

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
Wednesday
May 8, 1991

Senate called to Order by the President.

Prayer by the Honorable Georgette B. Berube of Androscoggin.

SENATOR GEORGETTE B. BERUBE: I would like to begin this afternoons Session, perhaps, together we could share listening to the "B" attitudes. Blessed are the poor in spirit, for theirs is the Kingdom of Heaven. Blessed are they that mourn, because they shall be comforted. Blessed are the meek, for they shall inherit the earth. Blessed are they which do hunger and thirst after righteousness, for they shall be filled. Blessed are the merciful, for they shall obtain mercy. Blessed are the poor in heart, for they shall see God. Blessed are the peace makers, for they shall be called the children of God. Blessed are they which are persecuted for righteousness sake, for theirs is the Kingdom of Heaven. Blessed are Thee, when men shall revile You, persecute You, and shall say all evil against You falsely for my sake. Amen.

Reading of the Journal of Tuesday, May 7, 1991.

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act Concerning Consent to Dental Care"
H.P. 60 L.D. 88
(C "A" H-170)

In Senate, April 30, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-170)**, in concurrence.

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-170) AS AMENDED BY HOUSE AMENDMENT "A" (H-264)** thereto, in **NON-CONCURRENCE**.

On motion by Senator **GAUVREAU** of Androscoggin, the Senate **INSISTED**.

Sent down for concurrence.

Non-concurrent Matter

Bill "An Act to Improve the Regulatory Operations of the Board of Licensing of Auctioneers" (Emergency)
H.P. 440 L.D. 623
(C "A" H-146)

In Senate, April 25, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-146)**, in concurrence.

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-146) AS AMENDED BY HOUSE AMENDMENT "A" (H-262)** thereto, in **NON-CONCURRENCE**.

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

Non-concurrent Matter

Bill "An Act to Reduce Marine Pollution"
H.P. 594 L.D. 845
(C "A" H-162)

In Senate, April 29, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-162)**, in concurrence.

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-162) AS AMENDED BY HOUSE AMENDMENT "A" (H-263)** thereto, in **NON-CONCURRENCE**.

On motion by Senator **VOSE** of Washington, the Senate **RECEDED** and **CONCURRED**.

House Papers

Bill "An Act to Ensure Notification of Guardians Ad Litem of Changes in Foster Care Placement of Children"
H.P. 1229 L.D. 1793

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.

COMMUNICATIONS

Sincerely,

S/Edwin H. Pert
Clerk of the House

The Following Communication: S.P. 686

115TH MAINE LEGISLATURE

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

May 7, 1991

Senator N. Paul Gauvreau
Rep. Patrick E. Paradis
Chairpersons
Joint Standing Committee on Judiciary
115th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Rolanda L. Klapatch of Camden for appointment to the Maine Human Rights Commission.

Pursuant to Title 5, MRSA Section 4561, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,

S/Charles P. Pray
President of the Senate

S/John L. Martin
Speaker of the House

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

Sent down for concurrence.

The Following Communication:

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA 04333**

May 7, 1991

Honorable Joy J. O'Brien
Secretary of the Senate
115th Legislature
Augusta, Maine 04333

Dear Madam Secretary:

The House voted today to adhere to its former action on Bill "An Act Concerning Ice Fishing" (H.P. 485) (L.D. 679).

COMMITTEE REPORTS

House

Divided Report

The Majority of the Committee on **ENERGY AND NATURAL RESOURCES** on Bill "An Act to Allow the Use of Either Paper or Plastic Bags at Point of Retail Sale" H.P. 812 L.D. 1166

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-204)**

Signed:

Senators:

TITCOMB of Cumberland
BALDACCI of Penobscot
LUDWIG of Aroostook

Representatives:

GOULD of Greenville
MARSH of West Gardiner
HOGLUND of Portland
JACQUES of Waterville
COLES of Harpswell
LORD of Waterboro
ANDERSON of Woodland

The Minority of the same Committee on the same subject reported that the same **Ought Not to Pass**.

Signed:

Representatives:

MITCHELL of Freeport
POWERS of Coplin Plantation
SIMPSON of Casco

Comes from the House with the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Which Reports were **READ**.

On motion by Senator **CLARK** of Cumberland, Tabled 1 Legislative Day, pending **ACCEPTANCE OF EITHER REPORT**.

SECOND READERS

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

House

Bill "An Act to Provide for Safer Hunting of Deer During the Firearms Season"
H.P. 347 L.D. 477

Bill "An Act to Restructure Boards of Assessment Review"
H.P. 478 L.D. 672

Bill "An Act to Clarify the Appointment and Dismissal of the Warden of the Maine State Prison"
H.P. 775 L.D. 1107

Bill "An Act to Disseminate More Rapidly Information Concerning Missing Children"
H.P. 797 L.D. 1143

Bill "An Act to Amend the Mechanic Lien Laws"
H.P. 1007 L.D. 1475

Bill "An Act to Clarify the Scope of Review Obtainable by the State When the Defendant Has Appealed to the Law Court in a Criminal Case"
H.P. 1035 L.D. 1508

Which were **READ A SECOND TIME** and **PASSED TO BE ENGROSSED**, in concurrence.

House As Amended

Bill "An Act Concerning the Franklin County Budget"
H.P. 15 L.D. 18
(C "A" H-225)

(See Action Later Today)

Bill "An Act to Increase Public Awareness of the Availability of Living Wills"
H.P. 201 L.D. 292
(C "A" H-226)

Bill "An Act to Make the Wild Blueberry the Official State Berry"
H.P. 291 L.D. 412
(C "A" H-236)

Bill "An Act to Extend the Eligibility Period for Reimbursement of Municipalities for Landfill Closure"
H.P. 324 L.D. 454
(C "A" H-215)

Bill "An Act to Amend the Campaign Finance Reporting Laws"
H.P. 375 L.D. 529
(C "A" H-233)

Bill "An Act to Amend the Natural Resources Protection Laws" (Emergency)
H.P. 398 L.D. 572
(C "A" H-216)

Bill "An Act to Improve the Collection of Data by the State Bureau of Identification"
H.P. 429 L.D. 612
(C "A" H-223)

Bill "An Act to Establish a Budget Advisory Committee in Oxford County"
H.P. 433 L.D. 616
(C "A" H-234)

Bill "An Act Relating to the Use of Material-separated, Refuse-derived Fuel" (Emergency)
H.P. 439 L.D. 622
(C "A" H-214)

Bill "An Act to Regulate the Construction of Chimneys and Fireplaces"
H.P. 480 L.D. 674
(C "A" H-231)

Bill "An Act to Require State Review of Chemical Spill Clean-up Plans"
H.P. 537 L.D. 724
(C "A" H-219)

Bill "An Act to Improve the Administration of Municipal Accounts"
H.P. 518 L.D. 746
(C "A" H-206)

Bill "An Act to Provide Operating Funds for the Casco Bay Island Transit District"
H.P. 543 L.D. 780
(C "A" H-208)

Bill "An Act to Facilitate Municipal Review of Commercial Hazardous Waste License Applications and the Collection of Municipal Fees Levied on Commercial Hazardous Waste Facilities"
H.P. 590 L.D. 841
(C "A" H-217)

Bill "An Act to Authorize Recovery of Certain Collection Costs"
H.P. 643 L.D. 917
(C "A" H-239)

Bill "An Act Relating to the Sale of Business Opportunities"
H.P. 840 L.D. 1206
(H "A" H-211)

Bill "An Act to Provide that General Assistance Payments be Made in Vouchers and in Greater Compliance with General Assistance Laws" (Emergency)
H.P. 842 L.D. 1208
(C "A" H-220)

Bill "An Act to Permit Maine School Administrative District Number 53 to Apply for State School Construction Aid for a Building to be Operated in Conjunction with Maine Central Institute"
H.P. 857 L.D. 1223
(C "A" H-232)

Bill "An Act to Prohibit the Sale of Disease Insurance Policies that Provide Only Minimal Protection"
H.P. 869 L.D. 1255
(C "A" H-237)

Bill "An Act to Notify the Probation Officer and the Probationer When a Motion Is Filed to Terminate Probation at a Time Earlier Than That Provided for in the Sentence"
H.P. 878 L.D. 1269
(C "A" H-207)

Bill "An Act to Clarify Regulation of Private Label Credit Cards"
H.P. 895 L.D. 1292
(C "A" H-238)

Bill "An Act to Clarify the Time for Taking an Appeal by the State from the Juvenile Court to the Superior Court"
H.P. 898 L.D. 1295
(C "A" H-227)

Bill "An Act to Clarify Municipal Authority in Regulating Activities on Local Water Bodies Concerning Fishing or Ice Fishing"
H.P. 899 L.D. 1296
(C "A" H-222)

Bill "An Act to Provide Certain Municipalities with an Exception to the Waste Facility Siting Laws"
H.P. 973 L.D. 1414
(C "A" H-213)

Which were **READ A SECOND TIME** and **PASSED TO BE ENGROSSED, As Amended**, in concurrence.

Bill "An Act to Improve Transportation Energy Efficiency"
H.P. 203 L.D. 294
(C "A" H-235)

Which was **READ A SECOND TIME**.

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

Senator **CAHILL:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I think that this Bill should have a fiscal note on it that is in more detail than the fiscal note that is currently on it. I was wondering if someone from Appropriations could take a look at the Bill and find out if there is an appropriate fiscal note on this legislation?

Senate at Ease

Senate called to order by the President.

Senator **CAHILL** of Sagadahoc moved to **INDEFINITELY POSTPONE** Bill and Accompanying Papers.

THE PRESIDENT: The Chair recognizes that same Senator.

Senator **CAHILL:** Thank you Mr. President. Ladies and Gentlemen of the Senate. L.D. 294 is a Bill, "An Act to Improve Transportation Energy Efficiency", and while on the surface it sounds like a good idea, I took the liberty of looking at Committee Amendment "A" (H-235), which happens to replace the entire piece of legislation. What the Bill does, is provide for guidelines for automobiles purchased for the State of Maine, and it gives specific miles per gallon and certain dates that the fleet of state vehicles has to begin to meet these requirements. While I think that probably on the surface they say it is a good idea, I think it would be very costly for the State of Maine purchasing these vehicles with the goals set forward in this particular piece of legislation. I think it would have a fairly substantial impact on the 1992-1993 Budget. I know that we are all concerned about that, and therefore, I would ask you to Indefinitely Postpone this Bill.

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

Senator **MCCORMICK:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I don't think that we should Indefinitely Postpone this Bill. I think it is a good idea. This country has been trying for twenty years to get minimum fuel standards on the books, nationally, and because of lack of political will, we still have not done that. The car manufacturers keep lobbying for a fleet wide standard which will allow them to have Cadillacs at 3 miles per gallon, and Yugos at 56 miles per gallon, or whatever, I know that I have my manufactures wrong there. But I just think that this is so minimal, and we who are so concerned with long and short term costs, and probably everyone in here is recycling and putting our bottles in different containers, is doing individually a spectrum of things to save energy, we cannot overlook the public policy aspects of this and the huge savings by this one vote. When groups of people decide to do something to just minimally save energy, it saves a lot, and this Bill does not require that we turn over all of our cars and sell them at auction, it requires that as we purchase new

cars, they meet a minimum standard. So, I ask for a Division.

Senator **MCCORMICK** of Kennebec requested a Division.

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

Senator **BERUBE:** Thank you Mr. President. Ladies and Gentlemen of the Senate. This Bill, if I recall, came out of the State and Local Government Committee with a unanimous Ought to Pass Report. The final Bill was amended, the Bill is Committee Amendment "A" (H-235). And because initially the Department of Transportation had some reservations about being to able to implement this legislation, some of the Committee members met with the Department, and the Department agreed that they could live with what I am going to tell you now, and that is why this came out a unanimous Report. The Bill sought to tell the Department that when they purchased new vehicles, automobiles or trucks, that they be cost efficient and that they have high miles per gallon. However, in some instances, they cannot do that effectively when they have to purchase special equipment such as backhoes, trucks, and that sort of thing. The Committee Amendment now exempts those areas where they need a particular type of vehicle that cannot be found to have gas mileage efficiency.

This would be implemented, first of all in 1993, so that the Department in that year starts purchasing automobiles and light duty trucks. The State Purchasing Agent would make sure that the vehicles can do at least 30 miles per gallon. And beginning in January of 1997, the vehicles have to get at least 38 miles per gallon. Again, we are looking at light trucks and automobiles. Now, if they are going to buy an automobile, it is not that difficult in this day and age in 1991, I suspect that 1997 will be much easier, to purchase a vehicle that can do many miles per gallon. In the year 2000, we hope that it will be 45 miles per gallon. But nonetheless, nothing happens until January 1, 1993, and in those areas where they need the heavy equipment, that type of equipment would be exempted, and the Department agreed that they could live with this rewritten amendment. I haven't heard of any change in their position since. Thank you. I hope that this explains this clearer.

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

Senator **CAHILL:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I appreciate and agree with almost everything that the good Senator from Androscoggin has said, and I understand the sacredness of a unanimous Committee Report. But it just seems to me for us to tell certain Departments, and I am thinking of the Department of Agriculture, and the Department of Conservation, and the Department of Marine Resources, that their vehicles must have a 30 mile per gallon energy rating is perhaps while good intention, not very practical, and I think that this is a good case of over legislating. While I think it is a good idea that we provide minimum energy standards in most instances, I think if we get to the point where we are saying a "Blanket Policy", if you will, I think we are going to run into trouble.

THE PRESIDENT: The pending question before the Senate is the motion by Senator **CAHILL** of Sagadahoc to **INDEFINITELY POSTPONE** Bill and Accompanying Papers.

A Division has been requested.

Will all of those in favor of the motion by Senator **CAHILL** of Sagadahoc to **INDEFINITELY POSTPONE** Bill and Accompanying Papers, please rise in their places and remain standing until counted.

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

7 Senators having voted in the affirmative and 20 Senators having voted in the negative, the motion of Senator **CAHILL** of Sagadahoc to **INDEFINITELY POSTPONE** Bill and Accompanying Papers, **FAILED**.

Which was, **PASSED TO BE ENGROSSED, As Amended**, in concurrence.

Bill "An Act to Increase Funding to Programs Dealing with Domestic Violence"

H.P. 239 L.D. 330
(S "C" S-121 to C
"B" H-179)

Which was **READ A SECOND TIME** and **PASSED TO BE ENGROSSED, As Amended** in **NON-CONCURRENCE**.

Sent down for concurrence.

Senate

Bill "An Act to Amend and Clarify the Definition of Earnable Compensation in the Maine State Retirement System Laws"

S.P. 443 L.D. 1187

Which was **READ A SECOND TIME**.

On motion by Senator **CLARK** of Cumberland, Tabled 1 Legislative Day, pending **PASSAGE TO BE ENGROSSED**.

Bill "An Act Regarding the Issuance of Identification Cards"

S.P. 452 L.D. 1228

Which was **READ A SECOND TIME** and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

Senate As Amended

Bill "An Act to Eliminate Mandatory Participation in the E-9-1-1 Program"

S.P. 246 L.D. 655
(C "A" S-127)

Bill "An Act to Clarify the Misbranded Food Laws"

S.P. 354 L.D. 956
(C "A" S-123)

Resolve, to Permit Certain Uses of the State Seal (Emergency)

S.P. 371 L.D. 996
(C "A" S-128)

Bill "An Act to Clarify the Regulation of Water Districts"

S.P. 426 L.D. 1138
(C "A" S-122)

Bill "An Act to Grant Enforcement Powers to Sewer Districts"

S.P. 509 L.D. 1358
(C "A" S-129)

Which were **READ A SECOND TIME** and **PASSED TO BE ENGROSSED, As Amended.**

Sent down for concurrence.

On motion by Senator **WEBSTER** of Franklin, the Senate **RECONSIDERED** its action whereby it **PASSED TO BE ENGROSSED, As Amended**, in concurrence:

Bill "An Act Concerning the Franklin County Budget"

H.P. 15 L.D. 18
(C "A" H-225)

On further motion by same Senator, Tabled 1 Legislative Day, pending **PASSAGE TO BE ENGROSSED AS AMENDED**, in concurrence.

ORDERS OF THE DAY

The Chair laid before the Senate the Tabled and Specially Assigned matter:

Bill "An Act to Implement the Recommendations of the Travel Information Advisory Council Concerning Informational Signs"

H.P. 86 L.D. 121
(H "F" H-247; S "A" S-58 to C "A" H-72)

Tabled - May 7, 1991, by Senator **CLARK** of Cumberland.

Pending - Motion by Senator **BOST** of Penobscot to **RECONSIDER** whereby the Senate **RECEDED** and **CONCURRED** (Division Requested)

(In Senate, April 17, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-72) AS AMENDED BY HOUSE AMENDMENT "C" (H-102) AND SENATE AMENDMENT "A" (S-58)** thereto, in **NON-CONCURRENCE.**)

(In House, May 7, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-72) AS AMENDED BY HOUSE AMENDMENT "F" (H-247) AND SENATE AMENDMENT "A" (S-58)** thereto, in **NON-CONCURRENCE.**)

(In Senate, May 7, 1991, **RECEDED** and **CONCURRED.**)

On motion by Senator **CLARK** of Cumberland, Tabled 1 Legislative Day, pending the motion by Senator **BOST** of Penobscot to **RECONSIDER** whereby the Senate **RECEDED** and **CONCURRED** (Division Requested).

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

COMMITTEE REPORTS

Senate

Ought Not to Pass

The following **Ought Not to Pass** Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Reported by Senator **GILL** for the Committee on **HUMAN RESOURCES** Resolve, to Create a Comprehensive Health Care Plan for the State
S.P. 611 L.D. 1615

Reported by Senator **GILL** for the Committee on **HUMAN RESOURCES** Bill "An Act to Allow the Receipt of Grants by the Commissioner of Human Services to Create Jobs for Persons with Disabilities in the State"
S.P. 637 L.D. 1685

Ought to Pass

Senator **WEBSTER** for the Committee on **AGING, RETIREMENT AND VETERANS** on Bill "An Act to Extend the Period of Time to Allow Certain School Secretaries to Elect Not to Be Members of the Maine State Retirement System" (Emergency)
S.P. 487 L.D. 1325

Reported that the same **Ought to Pass.**

Which Report was **READ** and **ACCEPTED**.

The Bill **READ ONCE**.

The Bill **TOMORROW ASSIGNED FOR SECOND READING**.

Senator **GILL** for the Committee on **HUMAN RESOURCES** on Bill "An Act to Limit Major Third-party Payor Status to Governmental Payors"

S.P. 594 L.D. 1579

Reported that the same **Ought to Pass**.

Which Report was **READ** and **ACCEPTED**.

The Bill **READ ONCE**.

The Bill **TOMORROW ASSIGNED FOR SECOND READING**.

Ought to Pass As Amended

Senator **WEBSTER** for the Committee on **AGING, RETIREMENT AND VETERANS** on Bill "An Act to Provide Public Access One Weekend a Month to the Veterans' Memorial Cemetery"

S.P. 334 L.D. 909

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-138)**.

Which Report was **READ** and **ACCEPTED**.

The Bill **READ ONCE**.

Committee Amendment "A" (S-138) **READ** and **ADOPTED**.

The Bill as **Amended, TOMORROW ASSIGNED FOR SECOND READING**.

Senator **BERUBE** for the Committee on **JUDICIARY** on Bill "An Act to Clarify the Legislature's Intent Regarding Quitclaim Deeds"

S.P. 223 L.D. 550

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-133)**.

Which Report was **READ** and **ACCEPTED**.

The Bill **READ ONCE**.

Committee Amendment "A" (S-133) **READ** and **ADOPTED**.

The Bill as **Amended, TOMORROW ASSIGNED FOR SECOND READING**.

Senator **GAUVREAU** for the Committee on **JUDICIARY** on Bill "An Act to Amend the Maine Court Facilities Authority"

S.P. 358 L.D. 960

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-134)**.

Which Report was **READ** and **ACCEPTED**.

The Bill **READ ONCE**.

Committee Amendment "A" (S-134) **READ** and **ADOPTED**.

The Bill as **Amended, TOMORROW ASSIGNED FOR SECOND READING**.

Senator **GAUVREAU** for the Committee on **JUDICIARY** on Bill "An Act to Clarify Requirements for Disclosure of Confidential Client Information Held by Mental Health Service Providers"

S.P. 476 L.D. 1268

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-135)**.

Which Report was **READ** and **ACCEPTED**.

The Bill **READ ONCE**.

Committee Amendment "A" (S-135) **READ** and **ADOPTED**.

The Bill as **Amended, TOMORROW ASSIGNED FOR SECOND READING**.

Senator **MILLS** for the Committee on **LEGAL AFFAIRS** on Bill "An Act Amending the Primary Election Law Requiring a Minimum Number of Votes"

S.P. 197 L.D. 506

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-136)**.

Which Report was **READ** and **ACCEPTED**.

The Bill **READ ONCE**.

Committee Amendment "A" (S-136) **READ** and **ADOPTED**.

The Bill as **Amended, TOMORROW ASSIGNED FOR SECOND READING**.

Senator **GOULD** for the Committee on **TRANSPORTATION** on Bill "An Act to Provide Funding to Offset Rising Costs and Decreasing Federal Revenues for Public Transportation in the State"

S.P. 364 L.D. 966

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (S-139)**.

Which Report was **READ** and **ACCEPTED**.

The Bill **READ ONCE**.

Committee Amendment "A" (S-139) **READ** and **ADOPTED**.

The Bill as **Amended**, **TOMORROW ASSIGNED FOR SECOND READING**.

Divided Report

The Majority of the Committee on **LEGAL AFFAIRS** on Resolve, Authorizing a Payment to Steven P. Smith and Ramona Smith of \$47,908.06

S.P. 350 L.D. 952

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (S-137)**

Signed:

Senators:

MILLS of Oxford
KANY of Kennebec
SUMMERS of Cumberland

Representatives:

STEVENS of Sabattus
TUPPER of Orrington
HICHENS of Eliot
BOWERS of Sherman
JALBERT of Lisbon
PLOURDE of Biddeford

The Minority of the same Committee on the same subject reported that the same **Ought Not to Pass**.

Signed:

Representatives:

LAWRENCE of Kittery
DAGGETT of Augusta
POULIN of Oakland
RICHARDSON of Portland

Which Reports were **READ**.

The Majority **OUGHT TO PASS AS AMENDED** Report was **ACCEPTED**.

The Bill **READ ONCE**.

Committee Amendment "A" (S-137) **READ** and **ADOPTED**.

The Bill as **Amended**, **TOMORROW ASSIGNED FOR SECOND READING**.

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

PAPERS FROM THE HOUSE

Joint Resolution

The Following Joint Resolution: H.P. 1260

JOINT RESOLUTION MEMORIALIZING THE GOVERNMENT OF THE UNITED STATES TO MAINTAIN LORING AIR FORCE BASE

WE, your Memorialists, the Members of the One Hundred and Fifteenth Legislature of the State of Maine, now assembled in the First Regular Session, most respectfully present and petition the President of the United States, the Congress of the United States and the Military Base Closure and Realignment Commission, as follows:

WHEREAS, Loring Air Force Base has played an important role in the strategic defense of the United States for more than forty years and, by virtue of its geographic location, is uniquely qualified to continue that role; and

WHEREAS, the State of Maine, and in particular the northern portion of the State, has long demonstrated its enthusiastic and continuing support for the United States military; and

WHEREAS, the economy of northern Maine is strongly related to Loring Air Force Base and would face extreme difficulty in recovering from the effects of the closure of this base; and

WHEREAS, the study that underlay the decision by the Secretary of Defense to propose the closing of Loring significantly underestimated the economic effects of the loss of such a major facility on the State and on Aroostook County; and

WHEREAS, the proposal to close Loring Air Force Base is not in the best interests of the security of the United States or of the people of Maine; now, therefore, be it

RESOLVED: That We hereby indicate our strong opposition to the proposed closure of Loring Air Force Base; and be it further

RESOLVED: That We support the vigorous efforts of the Governor of Maine, members of our Congressional delegation and the people of Aroostook County to overturn this decision at the federal level; and be it further

RESOLVED: That We, your Memorialists, respectfully recommend and urge the Congress of the United States to maintain an active Air Force presence at Loring Air Force Base; and be it further

RESOLVED: That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the Honorable George H. W. Bush, President of the United States; to the Honorable Richard Cheney, Secretary of Defense; to the Honorable James Courter, Chair of the Military Base Closure and Realignment Commission; to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States; and to each Member of the Maine Congressional Delegation.

Comes from the House, under suspension of the Rules, **READ** and **ADOPTED**.

Which was, under suspension of the Rules, **READ**.

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

Senator **COLLINS:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I would like to particularly call your attention to this Joint Resolution. It was back in 1977 that this same Body had a very similar Resolution when the Base in Limestone, Loring Air Force Base, was at that time proposed for closing. We seemed to have arrived at the cycle when that is again before us. I would like you to know a few things about Loring Air Force Base, I know that you know that it is a B-52 Base, and I suspect that you are aware that it is of extreme importance to the economy of Northern Maine, and in fact, to all of Maine. Loring Air Force Base was first in the construction stages in the late 1940's, so it has been a way of life for over forty years in Northern Maine.

We have become accustomed to living with Loring, and I have to say it has become a very important part of our economy. Just to give you a little idea of how important it is to our economy, I would like to present a couple of statistics. If this Base is closed, we would lose 2,875 Military personnel and 13,026 civilian jobs. We would also lose 22,000 people in our Aroostook County population, and we would lose another 9,000 jobs that are related in some fashion to Loring Air Force Base. On a per capita basis Maine, meaning Loring Air Force Base, was one of the biggest losers among the states effected by the Pentagons new round of 31 Base closures. Obviously, we intend to try to turn this around, and we will be meeting with the Commission that has jurisdiction over Base closings between now and the first of July. I have to tell you that we probably have about a fifty/fifty chance of persuading the Commission that Loring should remain open. The process of Base closures now is somewhat insulated from politics, and if we fail at that July deadline, it then requires that all the Bases that are on that list be accepted or rejected, which makes the process before Congress and the President a very difficult one to overcome, unless they are in agreement that all of the Bases are not closed.

That is our current situation. It is one that we are very concerned about. It is as important to us as the Bath Iron Works, or some of the paper mills are in your respective communities. So, we hope that we are going to succeed. This Joint Resolution is

addressed to the Congress, to the President, to the Secretary of Defense, and I hope that we shall succeed in our effort to turn this around. Thank you Mr. President.

Which was **ADOPTED**, in concurrence.

Off Record Remarks

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

Senator **TWITCHELL** of Oxford was granted unanimous consent to address the Senate off the Record.

On motion by Senator **TWITCHELL** of Oxford, **ADJOURNED** until Thursday, May 9, 1991, at 12:00 in the afternoon.