

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred And Thirteenth Legislature
OF THE
State Of Maine

VOLUME I
FIRST REGULAR SESSION
December 3, 1986 to May 22, 1987

CONSENT CALENDAR

Second Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the Second Day:

(H.P. 269) (L.D. 352) Bill "An Act to Appropriate Funds to the Department of Human Services to Provide Training and Technical Assistance to Community Public Drinking Water Supplies"

(S.P. 67) (L.D. 134) Bill "An Act Relating to Conferring of Degrees by the YDI Schools"

(H.P. 72) (L.D. 75) Bill "An Act to Provide Complimentary Archery Licenses to Residents Over 70 Years of Age" (C. "A" H-10)

(H.P. 86) (L.D. 89) Bill "An Act Relating to Fencing of Swimming Pools"

No objections having been noted at the end of the Second Legislative Day, the Senate Paper was Passed to be Engrossed in concurrence and the House Papers were Passed to be Engrossed or Passed to be Engrossed as Amended and sent up for concurrence.

Passed to Be Enacted

An Act Amending the Excise Tax Law as it Relates to Telephone Company Motor Vehicles (H.P. 199) (L.D. 251) (H. "A" H-3; H. "B" H-11)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker pro tem and sent to the Senate.

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

PEITITIONS, BILLS AND RESOLVES
REQUIRING REFERENCE

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

Business Legislation

Bill "An Act to Require Certain Restaurants to Post their Prices" (H.P. 505) (L.D. 678) (Presented by Representative ROLDE of York) (By Request)

Ordered Printed.

Sent up for Concurrence.

Fisheries and Wildlife

Bill "An Act to Further Protect Bald Eagles and Other Endangered Species" (Emergency) (H.P. 506) (L.D. 679) (Presented by Representative DUFFY of Bangor) (Cosponsors: Representatives RUHLIN of Brewer, JACQUES of Waterville, and Senator BALDACCI of Penobscot)

Ordered Printed.

Sent up for Concurrence.

(Off Record Remarks)

On motion of Representative Thistle of Dover-Foxcroft,

Adjourned until Tuesday, March 10, 1987, at nine-thirty in the morning.

STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION
JOURNAL OF THE SENATE

In Senate Chamber
Monday
March 9, 1987

Senate called to Order by the President.

Prayer by Reverend David R. Kelly of the Hermon Baptist Church in Hermon.

REVEREND KELLY: Shall we pray? Dear Father in heaven, You are the only God, holy, sovereign and majestic. We thank You for our lives and well being and thank You for Your wealth of blessing each and every day. As these Senators gather for business this morning, we ask for wisdom, discernment, discretion and like-mindedness. May each one here in authority seek Your will for their lives, as well as the decisions they will be making throughout this day. May all that is said and accomplished be done to honor and magnify Thy name. May we then continue to live in peace and have the freedom to work and honor You. We ask in the name of Jesus Christ, the Lord. Amen.

Reading of the Journal of Wednesday, March 4, 1987.

PAPERS FROM THE HOUSE
Non-concurrent Matter

Bill "An Act to Discontinue Town Ways and Public Easements"

H.P. 423 L.D. 568
Committee on TRANSPORTATION suggested and ORDERED PRINTED.

In House, March 2, 1987, referred to the Committee on JUDICIARY and ORDERED PRINTED.

In Senate, March 3, 1987, referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED in NON-CONCURRENCE.

Comes from the House, that Body INSISTED.

The Senate RECEDED and CONCURRED.

Non-concurrent Matter

Bill "An Act to Facilitate Mutual Aid Agreements Between Municipal Police Departments"

H.P. 433 L.D. 579
Committee on LEGAL AFFAIRS suggested and ORDERED PRINTED.

In House, March 2, 1987, referred to the Committee on JUDICIARY and ORDERED PRINTED.

In Senate, March 3, 1987, referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED in NON-CONCURRENCE.

Comes from the House, that Body INSISTED.

The Senate RECEDED and CONCURRED.

Non-concurrent Matter

Bill "An Act to Ensure Access to the Mental Health and Substance Abuse Treatment Systems Through Health Maintenance Organizations"

S.P. 216 L.D. 583
Committee on HUMAN RESOURCES and ORDERED PRINTED.

In Senate, March 3, 1987, referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

Non-concurrent Matter

Bill "An Act Establishing Peer Review Immunity for Licensed Psychologists"

S.P. 217 L.D. 584

In Senate, March 3, 1987, referred to the Committee on BUSINESS LEGISLATION and ORDERED PRINTED. Comes from the House referred to the Committee on JUDICIARY and ORDERED PRINTED in NON-CONCURRENCE. The Senate RECEDED and CONCURRED.

House Papers

Bill "An Act to Assure that State Regulation of Agricultural Chemicals will not be More Restrictive than Federal Regulations"

H.P. 460 L.D. 615

Comes from the House referred to the Committee on AGRICULTURE and ORDERED PRINTED. Which was referred to the Committee on AGRICULTURE and ORDERED PRINTED, in concurrence.

Bill "An Act to Provide for Lifeline Banking"

H.P. 454 L.D. 609

Bill "An Act to Promote Financial Responsibility of Motorists"

H.P. 462 L.D. 617

Come from the House referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED. Which were referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED, in concurrence.

Bill "An Act Concerning Raising the Number of Mandatory School Days"

H.P. 457 L.D. 612

Comes from the House referred to the Committee on EDUCATION and ORDERED PRINTED. Which was referred to the Committee on EDUCATION and ORDERED PRINTED, in concurrence.

Bill "An Act to Require Municipalities to Pay Court Costs and Attorneys Fees in Certain Suits"

H.P. 455 L.D. 610

Bill "An Act Relative to Guardian Ad Litem Appointments in Adoption Proceedings"

H.P. 456 L.D. 611

Come from the House referred to the Committee on JUDICIARY and ORDERED PRINTED. Which were referred to the Committee on JUDICIARY and ORDERED PRINTED, in concurrence.

Bill "An Act to Alter the Laws Regarding Abandonment of Public Ways"

H.P. 459 L.D. 614

Committee on TRANSPORTATION suggested and ORDERED PRINTED.

Comes from the House referred to the Committee on JUDICIARY and ORDERED PRINTED.

Which was referred to the Committee on JUDICIARY and ORDERED PRINTED, in concurrence.

(See Action Later Today)

Bill "An Act to Clarify the Rights of Former State Employees who were Transferred to the Maine Vocational-Technical Institute System"

H.P. 458 L.D. 613

Resolve, Requiring a Legislative Study of County Budget Procedures (Emergency)

H.P. 463 L.D. 618

Come from the House referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED.

Which were referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED, in concurrence.

Bill "An Act to Establish a Tax for the Possession of Illegal Drugs"

H.P. 464 L.D. 619

Comes from the House referred to the Committee on TAXATION and ORDERED PRINTED.

Which was referred to the Committee on TAXATION and ORDERED PRINTED, in concurrence.

Bill "An Act Requiring the Use of Lights and a Sign on Nonbus Vehicles Used to Transport Students"

H.P. 453 L.D. 608

Comes from the House referred to the Committee on TRANSPORTATION and ORDERED PRINTED.

Which was referred to the Committee on TRANSPORTATION and ORDERED PRINTED, in concurrence.

Bill "An Act to Establish Rates for Human Services WATS Lines"

H.P. 461 L.D. 616

Comes from the House referred to the Committee on UTILITIES and ORDERED PRINTED.

Which was referred to the Committee on UTILITIES and ORDERED PRINTED, in concurrence.

Joint Resolution

The Following Joint Resolution: H.P. 452
JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO INCREASE THE SPEED LIMIT TO 65 M.P.H. ON RURAL INTERSTATE HIGHWAYS

WE, your Memorialists, the Senate and House of Representatives of the State of Maine in the First Regular Session of the One Hundred and Thirteenth Legislative Session, now assembled, most respectfully present and petition the Members of the United States Congress as follows:

WHEREAS, a 55 M.P.H. speed limit was federally imposed to combat shortages and rising prices during the threat of the 1973 Arab oil embargo; and

WHEREAS, that serious energy conservation effort accomplished its purpose and now should be modified to meet a more realistic level of compliance for modern day travel; and

WHEREAS, improved technology in auto safety and highway construction has led to the decline of highway fatalities since 1946 and that technology continues its advance; and

WHEREAS, the Symms amendment to the Federal-Aid Highway Act of 1987 is a modest proposal to increase the national speed limit to 65 M.P.H. on rural interstate highways; and

WHEREAS, this reasonable proposal has the support of the Legislature as it will remove a widespread contempt for a law which no longer serves the public interest and which denies the State much needed federal highway aid; now, therefore, be it

RESOLVED: That we, your Memorialists, do hereby respectfully urge the Members of Congress of the United States to raise the national speed limit on rural interstate highways to 65 M.P.H., a reasonable level which Maine motorists can drive safely and comfortably with, considering the level of technology that exists today; and be it further

RESOLVED: That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the President of the Senate and to the

Speaker of the House of Representatives in the Congress of the United States and to each Member of the Maine Congressional Delegation.

Comes from the House READ and ADOPTED.

Which was READ.

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

Senator KERRY: Mr. President, Ladies and Gentlemen of the Senate. If, in fact, you had lowered the gavel on this particular measure, I would like to know what the disposition of the Resolution would be at that time.

THE PRESIDENT: If the Chair had lowered the gavel, the Resolution would have been Adopted.

On motion by Senator KERRY of York, Tabled until Later in Today's Session, pending ADOPTION.

On motion by Senator CLARK of Cumberland, the Senate RECONSIDERED its action whereby it referred to the Committee on JUDICIARY:

Bill "An Act to Alter the Laws Regarding Abandonment of Public Ways"

H.P. 459 L.D. 614

(Committee on TRANSPORTATION suggested and ORDERED PRINTED.)

(In House, March 4, 1987, referred to the Committee on JUDICIARY and ORDERED PRINTED.)

On further motion by same Senator, referred to the Committee on TRANSPORTATION and ORDERED PRINTED in NON-CONCURRENCE.

Sent down for concurrence.

COMMUNICATIONS

The Following Communication: S.P. 244

113th MAINE LEGISLATURE

March 5, 1987

Senator Zachary Matthews
Representative Robert J. Tardy
Chairpersons
Joint Standing Committee on Agriculture
113th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Bernard W. Shaw of Limestone for appointment as the Commissioner of the Department of Agriculture.

Pursuant to Title 7, M.R.S.A. Section 1, this nomination will require review by the Joint Standing Committee on Agriculture and confirmation by the Senate.

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

Which was READ and referred to the Committee on AGRICULTURE.

Sent down for concurrence.

The Following Communication:

113th MAINE LEGISLATURE

March 4, 1987

Hon. Eve Bither
Commissioner of Education
Department of Educational and Cultural Services
State House Station #23
Augusta, ME 04333

Dear Commissioner Bither:

Pursuant to M.R.S.A. 20-A, Section 256, we are pleased to invite you to present your annual report

on the state of education in Maine to the Legislature on March 23, 1987.

This change in date is due to a request from the Governor.

Please let us know if this is convenient for you.

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

Which was READ and ORDERED PLACED ON FILE.

SENATE PAPERS

Bill "An Act to Enhance and Expand Services Provided to Victims of Sexual Assault"

S.P. 229 L.D. 623

Presented by Senator CLARK of Cumberland
Cosponsored by: Representative JOSEPH of Waterville, Senator BLACK of Cumberland, Representative SCARPINO of St. George

Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 27

Bill "An Act Maintaining Community Services for Emotionally Disturbed Children and Adolescents"

S.P. 230 L.D. 624

Presented by Senator GILL of Cumberland
Cosponsored by: Representative ROLDE of York, Senator BALDACCI of Penobscot, Representative PINES of Limestone

Bill "An Act Making Authorizations and Allocations Relating to Federal Block Grants for the Expenditures of State Government for the Fiscal Years Ending June 30, 1987, June 30, 1988, and June 30, 1989" (Emergency)

S.P. 242 L.D. 673

Presented by Senator PEARSON of Penobscot
Cosponsored by: Representative HIGGINS of Scarborough

Which were referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Provide Flexible Rating for Property and Casualty Insurance"

S.P. 227 L.D. 621

Presented by Senator BRANNIGAN of Cumberland
Cosponsored by: Speaker MARTIN of Eagle Lake, Senator BUSTIN of Kennebec

Bill "An Act to Require that Casualty Insurance Companies Offer Insurance for Unusual Risks"

S.P. 228 L.D. 622

Presented by Senator DOW of Kennebec
Bill "An Act to Provide Equitable Rate Making in Medical Professional Liability Insurance"

S.P. 233 L.D. 627

Presented by Senator BRANNIGAN of Cumberland
Cosponsored by: Representative JOSEPH of Waterville

Bill "An Act to Ensure Consumer Input in Insurance Rate Making"

S.P. 235 L.D. 629

Presented by President PRAY of Penobscot
Cosponsored by: Senator THERIAULT of Aroostook, Representative ERWIN of Rumford, Senator BUSTIN of Kennebec

Bill "An Act to Amend the Investment Provisions and Certain Related Sections of the Maine Insurance Code"

S.P. 243 L.D. 675

Presented by Senator CLARK of Cumberland
Cosponsored by: Senator BRANNIGAN of Cumberland, Representative CLARK of Millinocket, Representative CURRAN of Westbrook

Which were referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED.
Sent down for concurrence.

Bill "An Act to Afford Consumer Protection in Retirement Communities which Offer Continuing Care"
S.P. 241 L.D. 672

Presented by Senator CLARK of Cumberland
Cosponsored by: Senator GAUVREAU of Androscoggin, Representative HICKEY of Augusta, Representative DIAMOND of Bangor
Committee on BANKING AND INSURANCE suggested and ORDERED PRINTED.

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending REFERENCE.

Resolve, to Establish a New Commission on Maine's Future

S.P. 232 L.D. 626

Presented by President PRAY of Penobscot
Cosponsored by: Senator PERKINS of Hancock, Speaker MARTIN of Eagle Lake, Representative CARROLL of Gray
Committee on ECONOMIC DEVELOPMENT suggested and ORDERED PRINTED.

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending REFERENCE.

Bill "An Act to Promote Adult Education"

S.P. 234 L.D. 628

Presented by President PRAY of Penobscot
Cosponsored by: Senator ESTES of York, Representative BOST of Orono
Which was referred to the Committee on EDUCATION and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act Concerning Disclosure of Costs Related to Attorneys Contingency Fees"

S.P. 236 L.D. 630

Presented by Senator BRANNIGAN of Cumberland
Cosponsored by: Senator BLACK of Cumberland, Representative COTE of Auburn
Resolve, to Establish the Commission on Surrogate Parenting

S.P. 239 L.D. 658

Presented by Senator GAUVREAU of Androscoggin
Cosponsored by: Senator BRANNIGAN of Cumberland, Representative PINES of Limestone, Representative CLARK of Brunswick
Which were referred to the Committee on JUDICIARY and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act Relating to Notice of Injury for Purposes of Workers' Compensation and Occupational Disease Claims"

S.P. 237 L.D. 631

Presented by Senator GAUVREAU of Androscoggin
Cosponsored by: Representative GREENLAW of Standish, Senator ANDREWS of Cumberland
Which was referred to the Committee on LABOR and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act Amending the Workers' Compensation Laws Exempting Design Professionals from General

Civil Liability for Injuries on Construction Projects"

S.P. 238 L.D. 657

Presented by Senator CLARK of Cumberland
Cosponsored by: Representative WEBSTER of Cape Elizabeth, Senator COLLINS of Aroostook, Representative BOUTILIER of Lewiston
Committee on LABOR suggested and ORDERED PRINTED.
On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending REFERENCE.

Bill "An Act to Authorize the Construction of an East-West Highway"

S.P. 231 L.D. 625

Presented by President PRAY of Penobscot
Cosponsored by: Speaker MARTIN of Eagle Lake, Senator DOW of Kennebec, Representative MOHOLLAND of Princeton
Bill "An Act to Require the Use of Seat Belts in all Motor Vehicles"

S.P. 240 L.D. 659

Presented by Senator BRANNIGAN of Cumberland
Cosponsored by: Senator COLLINS of Aroostook, Representative PINES of Limestone
Which were referred to the Committee on TRANSPORTATION and ORDERED PRINTED.
Sent down for concurrence.

COMMITTEE REPORTS

House

Ought Not to Pass

The following Ought Not to Pass Report shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act to Remove the Requirement that Counties make Payments to the State for Support of the Supreme Judicial Court and Superior Courts"

H.P. 244 L.D. 314

Leave to Withdraw

The following Leave to Withdraw Reported shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act to Restrict the Use of Paravanes"

H.P. 19 L.D. 18

Bill "An Act to Reduce the Requirements for Registration of a Vehicle as a Street Rod"

H.P. 75 L.D. 78

Bill "An Act Concerning the Membership of the Board of Trustees of the Maine Veterans' Homes"

H.P. 297 L.D. 383

Ought to Pass

The Committee on EDUCATION on Bill "An Act Relating to the Administrative Council of the University of Maine System"

H.P. 183 L.D. 227

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-9).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

House Amendment "A" (H-9) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on STATE AND LOCAL GOVERNMENT on Resolve, for Laying of the County Taxes and Authorizing Expenditures of Sagadahoc County for the Year 1987 (Emergency)

H.P. 450 L.D. 605

Reported that the same Ought to Pass, pursuant to Joint Order H.P. 23.

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

Which Report was READ and ACCEPTED, in concurrence.

The Resolve READ ONCE.

The Resolve TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass in New Draft under New Title
The Committee on JUDICIARY on Bill "An Act to Change Location for District Court Cases from Wayne to Livermore Falls"

H.P. 98 L.D. 108

Reported that the same Ought to Pass in New Draft under New Title Bill "An Act to Change the Location of District Court for the Municipality of Wayne to Augusta"

H.P. 451 L.D. 606

Comes from the House, with the Report READ and ACCEPTED and the Bill in NEW DRAFT under NEW TITLE, PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill in NEW DRAFT under NEW TITLE READ ONCE.

The Bill in NEW DRAFT under NEW TITLE TOMORROW ASSIGNED FOR SECOND READING.

Senate

Leave to Withdraw

The following Leave to Withdraw Report shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act to Provide Better Geographic Representation of the Areas Affected by Boards and Commissions"

S.P. 47 L.D. 96

Change of Reference

Senator BRANNIGAN for the Committee on JUDICIARY on Bill "An Act to Expand the Number of Land Use Laws Under the Jurisdiction of the District Court"

S.P. 98 L.D. 245

Reported that the same be REFERRED to the Committee on ENERGY AND NATURAL RESOURCES.

Which Report was READ and ACCEPTED.

The Bill REFERRED to the Committee on ENERGY AND NATURAL RESOURCES.

Sent down for concurrence.

SECOND READERS

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

House

Bill "An Act to Repeal the Requirement that Unemployment Tax Liens and Warrants be Filed in the Offices of Municipal Clerks"

H.P. 45 L.D. 48

Bill "An Act Regarding the Maine Land Use Regulation Commission" (Emergency)

H.P. 158 L.D. 199

Which were READ A SECOND TIME and PASSED TO BE ENGROSSED, in concurrence.

House As Amended

Bill "An Act to Validate Certain Abstracts of Divorce Decrees"

H.P. 46 L.D. 49
(C "A" H-4)

Bill "An Act Relating to the Confidentiality of the Office of Employment Rehabilitation and Abuse Investigation Unit Files of the Workers' Compensation Commission" (Emergency)

H.P. 62 L.D. 65
(C "A" H-7)

Bill "An Act to Amend the Employment Security Law Regarding Full-time Students in the Employ of Organized Camps to Conform with the Federal Unemployment Tax Act"

H.P. 117 L.D. 142
(C "A" H-6)

Bill "An Act to Extend the Life of the 9-1-1 Study Commission" (Emergency)

H.P. 289 L.D. 374
(C "A" H-5)

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

Senate

Bill "An Act to Make Additional Allocations from the Public Utilities Commission Regulatory Fund for the Fiscal Year Ending June 30, 1987" (Emergency)

S.P. 199 L.D. 556

Which was READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

ENACTORS

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

Emergency Resolve

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Oxford County for the Year 1987

H.P. 383 L.D. 505

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with No Senators having voted in negative, and 33 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.

ORDERS OF THE DAY

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

Bill "An Act to Strengthen the Subdivision Laws"

H.P. 449 L.D. 604

Tabled - March 4, 1987, by Senator CLARK of Cumberland.

Pending - REFERENCE

(In House, March 3, 1987, referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED.)

(In Senate, March 4, 1987, RECONSIDERED REFERENCE to the Committee on ENERGY AND NATURAL RESOURCES.)

Which was referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED, in concurrence.

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

HOUSE REPORTS - from the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Establish the

Aroostook County Budget Committee on a Permanent Basis"

H.P. 85 L.D. 88

Majority Report - Ought to Pass

Minority Report - Ought Not to Pass

Tabled - March 4, 1987, by Senator PERKINS of Hancock.

Pending - Motion of Senator BALDACCI of Penobscot to RECOMMIT Bill and Accompanying Papers to the Committee on STATE AND LOCAL GOVERNMENT, in concurrence.

(In House, March 3, 1987, Reports READ and the Bill and Accompanying Papers RECOMMITTED to the Committee on STATE AND LOCAL GOVERNMENT.)

(In Senate, March 4, 1987, Reports READ.)

On motion by Senator BALDACCI of Penobscot, RECOMMITTED to the Committee on STATE AND LOCAL GOVERNMENT, in concurrence.

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

Bill "An Act to Authorize a Bond Issue in the Amount of \$4,300,000 for Constructing and Equipping Centers for Advanced Technology that Service the Economic Development Needs of Maine"

S.P. 220 L.D. 601

Tabled - March 4, 1987, by Senator CLARK of Cumberland.

Pending - Motion of Senator PEARSON of Penobscot to RECONSIDER REFERENCE

(In Senate, March 3, 1987, referred to the Committee on ECONOMIC DEVELOPMENT.)

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending the motion of Senator PEARSON of Penobscot, to RECONSIDER REFERENCE.

Senate at Ease

Senate called to order by the President.

The Chair removed from the Tabled and Later Today Assigned matter:

Bill "An Act to Afford Consumer Protection in Retirement Communities which Offer Continuing Care"

S.P. 241 L.D. 672

Tabled - March 9, 1987, by Senator CLARK of Cumberland.

Pending - REFERENCE

(Committee on BANKING AND INSURANCE suggested and ORDERED PRINTED.)

On motion by Senator CLARK of Cumberland referred to the Committee on AGING, RETIREMENT AND VETERANS and ORDERED PRINTED.

Sent down for concurrence.

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

Resolve, to Establish a New Commission on Maine's Future

S.P. 232 L.D. 626

Tabled - March 9, 1987, by Senator CLARK of Cumberland.

Pending - REFERENCE

(Committee on ECONOMIC DEVELOPMENT suggested and ORDERED PRINTED.)

Which was referred to the Committee on STATE AND LOCAL GOVERNMENT and ORDERED PRINTED.

Sent down for concurrence.

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

Bill "An Act Amending the Workers' Compensation Laws Exempting Design Professionals from General Civil Liability for Injuries on Construction Projects"

S.P. 238 L.D. 657

Tabled - March 9, 1987, by Senator CLARK of Cumberland.

Pending - REFERENCE

(Committee on LABOR suggested and ORDERED PRINTED.)

Which was referred to the Committee on LABOR and ORDERED PRINTED.

Sent down for concurrence.

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

JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO INCREASE THE SPEED LIMIT TO 65 M.P.H. ON RURAL INTERSTATE HIGHWAYS

H.P. 452

Tabled - March 9, 1987, by Senator KERRY of York.

Pending - ADOPTION

(In House, March 4, 1987, READ and ADOPTED.)

(In Senate, March 9, 1987, READ.)

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

Senator KERRY: Mr. President, Ladies and Gentlemen of the Senate. This is an important Resolution, once again, as I discussed this issue with Senator Gill, the good Senator from Cumberland, and Senator Dutremble, the good Senator from York and the President, himself, I find that this may be a very difficult issue to defeat here in the Senate with the luminaries of our Leadership on the other side. I thought that it might be important to bring out a few points prior to the debate on this particular issue. History teaches us many lessons and I have often believed that governments and societies, in general, fail to look to the past to give us insight to what our future might be. Governments often act in the present because of expediency because they are listening to their voting public and to their own wishes. I think it is also incumbent upon us to have a broader vision, if you will, a more longitudinal vision.

There is one particular issue that I think we are going to face again and that is the issue of an energy crisis. One may say that we had an energy crisis and that it is over. We had one in 1973 and then another one in '78-'79. People are saying that we actually had two energy crises.

I have a sneaking suspicion that we have not emerged completely from our previous energy crisis. One might look at how our energy will be determined in the State of Maine. Let's look back just a few short years. I can recall back in the late sixties and early seventies, when the price of a barrel of imported oil into the United States of America was about \$2.75 and then it went to \$3.00, and then, all of a sudden, there was a great rage throughout the Country. Energy prices in the State of Maine and in the United States of America were increasing and yet the price of a barrel of oil was only \$5.00 per barrel. The Washington Post had headlines, the Portland Press Herald, the Bangor Daily News and the New York Times, everybody was concerned about the price of oil. It was a monumental price, historic price level of \$5.00 per barrel. People were beginning to think that we were going to be completely dependent on the Arab nations the OPEC nations, if you will, for our energy. Here in the

State of Maine, at that time, we were over eighty percent dependent upon petroleum product for all our energy costs. Today, in 1987, we are sixty percent dependent upon foreign imports for our energy in the State of Maine. We have a 2.1 billion dollar energy bill and it is going up. We spend almost a billion dollars on petroleum product for transportation.

In 1973, the United States of America imported approximately thirty-three percent of its energy and seventy-five percent of that energy came from OPEC nations. Saudia Arabia provided fifty percent of our energy in terms of petroleum product, at that time. Now, lets take a look at where we are at; we went through the crisis, it is supposedly over, and now we are back in 1987. In 1987, the United States of America is importing approximately 8.6 million barrels of petroleum product per day. That represents approximately thirty-eight percent of our total energy usage in the United States. That is six to seven percent above the energy crisis import levels of 1973. Saudia Arabia, one Country, is controlling the over all world price of petroleum product. It may seem that is a long way, Saudia Arabia and the Persian Gulf, but we are on the end of the energy pipeline. We as State Senators, we as State Legislators, I would at least suggest that we take a longer view, our energy in the State of Maine is so dependent upon foreign petroleum product that we cannot afford to be short sighted. We have to look to the future, because when the energy crisis happens, you will soon see that the State of Maine, New England and other northeastern States, will experience a precipitous increase in petroleum product the minute Saudia Arabia reduces its output from 4.4 million barrels per day. Therefore, the shortage, which will be a very slight shortage in the export from the OPEC nation, will then be experienced in the northeast.

Why did Senator Mitchell and Senator Cohen, why did a bipartisan effort of New England and northeast Senators and Congress people sponsor a Resolution not to have an oil import tax. There wasn't one before the Congress, they know that it is coming. People who look to the future are looking at the past to see what is going to happen, you cannot vote in the present if you want to have a prudent public policy for the future. We must not legislate out of crisis.

What can we say if we, in this Senate, passed a Resolution encouraging another energy crisis. Is it because the current speed limit is not being enforced. Is it because it is an imprudent public policy? No, we establish this policy for a very specific measures: it saves lives and it saves energy. The State of Maine's energy consumption is going up between three and five percent. That is a dramatic increase over last decade. I am merely suggesting to you, as I very strongly oppose this legislation, look to the past, use the past to teach a lesson to ourselves. Heed the lessons of history and make a prudent decision not to encourage this State to become more dependent on foreign petroleum products. Heed the lessons of the past, that a prudent public policy decision will be based on what is best for the people of Maine, not from the expedient needs of the present. Thank you Mr. President.

Senator KERRY of York, moved that the Joint Resolution be INDEFINITELY POSTPONED.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Cahill.

Senator CAHILL: Thank you Mr. President, Ladies and Gentlemen of the Senate. The good Senator from York, Senator Kerry, has made a very compelling argument regarding fuel conservation and I am sure an

equally compelling argument could be made today for safety. I would suggest that if we lowered the speed limit to 45 miles per hour, that would conserve energy and it would be a safety measure as well, but that is not practical. The Resolution we have before us today, simple asks the Federal Government to give the State and the Local Governments back the authority to set speed regulations. Authority that they have had prior to 1973. The reason I agreed to cosponsor this Resolution, I think, is a unique reason and I would like to share it with you. I think I can make a good argument that would save fuel, increase safety and is environmental sound as well. As most of you know, I live on Route 1 corridor in Sagadahoc County, and on that corridor, specifically, we have a tremendous traffic problem. In Topsham, Brunswick, Bath and Woolwich, the congestion we have in the summer time is astronomical.

I believe if offered an attractive alternative, a lot of that traffic could be diverted to the Turnpike and to 95. I think by offering a 65 mile per hour speed limit we could perhaps divert some of that traffic. Any type of help we could get would be a tremendous asset. I believe it would put a lot of traffic, in particular, trucks, on the best built highways which is where that traffic should rightfully belong. It certainly is not fuel efficient, it is not environmental sound and it is not a safety factor to have people sitting for three quarters of a hour to a hour and a half in stop and go traffic along Route 1. I would ask you all today to vote against the pending motion to Indefinitely Postpone the Joint Resolution.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Baldacci.

Senator BALDACCI: Thank you Mr. President and Members of the Senate. This Resolution that is before us today is very disturbing because in contrast to the remarks by the good Senator from Sagadahoc, Senator Cahill, it doesn't tell the Federal Government that the State would like to have the ability to set the speed limit and the role portions of the interstate, but recommends a particular amendment, that is says, whereas the Symms amendment to the Federal Aid Highway Act, which asks for a 65 mile per hour speed limit and resolve that we want them to raise it to 65 on rural interstate highways. First of all, it was my understanding that the issue of whether the States should have the right or not is an issue before Congress and whether we should be supporting a particular amendment, which recommends 65 or not, to me, isn't very prudent. Normally if we were going to do this at the State level we would hold a public hearing, we would take into consideration the impact it is going to have on State government. I don't see a fiscal note attached to this, whether we are going to have to spend more money. Because of having that speed limit changed would it increase the allowance for gas that State employees would have to use?

Are there other impacts? Is there a consideration that maybe we would like to see seat belts on the interstate system if it were, in fact, 65? Is there an underrating of these kind of impacts that we would have. I think there are some serious questions as to saying that we are going to support a particular speed limit of 60, 65 or 70. We should be asking Congress if the State should have the right, there is no question about that. There are rural portions of our interstate system that should be looked at. We have a route from Bangor to Calais, which is just a two lane highway and is in terrible condition and there is a 55 mile per hour speed

limit. We have an interstate system in the area that could handle four to six lanes of traffic that is at the same rate of speed. There is a concern and I think in northern and eastern Maine, where there points are far between, that it does make sense in some of those areas that it does have a different speed limit. Where in the more populated areas of southern Maine, where it isn't as spread out, maybe 65 doesn't make sense and wouldn't apply under the Federal law.

So I think the point is here unless the person who drew this up and it supporting this, to tell us why we are supporting this particular amendment, what the impact is going to be for the State as far as an economic impact and as far as a safety impact. I think the comments from the good Senator from York, Senator Kerry, about energy are important. You are looking at a referendum question about closing down Maine Yankee and I know from our previous discussions that you are talking about what the State would have to do in order to meet the energy that was provided. Basically, declaring war on energy, if they have mandatory energy standards on new construction, so I think it needs a little more review before we say 65. Thank you.

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

Senator CLARK: Thank you Mr. President and Members of the Senate. This morning we are hearing a debate, again, we are listening to diverse opinions and reactions to a Joint Resolution which as I read this Resolution simply indicates support for the Symms amendment to the Federal Aid Highway Act of 1987, which provides local option for States who have rural interstate highway systems, namely Maine, to decide within their States whether or not the speed limit on the interstate highway system, I-95 in Maine, will be raised to 65 miles per hour. I believe that the Maine Legislature would deal and address that issue with all enthusiasm and involvement from the public and private sectors within our State. I do not support, speaking as an individual Senator this morning, the pending motion of Indefinite Postponement for I believe that it is truly appropriate that the speed limit be determined under a local option and that the State of Maine may have a choice as to whether or not some time in the future we will or will not raise the speed limit on our Maine interstate highway system. I would encourage you to join with me and reject the pending motion. Thank you Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Matthews.

Senator MATTHEWS: Mr. President and fellow Members of the Senate. I arise to disagree with my good colleague from Cumberland, Senator Clark. I think that this Resolution before us is really not in keeping with good old fashion yankee common sense. I want to read to you a quote from a publication which most of us get in this Body and it is from Friday, March 6, just the other day, from the Christian Science Monitor. "Oil imports raise new concerns among U.S. policy makers," U.S. policy makers I assume that means the Maine Senate. "Dependence on foreign oil is once again a hot issue, in the 1970's the United States security was threatened by two oil shocks, Americans grown through long lines at the gas stations," remember those long lines, Ladies and Gentlemen. Oil prices and inflation soared, in the early 1980's, however, the worries faded. Supplies were secure, wildcatters were drilling all over the United States and oil prices were stable. But now the issue is resurfacing, the big reason is that the

news of consumption of Persian oil by Americans has gone up sharply.

It grew from six percent in 1985 to fifteen percent last year, the highest since 1981. Foreign oil imports accounted for thirty six percent the U.S. consumption last year. Gas lines in Chicago, Ladies and Gentlemen, in 1979, do we want to forget those days? The oil crisis of the early seventies. Ladies and Gentlemen, we don't only have to talk about history and hindsight today, we only need to look ahead. That is what the people of the State of Maine, when they elect us, want all of us, the Legislature, to do. Not just look today, but look ahead to what the future holds.

We know what the economists are telling us, we know what the figures are telling us, that we may be in for trouble. I guess I am going to come down on good old common yankee ingenuity and I am going to look to the future and I am going to be voting for Indefinite Postponement.

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

Senator KERRY: Thank you Mr. President, Ladies and Gentlemen of the Senate. I thought I would rise, once again, to comment on some of the points that were made. The first comment I would like to make is regarding the good Senator from Penobscot, Senator Baldacci. Senator Baldacci brought up a very important point, and that point is that there are hidden costs. The greatest tax relief this Country has every received, probably in its history, came from Saudia Arabia. Saudia Arabia increased its production of energy and by so doing it dismantled for all intents and purposes the market setting price mechanism which is a very sensitive one of the OPEC nation. Virtually saving the tax payers of this Country billions of dollars. Not only did they save in terms of direct purchases of energy, but they also saved in lower interest rates. The interest rates hovered over twenty percent during the whole time of the Arab oil embargo and as a consequent for a few years thereafter they came down very slowly. I think a lot of people are not aware of the fact that not only does the State of Maine, but every energy consumer in this State and throughout the Country, has to purchase money to do business, to create their businesses. The State of Maine, itself, purchases energy products. We also, through our bond issues, borrow money. I think that is one very important point, looking at interest rates which will be definitely impacted by increases in oil.

Another point is in speaking with executives from Central Maine Power, just last week, they were indicating to me that they are now putting out contracts on petroleum products to run utility plants in the State of Maine that use petroleum and we still burn petroleum for utility uses in Maine. At nineteen and twenty dollars per barrel, there were purchasing energy between ten and fifteen dollars a barrel, just a few short months ago. They also indicated to me that they anticipate an increase of energy prices. I will say very pointedly, and underscoring the Senator from Penobscot, Senator Baldacci's point, any Senator in this Body who votes for dismantling a very positive energy policy which we have established in this State as a result of the energy crisis of the seventies, must look at what the impact will be when we establish energy accords with Canada, for hydro power, any energy accords we have with individual provinces of States regarding the importing of energy. Thirdly, I might add, that most of our energy accords are often times based on petroleum product, in other words, if we are going to purchase energy from any one else, it is usually

based on seventy-five percent or eighty percent of the petroleum product based on the New York Harbor price for petroleum. It is all tied together. This is not, as the good Senator from Cumberland, Senator Clark, pointed out as a simple Resolution to endorse Senator Symms motion.

It is not a simple Resolution, I might add that the good Senator from Cumberland, when she stands and when she speaks, I almost react as I should vote for it. She meticulously weaves a cloth of logic and I say, how can this be wrong. I found that in many times in the past, as she speaks, I say it sounds so logical, she elucidates clearly and articulates as well as any one I have ever seen. And yet, at this time, I have to say that it isn't quite that simple. Although I agree that I would like to see local control, I do believe that any State in this nation now considering the shut down or the phase out of its major nuclear plants, renegotiating major contracts with foreign governments for the importation of billions of dollars worth of energy, cannot look at this particular issue as a simple measure of recommending to the Congress or memorializing to Congress a measure that will increase petroleum consumption and cost in this Country and, specifically, in this State.

Therefore, I would say that it is incumbent upon you, as Senators, to see this as a major Resolution tying into our whole energy package. We must not take energy as its primary position in the public policy of this State. I think that is very important. Once again, I would hope you would support the motion to Indefinitely Postpone this Resolution. Thank you.

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

Senator DILLENBACK: Thank you Mr. President, Ladies and Gentlemen of the Senate. I have been listening very patiently to this whole thing. We are really not voting on whether we are going to have a 65 mile speed limit in Maine or not. I think the lady Senator from Cumberland is absolutely right in what she has said. It is interesting if any of you come from Portland, if you travel the interstate, I don't believe anyone goes less than 70 miles per hour, the trucks are going by me at 75. I don't think we are going to save a great deal on a point like that. When you talk about closing down your atomic plants and what are you going to do with Texas who is going broke? Do you know what we are going to do? We are going to do what the Germans did during the war. They ran the war on coal. We can bring coal into this country, we can create jobs, our trains will run on coal again, we will make gasoline from the coal. We will do many things, there is not a problem about energy.

How many people here burn wood or coal? You are all running your furnaces at full speed, there is no problem. What have we done with the automotive industry? We have put in the 4 cylinder engines in the cars, we have reduced the amount of fuel we are using, and we can do it again. This is a great country, I have no fear of the future. We are going to make it and we are going to make it go. I am going to support the lady Senator from Cumberland. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Baldacci.

Senator BALDACCI: Thank you Mr. President and Members of the Senate. I have Webster's Dictionary here and I was looking up the word 'limit'. It says: 'a limit is a point, line or ridge, where something or someone ceases to be possible. To set a limit.' I just listened to the good Senator from Cumberland,

Senator Dillenback, explain that they are going seventy miles an hour down in southern Maine. I always thought that the speed limit was fifty-five. It raises a very interesting point, the point is that if the speed limit is set at 65 are we, in fact, giving an allowance of mileage to motorists beyond or is it, in fact, the limit. I have no problem at all supporting a 65 mile per hour speed limit, but if the 65 mile per hour speed limit is going to be 65 miles per hour plus, then I have a problem with that. I came down here today and tried to stay at fifty-five, but I notice that there were a few people that did pass me, I don't know if it is whether they didn't want me to see the future lobster on their license plate so they were going so fast, but they were moving right along. I was beginning to feel that there might be some concern here, if you set the limit at 65 and allow for that to be 6, 7 or 8 miles over that particular limit.

I think that we have to make it clear that if we are going to make it a 65 mile per hour speed limit that it be 65 mile per hour speed limit. I think that is important. People that I talked to say nobody does go 55, but I would hate to see it go 65 plus some more mileage after that. There was a real concern among people that I talked to about this particular issue. There is a concern about that and if we are willing to have strict enforcement of 65. If we are willing to dedicate the resources to make sure that 65 is the limit, if we do pass 65 in the future at a public hearing and after a lot of testimony, then I think I don't have a problem with that. There is a concern that there are people that do drive a lot for trucking companies or they drive a lot because they are on their own and they run their business out of their shop, there is a concern that it doesn't matter what the speed limit is there are a lot of bad drivers out there. Maybe 55 isn't such a bad idea, because a lot of them end up going 62 or 63, that is a good safe speed for the interstate system. I think that if we do set the limit at 65 that it should be adhered to. I have no problem at all supporting that, as long as this vote is on the limit, speed limit, then I don't have a problem supporting that. Thank you Mr. President.

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

Senator CLARK: Thank you Mr. President and Members of the Senate. The good Senator from York, Senator Kerry has said, "If any Senator in this Body who votes for dismantling in a positive energy policy that has been established they must then look at the impact." I didn't record the rest of his remarks, but he is perfectly correct, if that were the question that was before us, but it isn't. The good Senator from Penobscot, Senator Baldacci, said, "If the speed limit is set at 65 miles per hour, are we, in fact, endorsing a practice, a policy, of traveling at 75 miles per hour?" That, also, is not the question before us.

The question before us is whether or not we are going to support or Indefinitely Postpone a Resolution endorsing passage of the Federal Aid Highway Act of 1987 with the Symms amendment attached. The Symms amendment, should it be attached, and this Highway Act be passed in our Federal Congress, would provide the State of Maine and other States in our nation, particularly those with rural interstate highways system, like Maine, to have an opportunity to address the issue of energy conservation at a later date. As well as, the enforcement of a potential increase in the speed limit, which currently exists on the rural sections of Maine's interstate highways, which is, in fact, 55

miles per hour. We are not voting, today, to increase the interstate highway speed to 65 miles per hour, nor are we examining the impact of an increased highway speed on the energy position of this State and our Nation. We are simply allowing States, like ours, to address the question in the future of whether or not we will increase our highway speeds. At that time, I submit respectively to all Members of our Chamber, we will expansively, I feel sure, be debating the myriad merits of that question. Again, speaking as an individual Senator from Cumberland County, I endorse Adoption of this Resolution this morning to enable that question to appropriately come before our Maine Legislature or maybe a Legislature in the future, where the question will involve all factors and parties within our State. I also support, in this case, State control, which we here in Maine interpret when we are speaking in a national sense as local control. I think that the State of Maine will do just a fine job using all sorts of yankee ingenuity and our renowned common sense when we, in the future, have an opportunity to address the question that is before us. Thank you Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Matthews.

Senator MATTHEWS: Mr. President and Members of the Senate. I cannot sit down before this one goes through on its way, without commenting with my good colleague the Senator from Cumberland, Senator Clark. I really believe, ladies and gentlemen, if we want to talk about the issue, that this issue is a State control or local control issue, that we are really not doing anything, we are just sending a message down to the United States Congress that we want a higher speed limit and that won't have any impact on energy.

I would like to see us Table this Bill and let's just think about the issue of safety, which the good Senator from Penobscot raised. Let's have a Bill before this Senate and the other Body which talks about seat belts, and let's protect our citizens from the excessive speed that we know will happen if we up the speed limit to 65. Let's just talk about the safety issue, let's put the seat belt issue before us, let's pass that and then we can go ahead and pass this Bill. One final comment, ladies and gentlemen, speaking not just as a Senator from Kennebec County and representing Somerset County, but speaking as an American citizen, ladies and gentlemen, I want us to remember, today, not the country of Germany, but I want us to remember, as Americans, the United States of America during the Second World War.

Great Britain, you talk about conservation and you talk about tough people. Americans are tough people, we can stick it out. The Arabs don't have to dictate to the United States what the situation will be. I think that is what came out of the early 1970's with the lower speed limits, with energy conservation and the fact that Americans can persevere through tough times. Also, Americans can look ahead and plan for the future. So, I am going to think about the United States of America, ladies and gentlemen, and I will vote for Indefinite Postponement. Thank you.

THE PRESIDENT: The pending motion before the Senate is the motion by Senator KERRY of York that the Joint Resolution be INDEFINITELY POSTPONED.

The Chair will order a Division.

Will all those Senators in favor of the motion to Indefinitely Postpone the Joint Resolution, please rise in their places and remain standing until counted.

Will all those opposed please rise in their places and remain standing until counted.

6 Senators having voted in the affirmative and 26 Senators having voted in the negative, the motion of Senator KERRY of York to INDEFINITELY POSTPONE the Joint Resolution, FAILS.

Which was ADOPTED, in concurrence.

Senator KANY of Kennebec was granted unanimous consent to address the Senate on the Record.

Senator KANY: Thank you Mr. President and Members of the Senate. I had been away for about ten days, attending a meeting on nuclear waste management in Tucson Arizona. In addition, to participating in a discussion of people national on potential changes to the nuclear waste policy act. After returning home after an excellent and positive trip, I was very saddened to see the headlines in the Waterville Morning Sentinel, which read, "The Maine Central Railroad Shuts Down Repair Shops."

Actually, people in our community are grieving over this. It is a great loss, it is just one more chapter in the demise of the railroad in the State of Maine. I often took visitors to the Maine Central Railroad shops, as well as the yards, on tours of Waterville, and I felt great pride and the workers felt great pride in what they were accomplishing. They would often point out that the shops at the Maine Central Railroad yards in Waterville, were the only shops east of the Mississippi where an entire railroad car could be rehabilitated. The workers would often point to a particularly wonderful caboose, which was the President of the Railroad's caboose.

It was something far greater than any fantasy of Disneyland, a beautiful piece of machinery. It is with great sadness that I see those shops closed down, there are still employees at the yard, as you well know, but it is a great loss to the State of Maine and to the community of Waterville, which has seen many manufacturing jobs go down the tubes recently. With last year having had Diamond Match close down in Oakland and having had the threat of Keyes Fibre almost closing down, with a little bit of help from our friends, namely the Maine Legislature, to be able to stay open. I just felt the need to mention this on the Record. Thank you.

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

THE PRESIDENT: The Chair, at this time, is pleased to recognize in the rear of the Chamber, a former Member of this Body. The Senator from Aroostook, Senator McBreairty. The Chair would ask the County Treasurer of Aroostook County to please rise and accept the greetings of the Senate.

Senator MATTHEWS of Kennebec was granted unanimous consent to address the Senate on the Record.

Senator MATTHEWS: Thank you Mr. President and Members of the Senate. I will be very brief, I do want to apologize if any of my remarks have offended any Member of this Body. God gave me a deeply emotional being, sometimes I get heated. I have seen Members of this Body also get heated and excited. I did not want to cast any aspersions about any Member of this Body taking the issues with the greatest of consideration and representing the district, State and Country to the best of their ability. If I may have gotten a little emotional, I ask you Leave and apologize for that emotion. Thank you.

On motion by Senator DUTREMBLE of York, ADJOURNED until Tuesday, March 10, 1987, at 9:30 in the morning.

ONE HUNDRED AND THIRTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION
28th Legislative Day
Tuesday, March 10, 1987

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

Prayer by Reverend Brad Mitchell, Unitarian Universalist Church, Brunswick.

The Journal of Monday, March 9, 1987, was read and approved.

Quorum call was held.

SENATE PAPERS

Bill "An Act to Afford Consumer Protection in Retirement Communities which Offer Continuing Care" (S.P. 241) (L.D. 672)

Came from the Senate, referred to the Committee on Aging, Retirement and Veterans and Ordered Printed.

(The Committee on Reference of Bills had suggested reference to the Committee on Banking and Insurance.)

Was referred to the Committee on Aging, Retirement and Veterans in concurrence.

Bill "An Act to Enhance and Expand Services Provided to Victims of Sexual Assault" (S.P. 229) (L.D. 623)

Bill "An Act Maintaining Community Services for Emotionally Disturbed Children and Adolescents" (S.P. 230) (L.D. 624)

Bill "An Act Making Authorizations and Allocations Relating to Federal Block Grants for the Expenditures of State Government for the Fiscal Years Ending June 30, 1987, June 30, 1988, and June 30, 1989" (Emergency) (S.P. 242) (L.D. 673)

Came from the Senate, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Were referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill "An Act to Provide Flexible Rating for Property and Casualty Insurance" (S.P. 227) (L.D. 621)

Bill "An Act to Require that Casualty Insurance Companies Offer Insurance for Unusual Risks" (S.P. 228) (L.D. 622)

Bill "An Act to Provide Equitable Rate Making in Medical Professional Liability Insurance" (S.P. 233) (L.D. 627)

Bill "An Act to Ensure Consumer Input in Insurance Rate Making" (S.P. 235) (L.D. 629)

Bill "An Act to Amend the Investment Provisions and Certain Related Sections of the Maine Insurance Code" (S.P. 243) (L.D. 675)

Came from the Senate, referred to the Committee on Banking and Insurance and Ordered Printed.

Were referred to the Committee on Banking and Insurance in concurrence.

Bill "An Act to Promote Adult Education" (S.P. 234) (L.D. 628)

Came from the Senate, referred to the Committee on Education and Ordered Printed.

On motion of Representative Carter of Winslow, was referred to the Committee on Appropriations and Financial Affairs in non-concurrence and sent up for concurrence.