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

VOLUME III

FIRST REGULAR SESSION
Senate
December 2, 1992 to May 18, 1993
LEGISLATIVE RECORD
OF THE
One Hundred And Fifteenth Legislature
OF THE
State Of Maine

VOLUME III

FIRST REGULAR SESSION
Senate
December 5, 1990 to May 20, 1991
STATE OF MAINE
ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION
JOURNAL OF THE SENATE

In Senate Chamber
Wednesday
December 2, 1992

Pursuant to the Provisions of the Constitution
and the laws of the State of Maine, the
Senators-elect of the One hundred and Sixteenth
Legislature convened in the Senate Chamber and were
called to order by JOY J. O'BRIEN, Secretary of the
Senate of the One Hundred and Fifteenth Legislature.

Prayer by Father John Bellefontaine of St. Mary's
Catholic Church in Augusta.

FATHER JOHN BELLEFONTAINE: Lord God, you are the
ultimate origin of life itself and thereby every
blessing. So we turn to you in prayer on behalf of
our Senators. Give them good health that they may
endure the great rigors of their office. Grant to
them the grace to know God's will and do it as they
exercise the vital power conferred on them by the
electorate. Inspire them with integrity and wisdom
that all our people may enjoy justice, peace and
prosperity. Favor them with deep satisfaction as
they labor wholeheartedly for our beloved state.
Lord God bless us all here present. Amen.

COMMUNICATIONS

The Following Communication:

STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE

To Joy J. O'Brien, Secretary of the Senate of the One
Hundred and Fifteenth Legislature:

In compliance with 3 M.R.S.A., Section 1, I hereby
certify that the following are the names and
residences of the Senators-elect to the One Hundred
and Sixteenth Legislature, as appears by the report
submitted to the Governor under date of November 23,

District 1  Judy Paradis, Frenchville
District 2  R. Leo Kieffer, Caribou
District 3  Margaret G. Ludwig, Houlton
District 4  Charles M. Webster, Farmington
District 5  Stephen E. Hall, Guilford
District 6  Michael D. Pearson, Enfield
District 7  Harry L. Vose, Meddybemps
District 8  M. Ida Luther, Mexico
District 9  Alton E. Cianchette, Palmyra
District 10  John Baldacci, Bangor
District 11  John J. O'Dea, Orono
District 12  Ruth S. Foster, Ellsworth
District 13  Harold D. Marden, Albion
District 14  Robert R. Gould, Belfast
District 15  Dana C. Hanley, Paris

District 16  Georgette B. Berube, Lewiston
District 17  Richard J. Carey, Belgrade
District 18  Dale McCormick, Monmouth
District 19  Beverly Miner Bustin, Augusta
District 20  Charles M. Begley, Waldoboro
District 21  Rochelle M. Pingree, North Haven
District 22  John J. Cleveland, Auburn
District 23  James R. Handy, Lewiston
District 24  Pamela L. Cahill, Woolwich
District 25  Bonnie L. Titcomb, Casco
District 26  Philip L. Harriman, Yarmouth
District 27  Jeffrey H. Butland, Cumberland
District 28  Donald E. Esty, Jr., Westbrook
District 29  Joseph C. Brannigan, Portland
District 30  Gerard P. Conley, Jr., Portland
District 31  Charles E. Summers, Scarborough
District 32  Jane A. Amero, Cape Elizabeth
District 33  David L. Carpenter, Sanford
District 34  Dennis L. Dutremble, Biddeford
District 35  Mark W. Lawrence, Kittery

IN TESTIMONY WHEREOF I have caused the Seal of
the State to be herewith affixed at Augusta this
thirtieth day of November, 1992.

S/G. WILLIAM DIAMOND
Secretary of State

Which was READ and ORDERED PLACED ON FILE.

At this time, The Chair noted the absence of the
Senator from Franklin, Senator-elect WEBSTER, and
further excused him from the Quorum Call.

The Roll being called, the following
Senators-elect answered to their name:

ROLL CALL

Senators-elect: AMERO, BALDACCI, BEGLEY, BERUBE,
BRANNIGAN, BUSLIN, BUTLAND, CAHILL, CAREY,
CARPENTER, CIANCHETTE, CLEVELAND, CONLEY,
DUTREMBLE, ESTY, FOSTER, GOULD, HALL, HANDY,
HANLEY, HARRIMAN, KIEFFER, LAWRENCE, LUDWIG,
LUTHER, MARDEN, MCCORMICK, O'DEA, PARADIS,
PEARSON, PINGREE, SUMMERS, TITCOMB, VOSE

EXCUSED: Senator-elect WEBSTER

34 Senators-elect having answered to the Roll the
Chair declared a quorum present.

Off Record Remarks

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

S-1
neediest citizens while at the same time allows businesses to prosper and to create jobs for our citizens. To make these decisions wisely it's important that each of us, I think, understand the full extent of the challenges that are inherent in our budget process. You probably know that we have briefed many members of our State Management team on the challenges in the next biennial budget and the decisions that we are going to have to make. Today, I would like to make sure that every Senator, or every Member of the House, who wishes a similar briefing has that opportunity. Therefore Saxton Millet, our Commissioner of Administrative and Financial Services will be available to provide a briefing for any of you who are interested once we have worked out the appropriate time and place with the Legislative leadership. I think this is important and I hope that all of you will avail yourselves of the opportunity.

Let me just, in conclusion, once again welcome all of you to what I think is one of the most exciting experiences that you will have in your lives and that is working for the people of this State as a Member of the Maine State Legislature and especially for those of you who are interested in the Maine Senate, in what is referred to as the upper body. I won't be telling you the people in the House that I referred to it that way because I want to make sure that we get on off on the right foot and that we all have the kind of relationship that is going to foster good will. I think you will enjoy this experience and it really is my pleasure to administer the oath of office to all of you as Members of the 116th Maine State Senate.

Thereupon, the Senators-elect took and subscribed to the oaths of office required by the Constitution of Maine.

The Sergeant-At-Arms escorted Governor JOHN R. MCKERNAN, JR. from the Senate Chamber. (Amid applause, the Members rising.)

The Senate called to order by the Chair

THE CHAIR: Nominations are now in order for the office of the President of the Senate of the 116th Legislature. The Chair recognizes the Senator from Androscoggin, Senator Berube.

Senator BERUBE: Thank you Madam Chair. Ladies and Gentlemen of the Senate. I wish to nominate Senator DENNIS L. DUTREMBLE for President of the Senate of the 116th Legislature.

It is with great honor and great pride that I place in nomination for President of this Senate the name of Dennis Dutremble. I'm honored first of all because during his tenure he has served this Senate with vigor and with dedication to his constituents and to our entire state. In so doing he has earned the reputation for fairness and common sense approach to resolving difficult issues. He possesses the good judgement, the honesty, the commitment and the integrity to do us honor as our President. I say pride as well because I have known and respected him for a very long time. Our next President will face difficult problems which can only be resolved by applying all rules fairly being a consensus player. Dennis possesses those ingredients so necessary to lead this Senate and thereby serving our fellow citizens with all the dignity which they deserve. President Dutremble brings all these qualities and will help all of us accomplish our tasks. In so doing he will be a credit to this Senate, to his family and, importantly, to himself. I strongly urge you to support this nomination. Thank you.

THE CHAIR: The name of DENNIS L. DUTREMBLE has been placed in nomination. The Chair recognizes the Senator from Penobscot, Senator Baldacci.

Senator BALDACCI: Thank you Madam Chair. Ladies and Gentlemen of the Senate. I wish to second the nomination of Senator DENNIS L. DUTREMBLE as President of the Senate of the 116th Legislature.

I have known Senator Dutremble since I first came to Augusta as the Maine Senate in 1982. Senator Dutremble was always somebody who, as a freshman Senator, I could always go to, sit down in his office, and discuss issues that were important to me. He always made me feel at ease and that he was concerned about it, and it developed into a very good friendship over the years. Last year, when the State was mired in some political backbiting of who ever is to blame, it was Senator Dutremble who was behind the scenes trying to keep people talking, trying to keep people working it out, and trying to make the process work. I have always found Senator Dutremble to be of the highest integrity in word. That's one of the strong things that has always attracted me to Senator Dutremble, because we're part time legislators. We don't have the opportunities to sit down here as full time bureaucrats, so if one of us gives a word or a commitment it should stick. With Senator Dutremble, when he has given you his word, it has always stuck.

One of the proudest moments today also has to be for his wife Dot, and for his mother and father and how proud they must be of Dennis Dutremble. I think it is in them that Senator Dutremble being positioned to the second highest office in the State of Maine, how proud they must be and how proud we all must be to have Senator Dennis Dutremble as President of the Maine Senate. Thank you.

THE CHAIR: The Chair recognizes the Senator from Cumberland, Senator Esty.

Senator ESTY: Thank you Madam Chair. Ladies and Gentlemen of the Senate. It is my pleasure to second the nomination of Senator DENNIS L. DUTREMBLE as Senate President. His strong work ethic blends perfectly with his deep sense of caring for people. I feel this combination is invaluable to his role as consensus builder, which has been shown repeatedly in the past and undoubtedly will continue in the future. I can think of no one more capable to provide strong leadership during the next two years which promises to one of our most difficult sessions. I look forward to working together with Senator Dutremble to help us build a strong leadership team to accomplish the goals before us. I'm proud to call Duke Dutremble friend, and now Mr. President. Thank you.
THE CHAIR: The Chair recognizes the Senator from Sagadahoc, Senator Cahill.

Senator CAHILL: Thank you Madam Chair. Ladies and Gentlemen of the Senate. I rise as a Republican Floor Leader to second the nomination of DENNIS L. DUTREMBLE from York as President of the Maine Senate.

I was fortunate to grow up in a family where I was frequently read to as a child. I'd like to share with you today one of my favorite stories because I think it's really applicable to the job that we have before us. It's entitled "The Duel" by Eugene Field, published in 1911. That wasn't when I was a child by the way.

"The gingham dog and the calico cat side by side on the table sat. Twas half past twelve and what do you think, nor one nor the other had slept a wink. The old dutch clock and the chimney placed up with its hands before its face, for it was going to be a dreaded row. The chinese plate appeared to employ every tooth and claw. It was the awfulest clock and the chimney placed up with its hands before before the Governor, taken and subscribed to the necessary oaths of office to qualify him to enter upon the discharge of the duties of the Office of the President of the Senate.

The Sergeant-At-Arms then escorted the Senators and the President-elect to the Governor's Office.

Senator from Androscoggin, Senator BERUBE, the Senator from Penobscot, Senator BALDACCI, the Senator from Cumberland, Senator ESTY, the Senator from Sagadahoc, Senator CAHILL, and the Senator from York, Senator CARPENTER, escorted the President-elect to the Governor's Office for the purpose of taking and subscribing to the necessary oaths of office to qualify him to enter upon the discharge of the duties of the Office of the President of the Senate.

Thereupon, Senator DUTREMBLE of York was escorted to the Rostrum by the Sergeant-At-Arms. (Amid prolonged applause, the Members rising.)

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

Senator PEARSON: Thank you Mr. President, Ladies and Gentlemen of the Senate. Monsieur Le

Mr. President, ladies and gentlemen of the Senate, french men and french women of this state. This is an historic moment for this chamber and for the State of Maine. We have today, for the first time, a french speaking, french ancestry President of the Maine Senate. I'd like to present you, and come forward if I may, with this paddle. I would also like to say that Old Town was the first french speaking town in the State, by virtue of the fact that in the first decade of the sixteenth century, some four hundred years ago, the first french speaking people of the state were present in Maine with the Penobscot tribe. Many of the members of that tribe took french names. One of those french names was Attean, for St. Steven. I'm very proud to continue to serve with Representative Attean from the Penobscot tribe, and I ask your permission to come forward with her to present you with this and a basket made by her mother who is an elder of the tribe.

A moutant Monsieur President, un outer Senator pas francaise de la county Androscoggin, Senator Berube.

Senator BERUBE: Monsieur Le President. C'est avec fierte que je vous felicite et vous souhaite une presidence qui sera accompagnée de beaucoup de succes. J'apporte aussi les meilleurs voeux de tous les franco-americains de l'état Maine.

It is with pride that I congratulate you and wish you a presidency which is filled with success and I also bring with me the best wishes of the franco-american community of the State of Maine.

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

Senator PARADIS: Thank you Mr. President, Ladies and Gentlemen of the Senate. Monsieur President, Hommes et femmes de la chambre. It's indeed an honor for the large francophone population of the State of Maine, numbering between 30% and 40%, to welcome you, the first francophone president of the Senate. It's been a long time coming.

Le message que nous envoyons aux citizens francaise de notre belle etat du Maine est que dorenavant eux aussi perront representer a tous niveau du gouvernements. Merci.

THE PRESIDENT: Thank you. I hope to use that paddle to swim with the tide and not against the tide. I am proud to have been chosen as your President. I am the first franco-american to be elected to this position. I accept the responsibility you have placed in my care. I appreciate the trust and am honored by the respect you have shown with your faith in me. I share that trust and respect that I hold for each one of you. I am confident that you have set the trust and responsibility that the people have placed in you as State Senators. Together we take up a heavy obligation. I to you and you to the sovereign citizens who have trusted you with their greatest honor. That you will represent them, you will stand in their places for them, you will look after their interests that they would look after themselves.

A lot has happened in the last two years, and many of those same factors that were here during those two years are here today. However, the people of Maine look to us for leadership, they look to you and they look to me, the people of Maine look to us for answers, the people of Maine look to us for reason, for strength, for compassion and restraint. The challenges are significant, and the tasks are difficult but the job is ours, we ran for this position, now we must do it. It will be up to us and to the Governor and to the Members of the other body to give the people of Maine the Government they want and the governance they need. It will be up to us and only up to us to show and show clearly that yes, democracy does work, because democracy must work. During the past few weeks since I was nominated as President by the Senators of my caucus to preside over this chamber I have received the congratulations and best wishes of many of the friends and associates I have worked with in my years in public office. After the hand shakes and the kind words all too many of these well wishers have wanted to get down to business. I have been asked over and over again "What are you going to do for business? What are you going to do for labor? What are you going to do for me?" And after I heard that question for the tenth or twentieth time I began to realize that Maine's problems are not about the business climate, they are not about political gridlock, they are not about tax exemptions or budget priorities, Maine's problems are about a very basic change that has come over our state and our country in a generation since John Kennedy was elected President. Kennedy charged us to ask what we could do for our country, not for ourselves. It doesn't make any difference if you're a Democrat or if you're a Republican, or an independent or a conservative or a liberal, it seems that we all remembered those words in the 1960's. Today we seem to ask only what's in it for me, what services can I get from Government and what services do other people get that I don't need so if I don't need it I don't want them. As long as we ask only what's in it for me we will long be trapped within our own limits. We must not remain in that trap.

Actually what would have been nice would have been if people had come up to me, if the business person would have come up to me, and said "What can I do for the workers who work for me so they can have a better working place?" And it would have been good if the workers had come up to me and said "What can I do for business, so that I can insure that I will have a secure future in the future?" Or if the insurance company would have come and said "What can you do for my clients to make sure that they are insured against all the ills that we have in our society?" So we must not remain in that trap and we must work together. Because if we don't work together then democracy will fail.

We must not fail to attack, and to attack immediately the problems of our State's economy. Job by job, business by business, industry by industry. We cannot succeed by bickering over a shrinking pie, by pitting job holder against job seeker, firm against firm, or rich against poor. We must encourage business to expand and prosper in Maine, not only by creating a healthy business climate but by building a strong and positive worker climate as
well. Investment may be the eyes and vision of business but working men and women are its muscle and spine. The hand and the eye can only work when they work together, and between the hand and the eye is the heart. The heart is the lifeline to the success of the future of this state. We cannot prosper unless we prosper together, we cannot succeed unless we work together, but if we fail we fail as individuals, every one of us.

We must not fail to resolve our budget problems and to make our solutions stick. Line by line, program by program, agency by agency. During the past two years we have tried many strategies to bring Maine's budget back under control. We have redesigned programs, we have chipped away at a hundred edges, we have fought and furloughed, we have cut across the board. We have succeeded in stopping the automatic growth in our budget cold, we have achieved flat funding and leveled the trend but we have not reversed it. We have not achieved permanent control. Our job in this session is to make our temporary success of flat funding into the permanent success of real control. We can begin by leaving behind the political fiction that a program denied an increase is a program that has suffered a cut. We must acknowledge that in good time government can do more, but in times like these we can only do more with less.

In times like these we can only choose between sacrifices, and we as elected representatives must make those tough decisions. I'm talking about those decisions we will agonize over, lose sleep over, and yes even cry over. But without those agonizing decisions another political liability, the billion dollar deficit, will become not just a reality but a way of life. The past two years have not been a failure. Automatic growth has been stopped. But the next two years could become a failure if we cannot refocus from how much we spend to how well we deliver. Finally, we must not fail to restore the people's confidence in their government. Only we can do that. By our attitudes, by our words and by our actions. It doesn't matter if you're a Democrat, it doesn't matter if you're a Republican, what matters first and foremost is the people of the State of Maine. Not ourselves, not our agendas, not our parties. We must create concensus, not for concensus sake, but for the good of the people of Maine. We will not always agree, no one expects that, as elected officials from different political parties there will always be differences in ideology and the solutions to the problems that we face. Those differences are not new to American government. Political parties of political difference have been our heritage since Jefferson and Adams and since Jackson and Henry Clay. The keys word throughout history has been compromise. Compromise, concensus and cooperation. Here in Maine, especially, we should understand more than anybody else about compromise. We have our statehood from the great compromiser himself, Henry Clay, who matched us up to Missouri and postponed the horror of civil war for a generation. Can we be less than our own history? I can't, and I won't.

So I will leave you with the words of Henry Clay and my promise, live it like throughout the next two years, "I'd rather be right than be president." All that I can promise each and every one of you, all that I can promise the people of Maine, all that I can promise myself is that I will not work or make decisions as your President based on whether or not it will get me re-elected in two years but whether or not it's going to be right for the people of the State of Maine. Thank you.

At this point, The Chair noted the presence in the Senate Chamber of the Senator-elect WEBSTER of Franklin. In accordance with a longstanding and unique tradition of the Maine Senate, the Senator-elect from Franklin has been absent to attend to the furnace and make sure they are well stoked. The Chair requested that the Senator from Sagadahoc, Senator CAHILL escort the Senator-elect from Franklin, Senator WEBSTER to the Governor's office for the purpose of subscribing to the oaths of office required by the Constitution.

The Sergeant-At-Arms escorted the Senator from Sagadahoc, Senator CAHILL, and the Senator-elect from Franklin, Senator WEBSTER to the Governor's Office.

Subsequently, the Senator from Sagadahoc, Senator CAHILL reported that she had attended to the duties to which she was assigned and was pleased to report that the Senator from Franklin, Senator WEBSTER had, before the Governor, taken and subscribed to the oaths of office as required by the Constitution. Thereupon, Senator WEBSTER of Franklin was escorted to his seat in the Senate Chamber by the Senator from Sagadahoc, Senator CAHILL.

THE PRESIDENT: Nominations are now in order for the Office of the Secretary of the Senate of the 116th Legislature. The Chair recognizes the Senator from Cumberland, Senator Conley.

Senator CONLEY: Mr. President. Ladies and Gentlemen of the Senate. It is my pleasure to nominate JOY J. O'BRIEN of Portland for Secretary of the Senate of the 116th Legislature.

The person we are nominating here today to serve as Secretary of the Senate has served this august body for some ten years now with great distinction. Like many things in the Senate there is a great deal of history that goes with serving in an Office here. I'm pleased to point out to new members and to some of the old members who are not aware that Joy began her service here under the tutelage of my father, who was President of the Senate and who is here in this chamber today to witness his first Secretary of the Senate to be reconfirmed here today. With my father is a good friend of his, Jack O'Brien who is also sitting in the rear, Joy's father, and next to Jack is another good friend of our family's Jadine O'Brien. Jack served here in the House in the '70's,
Jadine ran for Congress in the '70s and what's really scary is that Mr. O'Brien and my father are now serving as County Officers having been recently re-elected. God save Cumberland County. In any case, Mr. President with all due respect, it goes to show you, particularly in light of this nomination, that the Irish are really still running this place and that with this nomination I can assure the members of this body that Ms. O'Brien will run this place with the decorum, the dignity and dispatch which it has enjoyed for the last ten years and will continue to enjoy. She will help all the members of this chamber, democrat and republican alike, and echoing the speech of the President I believe that she, too, will be a consensus builder. Thank you.

THE PRESIDENT: The Senator from Cumberland, Senator CONLEY nominates JOY J. O'BRIEN for Secretary of the Senate of the 116th Legislature. The Chair recognizes the Senator from Cumberland, Senator Titcomb.

Senator TITCOMB: Thank you Mr. President. I rise to second the nomination of JOY J. O'BRIEN for Secretary of the Senate of the 116th Legislature.

I believe that Joy has demonstrated the highest degree of professionalism in the position that she has held. I have seen Joy when this chamber has been under the greatest of pressure and I know of few people who have the unique ability that she has to bring order to what could otherwise have been a situation of confusion, and who has the commitment to the integrity of the Legislative process such as Joy O'Brien does and for that reason I second her nomination for Secretary of the Senate. Thank you.

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

Senator CAHILL: Mr. President I move that nominations cease and I further move that one ballot be cast on the part of the Senate in favor of JOY J. O'BRIEN of Portland for Secretary of the Senate of the 116th Legislature.

This being done, JOY J. O'BRIEN of Portland was duly elected Secretary of the Senate of the 116th Legislature. (Applause, the Members rising.)

The Senator from Cumberland, Senator CONLEY, escorted the Secretary-elect to the Governor's Office for the purpose of taking and subscribing to the necessary oaths of office to qualify her to enter upon the discharge of the duties of the Secretary of the Senate.

The Sergeant-At-Arms then escorted the Senator and the Secretary-elect to the Governor's Office.

Subsequently, the Senator from Cumberland, Senator CONLEY, reported to the Senate that he had attended to the duty assigned to him and that JOY J. O'BRIEN had, before the Governor, taken and subscribed to the necessary oaths of office to qualify her to enter upon the discharge of the duties of Secretary of the Senate of the 116th Legislature.

Thereupon, the Secretary of the Senate was escorted to the Rostrum by the Sergeant-At-Arms.

Off Record Remarks

THE PRESIDENT: Nominations are now in order for the Office of Assistant Secretary of the Senate of the 116th Legislature. The Chair recognizes the Senator from Washington, Senator Vose.

Senator VOSE: Mr. President. Ladies and Gentlemen of the Senate. It is a real pleasure that I have today to nominate PAMELA E. LOVLEY of Portland for Assistant Secretary of the Senate of the 116th Legislature.

When I was first elected in 1979 to the 109th Legislature I came in and I was just another nervous guy wondering what in the dickens I was to expect here and I really felt out of place. I heard this voice say to me "May I help you?" I said "Yes, I'm not just sure what I'm supposed to do", and it was the first time that I had met Pam Lovley. It was a pleasure for me to have somebody like that, a very attractive young lady, say to me, with a nice smile, "Welcome. Here you are and we're here to help you." That's been what I've experienced through the years that I've been here. Every time that I've ever asked Pam for assistance she has always been so congenial, so nice, so pleasant, and so efficient and has helped me in every way possible. Those of you who have served with her know her as I, those of you who are new will know her as I do now. Therefore, once again, it is my pleasure to nominate Pam for this prestigious Office and I hope you will vote with me. Thank you.

THE PRESIDENT: The name of PAMELA E. LOVLEY has been placed in nomination for the Assistant Secretary of the Senate for the 116th Legislature. The Chair recognizes the Senator from Kennebec, Senator Bustin.

Senator BUSTIN: Mr. President. Ladies and Gentlemen of the Senate. I second that nomination. I have known Pam in many different work situations. She has always done her job effectively, efficiently, and with ultimate class. This past year it has been my distinct pleasure to become even more familiar with how Pam manages to do what she does. She can jump in the middle of a sea of chaos and create calm waters on which to carry the ship of state. She is
here before we are and she doesn't leave until after
we do. Way after we do. We could not run the Senate
as smoothly as we do without her expertise. I am
pleased and honored to second her nomination. Thank
you.

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

Senator CAHILL: Thank you Mr. President. I
move that nominations cease and I further move that
one ballot be cast on the part of the Senate in favor
of PAMELA E. LOVLEY of Portland for Assistant
Secretary of the Senate of the 116th Legislature.

This being done, PAMELA E. LOVLEY of Portland
was duly elected Assistant Secretary of the Senate of
the 116th Legislature. (Applause, the Members
rising.)

The Senator from Washington, Senator VOSE, and
the Senator from Kennebec, Senator BUSTIN escorted
the Assistant Secretary-elect to the Governor's
Office for the purpose of taking and subscribing to
the necessary oaths of office to qualify her to enter
upon the discharge of the duties of the Assistant
Secretary of the Senate.

The Sergeant-at-Arms escorted the Senators and
the Assistant Secretary-elect to the Governor's
Office.

Senate at Ease

Senate called to order by the President.

Subsequently, the Senator from Washington, Senator
VOSE, and the Senator from Kennebec, Senator
BUSTIN reported to the Senate that they had
attended to the duty assigned to them and that
PAMELA E. LOVLEY had, before the Governor, taken
and subscribed to the necessary oaths of office to
qualify her to enter upon the discharge of the duties
of Assistant Secretary of the Senate of the 116th
Legislature.

Subsequently, the Senator from Kennebec, Senator
BUSTIN reported that she had delivered the message
with which she was charged.

Out of order and under suspension of the Rules,
on motion by Senator ESTY of Cumberland, the
following Senate Order:

ORDERED, that a committee of seven be appointed
by the President to whom the returns of votes for
Senators for the political years of 1993 and 1994
shall be referred for examination and report.

Which was READ and PASSED.

The Following Communication:

STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE
AUGUSTA, MAINE 04333

November 30, 1992

To the President of the Senate:

In compliance with the Constitution and laws of the
State of Maine, I have the honor to herewith transmit
the returns of votes cast for Senators to the
Legislature in the several cities, towns and
plantations in the State of Maine at the General
Election held on November 3, 1992.

Respectfully,

S/G. WILLIAM DIAMOND
Secretary of State
| GENERAL ELECTION — November 3, 1992 |
| STATE SENATORS |

### SENATE DISTRICT 1
- **Paradis, Judy** (Frenchville, Dem.) 6808
- **Theriault, Raynell** (Fort Kent, Rep.) 4093
- **Others** 21

### SENATE DISTRICT 2
- **Freeman, J. Gregory** (Presque Isle, Dem.) 6254
- **Kieffer, R. Leo** (Caribou, Rep.) 7662

### SENATE DISTRICT 3
- **Dickinson, Harold B.** (Orient, Dem.) 5494
- **Ludwig, Margaret G.** (Houlton, Rep.) 9159
- **Others** 1

### SENATE DISTRICT 4
- **Barnum, J. Jeffrey** (New Vineyard, Ind.) 3965
- **Webster, Charles M.** (Farmington, Rep.) 9569
- **White, Dianna** (Farmington, Dem.) 6011
- **Others** 2

### SENATE DISTRICT 5
- **Hall, Stephen E.** (Guilford, Rep.) 9755
- **Pray, Charles P.** (Millinocket, Dem.) 7691
- **Others** 2

### SENATE DISTRICT 6
- **Pearson, Michael D.** (Enfield, Dem.) 15482
- **Others** 22

### SENATE DISTRICT 7
- **Cassidy, Vinton E.** (Calais, Rep.) 6306
- **Dolan, Arthur P.** (Princeton, Ind.) 2513
- **Vose, Harry L.** (Meddybemp, Dem.) 7235
- **Others** 3

### SENATE DISTRICT 8
- **Hansen, Carl Howe** (Bethel, Rep.) 7854
- **Luther, M. Ida** (Mexico, Dem.) 9775

### SENATE DISTRICT 9
- **Chinclette, Alton E.** (Palmyra, Dem.) 11844
- **Merrill, Gary R.** (Cornville, Rep.) 5752
- **Robinson, Leonard J.** (Stevens, Ind.) 1745
- **Dover, Ave Marie** (Write-In) 490
- **Others** 3

### SENATE DISTRICT 10
- **Baldacci, John** (Bangor, Dem.) 9781
- **Willey, N. Laurence, Jr.** (Bangor, Rep.) 6628
- **Others** 2

### SENATE DISTRICT 11
- **O'Dea, John J.** (Orono, Dem.) 10681
- **Trott, Richard C., Jr.** (Brewer, Rep.) 8753
- **Others** 5

### SENATE DISTRICT 12
- **Dedam, John** (Sorrento, Dem.) 6769
- **Foster, Ruth S.** (Ellsworth, Rep.) 15451
- **Others** 3

### SENATE DISTRICT 13
- **Conant, Ralph W.** (Winslow, Dem.) 7448
- **Marden, Harold D.** (Albion, Rep.) 10539

### SENATE DISTRICT 14
- **Gould, Robert R.** (Belfast, Rep.) 10950
- **Hyk, John M.** (Prospect, Dem.) 8512
- **Others** 1

### SENATE DISTRICT 15
- **Hanley, Dana C.** (Paris, Rep.) 11997
- **Wilfong, James F.** (Stow, Dem.) 8741

### SENATE DISTRICT 16
- **Angell, Peter J.** (Turner, Rep.) 8280
- **Berube, Georgette B.** (Lewiston, Dem.) 10741
- **Others** 5

### SENATE DISTRICT 17
- **Carey, Richard J.** (Belgrade, Dem.) 14089
- **Others** 62

### SENATE DISTRICT 18
- **McCormick, Dale** (Monmouth, Dem.) 11054
- **Rheumpe, Paul** (Winslow, Rep.) 9686
- **Others** 1

### SENATE DISTRICT 19
- **Bustin, Beverly Miner** (Augusta, Dem.) 9389
- **Lund, Sylvia V.** (Augusta, Rep.) 8136
- **Others** 5

### SENATE DISTRICT 20
- **Begley, Charles M.** (Waldoboro, Rep.) 10979
- **Kaler, David S.** (Damariscotta, Ind.) 4585
- **Wallace, Trina D.** (Jefferson, Dem.) 7087
- **Others** 4

### SENATE DISTRICT 21
- **McCormick, John S., Jr.** (Rockport, Rep.) 7199
- **Pingree, Rochelle M.** (North Haven, Dem.) 11908
- **Others** 1

### SENATE DISTRICT 22
- **Cleveland, John J.** (Auburn, Dem.) 10756
- **Kendall, Richard G.** (Auburn, Rep.) 7483

### SENATE DISTRICT 23
- **Bouthilette, David E.** (Lewiston, Rep.) 3759
- **Handy, James R.** (Lewiston, Dem.) 11021
- **Others** 10

### SENATE DISTRICT 24
- **Cahill, Pamela L.** (Woolwich, Rep.) 11423
- **Cummings, Robert C.** (Phippsburg, Dem.) 9677
- **Others** 2

### SENATE DISTRICT 25
- **Moore, Gary W.** (Standish, Rep.) 8964
- **Ticomb, Bonnie L.** (Casco, Dem.) 15288
- **Others** 7

### SENATE DISTRICT 26
- **Clark, Nancy Randall** (Freeport, Dem.) 9834
- **Harriman, Philip E.** (Yarmouth, Rep.) 12055
- **Others** 1

### SENATE DISTRICT 27
- **Butland, Jeffrey H.** (Cumberland, Rep.) 10387
- **Green, Mark** (Windham, Ind.) 3795
- **Nelson, Merle** (Falmouth, Dem.) 9482
- **Others** 1

### SENATE DISTRICT 28
- **Evst, Donald E., Jr.** (Westbrook, Dem.) 11477
- **Hawkes, Allerton H.** (Westbrook, Rep.) 8353
- **Others** 1

### SENATE DISTRICT 29
- **Brannigan, Joseph C.** (Portland, Dem.) 15286
- **Others** 40
SENATE DISTRICT 30
CONLEY, GERARD P., Jr., Portland, Dem. 13547
OTHERS 46

SENATE DISTRICT 31
DANTON, PETER W., Saco, Dem. 11022
SUMMERS, CHARLES E., Scarborough, Rep. 11510

SENATE DISTRICT 32
AMERO, JANE A., Cape Elizabeth, Rep. 10344
HOWARD, RALPH D., South Portland, Dem. 7703
OTHERS 6

SENATE DISTRICT 33
CARPENTER, DAVID L., Sanford, Rep. 11681
RICHARDS, FRANKLIN J., Sanford, Dem. 7326

SENATE DISTRICT 34
BINETTE, PAUL D., Biddeford, Rep. 6772
DUTREMBLE, DENNIS L., Biddeford, Dem. 12166
OTHERS 6

SENATE DISTRICT 35
GOODWIN, CATHARINE R., Eliot, Rep. 8103
LAWRENCE, MARK W., Kittery, Dem. 12034
OTHERS 7

Which was, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee.

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

BILL "An Act Relating to Compulsory Insurance Limits for Vehicles that Transport Passengers for Hire" (Emergency)  S.P. 9 L.D. 2

Presented by Senator ESTY of Cumberland
Cosponsored by Representative LARRIVEE of Gorham, Senator CAHILL of Sagadahoc and Representative CARLETON of Wells

Committee on BANKING & INSURANCE suggested and ORDERED PRINTED.

THE PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Cianchette.

Senator Cianchette: Thank you Mr. President. Ladies and Gentlemen of the Senate. I just wonder if someone could give us a brief explanation of what this one is about.

THE PRESIDENT: The Senator from Somerset, Senator Cianchette has posed a question through the Chair to any Senator who may care to respond. The Chair recognizes the Senator from Sagadahoc, Senator Cahill.

Senator Cahill: Thank you Mr. President. Ladies and Gentlemen of the Senate. This is sort of fixing an error, I think it's an error, of a piece of legislation that was passed during the last session of the legislature. We have sort of a comprehensive limousine for hire legislation bill requiring liability insurance and a few other things. What we did was to make it so an independent taxi would have to go from a $50,000.00 liability policy to a $300,000.00 liability policy. What we're finding is some of the smaller communities, I know one of the communities I represent, Bath, has two taxis. They are two independent taxis and they would have to pay an additional $1600.00 in premiums in order to insure their taxis. What we're asking the Senate and the House to do today is just put a hold on this, this becomes law January 1 by the way, we're putting a hold on it until the new legislature can look at it and see if there isn't some way that we can accomplish the same thing without depriving these people of the ability to do business. Thank you.

Which was, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee.

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

BILL "An Act to Approve Award of Federal Block Grant Money" (Emergency) S.P. 10 L.D. 3

Presented by Senator BRANNIGAN of Cumberland (GOVERNOR'S BILL)
Cosponsored by Representative PENDEXTER of Scarborough and Representative QUINT of Paris

Committee on APPROPRIATIONS & FINANCIAL AFFAIRS suggested and ORDERED PRINTED.

ORDERS
On motion by Senator ESTY of Cumberland, the following Senate Order:


Which was READ and PASSED.

Senate at Ease
Senate called to order by the President.

The President appointed the Senator from Cumberland, Senator ESTY to deliver the message to the House.

Subsequently, the Senator from Cumberland, Senator ESTY reported that he had delivered the message with which he was charged.

Senator WEBSTER of Franklin was granted unanimous consent to address the Senate off the Record.

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

Senator CLEVELAND: Thank you Mr. President, Ladies and Gentlemen of the Senate. I would like to pose a question to the presiding Officer for clarification. On the preceeding resolutions we have suspended the Rules. Which particular Rules are we suspending?

THE PRESIDENT: The Chair thanks the Senator for that question. Since there have been no Rules adopted by the 116th Legislature the Senate is proceeding under the Rules of the 115th Legislature.

Senate at Ease
Senate called to order by the President.

At this point, a message was received from the House of Representatives borne by Representative GWADOSKY of Fairfield, informing the Senate that the House of Representatives concurred with the proposition for a Joint Convention, to be held in the Hall of the House, at 2:00 p.m., for the purpose of electing an Attorney General, a Secretary of State, a State Treasurer, and a State Auditor.

Off Record Remarks

On motion by Senator BUSTIN of Kennebec, RECESSED until 1:45 this afternoon.

After Recess
Senate called to order by the President.

On motion by Senator BUSTIN of Kennebec, the following Senate Order:

ORDERED, that the subordinate officers of the Senate be appointed by the Secretary as follows: sufficient staff to attend to the duties of the Office of the Secretary.

Which was READ and PASSED.

On motion by Senator BALSACCI of Penobscot, the following Senate Order:

ORDERED, that the President of the Senate is authorized, at his discretion, to permit radio or sound television film or live television, or any two or three of these communication media, on the floor of the Senate while the Senate is in session.

Which was READ and PASSED.

On motion by Senator CAHILL of Sagadahoc, the following Senate Order:
ORDERED, that the Secretary of the Senate be authorized to invite the clergy to officiate as Chaplains of the Senate as requested by any member of the Senate; and be it further

ORDERED, that all clergy acting as Chaplains of the Senate shall receive $25 for each officiation. The same is to be approved by the Secretary of the Senate.

Which was READ and PASSED.

On motion by Senator VOSE of Washington, the following Senate Order:

ORDERED, that all Bills and Resolves carrying or requiring an appropriation of highway revenue or involving a loss of highway revenue that are in order to be passed to be enacted, or finally passed, shall, at the request of a member of the Committee on Transportation, be placed on a special calendar to be called up for consideration only by a member of that Committee.

Which was READ.

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

On motion by Senator BRANNIGAN of Cumberland, the following Senate Order:

ORDERED, that all Bills and Resolves carrying or requiring an appropriation or involving a loss of revenue that are in order to be passed to be enacted, or finally passed, shall, at the request of a member of the Committee on Appropriations and Financial Affairs, be placed on a special calendar to be called up for consideration only by a member of that committee.

Which was READ.

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

On motion by Senator CARPENTER of York, the following Joint Order: S.P. 2

ORDERED, the House concurring, that Secretary of the Senate and the Clerk of the House respectively, purchase such services, supplies and equipment as may be needed to carry on the business of the Senate and the House, respectively.

Which was READ and PASSED.

Sent down for concurrence.

On motion by Senator CLEVELAND of Androscoggin, the following Joint Order: S.P. 3

ORDERED, that the Senate Rules of the 115th Legislature be adopted as the Senate Rules of the 116th Legislature.

Which was READ.

On motion by Senator ESTY of Cumberland, the following Senate Order:

ORDERED, that the Senate Rules of the 115th Legislature be adopted as the Senate Rules of the 116th Legislature.

Which was READ.

On motion by Senator BUSTIN of Kennebec, Tabled until Later in Today's Session, pending PASSAGE.

Joint Orders

On motion by Senator TITCOMB of Cumberland, the following Joint Order: S.P. 1

ORDERED, the House concurring, that a sufficient number of the Legislative Record for the 116th Legislature be printed. One copy for each of the members of the Senate and the House of Representatives who so desires, the Secretary of the Senate and Clerk of the House, and the remainder to be deposited with the State Law Librarian for exchange and library use; and be it further

ORDERED, that suitable index be prepared for such Legislative Record, under the direction of the Revisor of Statutes.

Which was READ and PASSED.

Sent down for concurrence.
ORDERED, the House concurring, that there be prepared, after adjournment of the present session, by the Legislative Information Coordinator, a Register of all the Bills and Resolves considered by both branches of the Legislature, showing the history and final disposition of each Bill and Resolve and that there be printed sufficient copies to meet the needs of the Legislature. The Legislative Information Coordinator shall mail a copy of the Register to each member and officer of the Legislature and the State Law and Legislative Reference Library.

Which was READ and PASSED.

Sent down for concurrence.

On motion by Senator MCCORMICK of Kennebec, the following Joint Order: S.P. 4

ORDERED, the House concurring, that all printing and binding authorized by the Legislature shall be under the direction of the Secretary of the Senate and Clerk of the House.

Which was READ and PASSED.

Sent down for concurrence.

At this point, a message was received from the House of Representatives, borne by Representative PARADIS of Augusta, informing the Senate that the House had organized by the choice of JOHN L. MARTIN, of Eagle Lake, as Speaker of the House, JOSEPH W. MAYO, of Thomaston, as Clerk of the House, and MILICENT M. MCFARLAND, of Augusta, as Assistant Clerk of the House of the 116th Legislature and is ready to transact such business as might come before the House.

On motion by Senator BERUBE of Androscoggin, the following Joint Order: S.P. 5

ORDERED, the House concurring, that telephone service may be provided for each member of the Senate and House, and each Representative from the Indian Tribes at the Legislature for a reasonable number of calls, of reasonable duration, as determined by the President of the Senate and Speaker of the House, respectively, to points within the limits of the State of Maine. The privilege granted to be a personal privilege not to be exercised by other than the members or representatives, that each member of the Senate and House, and each Representative from the Indian Tribes at the Legislature, may be provided with a credit card under the direction of the Secretary of the Senate and Clerk of the House, respectively, the cost of this service to be paid to the New England Telephone Company at regular tariff rates; and be it further

ORDERED, that the President of the Senate or Speaker of the House may, upon a finding of abuse of the privilege of telephone service by a member of the Senate or a member of the House, respectively, temporarily suspend or terminate the privilege of said telephone service to that number.

Which was READ and PASSED.

Sent down for concurrence.

On motion by Senator CONLEY of Cumberland, the following Joint Order: S.P. 6

ORDERED, the House concurring, that the Executive Director of the Legislative Council be authorized and directed to prepare weekly, from expense accounts to be submitted to her by the members of the Senate and House, expense rosters showing the entitlement of each member for meals allowance and lodging reimbursement and to obtain approval thereof by the President of the Senate and Speaker of the House, respectively, and deliver the same to the State Controller for processing and payment, in the manner and form recommended by the Joint Interim Committee of the 101st Legislature created to study and report on a method of implementing the administration of the provision of law relating to the mileage and expenses for members of the Legislature; and be it further

ORDERED, that the Executive Director of the Legislative Council be authorized and directed to provide the forms necessary for such purpose and provide suitable space in her office for the filing and safekeeping of all such expense accounts and other papers and records pertaining thereto.

Which was READ and PASSED.

Sent down for concurrence.

On motion by Senator GOULD of Waldo, the following Joint Order: S.P. 7

ORDERED, the House concurring, that there be paid to the members of the Senate and the House as advances on account of compensation established by statute, 12 payments on a biweekly basis commencing January 6, 1993, in the amount of Eight Hundred and Seventy-five dollars ($875), according to lists certified to the State Controller by the President of the Senate and Speaker of the House, respectively.

Which was READ and PASSED.

Sent down for concurrence.

On motion by Senator ESTY of Cumberland the following Joint Order: S.P. 11
ORDERED, the House concurring, that the Joint Rules of the 115th Legislature be adopted as the Joint Rules of the 116th Legislature.

Which was READ.

On motion by Senator BUSTIN of Kennebec, Tabled until Later in Today's Session, pending PASSAGE.

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

Joint Orders

The following Joint Order: H.P. 1

ORDERED, the Senate concurring, that the Speaker of the House is authorized, at his discretion, to permit radio or television in the Hall of the House of Representatives while the House is in session, or during joint conventions of the Legislature.

Comes from the House READ and PASSED.

Which was READ and PASSED, in concurrence.

After Convention

IN SENATE

Senate called to order by the President

Senator ESTY of Cumberland was granted unanimous consent to address the Senate off the Record.

Senator CAHILL of Sagadahoc was granted unanimous consent to address the Senate off the Record.

OFF RECORD REMARKS
On motion by Senator BRANNIGAN of Cumberland, RECESSED until the sound of the bell.

After Recess
Senate called to order by the President.

On motion by Senator VOSE of Washington, ADJOURNED until Thursday, December 3, 1992, at 1:00 in the afternoon.