

MAINE STATE LEGISLATURE

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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 FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
JOURNAL OF THE SENATE

In Senate Chamber
Monday
January 14, 1991

Senate called to Order by the President.

Prayer by the Honorable Donald F. Collins of Aroostook.

SENATOR DONALD F. COLLINS: Let us be in a spirit of prayer. There is no choice but to immerse oneself in the stream of history, accept ones time location. Breath in with shared memories and hopes, the contamination of tradition. Become defined as the man of this cause, this Party, this emergency. Failure to accept responsibility, refusal to take a stand on vital issues, timid rejection, as one must reject false tags of the ties of a true belonging. These are denials of life, in affect, they are deeds of death. To understand the times in which we live, to add our weight to the scales on the side of brotherhood and equality with invalid difference, this is life with shape and character, the one eternity worth having. And Dear Lord, we ask Thy blessing on those who serve and wait in the Persian Gulf. Amen.

Reading of the Journal of Friday, January 11, 1991.

Out of order and under suspension of the Rules, on motion by Senator **CLARK** 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 3:00 in the afternoon, for the purpose of extending to His Excellency, 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 **CLARK**, to deliver the message. The Sergeant-At-Arms escorted the Senator to the House of Representatives.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Prohibit the Sales and Service of Propeller Spurs" H.P. 87 L.D. 122

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

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

Bill "An Act to Establish a Fund to Assist Elderly Victims of Fires" H.P. 88 L.D. 123

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

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

Joint Orders

The following Joint Order: H.P. 89

ORDERED, the Senate concurring, that Joint Rule 28 be amended to read:

28. Cosponsorship. A presenter of legislation may authorize up to three additional members of either House to cosponsor a bill or resolve, ~~Orders and orders~~, resolutions and memorials may be cosponsored in the same manner ~~as bills and resolves.~~ For duplicate or closely-related bills or resolves, the Legislative Council may establish a policy for the number of cosponsors permitted. A bill, resolve, order, resolution or memorial having cosponsors shall originate in the House of the presenter.

Comes from the House **READ** and **PASSED**.

Which was **READ** and **PASSED**., in concurrence

SENATE PAPERS

Bill "An Act Concerning Liquor Pricing" S.P. 74 L.D. 130

Presented by Senator **HOLLOWAY** of Lincoln
Cosponsored by Representative **JALBERT** of Lisbon,
Representative **STEVENS** of Sabattus and
Representative **KILKELLY** of Wiscasset

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

Sent down for concurrence.

Off Record Remarks

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

Senator **CLARK**: Thank you Mr. President. Ladies and Gentlemen of the Senate. On my lapel you will see a bow reflecting the colors of our National Flag, the red, white and blue. This homemade bow is representative of a local effort, a grass-roots effort, which originated in Freeport, Maine, entitled "Operation We Care".

Kathleen Boyko has a brother who is stationed in the Middle East, in Saudi Arabia. Her father is a proud retiree from the U.S. Navy. This red, white and blue bow simply indicates that we here in our country, and in our state, support troops who are situated in the Middle East, much like the prayer offered this afternoon by the good Senator from Aroostook, Senator Collins.

This grass-roots effort, which we hope will go across our state, is entitled as I said, "Operation We Care", and Kathleen Boyko and her father, Alexander Boyko, Al, are the instigators and the initiators of this movement. It has been embraced by a number of communities, community activities, and schools in our area, such as Freeport High School, SAD 75, it is going to Brunswick High School, we hope to Morse High School, we hope it moves across the state. We have news coverage in both the Freeport News, the Lisbon Cryer, and the Times Record from our area. It neither supports involvement in a military nature, nor does it support further sanctions, nor protesting against what is occurring right now as we anxiously await the deadline of tomorrow. It simply represents a grass-roots effort to support our troops, our American citizens in the military, and their support services who are located in the Middle East. The Freeport Nursing Home where Kathleen Boyko has been employed, a local country music radio station, WCME, L.L. Bean, local businesses in Freeport, and a number of other organizations are embracing this concept of "Operation We Care".

As I left Freeport High School this afternoon, Mrs. Boyko, who makes all of these ribbons, gave me a bag to distribute to my colleagues in the Maine Senate, and hopefully, in the Maine House of Representatives. I cordially invite and encourage all of you to proudly join "Operation We Care", which simply indicates that we do care. We do care that there are American citizens away on a military deployment in the Mid-East, and regardless of whether you support sanctions, and further economic

activities, and further negotiations, or you support military action, it makes not one difference whether you fall in either/or in the middle of both of those camps, this simply means we care, and I would hope that you might join me in proudly wearing one of these ribbons this afternoon.

If you see more, and more, and more of them, I am sure you will recognize that the ribbon outlet, frankly, this is not a commercial in Freeport, Maine, has donated, literally, thousands of yards of ribbon for these little lapel pins, as well as the big red, white and blue ribbon which represents our flags and has the field of stars on it. You will soon see one of those flags on the doors of the Senate offices, our President's office, the Republican Minority office, and the Democratic Majority office. We hope that we will see more of them, in fact, it would make all Maine citizens, I'm sure, very proud, and particularly the initiators of this grass-roots effort who do care because they have family there, and those who care because they do not have family there, but because they are American citizens. Thank you very much for your attention.

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 3:00 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.

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

Non-concurrent Matter

Bill "An Act to Allow the Systems Assessment Commission to Extend Reporting Deadlines" (Emergency)
S.P. 70 L.D. 126

Committee on **HUMAN RESOURCES** suggested and **ORDERED PRINTED**.

In Senate, January 11, 1991, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

Comes from the House, under suspension of the Rules, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-10)**, without reference to a Committee in **NON-CONCURRENCE**.

The Senate **RECEDED** and **CONCURRED**.

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

ORDERS

Joint Order

On motion by Senator **DUTREMBLE** of York, the following Joint Order:

S.P. 76

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Thursday, January 17, 1991, at 9:00 o'clock in the morning.

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

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

Off Record Remarks

Senator **KANY** of Kennebec was granted unanimous consent to address the Senate on the Record.

Senator **KANY**: Thank you Mr. President. Ladies and Gentlemen of the Senate. There is a legislative petition that has been drawn up which some of you may wish to sign, and I would like to read it to you in a minute. It does have to do with the crisis in the Persian Gulf, and it is understood, of course, that we all support our troops and our President's ultimate goal of providing stability and peace in the Mid-East. But, there are those who feel very strongly that it is not appropriate for the United States, particularly, on it's own volition, to go forward with a military offensive, instead, hope that the United Nations would be asked to lead and perhaps to head the peacekeeping effort in the Middle East with American troops and with troops from other countries who have indicated that they are supportive of the U.N. efforts.

I am one of those, and I respect the views of those who differ from me. I know that the nation is very much divided if this country should go forward on it's on volition, through air strikes or something else, such as a military offensive. We are divided as a nation, and certainly, in our own congressional delegation, there was division. Certainly, it was agreed that there was sincerity on everyone's part and a respect for others views. I would just simply like to read this Petition, and if there is any member of the Senate who wishes to sign it, then please do, and I am not asking for a vote on this matter. Those of you who choose not to go on record in any way on this issue are free to go forward with that choice. Copies will be made available throughout this building. The Legislative Petition reads thus:

"Whereas, we the Legislators of the State of Maine, do support the men and women serving in the United States forces and all the multi-national forces now allied to restrain aggression in the Middle East, in the Operation known as "Desert Shield", and

Whereas, we do denounce and deplore unwarranted aggression against innocent people in sovereign territory, and

Whereas, the United Nations also denounce such aggression has with near unanimity endorsed economic sanctions against the Nation of Iraq, for its seizure of a foreign state and its assault upon its innocent citizens, and

Whereas, in addition to those sanctions, nearly one million Armed Forces of both sides now stand poised on the brink of a war that would undoubtedly be most tragic, cruel and costly, in both lives and treasures of the nations of the world, and

Whereas, we commend the United States Congress debating fully and fairly their responsibilities under the "War Powers Act of 1973", ever mindful of its roll as representatives of the American people, therefore, we as legislators of Maine do persist in support of the continuation of sanctions and the exercise of any and all diplomatic options available, that they be made to avert armed conflict." Thank you.

Off Record Remarks

Senator **GAUVREAU** of Androscoggin was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

Senator **KANY** of Kennebec was granted unanimous consent to address the Senate off the Record.

The **ADJOURNMENT ORDER** having been returned from the House **READ** and **PASSED**, in concurrence, on motion by Senator **KANY** of Kennebec, **ADJOURNED** until Thursday, January 17, 1991, at 9:00 in the morning.