

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

VOLUME VI

SECOND REGULAR SESSION

Senate
January 5, 1994 to April 6, 1994

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

In Senate Chamber
Wednesday
January 19, 1994

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

Prayer by the Honorable John J. Cleveland of Androscoggin.

SENATOR JOHN J. CLEVELAND: Good evening. It's good to see all of you here again, my schedule hadn't allowed me to say hi to all of you last week so it's nice to see each and every one of you here, sincerely, even you Senator Begley. In consideration of the evening's discussions and insightful remarks from our Governor and the responses from our leadership, I thought I would like to share with you this evening a moment of reflection, a philosophy of what some might call a creed of public service. It perhaps may provide some guidance or moments for reflection. Although this is a creed that I have adopted, it is not one that I have authored. It reads as follows:

"My creed is that public service must be more than doing a job efficiently and honestly. It must be a complete dedication to the people and to the State with full recognition that every human being is entitled to courtesy and consideration. That constructive criticism is not only to be expected but sought, that smears are not only to be expected but fought, and that honor is to be earned and not bought."

That was written by Senator Margaret Chase Smith. May God bless you. Amen.

Off Record Remarks

Reading of the Journal of Tuesday, January 18, 1994.

Out of order and under suspension of the Rules, on motion by Senator **ESTY** of Cumberland, 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 6:45 p.m. on January 19, 1994, for the purpose of extending to Governor John R. McKernan, Jr., an invitation to attend the Convention and make such communication as pleases him.

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Establish Retirement Equity for Full-time Adult Education Teachers"
H.P. 1280 L.D. 1728

Comes from the House referred to the Committee on **AGING, RETIREMENT & VETERANS** and **ORDERED PRINTED**.

Which was referred to the Committee on **AGING, RETIREMENT & VETERANS** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Ensure Rehabilitation Services for People with Severe Disabilities" (Emergency)
H.P. 1281 L.D. 1729

Committee on **APPROPRIATIONS & FINANCIAL AFFAIRS** suggested and **ORDERED PRINTED**.

Comes from the House referred to the Committee on **EDUCATION**.

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

Bill "An Act Relating to the Ground Water Oil Clean-up Fund" (Emergency)
H.P. 1283 L.D. 1731

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.

**Pursuant to Statutes
APPORTIONMENT COMMISSION PURSUANT TO MRSA,
TITLE 30-A, SECTION 65**

The **APPORTIONMENT COMMISSION** pursuant to MRSA, title 30-A, section 65, ask leave to submit its findings and to report that the accompanying Bill "An Act to Apportion Districts for the Election of County Commissioners"

H.P. 1285 L.D. 1733

Be referred to the Committee on **STATE & LOCAL GOVERNMENT** 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 **STATE & LOCAL GOVERNMENT** and **ORDERED PRINTED**, pursuant to Joint Rule 18.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill referred to the Committee on **STATE & LOCAL GOVERNMENT** and **ORDERED PRINTED**, pursuant to Joint Rule 18, in concurrence.

**Pursuant to Private & Special Law
ADMINISTRATIVE COSTS TASK FORCE**

The **ADMINISTRATIVE COSTS TASK FORCE**, pursuant to Private and Special Law 1993, chapter 48, ask leave to submit its findings and to report that the accompanying Bill "An Act to Establish a System of Performance-based Agreements for the Provision of Certain Social Services"

H.P. 1284 L.D. 1732

Be referred to the Committee on **HUMAN RESOURCES** for Public Hearing and printed pursuant to Joint Rule 20.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**, pursuant to Joint Rule 20.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**, pursuant to Joint Rule 20, in concurrence.

COMMUNICATIONS

The Following Communication:

**DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BUREAU OF BANKING
STATE HOUSE STATION 36
AUGUSTA, MAINE 04333**

January 14, 1994

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

Dear President Dutremble:

In accordance with Title 9-B Maine Revised Statutes Annotated section 217, as amended, I am submitting "The Status of Maine's Financial Institutions."

This report contains information on the number, type and legal structure of all regulated financial institutions in the state of Maine, as well as the location of offices and total deposits held by these institutions. This past year marked major improvement in the financial condition of the banking industry in Maine, with earnings recovering to record levels. With the economic recovery gaining momentum and an outlook for only modest increases in rates, Maine's financial institutions should be looking forward to another year of record earnings, moderate growth, and continued reduction in problem assets.

Copies of this report have been distributed to the Office of the Secretary of the Senate in order to provide one copy for each member of the Senate.

Very truly yours,

S/H. Donald DeMatteis
Superintendent

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

The Following Communication:

**MAINE TURNPIKE AUTHORITY
430 RIVERSIDE STREET
PORTLAND, MAINE 04103**

January 11, 1994

Hon. Dennis Dutremble
President of the Senate
State House Station 3
Augusta, Maine 04333

Hon. John L. Martin
Speaker of the House of Representatives
State House Station 2
Augusta, Maine 04333

Dear President Dutremble/Speaker Martin:

I am pleased to forward to the Maine Legislature the Maine Turnpike Authority's 1995 Revenue Fund Operating Budget in accordance with Initiated Bill Chapter 1, 1991. The specific section of the law is Sec. 3, M.R.S.A. 1961 sub - 6.

I look forward to working with the Legislature and presenting background information on the MTA's 1995 Revenue Budget through the Committee process.

Sincerely,

S/Paul E. Violette
Executive Director

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

SENATE PAPERS

Bill "An Act to Ensure Continued Federal Support for Unemployed Workers during Periods of High Unemployment" (Emergency)

S.P. 625 L.D. 1744

Presented by Senator **HANDY** of Androscoggin
Cosponsored by Representative **RUHLIN** of Brewer and
Senator: **ESTY** of Cumberland
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 26.

Bill "An Act Concerning Independent Contractors"

S.P. 626 L.D. 1745

Presented by Senator **HANDY** of Androscoggin
Cosponsored by Senator: **ESTY** of Cumberland
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 26.

Which were referred to the Committee on **LABOR**
and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act Regarding Municipal Code Enforcement Officers and Enforcement of Penalties"

S.P. 624 L.D. 1743

Presented by Senator **MCCORMICK** of Kennebec
Cosponsored by Senator: **TITCOMB** of Cumberland,
Representatives: **COLES** of Harpswell, **HEESCHEN** of
Wilton, **KONTOS** of Windham, **MARSH** of West
Gardiner, **TREAT** of Gardiner
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 26.

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

Sent down for concurrence.

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

S.P. 627 L.D. 1746

Presented by Senator **SUMMERS** of Cumberland
Submitted by the Department of Administrative and
Financial Services pursuant to Joint Rule 24.

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

On motion by Senator **BUSTIN** of Kennebec,
referred to the Committee on **TAXATION.**

Sent down for concurrence.

COMMITTEE REPORTS

House

Change of Reference

The Committee on **ENERGY & NATURAL RESOURCES** on
Bill "An Act to Establish the Advisory Council on
Energy and the Environment"

H.P. 278 L.D. 356

Reported that the same be **REFERRED** to the
Committee on **UTILITIES.**

Comes from the House with the Report **READ** and
ACCEPTED and the Bill **REFERRED** to the Committee
on **UTILITIES.**

Which Report was **READ** and **ACCEPTED,** in
concurrence.

The Bill **REFERRED** to the Committee on
UTILITIES, in concurrence.

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 concurred in the proposition for a Joint Convention, to be held in the Hall of the House at 6:45 p.m. for the purpose of extending to the Honorable John R. McKernan, Jr., an invitation to attend the Joint Convention and make such communication as pleases him.

Off Record Remarks

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 Secretary.

The Secretary requested the Sergeant-At-Arms to escort the Senator from Cumberland, Senator **ESTY** to the Rostrum where he assumed the duties as President Pro Tem.

Senate called to order by the President Pro Tem, **DONALD E. ESTY**.

On motion by Senator **BUSTIN** of Kennebec,
ADJOURNED until Thursday, January 20, 1994, at 4:00
in the afternoon.