

MAINE STATE LEGISLATURE

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

In Senate Chamber
Thursday
May 8, 2003

Senate called to order by President Beverly C. Daggett of
Kennebec County.

Prayer by Senator Chandler E. Woodcock of Franklin County.

SENATOR WOODCOCK: Good morning. Let us pray. Father, we come to You this morning in the spirit of prayer. Often we forget to honor You amidst our self-indulgences. Too often we do unto others in a manner we would not want done unto us. Forgive us, we pray. Many who have returned today, to this historic Senate chamber, served, as we do, the people of our state. We are grateful for the dedicated service and ask a blessing upon each of them.

We all realize that our deliberations and decisions affect each citizen of Maine. However, there are moments, Father, when we doubt. Direct us, we pray. There are moments when we wander. Guide us, we pray. There are moments when we hurt others. Forgive us, we pray. Today, for each of Your children gathered here, there is a burden carried. Lift it, we pray. The arena is political, Father, but we know that You are not. You view each of us simply as one of Your children. I pray that this morning, as we pause to honor those who have served others, that we, in turn, remember to serve You. We are grateful for all that is ours, Father, for all that is ours has come from You. Amen.

Doctor of the day, Jo Linder, M.D. of Falmouth.

Reading of the Journal of Wednesday, May 7, 2003.

Off Record Remarks

RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

THE PRESIDENT: Good morning again. It's a pleasure to have an opportunity to celebrate Welcome Back Day and celebrate the service of all of those legislators who have served in previous years. I hope that many of you, if not all of you, were able to

attend the ceremony in the House. As a legislator who served in the House, and now in the Senate, it was interesting, of course, to hear the Speaker refer to the fact that everything starts in the House. Well, now that I'm in the Senate, I know that it is up to the Senate to finish what the House started. It's amazing the different perspectives you have, depending on which body you serve in and when you actually serve in it.

As I was thinking about today, I remembered when I was first elected and was first serving here. We had Welcome Back Day and legions of people arrived. I looked around and I thought, 'who are all these people and what is this about?' But after time and after serving here, having an opportunity to meet people who served in legislatures in which I did not serve, seeing the work that they have done, seeing their names written in the record, looking back at what has been done before, and having legislators come back regarding the issues they are still interested in and working on, it is truly a group of people who are a family. We remember our experiences here in a way that is very special because of the things that we share together.

Every legislature has its' own unique qualities and this legislature is no different. We have 20 members here in the Senate who have had previous service in the House. Perhaps that is one reason why, over the period of this particular session, we seem to have had a uniquely close relationship with the House as more and more of us have served in the same body. The average age of this Senate is 55 years. It is somewhat interesting, as I see the age change, when I was first elected in 1987, I was below the average age and I have now managed to become above the average age of members here. We are going to have an opportunity to recognize some of our earliest serving members and we want to recognize the members who are here. We are expecting, momentarily, to have the Governor, who was a former member of this body, join us. I expect him to be coming very soon.

Of the members of this 121st Senate, there are 18 Democrats and 17 Republicans. We have 13 here who are women and 22 who are men. There are 11 new members, and of those new members, 7 have served in the House of Representatives and there are 4 that have no previous legislative service. The combined legislative experience of the 121st Senate totals 234 years. There are 20 of us, who are here now, that are Maine natives and 11 of the Senators who are Maine natives were born in a community that they currently represent. The remaining Senators were born in Connecticut, England, Massachusetts, Mississippi, New York, South Carolina, and Vermont.

By way of occupation, our Senate is composed of 3 members who are attorneys; one who teaches legal courses; 5 who are or who have been in education; 3 members are or have been in the health and social services professions; 12 are or have been business owners, consultants, or workers. We have one member who is a banker; one member is a librarian; 6 of our members are retired; and 2 of our members consider legislative service their full time occupation. I would submit that this is not too different from prior Senates. We are truly a citizen part-time legislature and those members represent that.

I would now like to take a moment to introduce the former Senate Presidents who are here and invite them, individually, to come to the rostrum and make a few remarks. The first Senate President I'd like to invite forward is the Honorable Charles Pray. Would the Sergeant-At-Arms please escort him forward. President Pray served in Senate sessions 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th, and 115th. He was in Senate

leadership and was the Assistant Minority Leader in the 109th and 110th. He was the Majority Leader in the 111th and the President in the 112th through the 115th. I'm pleased to present the Honorable Charles Pray.

CHARLES PRAY: Thank you, Madame President. It is my first Welcome Back Day. In the cradle of democracy, in ancient Greece, when politicians fell out of favor, they either drank hemlock or went into exile for 10 years. Being the coward, I chose to go the exile route. I've been gone for a decade, but it is very nice to be back here and to see so many friends. I spent my first 8 years in the Minority and tutored under Gerry Conley and Peter Danton in leadership, and of course, the leadership up here at the rostrum of Joe Sewall, which in a bi-partisan way had a chance to learn a lot about the procedural process of the system.

Senator Damon, I sat out in that chair over there. I moved over to Senator Lemont's chair with Dick Pierce sitting where Senator Savage is today. We, to the chagrin of President Sewall, the three of us, on a lot of occasions, raised a little bit of dickens in this chamber. But I have had the opportunity, recently, to observe this body and have to say that I think that the Senate and the people in the State of Maine are in very good hands. I marvel at the work some of the committees that I have been watching are doing. Some of the issues seem to be the same that we were dealing with in the 1970's and 1980's. That, obviously, is part of the process.

It is so great to see so many people with whom I had the opportunity to represent my constituents as they represented theirs. Senator Dick Berry, over here, will be introduced, I'm sure, later. There are so many of you that served on both sides of the political aisle. It is a great learning experience and I do need to say that this is something that you will appreciate more and more as your terms have ended and you've gone on into other callings of life or just retirement. It is something that you will look back and appreciate far more than you do today. Not that I doubt that any of you appreciate where you sit, but it is something that grows with you after you have left.

Madame President, thank you very much for the opportunity to say a few words.

The Sergeant-At-Arms escorted the Honorable Charles Pray from the rostrum.

THE PRESIDENT: The next Senate President that I would like to invite to podium is the Honorable Dennis Dutremble. Would the Sergeant-At-Arms please escort him forward.

President Dutremble served in the 110th, 111th, 112th, 113th, 114th, 115th, and 116th Senates. He served in Senate leadership as the Assistant Majority Leader in the 113th and 115th and was President in the 116th.

DENNIS DUTREMBLE: Did I do that? Madame President and members of the Senate, it is truly a pleasure to be here. Every time I walk into this chamber I feel a sense of pride and honor, which I am sure all of you are feeling. The pride of when you get a chance to serve in the people's seat and in the people's body and the fact that they elected you. For me, it was the pride that I felt when my colleagues elected me as President at that time.

The honor of having served with people, such as yourselves, who commit a lot of yourselves, and the time and energy of your families, to come here and do the people's business. I do like to feel that I still have connections to this place. I see people that I worked with in the past, either here or in other venues. I look at Senator Woodcock and I know that he and I went to college together. I can go back and remember when I used to really beat him pretty badly on the basketball court. We go back quite a ways. It just seems to go around, to come back here today, and see some of my former college mates here.

I have been in politics quite a while and I think I learned from two of the greatest masters of them all. First, whom I think was a wise person, my father, who spent 40 years, and still is, in government back in York County. The second one is Senator Martin, with whom I served in the House and in the Senate, who I feel is one of the cleverest politicians that I have ever met. I tried to use some of those two things, wise ness and cleverness, when I was a politician.

Again, it is great to be back. I can always tell the difference between the people who used to be here and the people who are here. The people who used to be here are all walking around smiling and are at ease. You don't even have to look at their nametags. The good President mentioned that, when she first served here, on Welcome Back Day, she looked around and said, 'who are all these people?' Well, I want you to know those of us who served back then, and come for Welcome Back Day, look at who's in the Senate and in the House and say, 'who are all these people?' Again, a clear indication of term limits. Again, it's a pleasure to be here and Godspeed to all of you. Thanks.

The Sergeant-At-Arms escorted the Honorable Dennis Dutremble from the rostrum.

THE PRESIDENT: The chair will interrupt the presentation of the presidents to introduce, and invite to the rostrum, the Governor of the State of Maine, former United States Congressman for 1994 through 2002, a former member of this body during the 111th through the 116th Senate, the Governor of the State of Maine, the Honorable John Elias Baldacci.

GOVERNOR BALDACCI: Thank you very much, Madame President. Having been a member of this body and the other body, and learning all the protocols, as the Freshman members will appreciate, we're still all learning those joint rules. Having been a member of this body, appearing in the other body, in referring to the Senate and the House is something that we are still getting straight today. But I just want to, again, thank Senator Daggett. What a tremendous honor it is to have her here as the first woman Senate President. It is an honor to be here at a critical time and to be able to work with her as we are challenging the issues and trying to resolve them, throughout the state, and impact to the benefit of people in our state.

Having been in this for 12 years, I saw the back row and said, oh God, these are the people who I served with and enjoyed serving with.' Seeing them again is like really coming back home. This is a warm place because of the people. I know that the issues are tough issues. Sometimes we have to take opposite sides on those issues. But the great thing about this body is that,

at the end of the day, people would be at an opportunity to get together, be sociable, and to talk about family, friends, things that were going on back in their communities, and to be able to connect with each other. That was a great quality that was here for 12 years, and as I said in the other body, that was a big draw to me to be here again, to have those memories. We go through our service, and it goes by so fast. I did serve for 12 years, and I know that a lot of you won't have that opportunity with term limits the way they are, but the memories that you have during the service time are going to live with you for the rest of your lives. I want to do my part to try to make those memories, today and tomorrow, rich memories, so that you can look back at your service in the legislature as an enjoyable time, as a time where we did do some really important things, and at the same time, we were able to get together and have a good time. I think that is a special quality in our state and in the people of our state. I know they appreciate what you have all been able to do.

To the members who are here, those years that we serve together went by too fast. When you come to a Welcome Back Day, we want to say, 'okay, where was the last seat we sat in? Who is sitting in it now?' I know it's a special treat for all of them, as I look in the back of the chamber. It's an honor to be here, Madame President. It's an honor to work with all of the Senators that are here. I know that there is a lot of important legislation that you are all working on, but this day is a special day for those of us who used to serve in this body. To be able to talk with you, have a little bit of time with you, and just see each other again, because we're all going to be in that position, some sooner than others, some later. But it is going to be those memories that each one of us has then.

I just want to thank you for the opportunity to be here. Thank you for the tremendous job that you have been doing. Welcome back. What a great day. Congratulations.

The Sergeant-At-Arms escorted Governor John Baldacci from the rostrum.

THE PRESIDENT: The chair would now ask the Sergeant-At-Arms to please escort the Honorable Jeffrey H. Butland, former Senate President, to the podium. President Butland served in Senate sessions 116th, 117th, and 118th. We're beginning to get to the Presidents that I served with. I had an opportunity to serve with him in the House. He also served in the House in the 114th and 115th. He served as Senate President in the 117th Senate.

JEFFREY BUTLAND: Thank you, thank you very much. Following the Governor is always a tough act, so I brought along some reinforcements today. My youngest daughter, Hannah, is here today. She just turned 5 years old. She was born about 10 days after my final session here in the legislature. I think one of the real benefits to serving in the legislature was that my children, Hannah has two older sisters and an older brother, have a real deep appreciation for what goes on in this building and for state government. There aren't many kids that get a chance to come to the Capital on a Saturday or Sunday and play hide-and-seek in the Capital and have the statue of Governor Baxter as goals. But they certainly have spent a lot of happy moments up here. They

convinced Hannah to come today and said that she would have a good time.

I want to end by apologizing, in person, to Senate President Pray. Back during the exile, in 1995, when we had Welcome Back Day, we were in the middle of the ceremony and the phone rang. The phone used to be over here on the President's podium. Instead of picking it up and answering it, we simply picked it up and laid it back on the desk. When that person was done, we hung it back up. The next former President came up and started to address. The phone rang again. We picked it back up. After the whole ceremony was over, the phone rang again. I answered it, because there was nobody here, and it was Charlie Pray down in Washington. He was wishing to extend his greetings to Welcome Back Day. Now, Charlie, it's not that I'm a partisan guy, but you have to understand that Burton Cross was speaking at the time. Nobody thought it prudent to extend his comments.

I want to thank Madame Secretary and Madame President for inviting me here today. It's always a thrill to come back. I want to wish you all the very best during the rest of the session. Thank you very much.

The Sergeant-At-Arms escorted the Honorable Dennis Dutremble from the rostrum.

THE PRESIDENT: The chair would ask the Sergeant-At-Arms to please escort President Mark Lawrence to the podium. President Lawrence served in the Senate in the 116th, 117th, 118th, and 119th. I have had the pleasure of serving with him in the House in the 114th and 115th. I served on a committee that he chaired. He served as Senate President in the 118th and 119th.

MARK LAWRENCE: Thank you very much, Madame President. It is indeed a pleasure to say 'Madame President.' I happen to be sitting next to former Senator Barbara Trafton in the audience. I remembered that one of my very first political experiences was at an event Barbara was speaking at. She was talking about her book she had written called Women Winning and she gave me a copy. It was about women running for office. She wrote in the front, 'the election basics are the same for men and women.' I remembered that lesson from way back then.

The President neglected to mention that before I became Senate President I was the Minority Leader. One of the duties of the Minority Leader is to recruit people to run for office. One of the things I tried to do, and recognized we needed to do, was to recruit more women to run for the Senate. We weren't recruiting enough. One of the people I recruited was Senator Daggett and I helped her through that election. In that Senate, I think we ended up with the highest number, with 17 women serving in the body. So I knew that before the 8 years were out, the chances were good that there was going to be a woman, the first woman in history, being President of this body. It is indeed a great honor to be here and to be invited back by Madame President to speak.

You face many great challenges. These are difficult times, financially, for the state. I always want you to remember that this Senate has been here since 1820 and it has faced as many difficult challenges through that time. It has existed; it has endured, as you will too. I wish you the best of luck in facing those challenges. Thank you very much.

The Sergeant-At-Arms escorted the Honorable Mark Lawrence from the rostrum.

THE PRESIDENT: The chair would ask the Sergeant-At-Arms to please escort the Honorable Richard A. Bennett to the podium. President Bennett served as Senate President during the 2nd half of the 120th under our unique power sharing agreement. His Senate service was in the 118th and he is currently serving today. He also served in the House. We had an opportunity to serve together, actually, on several committees, in the 115th and 116th.

Senator **BENNETT:** Thank you. I'm going to save my long speech for two years from now when I'm really gone. But I am very glad to see all of you here today, both current members and returning members. Our returning former members are a terrific reminder of the tapestry of this institution's history. Not the dry history of dusty law books and ancient resolutions, but the real history of this institution. You, like the portraits of the historical figures who grace our walls, remind us that history isn't something that just happens. Real people, who are struggling with issues big and small, for the people that we serve and have served, make it. My friend, the Senator from Hancock, Senator Damon, told me the other day that he has asked himself, in his involvements and in his service, two simple questions. Number one, am I having fun? Number two, am I making a difference? I suspect that all of you former members are returning here today because this place has affected you. You had fun here. It is certain that you, and in fact all of us, have made and continue to make a difference. Thank you for your service and welcome back.

The Sergeant-At-Arms escorted the Honorable Richard Bennett from the rostrum.

THE PRESIDENT: The chair would ask the Senate Presidents to please come forward so we can have a quick picture.

The chair would now like to recognize those Senators who are here today, serving in the earliest Senate sessions. The man who was a Senator in the earliest session is Senator Emile Jacques. Would the Sergeant-At-Arms please present this token of our appreciation to Senator Jacques.

I would now like to recognize the woman who served as a Senator in the earliest Senate session. She is the Honorable Margaret Sproul. Would the Sergeant-At-Arms please present this gift to Senator Sproul as a token of our appreciation.

I would now like to recognize those members who are here who have served in prior Senates, starting from the earliest. Senator Emile Jacques served in Senate sessions 99th, 100th, 101st, and 102nd. Would he please stand. Senator Margaret Sproul, Senate sessions 101st, 102nd, and 103rd; Senator Carlton Mendell, Senate session 102nd; Senator Donald O'Leary, Senate session 102nd, 107th, 108th, 109th, and 110th; Senator Peter Mills, Senate sessions 103rd and 104th; Senator Richard Berry, Senate

sessions 103rd, 104th, 105th, 106th, and 107th and served in Senate leadership as Majority Leader in 105th and 106th; Senator Carroll Minkowsky, Senate sessions 104th, 105th, 106th, 107th, 108th, 109th, 110th, and 111th and also served in the House in the 103rd; Senator Peter Danton, Senate sessions 105th, 106th, 107th, 108th, 109th, 110th, 111th, and 112th, and as the Assistant Minority Leader in the 107th and 108th; Senator Walter Hichens, Senate sessions 105th, 106th, 107th, 108th, 109th, 110th, 111th, and 112th and served as the Senate Poet Laureate; Senator Richard Morrell, Senate sessions 106th and 108th; Senator Donald Collins, Senate sessions 108th, 113th, 114th, and 115th; Senator Ron Usher, Senate sessions 108th, 109th, 110th, 111th, 112th, and 113th and is currently serving in the House and also served in the 107th, 118th, 119th, 120th; Senator Barbara Trafton, Senate sessions 109th and 110th and in the House in the 108th; Senator Tom Perkins, Senate sessions 109th, 110th, 111th, 112th, 113th, and 114th and served as Minority Leader in the 112th and 113th, he also served in the 107th and 108th House sessions; Senator Michael Pearson, Senate sessions 111th, 112th, 113th, 114th, 115th, and 116th and also served in the House in the 107th, 108th, 109th, and 110th; Senator Charles Dow, Senate sessions 111th, 112th, and 113th and served in the House in the 105th, 106th, 107th, 108th, and 109th; Senator Joseph Brannigan, Senate sessions 113th, 114th, 115th, and 116th and is currently serving in the House and also served in the 109th through 112th and the 120th; Senator Barry Hobbins, Senate session 114th and also served in the House in the 107th through 111th; Senator Jeffrey Mills, Senate session 115th and served in the House in the 111th, 112th, 113th, and 114th; Senator Jane Amero, Senate sessions 116th, 117th, 118th, and 119th and served in Senate leadership as the Minority Leader in the 118th and 119th and as the Assistant Majority Leader in the 117th; Senator Judy Paradis, Senate sessions 116th, 117th, 118th, and 119th and also served in the House in the 113th, 114th, and 115th; Senator James Handy, Senate session 116th and served in the House in the 111th through the 115th; Senator John O'Dea, Senate sessions 116th and 117th and in the House in the 114th and 115th; Senator Anne Rand, Senate sessions 117th, 118th, 119th, and 120th and served as Assistant Majority Leader in the 118th and 119th and served in the House in the 113th, 114th, 115th, and 116th; Senator Norm Ferguson, Jr., Senate sessions 117th, 118th, 119th, and 120th; Senator Richard Ruhlin, Senate sessions 117th, 118th, and 119th and served in the House in the 112th through the 116th; Senator Willis Lord, Senate session 117th and served in the House in the 112th through the 116th; Senator Carol Kontos, Senate session 119th and served in the House in the 115th through 118th; Senator Linda Curtis Brawn, Senate sessions 113th, 114th, and 115th. We are pleased to welcome you back and appreciate your service.

The chair is also pleased to recognize Edwin H. Pert who was a Senate officer in the 102nd Senate. Would he please rise.

Off Record Remarks

THE PRESIDENT: A little earlier this morning we had an opportunity to hear from the Senate Presidents. One thing President Lawrence said was that this institution has been here since 1820 and it's been through many things. Much of what we do today is similar to the challenges that legislatures before us

have had to meet. One of the opportunities that the Presiding Officers have is to learn about things and speak to people at times that are particularly precious. Earlier this year, I had two things given to me that are actually on my desk, and I would invite anyone to go in and look at them if they would like. One was a book that was written about Senate Presidents. It doesn't get quite to the stage where those of us who are here this morning are in it, but it talks about the history of Maine and the Senate Presidents of Maine. It talks about what a wonderful state Maine is and how Maine has taken a leadership role in many areas from the very beginning of being established.

The other thing that was given to me is the budget address from Governor Ken Curtis. At the time it was published as a little book. I have read through that a couple of times and have shown it to several people. It was from 30 years ago. In any event, it talks about issues with the budget that is so similar to today that it was really striking in its similarity. One of the comments is, when talking about trying to meet the needs of people in the State of Maine, it makes reference to the federal cut-backs that had caused particular problems for them. That is something that we see again today. I'm sure we'll see it in the future. But we will rise to meet those challenges.

The creativity, the ability, the enthusiasm, and the earnest interest of all of these former legislators and those that are serving now, is just a wonderful thing. I can't tell you the pride that I have to share that experience with them. It is absolutely wonderful. I want to thank all of you for all that you have done. There are probably some family members here who truly are incredible support for those of us who serve here and share in what we do in their own way. I want to thank you all as well.

On motion by Senator **TREAT** of Kennebec, **ADJOURNED** to Friday, May 9, 2003, at 10:00 in the morning.