when I turn to Senator Clark and she doesn't know what it is, we have to call in the staff to bring the dictionary. I shall miss my partner in crime, my Assistant in Leadership, Nancy. She has been all that I could have asked for. Most of all, I will miss my good friend Charles Pray, in my long tenure with him in the last six years. We have shared accommodations here in Augusta. It is a relationship that has grown, he has served this Senate well, in my opinion, and I shall take liberty of saying, as I'm leaving this body, and can't be held accountable for anything I am saying, I could think of no one that could serve better as President of this Chamber in the 113th Legislature. I only wish that I could vote for you, Charles. It has been my fortune to come from a very special place, there are those who have accused me of being parochial, but I have managed to live in a number of places in the last ten years. I have been accused in living in more districts than most Senators in this State. I have been very honored to serve here in the Legislature and I have also been very proud to be the fourth generation of my family to serve in the Maine Legislature. I have been very proud to express my honor in being a French person here in the Legislature and also representing those people.

I thank the Members of my caucus most humbly for having allowed me to be their leader. I must admit it has been the best experience that I have ever had. Being Majority Leader, I certainly enjoyed the trips, and if I had known that I was only losing by \$2,500 to John Martin, you don't doubt that I would have asked for a couple of more. Maybe I can do something about that this year. Best wishes to all my colleagues in all of your future endeavors. Thank you very much.

Senator CLARK of Cumberland was granted unanimous consent to address the Senate On the Record.

Senator CLARK: Thank you Mr. President, I would share with you, Mr. President and Members of the Senate, a very brief little ditty. To my seat mate on my right, the Majority Floor Leader of the Maine Senate. "Paul Violette, known as the partner of Pray, never quite made it as sweetheart on that day, in the 109th. But we are all proud to say as we recognized here, that that which we prayed has come to pass for Paul Violette has not only served with dedication, but distinction. And he grew up this day." Thank you.

Senator SHUTE of Waldo was granted unanimous consent to address the Senate On the Record.

Senator SHUTE: Thank you Mr. President, Ladies and Gentlemen of the Senate. I want to thank Senator Perkins for the kind remarks he made. We have served ten or twelve years together and he said we only differed two dozen times, I think that is remarkable that he only voted wrong 24 times in the last twelve years. I thought he voted wrong more than that, but I guess not. I would like to thank Nancy Clark, she keeps me supplied in candy every week, and that is what she has been putting in my desk, it wasn't money or anything else. I have appreciated that she was a good seat mate. I have had a lot of real good seat mates in the House and in the Senate, and to me it has been a great privilege, certainly, to serve in the Senate. I enjoyed the House, but I think the Senate, to me, is much closer. It is a smaller group and it is kind of a club, it is really nice. I think you meet some of the nicest people in the world right here in the Legislature. Although we may not always agree, certainly somebody had to like these people to elect them, and so really we do have a nice group of people here in the Senate. About a week ago the Marine Resources Committee had a supper meeting and I would like to thank Senator Chalmers and Senator Brown for the nice gold lighter inscribed with the years that I served in the Legislature, and I really appreciated that.

Just yesterday, the Republican caucus presented me with a silver plate with the years of service on it, and I certainly appreciate that. I guess that it is too bad that Senator Brown and I are retiring in the same year, because I don't know who is going to stick up for the striped bass around this State anymore, or who is going to argue the issue. Larry and I were usually on the opposite sides on that issue. I guess in closing, I would like to thank May Ross, Jeanne, Marcia, Joy and all of the staff and all of the people here in the Legislature. It has been a privilege to serve in the Maine Senate and House.

Senator DIAMOND of Cumberland was granted unanimous consent to address the Senate On the Record.

Senator DIAMOND: Thank you Mr. President and good colleagues of the Senate. I rise to say good-bye and express my appreciations for all that you have done. All of memories that you have left for me and the couple of kind words that have been said this day. I am going to miss a few people. Certainly, Senator Usher, usually for his dim wit, but I will miss that dearly. Senator Kany, I would not add the word wit to that, I will miss you, Judy. John Baldacci, I have done a poll John, you have two votes. Paul Violette, I am really going to miss Paul. Have you ever watched Paul walk across the floor? He is the only man that can walk with his elbows hooked to his side, I don't know how he does it. I am going to miss seeing Paul walking around. Your comment about being in the running with Larry Brown, Paul, you never were in the running. Paul Gauvreau, I never really figured out how to pronounce that name, but I will be in Lewiston next week and I will learn that, I guarantee you. I really appreciate all of Paul's short and easy to understand speeches. I think that Paul Violette brought that up, but that is going to be a memory that I am going to linger for. Of course Mike Pearson's patience, I am going to miss that. Courtney Stover, truly I am going to miss him. He gave a speech one day for five minutes and I didn't understand one word he said, only because I was on the opposite side of the issue and Courtney and I have been on the same side many times. I am going to miss him, we have talked after session on many occasions and I appreciate his advise and I really want to say thank you to Courtney. Of course, Mary Najarian came in the other day with a new hair cut, and Mary it looks great, I don't care what these people say. Charlie Webster, is the only one in here that I won't miss. I have to take responsibility for Charlie, he was the one, back in the 110th, that I went to Farmington and helped to become elected. That is when Charlie was a Democrat, and I gave him all the advice that I could give him, and he became a good friend of mine, and I know that we have all regretted that since. Charlie Pray, John Kerry, I kid you, Charlie, we all love you dearly, you have done a tremendous job as President and I think that if you go on and do a good job next year and the year after that, we will all be equally pleased and equally as proud of you.

I think of the staff, most people have already mentioned, Joy, Pam, and Tim Plumer, who I graduated from high school with, in fact, many of you don't know that Tim was the class clown of the class of 1963 at Gardiner High School, and I have enjoyed serving with Tim, and I think he has done a tremendous job. It has been my pleasure to be with you, Tim. Thank you all, and you have been very kind to me, better then you should have been. No matter what happens to my career, one of the things that won't happen is my forgetting all of you, because I truly found you all to be dear friends. Thank you very much.

Off Record Remarks

On motion by Senator STOVER of Sagadahoc RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Provide Funding for the Court Mediation Service through Fees" (Emergency)
H.P. 1703 L.D. 2398

In Senate, April 14, 1986, PASSED TO BE ENGROSSED, in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "C" (H-742) in NON-CONCURRENCE.

The Senate ADHERED in NON-CONCURRENCE.

Sent down for concurrence.

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

ENACTORS

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

An Act Relating to Medical and Legal Professional Liability

S.P. 958 L.D. 2400
(S "A" S-521; S "C" S-543)

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

Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$6,000,000 for Energy Improvements in State Facilities

H.P. 1590 L.D. 2243
(S "A" S-532; C "A" H-688)

Comes from the House FAILING of PASSAGE TO BE ENACTED.

This being a Bond Authorization Act and having received the affirmative vote of 28 Members of the Senate, with 1 Senator having voted in negative, and 28 being more than two-thirds of the Membership present and voting was PASSED TO BE ENACTED and signed by the President in NON-CONCURRENCE.

Sent down for concurrence.

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Establish the Maine Business Opportunity and Job Development Program"

S.P. 952 L.D. 2387
(H "A" H-703)

In House, April 15, 1986, FAILED of PASSAGE TO BE ENACTED.

In Senate, April 16, 1986, PASSED TO BE ENACTED in NON-CONCURRENCE.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENTS "A" (H-703) and "B" (H-740) in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

Under suspension of the Rules, ordered sent forthwith to the Engrossing Department.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order: H.P. 1711

ORDERED, the Senate concurring, that H.P. 1631, L.D. 2299, Bill, "AN ACT to Amend the Charter of the Passamaquoddy Water District," be recalled from the Governor's desk to the House;

Comes from the House READ and PASSED.

Which was READ and PASSED, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

ENACTORS

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

An Act to Provide for a Clean-up Program Concerning Natural Die-off of Fish in the Coastal Waters of the State

H.P. 1383 L.D. 1952
(S "A" S-539)

An Act to Maintain the Sanford Unemployment Office

S.P. 942 L.D. 2360
(H "A" H-741; S "A" S-544)

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

An Act to Provide Community Education and Family Health Services

S.P. 835 L.D. 2124
(S "A" S-537 and S "C" S-547 to C "A" S-494)

On motion by Senator VIOLETTE of Aroostook, Tabled until Later in Today's Session, pending ENACTMENT.

Emergency

An Act to Authorize Additional Facilities for Long-term Care and Other Provisions Necessary for the Proper Operations of State Government

S.P. 913 L.D. 2280
(S "B" S-538)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Out of order and under suspension of the Rules, the Senate considered the following:

ORDERS

Joint Order

On motion by Senator ANDREWS of Cumberland the following Joint Order:

S.P. 967

ORDERED, the House concurring, that S.P. 952, L.D. 2387, Bill, "AN ACT to Establish the Maine Business Opportunity and Job Development Program" and all its accompanying papers be carried over to the Second Special Session of the 112th Legislature.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Senator CLARK of Cumberland was granted unanimous consent to address the Senate On the Record.

Senator CLARK: Thank you Mr. President, Men and Women of the Senate. I have been prepared for two days now to place on the Record a response to the statement of the Senator from Franklin, Senator Webster, with reference to L.D. 2069, which is the Nurses Practices Act. As you recall, that Bill came before us in the wee small hours of the Legislative Session earlier this week. I don't even remember what night it was, it might even been Saturday night, but I do know as prime sponsor of that measure, that it would not have been well received by my distinguished colleagues in the Chamber, if I had waxed eloquent on this Bill that evening. I think our priorities were unanimous in that we were anxious to depart the Chamber. It is necessary, in order to answer an inquiry which I will quote. Senator Webster of Franklin said, "It is my feeling that with every nurse that I have spoken to, except for one, has been concerned about the need for this legislation", he then went on to thank the Senator from Kennebec, Senator Bustin, for explaining L.D. 2061. He continued, "It is my feeling that this Bill is unnecessary, it is something that we are fixing that isn't broken" and then he went on to ask for a Division so that he had an opportunity to vote against it. As prime sponsor of that measure, I think that it is important that the Record shows why it was necessary. We enacted L.D. 2061. For L.D. 2061 is and was a Bill to update the law regulating the practice of nursing and to set in motion future changes in the educational requirements for licensure as a nurse in the State of Maine. L.D. 2061 is a Bill that was written by nurses, professional people in the State of Maine, because they believe as do the vast majority of Legislators that not only the consumer will be better served by clarifying and upgrading nursing education, but that quality health care must be provided for all of Maine people. The goal of that Bill is for the attainment of two levels of nursing education and practice to be in place by 1995. That is attainable today, because L.D. 2061 has finally been enacted and will shortly be signed by the Governor.

That achievement is the result of the concerted efforts of the good Members of the Joint Standing Committee on Business and Commerce, a massive coalition of professional representatives, and citizens, representing every aspect of nursing education, health care, the Maine Medical association, and not the least, our good friend and former presiding officer of this Maine Senate, Ken MacLeod. Nurses, consumers, educators and Legislators have studied the issue of nursing and nursing practice in Maine since 1966. The Bill incorporates the results of twenty years of study and work on the issue of nursing education. The most recent study is that of a state wide task force on entry into nursing practice co-chaired by the distinguished Dr. Constance Carlson, President of the University of Maine at Presque Isle, and Betsy Perry an Executive Director of Androscoggin Home Health Agency, and including forty-two members representing consumers, health care providers, educators and Legislators. The report from that study, which was distributed to all of us in both Chambers in 1985, L.D. 2061 is a Bill which essentially has two parts. The body of the Bill which addresses the law regulating the practice of nursing now, and which will become effective this year, and the amendment to the Bill drafted so carefully by all of those that I have mentioned previously, which establishes goals for future educational requirements for nurses to practice at two levels, technical and professional. Changes in the body of the Bill are primarily included, or were primarily included to clarify and update functions of the board of nursing and our summarized in the amendment statement of fact. The definition of nursing has been updated with new language which is intended to neither restrict or expand current practice. The wording was developed to clearly authorize the Board of Nursing to define scope of practice and relationships with physicians for nurses with expanded roles. The size of the Board of Nursing has been increased from seven to nine, by adding one licensed practical nurse and one public member, a statesman had been added to allow the Board of Nursing to develop rules to address concerns of nurses who teach patients, families and their designated helpers in the community.

The amendment that was attached to L.D. 2061, will create a commission on nursing supply and educational accessibility to determine if the 1985 recommendations of the state wide task force remain relevant for 1990 and modify those recommendations where they might see need. With the help of the Office of Data Research and Vital Statistics, the commission will study all factors related to nursing supply and educational accessibility. The intent of all the parties remains clear, that the future Maine nurses will be educated to levels, with a technical nurse prepared in a two year Associate Degree program and the professional nurse in the four year Bachelor of Science in Nursing program. The enactment of L.D. 2061, represented a significant step toward helping the nursing profession bring their minimum educational requirements into line with those of other health care professionals and to assure that nurses are prepared to meet future health care needs of all of Maine's people.

I thank you for your time this evening and I particularly thank the good Senator from Franklin, for asking the question, for which there was no response earlier. Thank you.

Senator MCBREAIRTY of Aroostook was granted unanimous consent to address the Senate Off the Record.

Off Record Remarks

THE PRESIDENT: The Chair at this time would like to ask if the Sergeant-At-Arms would escort two individuals to the front of the Chamber for me, the Senators from Aroostook, Senator Carpenter and Senator Violette.

Over the past year, on several occasions, when the Presiding Officer has either wanted to take a break or come down and join in the debate, which commonly, is not capable of being done up here, it has been these two individuals who I have been so confused over all year, that I have called upon to come up and give me those breaks. As you all know, Senator Violette, and of course Senator Carpenter over here, are easy to confuse sometimes, during the year, on a number of occasions, they have come up and presided over the Session to give me that break, and I would like to present to them these gavels for them to remember the break that they have given me. These, I have the names on. Senator Carpenter, if you kept that name card in front of your desk, I probably wouldn't have made as many mistakes, but I would like to extend my own appreciation for those breaks at this time to the two of them. Thank you very much.

While we have a few moments, I would at this time, make a few comments to the Membership in appreciation for the support that they have provided to me over the last two years as the Presiding Officer. Back on the 5th of December last year, when I was chosen by you to serve as the Presiding Officer, in my remarks I had stated 'that public life is regarded as a crown of a career and to people who seek it out, it is the worthiest of ambitions. Politics is still the greatest and most honorable venture.' I stated, at that time, that we are collectively one Body and the responsibility charged to all of us, is to proceed forward on behalf of the people of the State of Maine, as at this time we assess as to what we have accomplished in the last two years.

Each and every one of us, as individual Members of this Chamber, I think all of us can feel a sense of pride that we have carried out the obligations that our constituency have requested of us. We met those obligations, sometimes not always in agreement with each other, but in agreement in our own minds that we were representing the people who had elected us to serve, making our judgement based upon the values of the issues and the values that we hold for that constituency.

I would like to take a moment to thank several individuals. Senator Perkins and Senator Gill representing the loyal opposition, the Minority Party. Over the last two years it has been enjoyable to work with both of them, I can't think of very many times that the two of them got upset with me. As a matter of fact, there was only one time that Senator Gill did. But, we have always had the great opportunity of communicating with each other, in talking about the process of the Legislature, legislation, the management of staff, and the management of the entire Legislature, and a number of times our dealings with the House as a collective Body. In addition, I would be remiss if I didn't mention those on my side of the aisle. Senate Majority Leader Violette and the Assistant Majority Leader, Senator Clark. Over the past two years it has been on numerous occasions that I have sought out their advice, and we have talked about the process, that we would continue on. Working with the committees, getting the bills out of committee, handling the floor debate so that the relationships of the Membership would always be at a high plane, in a high level. I think that we have been able to accomplish that. I can only remember in the past two years of two occasions that we went past eight o'clock at night in session, and it has been because of the cooperation that I have had, not only from the Members from the floor leadership, but the Members of the entire Chamber. The work that the Members of the committees did, and I know that sometimes I was the pest that was standing at the committee door asking when they were going to get their bills out, but the fact is, you met your responsibilities, the charge of hearing the bills, evaluating them, and reporting to us in a very competent fashion, that this entire Body learned to respect each and every individual committees' recommendation.

What the future may hold for any of us, those of you who have decided not to seek re-election and those of us who have decided to put ourselves back before the voter to decide whether or not, in their choice, we should return. I wish you the best of luck, as we leave here this evening, I know that we will return in a special session not too long off, that your endeavors be most favorable. The bond that has been built among the Membership of this illustrious Body is something that I am sure each and every one of us will always remember. I just want to thank each and every one of you for your support and your cooperation over the last two years. Thank you.

Senator VIOLETTE of Aroostook was granted unanimous consent to address the On the Record.

Senator VIOLETTE: Mr. President, Ladies and Gentlemen of the Senate. On behalf of the Majority Party and the Minority Party, I want to take some time to recognize those individuals, who without, this Senate would not operate. I want to thank the various members of the staff for all of their hard work on our behalf. The Chamber staff; the Secretary of the Senate, Joy O'Brien; the Assistant Secretary of the Senate, Pam Lovley; the Sergeant-At-Arms, Molly Pitcher; the Assistant Sergeant-At-Arms, Marcia Hallett; the Courier, Tim Plumer; the Pages; Sue Cyr, Peggy Tapley, Ron Gagnier, and Rob DiFrederico and our Doorkeeper, Tom Hickey. As well as the office staff in my office and Senator Clark's; Dan Paradee, Kim Monaghan, and Liz Mannion. The Post Office, Postmaster General, Jim Gormley, his assistant Henry Lydon. I also think they both work for some investment company. Roseanne and her fine crew of the maintenance staff, which most come from the town of Van Buren, whose efforts make our working conditions sparkle as a result of their caring efforts. The Stenographers, Jean Vashon, Barbara Murray, Madeline Roy and Helen Wing. The Senate Reporters, Connie Holmes and June Twitchell. The President, I am sure will speak for his own, but Carol Carothers, Judy Brown and Ned McCann. The Secretary's staff, Judy DeFranco, Debbie Vashon and Linda Besaw. The dedication of the various Legislative officers, without which these last minute orders and all of these Joint Resolutions, and all of the other things happening here on the last day, certainly the office of the Executive Director under the direction of Sally Diamond, the office of the Revisor of Statutes under the direction of Dave Silsby, the Law Library under Lynn Randall, the office of Policy and Legal Analysis led by Helen Ginder, and the office of Fiscal and Program Review, directed by Bent Schlosser. These individuals, without which we would not be able to operate, we owe them a debt of gratitude, and I think that we should recognize their efforts. I would defer now to my colleague Senator Perkins.

Senator PERKINS of Hancock was granted unanimous consent to address the Senate On the Record.

Senator PERKINS: Mr. President, Ladies and Gentlemen of the Senate. I had hoped that I might create a poem after I heard the tryouts today, to succeed my good friend from York, Senator Hichens, as poet laureate, but with that failing, I would be very remiss if I didn't pay, with all due respect, to the staff in our office. May Ross, Jeanne Raynes and Helen Wing. Without the staff here that have worked for Paul, and Paul has mentioned all of them.

The feelings that they have had for us, and the fact that they have gone out of their way and tried to make us feel that they are not only working for that side of the aisle, but are working for the whole Legislature. Without them, the Legislature itself would not work. From early in the morning - Jim Gormley when we meet at 7 o'clock until late in the evening when the crew comes in for the cleaning and we pass another day and say we will see them again in the morning. Each and every one of them. Timmy, and to all of them, who in one way or another, make us feel like family, as we are a family. I think we, on my side of the aisle, say thank you to all of you, because without your friendliness and without your kindness, it would be a lonely task. Therefore, I would like to extend my thanks to all, and to my staff, and to all of you for your patience with us, because at times, we all require this in various stages in the Legislature. For this, may I speak for my party and say, thank you for your kindness. Let's hope that life deals you kindly tonight and the nights that follow. And that those who choose will join us back here again in the fall, those who do not, may life meet you on an even plane and that you will find the things that you so desire. Thank you.

Senator CLARK of Cumberland was granted unanimous consent to address the Senate On the Record.

Senator CLARK: Thank you Mr. President, Men and Women of the Senate. As we extend our appreciation and gratitude, the list grows ever longer and longer, lest we forget someone. We extend our appreciation to Terry Morrison, the Supply Clerk and general assistant, all around. To Capital Security, for ticketing our cars with such dedication, and for those times when there is no place to park, we think with fondness and appreciation, of a former member of the other Chamber, Leighton Cooney, who is, slowly but surely, eroding what available parking space there is, for the promotion of green space within the Capital complex. We extend our sincere appreciation for the long hours of sheer hard work and perseverance, to those who work in printing and engrossment. And to all of those that we hope that we haven't forgotten, but just in case we have, a sincere thank you on behalf of all the Members of the 112th Maine Legislature, who serve in this Senate Chamber.

Off Record Remarks

Out of order and under suspension of the Rules, the Senate considered the following:

ENACTORS

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

Emergency

An Act to Provide Funding for the Court Mediation Service through Fees

H.P. 1703 L.D. 2398

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with No Senators having voted in the negative, and 24 being two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

ORDERS OF THE DAY

The Chair laid before the Senate the Tabled and Later Today assigned matter:

An Act to Provide Community Education and Family Health Services

S.P. 835 L.D. 2124
(S "A" S-537 and S "C"
S-547 to C "A" S-494)

Tabled - April 16, 1986, by Senator VIOLETTE of Aroostook.

Pending - ENACTMENT

(In House, April 16, 1986, PASSED TO BE ENACTED.)

(In Senate, April 16, 1986, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-494) AS AMENDED BY SENATE AMENDMENTS "A" (S-537) AND "C" (S-547), thereto.)

Senator HICHENS of York moved the INDEFINITE POSTPONEMENT of the Bill and Accompanying Papers.

On motion by Senator GILL of Cumberland supported by a Division of at least one-fifth of the Members present and voting a Roll Call was ordered.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Gill.

Senator GILL: Mr. President and Members of the Senate. We have had a long, hard road with this particular Bill. It is one of the, if not the, last bills that we will be dealing with. I would just like to discuss family planning a little bit with you. The Family Planning Community Education and Information Program, sends a clear and positive message that adolescence is not the time for pregnancy. The program works in partnership with schools, it works in partnership with communities, parents and teens. It helps them to design programs that strengthen the teens ability to make the choices necessary. It is only in recent years, that the majority of teen mothers have chosen to raise their children as single parents, and they face almost certain poverty. Teenagers, who have children, who are children, and who have children, are almost certain to face a life of poverty due to interrupted education, to lack of job skills, and very early dependency on welfare. I would ask you, really, to consider this Bill. We have discussed it a lot. It is very important for you people in this Chamber, who know my position in the past, has always been in favor of life, pro life, and I view this particular matter as preventive measures used instead of looking at abortions later on. I think it is proven that the fact that we have so many teen parents who are choosing to keep their children, and wing their way through life, and do the best they can for them, they need all the help that we can give them as far as preventing unplanned pregnancies. We need to educate those teens, and this is the Bill that will help us to do that. So, would you please vote to have this Bill passed?

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

Senator HICHENS: Mr. President, I stand here and ask you tonight, to vote for Indefinite Postponement of this Bill. We have had a concise explanation by the good Senator from Cumberland, Senator Gill, but I do not agree with her perceptiveness on what Family Planning offers to the young people in our State. I think Family Planning Services have taken a lot of young people away from their home for advice, the parents have left it up to the schools, the schools have turned it over to Family Planning Services, and we have twelve year olds going to this Family Planning Services, being offered contraceptives, told that if they have to have sex that they have to take these contraceptives and so forth. If something happens and they get pregnant, that they may counsel them as far as keeping the child, they can also offer them the abortive services. I think this is a pro-abortion Bill, and in no dark or light, no shadows in between, and if you vote for this Bill, you are offering more services to the youngsters who are going to encourage them to have more sex.

THE PRESIDENT: The Chair recognizes the Senator from Knox, Senator Chalmers.

Senator CHALMERS: Thank you Mr. President, Ladies and Gentlemen of the Senate. The hour is late and I am probably a little over tired, and I probably should shut up, but I have to answer.

I have offered a bill for a family court. I, who say that the families are the most endangered species absolutely disagree with the good Senator, that this is a family Bill, this is a Bill to help the teenagers. This is a Bill to try to help the families stay together. I urge you to vote against his motion and in favor of the Bill.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Gill.

Senator GILL: Mr. President, we are talking about family life education here. Family life education does promote communication between parents and their children. It does promote respect for family values, and the values of others. It helps children to have fulfilling and healthful and responsible lives and it encourages that behavior in those lives. I feel so strongly about this, and for those of you who know me, you know how strongly I felt in the past, and I have come around to feel that we can't go along aborting people, and their lives. We have to prevent it up-front, and this is the means of doing it. I believe so strongly, that we should put the money in this area. Evidently, somewhere along the line, families aren't doing the job that they should be doing. Churches aren't doing the job they should be doing. So we have to help everywhere we can, in order to stop teenagers from becoming pregnant, because of lack of knowledge and education. I would ask you, again, to vote for this Bill.

THE PRESIDENT: The pending question before the Senate is the motion of Senator HICHENS of York that the Bill and Accompanying Papers be INDEFINITELY POSTPONED.

A vote of Yes will be in favor to Indefinitely Postpone the Bill and Accompanying Papers.

A vote of No will be opposed.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

Senator ERWIN of Oxford who would have voted Yea requested and received permission to pair his vote with Senator MATTHEWS of Kennebec who would have voted Nay.

Senator TUTTLE of York who would have voted Yea requested and received permission to pair his vote with Senator NAJARIAN of Cumberland who would have voted Nay.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators, HICHENS, MCBREAIRTY, STOVER

NAYS: Senators, ANDREWS, BALDACCI, BERUBE, BROWN, BUSTIN, CARPENTER, CHALMERS, CLARK, DIAMOND, EMERSON, GAUVREAU, GILL, KANY, KERRY, MAYBURY, PERKINS, SEWALL, SHUTE, TRAFTON, TWITCHELL, USHER, VIOLETTE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators, BLACK, DOW, PEARSON

EXCUSED: Senator DUTREMBLE

3 Senators having voted in affirmative and 24 Senators having voted in the negative, with 3 Senators being absent and 1 Senator being excused and 4 Senators having paired their votes, the motion of Senator HICHENS of York that the Bill and Accompanying Papers be INDEFINITELY POSTPONED, FAILS.

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

Out of order and under suspension of the Rules, the Senate considered the following:

ORDERS

Joint Order

On motion by Senator VIOLETTE of Aroostook the following Joint Order:

S.P. 968

ORDERED, the House concurring, that S.P. 695, L.D. 1781, Bill, "AN ACT to Authorize the Issuance of a Bond not Exceeding \$8,000,000 for the Financing of the Maine Inland Fisheries and Wildlife Acquisition Fund" be carried over to the Second Special Session of the 112th Legislature.

Which was READ and PASSED.

Sent down for concurrence.

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

On motion by Senator VIOLETTE of Aroostook RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

Out of order and under suspension of the Rules, the Senate considered the following:

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PAPERS FROM THE HOUSE

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Non-concurrent Matter

Non-concurrent Matter

Bill "An Act to Authorize the Issuance of a Bond not Exceeding \$8,000,000 for the Financing of the Maine Inland Fisheries and Wildlife Acquisition Fund" S.P. 695 L.D. 1781 (C "A" S-481; H "A" H-736)

Bill "An Act to Establish the Maine Business Opportunity and Job Development Program" S.P. 952 L.D. 2387 (H "A" H-703; H "B" H-740)

In Senate, April 16, 1986, PASSED TO BE ENGROSSED in NON-CONCURRENCE.

In Senate, April 16, 1986, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENTS "A" (H-703) AND "B" (H-740), in concurrence.

Comes from the House Bill and Accompanying Papers RECOMMENDED to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS in NON-CONCURRENCE.

Comes from the House, Bill and Accompanying Papers RECOMMENDED to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

The Senate RECEDED and CONCURRED.

Off Record Remarks

ENACTORS

On motion by Senator VIOLETTE of Aroostook RECESSED until the sound of the bell.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

After Recess

Emergency

Senate called to order by the President.

An Act to Make Corrections of Errors and Inconsistencies in the Laws of Maine S.P. 905 L.D. 2405 (S "A" S-546; S "B" S-548; S "C" S-549)

At this point, a message was received from the House of Representatives, borne by Representative DIAMOND of Bangor, informing the Senate that the House had transacted all business before it and was ready to Adjourn, Without Day.

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with No Senators having voted in the negative, and 24 being two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Out of order and under suspension of the Rules, the Senate considered the following:

Non-concurrent Matter

Bill "An Act to Amend the Charter of the Passamaquoddy Water District" (Emergency)
H.P. 1631 L.D. 2299

In Senate, April 7, 1986, PASSED TO BE ENACTED, in concurrence.

RECALLED from the Governor's Desk pursuant to Joint Order H.P. 1711, in concurrence.

Comes from the House Bill and Accompanying Papers RECOMMENDED to the Committee on UTILITIES in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

Out of order and under suspension of the Rules, the Senate considered the following:

COMMUNICATIONS

The Following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES

April 16, 1986

Honorable Joy J. O'Brien
Secretary of the Senate
112th Legislature
Augusta, Maine 04333

Dear Madam Secretary:

The House voted today to adhere to its former action whereby it failed to enact An Act to Authorize a General Fund Bond Issue in the Amount of \$6,000,000 for Energy Improvements in State Facilities (H.P. 1590) (L.D. 2243) (C. "A" H-688; S. "A" S-532).

Sincerely,

S/Edwin H. Pert
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order: H.P. 1712

ORDERED, the Senate concurring, that H.P. 1631, L.D. 2299, "AN ACT to Amend the Charter of the Passamaquoddy Water District," be carried over to the Second Special Session of the 112th Legislature.

Comes from the House READ and PASSED.

Which was READ and PASSED, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

ORDERS

Senate Order

On Motion by Senator CLARK of Cumberland the following Order:

ORDERED, that a message be sent to the House of Representatives informing that Body that the Senate has transacted all the business which has come before it and is ready to Adjourn Without Day.

Which was READ and PASSED.

The President requested the Assistant Sergeant-At-Arms to escort the Senator from Cumberland, Senator CLARK, to the House of Representatives to deliver the message.

Subsequently, Senator CLARK of Cumberland reported that she had delivered the message with which she was charged.

Out of order and under suspension of the Rules, the Senate considered the following:

ORDERS

Senate Order

On motion by Senator VIOLETTE of Aroostook the following Order:

ORDERED, that a message be sent to His Excellency, the Governor, informing him that the Senate has transacted all business which has come before it and is ready to Adjourn Without Day, and extend an invitation to him to make such communication as pleases him.

Which was READ and PASSED

The President requested the Sergeant-At-Arms to escort the Senator from Aroostook, Senator VIOLETTE to convey the message to His Excellency, GOVERNOR JOSEPH E. BRENNAN.

Subsequently, Senator VIOLETTE of Aroostook reported that he had delivered the message with which he was charged, and informed the good Senate that the Governor will attend forthwith.

Senate at Ease

Senate called to order by the President.

At this time, the HONORABLE JOSEPH E. BRENNAN, GOVERNOR of the State of Maine, entered the Senate Chamber and was escorted by the Sergeant-At-Arms, to the Rostrum. (Amid prolonged applause, the Members rising.)

THE PRESIDENT: The Chair is please to recognize and welcome to the Rostrum, the Honorable Joseph E. Brennan, the Governor of the State of Maine.

(Applause, the Members rising)

GOVERNOR BRENNAN: Thank you Mr. President, Ladies and Gentlemen of the Senate. I was just across the Hall, over at the House. They are really an unruly, uncivilized group. Worse than that, they don't laugh at my jokes. I am glad to be here in a more dignified setting, a place which I had the privilege of serving for a couple of years, with President Pray calmly in control, and a distinguished group of Senators, ready to laugh at any failed attempts that I make at humor.

At the earlier part of this Session, I had a feeling that we were not going to be successful, and not much was going to happen. Well, I want to say now, it has been a very productive session for the people of Maine. I would like to congratulate all of you for your hard work, especially in the last week, when some of you had to work late into the night and far into the weekend. I think that the effort has truly paid off.

The 112th Legislature can now claim to its' credit, important coastal legislation, providing for better management, new piers and new access. The beginnings of reform in liability law, such as the Dram Shop Act, Malpractice Laws and the Municipal Liability Pools. Reforms and Professional Licensing Boards, the streamlining of the State computer operations, new group homes for our mentally retarded citizens, and energy sales tax exemption for our manufacturers, research and teaching to a modest degree in Canadian trade, land trades, which complete the Bigelow preserve. Programs for truants, dropouts and extension of the seasons at State parks, and many more accomplishments truly too numerous to mention.

But most importantly of all, you have addressed the needs of the University of Maine. This is the first critical step, and it is the hardest step with your far sighted act, years of discord put behind us, you have planted the seed of the new University of Maine at every campus in this State. The ground work is now complete, for an educational renaissance in our State. In the last few years, you have re-vigorated pre-school, primary, secondary, vocational and now higher education. I believe that this is unprecedented in Maine's history.

You truly have opened a thousand opportunities for our young, as was envisioned by Joshua Chamberlain, and by Aristotle's test that education should be the Legislature's chief concern. This Legislature has acquitted itself admirably. I especially commend this 112th Legislature for showing the courage to raise the money in an election year that made these reforms possible. The plain fact is that a good education costs money. If that money had not come this year, the momentum for University reform would surely been lost. I think that you faced some tough choices, and you came through, and I truly want to congratulate you.

There is one more tough issue that we will face together, before this Legislature's work is done. That is the issue of Corrections. I intend to call a Special Session on this subject in the very near future, probably late in May. I am confident that together we can fashion some long term answers to this very difficult problem. I believe that you have done well, I think you can head home now for a well deserved rest and possibly a little campaigning.

But be careful about telling the voters how hard you worked while you were here. One Maine Legislator did this, and he learned to regret it. The Legislator said in a speech at the local rotary, "We work day and night in Augusta, there are no lunches or dinners, we have to sleep on cots in the corridors. It is research and work and work and debate, all day, all night, and all weekend." After hearing this spiel, one day a rotarian got up and said, "By God, you have done enough for our State and Country, go home and rest, I am voting for the other fellow."

Have a nice trip back and I look forward to seeing you for a couple of days, possibly late in the next month. Thank you very, very much.

(Applause, the Members rising)

The Sergeant-At-Arms escorted the Honorable Joseph E. Brennan, Governor of the State of Maine from the Senate Chamber, amid prolonged applause, the Members rising.

On motion by Senator STOVER of Sagadahoc, at 7:04 p.m. on Wednesday, April 16, 1986, the Honorable CHARLES P. PRAY declared the Senate of the Second Regular Session of the 112th Legislature, ADJOURNED SINE DIE.
