

MAINE STATE LEGISLATURE

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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

Off Record Remarks

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

In Senate Chamber
Thursday
February 18, 1993

Senate called to Order by the President, Dennis L. Dutremble of York.

Prayer by Pastor J. Cliff Gall of the Searsport Full Gospel.

PASTOR J. CLIFF GALL: Let us pray. Our Heavenly Father I thank you for the privilege of being here today. I thank you that you have ordained proper, constituted government. I thank you for these men and women who are here and who labor so hard for our State and for our country. I give you praise. I thank you Lord that this august body recognizes the power and the necessity of prayer. Your word tells us that if we will call upon you you would show us great and mighty things that we cannot know. Father we admit there are so many things we do not know. Your word also declares if any man lack wisdom let him ask of God, and He giveth to all men liberally and He does not scold us for asking. We need wisdom. We need wisdom today, we need wisdom every day of our lives. Your word also declares that man is not capable of judging his own footsteps just by his own natural wisdom and understanding. We call upon you, we need you, our country needs you, our State needs you. There are many pressing problems, there are many needs all around us. We don't have all the answers but you have the answer. I pray that you will give this body of legislators wisdom and knowledge today in their deliberations. I pray Lord that you will look down upon us. You've told us Lord that righteousness exalteth a nation but sin is a reproach unto any people. We desire to be righteous but Lord we have failed. We have sinned and we asked your forgiveness of our sins, then we'll be reminded your word declares that "if my people who are called by my name shall humble themselves and pray and seek my face, then will I hear from Heaven and will forgive their sin and will heal their land". Our land is in need of healing and we call upon you for your healing power to be administered to each one of us. We need you God today and I pray Lord that you will guide and direct our steps in your ways and it's in your name we pray, and for your honor and glory. In Jesus' name Amen.

Out of order and under suspension of the Rules, on motion by Senator **BUSTIN** of Kennebec, the following Joint Order:

S.P. 171

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 23, 1993, at ten o'clock in the morning.

Which was **READ** and **PASSED**.

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

Out of order and under suspension of the Rules, on motion by Senator **BUSTIN** of Kennebec, the following Senate Order:

ORDERED, that a message be sent to the House of Representatives proposing a Convention of both Branches in the Hall of the House at 10:30 in the morning, for the purpose of extending to the Honorable Daniel E. Wathen, Chief Justice of the Maine Supreme Judicial Court, and Members of the Judiciary an invitation to attend the Convention and make such communication as pleases the Chief Justice.

Which was **READ** and **PASSED**.

The Chair appointed the Senator from Kennebec, Senator **BUSTIN**, to deliver the message. The Sergeant-At-Arms escorted the Senator to the House of Representatives.

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

COMMUNICATIONS

The Following Communication:

**STATE OF MAINE
SUPREME JUDICIAL COURT
AUGUSTA, MAINE 04330**

February 8, 1993

Reading of the Journal of Wednesday, February 17, 1993.

The Honorable Dennis L. Dutremble
President of the Senate
116th Maine Legislature
Capitol Building - Third Floor
Augusta, Maine 04333

The Honorable John L. Martin
Speaker of the House
116th Maine Legislature
Capitol Building - Third Floor
Augusta, Maine 04333

Dear President Dutremble and Speaker Martin:

I am pleased to accept your invitation to address a Joint Convention of the House and Senate on Thursday, February 18, 1993 at 10:30 a.m. I look forward to having the opportunity to report on the operation of the third branch of government and to acquaint the Legislature with our current plans.

I will see you on the 18th.

Sincerely yours,

S/Daniel E. Wathen

Which was **READ** and **ORDERED PLACED ON FILE**.

SENATE PAPERS

Bill "An Act to Reestablish the Maine Committee on Aging"

S.P. 170 L.D. 562

Presented by Senator **VOSE** of Washington
Cosponsored by Representative **TREAT** of Gardiner and Representatives: **KILKELLY** of Wiscasset, **LOOK** of Jonesboro, **MITCHELL** of Freeport, **TOWNSEND** of Eastport

Committee on **AGING, RETIREMENT & VETERANS** suggested and **ORDERED PRINTED**.

On motion by the Chair referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Establish Greater Consistency among Federal and State Environmental Regulations"

S.P. 164 L.D. 556

Presented by Senator **CLEVELAND** of Androscoggin

Which was referred to the Committee on **ENERGY & NATURAL RESOURCES** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Provide Probation Periods to Facilitate Payment of Restitution"

S.P. 168 L.D. 560

Presented by Senator **CONLEY** of Cumberland

Which was referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Clarify the Laws Concerning Beano and Bingo"

S.P. 169 L.D. 561

Presented by Senator **BALDACCI** of Penobscot
Cosponsored by Senators: **CAREY** of Kennebec, **CONLEY** of Cumberland, **TITCOMB** of Cumberland, **WEBSTER** of Franklin, Representatives: **CARROLL** of Gray, **HALE** of Sanford, **JACQUES** of Waterville

Which was referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Amend the Laws Concerning Transfers of Commercial Moorings"

S.P. 166 L.D. 558

Presented by Senator **LAWRENCE** of York

Which was referred to the Committee on **MARINE RESOURCES** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Impose Term Limits on Presiding Officers of the Legislature"

S.P. 167 L.D. 559

Presented by Senator **BRANNIGAN** of Cumberland
Cosponsored by Senator **HARRIMAN** of Cumberland, Representative **DONNELLY** of Presque Isle and Senators: **AMERO** of Cumberland, **BUTLAND** of Cumberland, **CLEVELAND** of Androscoggin

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

Sent down for concurrence.

Bill "An Act to Further Define the Just Value of Residential Property"

S.P. 165 L.D. 557

Presented by Senator **VOSE** of Washington
Cosponsored by Representatives: **LOOK** of
Jonesboro, **TOWNSEND** of Eastport

Which was referred to the Committee on **TAXATION**
and **ORDERED PRINTED**.

Sent down for concurrence.

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

SECOND READERS

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

House

Bill "An Act Concerning the Employment of Personnel by the Department of Inland Fisheries and Wildlife"

H.P. 161 L.D. 213

Which was **READ A SECOND TIME**.

THE PRESIDENT: The Chair recognizes the Senator from Piscataquis, Senator Hall.

Senator **HALL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. L.D. 213 I have some problems with. If you all haven't looked at that closely that allows any District Game Warden to be appointed by the Commissioner of Fish and Wildlife to be the Colonel. I have several problems with that. Number one, where the Colonel's position is actually a political appointment, then I feel that anyone that can be appointed to that should indeed be qualified for that position. In the Maine Warden Service and having served there for twenty years myself and having gone through some of the ranks of advancement I know full well what a challenge it is and what you have to go through to obtain those ranks. Each step, the first step from a District Warden being a Game Warden and Sergeant, allows you to learn how to handle and direct a group of men. Each step progresses you or trains you for the next step in line. The District Game Warden's job is a field position, it is not a supervisory position at all and if any of you have ever been in the military, and the Warden Service is run a great deal like the military as far as its advancements go, and also to relate it a closer to what you might understand it would be like a State Trooper who has done nothing but direct traffic on the turnpike could be appointed to be the Colonel of the Maine State Police. I do not feel that the District Game Warden's position is qualified enough to become the Colonel. For these reasons I

would ask that L.D. 213 and its accompanying papers be indefinitely postponed. Thank you.

Senator **HALL** of Piscataquis moved that Bill and accompanying papers be **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

Senator **BERUBE:** Thank you Mr. President, Ladies and Gentlemen of the Senate. May I request that the Secretary read the Committee Report please.

The Secretary read the Report.

Senator **BERUBE:** Thank you Mr. President, Ladies and Gentlemen of the Senate. This was a unanimous report, there was no opposition to the bill and if you read the bill carefully there's a key word that says "considered". That is to say that any member of the Game Warden's group can be considered for the rank of Colonel, it doesn't mean that they automatically would bypass someone who is probably more qualified. They would be considered for the rank, so the Committee felt unanimously, and I would remind you that sometimes State and Local Government is not always unanimous but in this case we certainly were, we agreed with the bill. It would enhance the morale of the entire division we are told and for that reason I would ask that you would vote against the motion. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Luther.

Senator **LUTHER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. We heard also on this bill that this bill was proposed by the Department because of budget cuts there are so few Game Wardens now they have so few now to choose from. This is highly recommended by the Committee, I think it's unlikely that they would ever choose someone who only had one or two years of service. This is very important to the Department and I would hope that you would oppose the proposal on the floor. Thank you.

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

Senator **CARPENTER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. It's always difficult to go up against a Committee report, especially a unanimous one, but in this instance the Warden's service in the State of Maine and the State Police are also built on a military type of promotion plus testing. Having been in the military it is inconceivable to me that a Private could be promoted to the rank of Colonel. It's going to destroy the morale of the service and I urge you to vote against this bill and for the indefinite postponement. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Luther.

Senator **LUTHER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. What we heard on this bill is exactly the opposite. We had Game Warden's coming in and saying that it would really improve the morale and I ask for a Division.

Senator **LUTHER** of Oxford requested a Division.

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

Senator **MCCORMICK:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I would like to pose a question through the Chair if I may. To either the Senator from Piscataquis Senator Hall, or the Senator from York Senator Carpenter, why is the Warden's Service based on the military model?

THE PRESIDENT: The Senator from Kennebec, Senator McCormick has posed a question through the Chair to any Senator who may care to respond. The Chair recognizes the Senator from Piscataquis, Senator Hall.

Senator **HALL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. The type of organization that the Maine Warden's Service is has to be, and I agree that it should be, run on a military line. They are individuals that are taught to react on their own but there has to be some leadership involved for organizational purposes, especially when it comes to search and rescue operations, as far as people have to be in charge up through the line as well as down through the line. Thank you.

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

Senator **MCCORMICK:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I'd like to pose another question through the Chair. How many women are there in the Maine Warden's Service above the rank of Sergeant?

THE PRESIDENT: The Senator from Kennebec, Senator McCormick has posed a question through the Chair to any Senator who may care to respond. The Chair recognizes the Senator from Piscataquis, Senator Hall.

Senator **HALL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. Presently the Maine Warden's Service has one lady Game Warden, she is a District Warden. We have had two at one time. We have just one that is working now. I am not sure whether she has taken the promotional exams or not. Thank you.

At this point, a message was received from the House of Representatives, borne by Representative GWADOSKY of Fairfield informing the Senate that the House concurred in the proposition for a Joint Convention, to be held in the Hall of the House, at 10:30 a.m., for the purpose of extending to the Honorable Daniel E. Wathen, Chief Justice of the Maine Supreme Judicial Court, and Members of the Judiciary an invitation to attend the Joint Convention and make such communication as pleases him.

THE PRESIDENT: The pending question before the Senate is the motion of Senator **HALL** of Piscataquis to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE**.

A Division has been requested.

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

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

11 Senators having voted in the affirmative and 18 Senator having voted in the negative, the motion of Senator **HALL** of Piscataquis to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE, FAILED**.

Which was **PASSED TO BE ENGROSSED** in concurrence.

At this point, the Senate retired to the Hall of the House, where a Joint Convention was formed.

AFTER CONVENTION

IN SENATE

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Ensure an Option for Complete Recovery for Injuries to Minors" H.P. 413 L.D. 532

Bill "An Act to Promote Competition in Motor Vehicle Glass Replacement and Repair" H.P. 417 L.D. 536

Come from the House referred to the Committee on **BANKING & INSURANCE** and **ORDERED PRINTED**.

Which were referred to the Committee on **BANKING & INSURANCE** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Ensure That Senior Citizens Have Access to Parks Purchased with State Funds" H.P. 420 L.D. 539

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

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

Bill "An Act to Amend the Laws Pertaining to the Distance Snowmobiles May Be Operated from Certain Buildings" (Emergency)
H.P. 424 L.D. 543

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

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

Bill "An Act Regarding Missing Children" (Emergency)
H.P. 425 L.D. 544

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.

Bill "An Act to Improve Zoning Authority over the Retail Sale of Liquor"
H.P. 410 L.D. 529

Comes from the House referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**.

Which was referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**, in concurrence.

Resolve, Requiring All State Departments and Agencies to Analyze Unfunded Mandates (Emergency)
H.P. 418 L.D. 537

Bill "An Act to Improve Communication between the Executive and Legislative Branches"
H.P. 419 L.D. 538

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

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

Bill "An Act to Require Credit Unions to Pay Sales Tax and Income Tax"
H.P. 412 L.D. 531

Bill "An Act to Facilitate State Income Tax Withholding from Ordered Civil Service Annuities" (Emergency)
H.P. 423 L.D. 542

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

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

Bill "An Act Concerning the Inspection Standards for Buses"
H.P. 414 L.D. 533

Bill "An Act Establishing University of Maine System License Plates"
H.P. 415 L.D. 534

Bill "An Act to Amend the Laws Governing the Use of Emergency Lights on Vehicles"
H.P. 416 L.D. 535

Bill "An Act to Extend the Deadline for Construction of Salt and Sand Storage Buildings"
H.P. 422 L.D. 541

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

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

Bill "An Act to Allow Public Utilities to Develop Economic Development Rates"
H.P. 411 L.D. 530

Bill "An Act Regarding the Use of Natural Gas in Motor Vehicles"
H.P. 421 L.D. 540

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

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

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

COMMUNICATIONS

The Following Communication:

**BUREAU OF CORPORATIONS, ELECTIONS, AND COMMISSIONS
DEPARTMENT OF THE SECRETARY OF STATE
STATE HOUSE STATION 101
AUGUSTA, MAINE 04333-0101**

February 18, 1993

Honorable Joy J. O'Brien
Secretary of the Senate
One Hundred and Sixteenth Legislature
State House Station 3
Augusta, Maine 04333

Dear Secretary O'Brien:

On February 17, 1993 a recount was held in Senate District 31 between Peter W. Danton (D) of Saco and Charles E. Summers (R) of Scarborough.

At the end of the recount for that day, an agreement was signed by both candidate's attorneys stating that the tabulation was to remain the same as had been reported to this office after the November 3, 1992 election. A copy of the agreement is attached.

Sincerely,

S/Gary Cooper
Deputy Secretary of State

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

Off Record Remarks

ORDERS

Senate Order

On motion by Senator TITCOMB of Cumberland the following Senate Order:

ORDERED, that the Senate rescind its action provisionally seating Charles E. Summers as the State Senator from Senate District 31; and be it further

ORDERED, that Charles E. Summers be seated in the Senate as the duly elected State Senator from Senate District 31.

Which was READ and PASSED.

Senator SUMMERS of Cumberland was granted unanimous consent to address the Senate on the Record.

Senator SUMMERS: Mr. President, Ladies and Gentlemen of the Senate. I just want to take a couple of minutes to let you know how proud I am to once again be included, officially, as a member of this body. As a lot of you people who served in here last term know that several times I would like to mix in my remarks references to various songs. I'd hate to disappoint those members that were here before. There are a lot of songs that come to mind, one of them is I Will Survive, I thought it was alright but it really wasn't the one that kind of hit it on the head. Another one was Happy Days Are Here Again, but maybe it's the wrong party so I don't know if I can use that. I thought about Blue Skies, that wasn't bad. I thought about one from when I was in Jr. High School, I remember the song was Keep On Truckin' Baby, and I thought about that one, that wasn't bad, and then I talked to the presiding officer and he mentioned Stand By Me and I thought that was pretty good because I would really like to thank all of the people in the body who kind of helped me along during my psychotic months in limbo but it still didn't hit the nail on the head, there was something that was missing about that. I thought about it and I thought about it and last night I finally thought the song that would really capture the mood and the moment for me was Does Your Bubble Gum Lose Its Flavor On the Bed Post Over Night. You might wonder about that because it does seem a little strange but having been through an interesting experience in my political career you kind of felt like you was stuck out there all by yourself for a while and then you were pulled back in and it was kind of hard to chew but once you worked it down it was still sweet. So it's nice to be here and I thank you for this brief interlude and I look forward to working with you. Thank you.

Senator CARPENTER of York was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

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

COMMUNICATIONS

The Following Communication:

**REPORT OF THE COMMITTEE ON
SENATORIAL VOTE
STATE OF MAINE**

February 18, 1993

The Honorable Dennis L. Dutremble
President of the Senate
State House Station 3
Augusta, Maine 04333

Dear President Dutremble:

In compliance with the Senate Order of December 3, 1993 the Committee appointed by you to examine the returns of votes for Senators for the political years 1993 and 1994, has attended to its duty and asks leave to report that the returns of votes cast, as submitted by the Secretary of State to the President of the Senate, meets with the approval of the Committee.

Sincerely,

S/Bonnie L. Titcomb
Senatorial Vote Committee

Which was **READ** and **ORDERED PLACED ON FILE**.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Establish a School Choice Program"
H.P. 434 L.D. 553

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 Correct Inconsistencies in the Shoreland Zoning Laws"
H.P. 428 L.D. 547

Bill "An Act Concerning Local Participation in Decisions Concerning Low-level Radioactive Waste Sites Proposed to Be Located in Unorganized Territory"
H.P. 431 L.D. 550

Bill "An Act to Establish Mediation to More Efficiently and Fairly Enforce the State's Environmental Laws"

H.P. 435 L.D. 554

Come from the House referred to the Committee on **ENERGY & NATURAL RESOURCES** and **ORDERED PRINTED**.

Which were referred to the Committee on **ENERGY & NATURAL RESOURCES** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Limit Administrative Costs in Contracted Services" (Emergency)

H.P. 436 L.D. 555

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 Relating to the Theft of Utility Services"

H.P. 427 L.D. 546

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.

Bill "An Act to Amend the Labor Laws for Minors"
H.P. 426 L.D. 545

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

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Reduce the Size of the Legislature

H.P. 432 L.D. 551

Comes from the House referred to the Committee on **STATE & LOCAL GOVERNMENT** and **ORDERED PRINTED**.

Which was referred to the Committee on **STATE & LOCAL GOVERNMENT** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Reduce the Number of Sales Tax Exemptions"
H.P. 429 L.D. 548

Bill "An Act to Revise the Boat Excise Tax Law"
H.P. 430 L.D. 549

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

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

Bill "An Act to Amend the Laws Pertaining to the Inspection and Registration of Automobiles"
H.P. 433 L.D. 552

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.

Senator **BUSTIN** of Kennebec in reference to the Joint Resolution in Memoriam of Sheila Frances Esty, devoted wife of Donald Esty, Sr.: I could not let this moment go by without making mention of this sentiment. I rise today to ask for a moment of silence in memory of Sheila Esty, mother, friend and guiding force in the life of our Majority Leader Senator Don Esty. Sheila Esty was the mother of seven children, she was a woman of great energy, of sound conviction and of strength. She was at the center of her family, she lived fully yet too briefly. She will be missed. Please offer a moment of your day in her memory and a quiet prayer for the strength of her family. I ask for a moment of silence.

THE PRESIDENT: The Senate will observe a moment of silence in the memory of Sheila Esty.

Off Record Remarks

Senator **HARRIMAN** of Cumberland was granted unanimous consent to address the Senate on the Record.

Senator **HARRIMAN:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I rise today to share with you an experience that as a member of the Human Resources Committee that I had the pleasure of yesterday. I'd like to begin by congratulating and thanking our Chairman of the Human Resources Committee Senator Paradis from Aroostook County for her leadership. For the very first time the Human Resources Committee went off campus, if you will pardon the expression, to hold a day long retreat. The retreat was an opportunity for us to get to know our fellow members aside from their labels of Democrats and Republicans, business and conservatives and liberals and so forth. We met in an attempt to understand one another more fully. We met to do a better job of streamlining the process of our Committee work to make decisions based on priorities that meet the financial challenges that we all know are ahead of us. We also discussed our values, our principals and philosophies we would use as we move forward. I would suggest that it was an understatement to say the day was a success. We look forward to working toward the goals we have before us and indeed they are daunting but I think this exercise was an effort to prove to the citizens of Maine that the Human Resources Committee and indeed this august body can work more cooperatively and more effectively. I would like to conclude by paying tribute to the facilitators Jon Reitman and Pamela Plumb who gave of their time and their effort without pay, I particularly want to say thank you to one of my constituents, Nancy Gray, the Inn Keeper at the Harraseeket Inn who offered a room for us to meet at no charge and in some small way they have contributed to making State Government more effective. I thank you Mr. President for the opportunity to speak. Thank you.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Amend the Laws Concerning Reapportionment" (Emergency)
H.P. 437 L.D. 563

Committee on **STATE & LOCAL GOVERNMENT** suggested and **ORDERED PRINTED**.

Comes from the House, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

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

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

116TH MAINE LEGISLATURE

February 18, 1993

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

Senator Gerard P. Conley, Jr.
Rep. Constance D. Cote
Chairpersons
Joint Standing Committee on Judiciary
116th Legislature
Augusta, Maine 04333

On motion by Senator **HANLEY** of Oxford, **RECESSED** until the sound of the bell.

Dear Chairs:

After Recess

Please be advised that Governor John R. McKernan, Jr. has nominated S. Kirk Studstrup of Hallowell for reappointment as a Judge-at-Large of the Maine District Court.

Senate called to order by the President.

Pursuant to Title 4, MRSA Section 157, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

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

Sincerely,

ENACTORS

S/Dennis L. Dutremble
President of the Senate

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

S/John L. Martin
Speaker of the House

Emergency

An Act to Amend the Laws Concerning Reapportionment

Which was **READ** and referred to the Committee on **JUDICIARY**.

H.P. 437 L.D. 563

Sent down for concurrence.

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

The **ADJOURNMENT ORDER** having been returned from the House **READ** and **PASSED**, in concurrence, on motion by Senator **BUSTIN** of Kennebec, **ADJOURNED**, in memory of Sheilia Esty of Westbrook, until Tuesday, February 23, 1993, at 10:00 in the morning.

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

COMMUNICATIONS

The Following Communication: S.P. 172