

# MAINE STATE LEGISLATURE

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

**VOLUME III**

**FIRST CONFIRMATION SESSION**

August 21, 1987  
Index

**FIRST SPECIAL SESSION**

October 9, 1987 to October 10, 1987  
Index

**SECOND SPECIAL SESSION**

October 21, 1987 to November 20, 1987  
Index

**SECOND REGULAR SESSION**

January 6, 1988 to March 24, 1988

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

In Senate Chamber  
Wednesday  
March 9, 1988

Senate called to Order by the President.

Prayer by Pastor Peter Inchcombe of the First Baptist Church in Hallowell.

PASTOR INCHCOMBE: Thank you Mr. President. Let us pray. Our gracious, loving, heavenly Father we count it an awesome privilege to be here this morning. We recognize Your blessings in so many different areas. We thank You especially for the health and strength that we receive day-by-day. We do ask this morning for Your wisdom. We think of King Solomon who had an opportunity to have so many things and asked of God for wisdom. We pray today that in this Senate each one might receive that wisdom from above. We thank You again for the blessings. We thank You for our country. We thank You for our president. We thank You for those on a national and local level and ask that today You might be with each one of them in a very special way. We render to You now all the thanks and all the praise for all of Your blessings. We ask this in Jesus name and for his praise and for his glory. Amen.

Reading of the Journal of Yesterday.

PAPERS FROM THE HOUSE  
House Papers

Bill "An Act to Clarify the Obligations of Distributors, Dealers and Redemption Centers"  
H.P. 1806 L.D. 2472

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

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

Bill "An Act to Regulate Development Along the Shoreland Zone and to Protect Lake Water Quality"  
H.P. 1808 L.D. 2474

Comes from the House referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED.

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

Bill "An Act Pertaining to Free Hunting Licenses For Residents Over 70 Years of Age Who Have Had Military Service"  
H.P. 1805 L.D. 2471

Comes from the House referred to the Committee on FISHERIES AND WILDLIFE and ORDERED PRINTED.

Which was referred to the Committee on FISHERIES AND WILDLIFE and ORDERED PRINTED, in concurrence.

Bill "An Act to Require Employers to Develop and Implement Day Care Plans"  
H.P. 1807 L.D. 2473

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

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

Bill "An Act to Allow Greater Flexibility in Education, Financial Assistance, Training and Wages Relating to Health Care Facilities Experiencing Labor Shortages"

H.P. 1780 L.D. 2433

Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS suggested and ORDERED PRINTED.

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

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

Pursuant to Public Laws

Committee to Study the Retirement System

The Committee to Study the Retirement System, pursuant to Public Law 1987, Chapter 68, Section 9, ask leave to submit its findings and to report that the accompanying Bill "An Act to Establish Disability Retirement Benefits for Members of the Maine State Retirement System" (Emergency)

H.P. 1810 L.D. 2478

Be referred to the Joint Standing Committee on AGING, RETIREMENT AND VETERANS for Public Hearing and printed pursuant to Joint Rule 18.

Comes from the House with the Report READ and ACCEPTED and the Bill referred to the Committee on AGING, RETIREMENT AND VETERANS and ORDERED PRINTED, pursuant to Joint Rule 18.

Which Report was READ and ACCEPTED, in concurrence.

The Bill referred to the Committee on AGING, RETIREMENT AND VETERANS and ORDERED PRINTED, pursuant to Joint Rule 18, in concurrence.

COMMUNICATIONS

The Following Communication:  
MAINE STATE RETIREMENT SYSTEM  
STATE HOUSE STATION 46  
AUGUSTA, MAINE 04333  
March 7, 1988

Charles P. Pray, President  
Maine State Senate  
John L. Martin, Speaker  
House of Representatives

Dear President Pray and Speaker Martin:

In accordance with the provisions of 5 MRSA, §17806, the Board of Trustees of the Maine State Retirement System hereby notifies you that a 3.7% increase in retirement benefits paid to state employees, teachers and retirees of certain participating local districts was authorized effective September 1, 1987. This was a cost-of-living increase based upon the increase in the Consumer Price Index. The Consumer Price Index (CPI-U) published by the United States Department of Labor, Bureau of Labor Statistics, increased 3.7% in the twelve month period ending June 1987.

The 3.7% cost-of-living increase paid to state employees and teachers will cost approximately \$3.2 million in the current year. The total increase in the System's reserve requirements generated by this cost-of-living increase is \$35.2 million.

Sincerely,  
S/Claude R. Perrier  
Executive Director

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
COMMITTEE TO STUDY THE RETIREMENT SYSTEM  
AUGUSTA, MAINE 04333  
March 7, 1988

Honorable Charles P. Pray  
 President, Senate Chambers  
 113th Legislature, State House  
 Augusta, Maine 04333  
 Dear President Pray:

Pursuant to the requirements of Chapter 68, section 9 of the Public Laws of 1987, I am pleased to submit the final report of the Committee to Study the Retirement System.

This report concludes an extensive study of the financial health of the Maine State Retirement System. We hope that it will prove to be a useful reference for current and future policy-makers.

Respectfully submitted,

of Kennebec

S/Robert A.G. Monks, Esq.  
 Chair, Committee to Study  
 the Retirement System

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

Off Record Remarks

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

On motion by Senator PERKINS of Hancock, RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

SENATE PAPERS

Bill "An Act to Provide Reimbursement to Certain Employees of the Department of Corrections for Meal Expenses"

S.P. 940 L.D. 2484

Presented by Senator COLLINS of Aroostook  
 Cosponsored by: Representative RUHLIN of Brewer,  
 Representative BEGLEY of Waldoboro,  
 Representative ZIRNKILTON of Mount Desert  
 Which was referred to the Committee on  
 APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED  
 PRINTED.

Sent down for concurrence.

Bill "An Act to Improve Services for Maine's Elderly"

S.P. 943 L.D. 2490

Presented by President PRAY of Penobscot  
 Cosponsored by: Representative CASHMAN of Old  
 Town, Senator BUSTIN of Kennebec, Senator DOW of  
 Kennebec  
 Approved for Introduction by a Majority of the  
 Legislative Council pursuant to Joint Rule 27  
 Which was referred to the Committee on BANKING  
 AND INSURANCE and ORDERED PRINTED.  
 Sent down for concurrence.

Bill "An Act to Improve Comprehensive Land Use Planning and Land Use Ordinances to Manage Growth and Development"

S.P. 941 L.D. 2485

Presented by Senator PERKINS of Hancock  
 Cosponsored by: Representative ANDERSON of  
 Woodland

(See Action Later Today)

Bill "An Act Concerning Cutting in Resource Protection Areas"

S.P. 942 L.D. 2489

Presented by Senator PEARSON of Penobscot  
 Approved for Introduction by a Majority of the  
 Legislative Council pursuant to Joint Rule 26  
 Committee on ENERGY AND NATURAL RESOURCES  
 suggested and ORDERED PRINTED.  
 Which were referred to the Committee on ENERGY  
 AND NATURAL RESOURCES and ORDERED PRINTED.  
 Sent down for concurrence.

Bill "An Act to Clarify and Correct the Motor Vehicle Laws"

S.P. 944 L.D. 2491

Presented by Senator DOW

Cosponsored by: Representative MOHOLLAND of  
 Princeton, Representative POULIOT of Lewiston,  
 Representative STROUT of Corinth  
 Approved for Introduction by a Majority of the  
 Legislative Council pursuant to Joint Rule 27  
 Committee on TRANSPORTATION suggested and ORDERED  
 PRINTED.

Which was referred to the Committee on  
 TRANSPORTATION and ORDERED PRINTED.  
 Sent down for concurrence.

COMMITTEE REPORTS

House

Ought to Pass As Amended

The Committee on APPROPRIATIONS AND FINANCIAL  
 AFFAIRS on Bill "An Act to Provide Increased Funding  
 for the Civil Air Patrol"

H.P. 1526 L.D. 2080

Reported that the same Ought to Pass as Amended  
 by Committee Amendment "A" (H-464).

Comes from the House, with the Report READ and  
 ACCEPTED and the Bill PASSED TO BE ENGROSSED AS  
 AMENDED BY COMMITTEE AMENDMENT "A" (H-464)

Which Report was READ and ACCEPTED, in  
 concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-464) READ and ADOPTED,  
 in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND  
 READING.

The Committee on LEGAL AFFAIRS on Bill "An Act  
 Relative to the Union of the Trustees of the Maine  
 Annual Conference of the United Methodist Church and  
 the Trustees of the New Hampshire Annual Conference  
 of the United Methodist Church"

H.P. 1601 L.D. 2192

Reported that the same Ought to Pass as Amended  
 by Committee Amendment "A" (H-465).

Comes from the House, with the Report READ and  
 ACCEPTED and the Bill PASSED TO BE ENGROSSED AS  
 AMENDED BY COMMITTEE AMENDMENT "A" (H-465)

Which Report was READ and ACCEPTED, in  
 concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-465) READ and ADOPTED,  
 in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND  
 READING.

Ought to Pass in New Draft under New Title  
 The Committee on LABOR on Bill "An Act to Provide  
 Due Process in Unemployment Insurance Appeals"

H.P. 766 L.D. 1029

Reported that the same Ought to Pass in New Draft  
 under New Title Bill "An Act to Clarify the  
 Unemployment Compensation Appeals Process"

LEGISLATIVE HISTORY - SENATE, MARCH 9, 1988

H.P. 1795 L.D. 2459  
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 Concerning Crash Parts Used to Repair Damaged Motor Vehicles"

S.P. 787 L.D. 2064

Ought to Pass

Senator TWITCHELL for the Committee on TAXATION on Bill "An Act Providing Conformity with the United States Revenue Code Under the Maine Income Tax Law for 1987" (Emergency)

S.P. 868 L.D. 2263

Reported that the same Ought to Pass.

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended

Senator KERRY for the Committee on HUMAN RESOURCES on Bill "An Act to Enforce 3rd-Party Liability Reimbursement for Medicaid Recipients as Required by Title XIX of the Social Security Act"

S.P. 759 L.D. 2022

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-325).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-325) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator GAUVREAU for the Committee on JUDICIARY on Bill "An Act to Study Alternative Dispute Resolution in the Superior Court"

S.P. 861 L.D. 2249

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-324).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-324) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Senator TUTTLE for the Committee on MARINE RESOURCES on Bill "An Act to Conserve Striped Bass" (Emergency)

S.P. 780 L.D. 2037

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-326).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-326) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass in New Draft

Senator GILL for the Committee on HUMAN RESOURCES on Bill "An Act to Expand the Medicaid Dental Program to Include Adults"

S.P. 163 L.D. 467

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

S.P. 945 L.D. 2492

Which Report was READ and ACCEPTED.

The Bill in NEW DRAFT READ ONCE.

The Bill in NEW DRAFT TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on LABOR on Bill "An Act to Establish the Strategic Training for Accelerated Re-employment Program" (Emergency)

S.P. 782 L.D. 2039

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

S.P. 946 L.D. 2494

Signed:

Senators:

DUTREMBLE of York  
ANDREWS of Cumberland  
COLLINS of Aroostook

Representatives:

RUHLIN of Brewer  
TAMMARO of Baileyville  
HALE of Sanford  
JOSEPH of Waterville  
RAND of Portland  
MCHENRY of Madawaska  
HEPBURN of Skowhegan  
ZIRNKILTON of Mount Desert

The Minority of the same Committee on the same subject reported that the same Ought Not to Pass.

Signed:

Representatives:

WILLEY of Hampden  
BEGLEY of Waldoboro

Which Reports were READ.

Senator DUTREMBLE of York moved to ACCEPT the Majority OUGHT TO PASS IN NEW DRAFT Report.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Webster.

Senator WEBSTER: Mr. President, ladies and gentlemen of the Senate. I would like to speak at this time and ask you to oppose the Majority Ought to Pass in New Draft Report of L.D. 2494 and I would like to give you my brief reasons.

L.D. 2494 is the Governor's initiative, the Star Program which is a re-training program and I am wholeheartedly in support of the concept of re-training. Just recently and we all remember passing a bill to help re-train workers who are unemployed in the Jay area. I am supportive of re-training. I am vehemently opposed to this Bill in its form. I believe today what we are doing is creating a social program which I am not opposed to, but I am definitely opposed to the funding mechanism in this Bill. If the Legislature in its wisdom wants to pass laws that are going to be in the benefit of the people of Maine, then all the taxpayers should pay for it. The funding within this Bill taxes businessmen to help re-training. I feel that if we are going to have public policy here that is in support of creating a program, then the Legislature should come forth, take the money from the General Fund and pay for it. It is my comment to those people on Appropriations that this Bill would have a high priority with this Legislature, but to ask businessmen to pay for this program in my opinion is

wrong. I would ask the members of this Senate to follow my lead and vote against this measure unless it can be amended to take the money from some place else. Thank you.

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

Senator COLLINS: Mr. President and members of the Senate. I am pleased to support the Chairman of the Labor Committee again today in support of this legislation. This Bill as many of you know is an attempt to bring training levels and skills for the new twenty-first century. Somebody in the labor business recently said that fifty percent of the jobs that exist in this country today will be gone by the year two thousand and will be replaced with other jobs. I think it is very important for us to keep this in mind and to re-train our work force. My good friend the Senator from Franklin has indicated that he is concerned that the funding of this is coming from business. He is correct. It is coming from business. It is coming from the Unemployment Fund and I would like to say that generally I am very cautious and restrictive also of the use of these funds. However, let me describe to you the way I see this particular situation and the reasons why perhaps it ought to be supported in this manner today.

First of all, the people that are going to benefit from this program are the people in business. They are the people who are going to need the new workers that are trained in the skills that are going to be demanded. It seems to me that they have a very vested interest in funding this type of legislation. I would like to point out also that this fund that we are so zealous and careful of does happen to be in extremely good shape. The money that will be spent in this instance will not deplete the present level. Because withdrawals have been so minimal recently and because of our good economy what would ordinarily happen is that the rate that the employers contribute would decrease. Instead of this happening, if this Bill is enacted the rate will stay level. Employers will not make any further increases or decreases and the Fund will stay at its present level because it is doing so well and the cost of this program will be equal to what might have been a reduction in the rate. I don't think we need to fear that the Fund will be unduly depleted. I think it will be beneficial to business, to the State of Maine and to the workers that have a chance to learn new skills in a rapidly changing economy. Thank you Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Webster.

Senator WEBSTER: Thank you Mr. President, ladies and gentlemen of the Senate. I just wanted to respond briefly in that I am wholeheartedly supportive of the concept of this program. I am not saying that I oppose it in anyway. It makes sense to me that we ought to do whatever we can do at the state level to re-train people. I am strongly opposed to the funding mechanism in this Bill. It is unfair to expect a certain segment of the population to do something to raise a tax to benefit society in general. It could be argued and it has been argued by the good Senator from Aroostook that this is going to benefit business. I would argue that it is going to benefit society in general. All the taxpayers in Maine are going to benefit. Assuming this program works, these people are going to be re-trained. They are going to be out in the work force. They are going to be paying taxes and everyone will benefit.

This is just one way of raising a tax to do this specific program. Next year I will be arguing again against a specific tax on business, on the

Unemployment Fund to create yet another program. I am just being consistent. Thank you.

Senator DOW of Kennebec requested a Roll Call.

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

Senator BALDACCIO: Thank you Mr. President, ladies and gentlemen of the Senate. I would like to pose a question through the Chair to any member of the Labor Committee that would care to respond. My question is, where is the money going to come from if there is a problem with the Unemployment Fund because of a down turn in the manufacturing or industry which would put a tremendous drain on the Unemployment Fund? What are the provisions of this particular program to be paid for?

THE PRESIDENT: The Senator from Penobscot, Senator Baldacci has posed a question through the Chair to any Senator that may care to respond.

The Chair recognizes the Senator from York, Senator Dutremble.

Senator DUTREMBLE: Mr. President, ladies and gentlemen of the Senate. There is nothing in the Bill that accommodates any provision for a down swing in the economy as the Senator from Penobscot suggests. As the good Senator from Aroostook, Senator Collins earlier stated, the fund is in excellent shape and it has been in excellent shape for a number of years. The cost of this program is not expected to lower or cause any harm to the Fund and so I would encourage everyone to back this proposal which, by the way, came from the Governor's Office and was drafted and put together by the Commissioner of Labor. I applaud them for putting together a package to help people get back to work and especially re-train those people who are dislocated.

Again, to answer the question there is no provision in the Bill that I know of that makes any accommodations for any up swings or down swings in the economy.

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

Senator COLLINS: Mr. President and Members of the Senate. An additional response to the question posed. I would say that there is a sunset provision in the law which terminates the program at the end of three years so that is some restraint. Furthermore, there is a monitoring and an evaluation report required on an annual basis to determine the effectiveness of the program and to comment on the amount of money that is spent. There are some minimal restraints and there is a time restraint on the entire program. Thank you.

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

Senator ANDREWS: Mr. President, men and women of the Senate. This reminds me of the story that we learned in school about the family of squirrels. Some squirrels during the middle of summer would be busy collecting nuts and berries and so forth and preparing for the long winter ahead. The other squirrel would sit back, relax and take it easy and enjoy the summer sun and of course, as the story goes, we finally get to winter time and times are obviously lean and tough and the squirrels that have saved and invested and prepared for that winter now are very comfortable and secure and the squirrel that took it easy and laid back and didn't think much about the winter, was in very serious trouble and relied upon the other squirrels that thought ahead.

This is a very similar kind of program and funding mechanism. We are in relatively good economic times in terms of the unemployment rate and the strength of the economy. But as we heard in this

testimony, the economy is changing and it is changing rapidly. Ninety percent of Maine citizens who are in the work force today will be in the work force in the year two thousand. As the good Senator from Aroostook, Senator Collins pointed out, half of them will change their profession at least once. So the economy is changing, the job situation is changing. Unless we make the investment now while we have the resources and the economy is strong in preparation for that changing economy down the road, we could be in serious trouble. In fact, the investment we are making with the Unemployment Insurance Fund now during the good times are going to help us down the road when the Unemployment Insurance Fund would have tremendous pressure on it because we would have unemployed workers without the training and the skill to take those new jobs. For that reason, I hope that you would join the majority of the Committee in supporting this measure. Thank you.

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

THE PRESIDENT: The pending question before the Senate is the motion of Senator DUTREMBLE of York to ACCEPT the Majority OUGHT TO PASS IN NEW DRAFT Report.

A vote of Yes will be in favor of the motion of Senator DUTREMBLE of York, to ACCEPT the Majority OUGHT TO PASS IN NEW DRAFT Report.

A vote of No will be opposed.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators ANDREWS, BALDACCI, BERUBE, BLACK, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CLARK, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KANY, KERRY, LUDWIG, MATTHEWS, MAYBURY, PEARSON, PERKINS, RANDALL, THERIAULT, TUTTLE, TWITCHELL, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

NAYS: Senator WEBSTER

ABSENT: Senators SEWALL, USHER

32 Senators having voted in the affirmative and 1 Senator having voted in the negative, with 2 Senators being absent, the motion by Senator DUTREMBLE of York, to ACCEPT the Majority OUGHT TO PASS IN NEW DRAFT Report, PREVAILED.

The Bill in NEW DRAFT READ ONCE.

The Bill in NEW DRAFT TOMORROW ASSIGNED FOR SECOND READING.

Senate at Ease

Senate called to order by the President.

On motion by Senator PERKINS of Hancock, the Senate RECONSIDERED whereby it referred to the Committee on ENERGY AND NATURAL RESOURCES:

Bill "An Act to Improve Comprehensive Land Use Planning and Land Use Ordinances to Manage Growth and Development"

S.P. 941 L.D. 2485

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

Senator PERKINS: Thank you Mr. President. This item, L.D. 2485, is a Governor's Bill and I find that it gives a local option to generate a tax which should not come from this Body.

The same Senator further moved the INDEFINITE POSTPONEMENT of the Bill and Accompanying Papers.

On motion by Senator CLARK of Cumberland, Tabled Unassigned, pending the motion of Senator PERKINS of Hancock to INDEFINITELY POSTPONE the Bill and Accompanying Papers.

Senate at Ease

Senate called to order by the President.

Off Record Remarks

On motion by Senator DUTREMBLE of York, ADJOURNED until Thursday, March 10, 1988, at 9:00 in the morning.