

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Seventeenth Legislature

OF THE

State Of Maine

VOLUME III

FIRST REGULAR SESSION

Senate

December 7, 1994 to April 27, 1995

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

In Senate Chamber
Wednesday
February 22, 1995

Senate called to Order by the President, Jeffrey H. Butland of Cumberland.

Invocation by Captain Richard Dickinson, Maine National Guard Chaplain, Winterport.

CAPTAIN RICHARD DICKINSON: Good morning. Let us pray. All mighty God, we begin this day by presenting to you the revenues of praise and thanksgiving which are due a Sovereign Creator and a Merciful Redeemer. We thank you especially on this day for the men and women who have served, and do serve, and will serve our country. In particular we thank you for those men and women who have undertaken to uphold and defend the Constitution of the United States and this State and the various branches of the Maine National Guard. I thank you Father for the men and women assembled in this room who have the responsibility of legislating and leading. I pray that you will give to them, in this session and in particular this day, wisdom that they might rule well, and compassion that they might rule fairly. I ask these things in your precious name. Amen.

Posting of the Colors by the Army National Guard Color Guard under the direction of Sergeant First Class Frank Norwood.

National Anthem by Staff Sergeant Patricia A. Buchanan from the 195th Army Band.

Reading of the Journal of Friday, February 17, 1995.

Out of order and under suspension of the Rules, on motion by Senator KIEFFER of Aroostook, the following Senate Order:

S.O. 19

ORDERED, that a message be sent to the House of Representatives proposing a Joint Convention of both Branches in the Hall of the House at 11:15 o'clock in the morning for the purpose of extending to Deborah R. Lee, United States Assistant Secretary of Defense for Reserve Affairs, an invitation to attend the Convention and make such communication as pleases her.

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

The President appointed the Senator from Aroostook, Senator KIEFFER, to deliver the message.

Subsequently, the Senator from Aroostook, Senator KIEFFER reported that he had delivered the message with which he was charged.

Off Record Remarks

At this point, a message was received from the House of Representatives, borne by Representative JACQUES of Waterville, informing the Senate that the House concurred in the proposition for a Joint Convention, to be held in the Hall of the House, at 11:15 o'clock in the morning for the purpose of extending to Deborah R. Lee, United States Assistant Secretary of Defense for Reserve Affairs, an invitation to attend the Joint Convention and make such communication as pleases her.

COMMUNICATIONS

The Following Communication: S.C. 72

117TH MAINE LEGISLATURE

January 23, 1995

Daniel E. Wathen, Chief Justice
Kennebec County Court
95 State Street
Augusta, Maine 04330

Dear Chief Justice Wathen:

We are pleased to invite you to address a Joint Session of the 117th Maine Legislature on Thursday, February 23, 1995 at 10:30 a.m. concerning the State of the Judiciary and any other matters that you may care to bring to our attention.

We look forward to seeing you then. Best wishes.

Sincerely,

S/Jeffrey H. Butland
President of the Senate

S/Dan A. Gwadosky
Speaker of the House

Which was READ and ORDERED PLACED ON FILE.

Which was referred to the Committee on BANKING AND INSURANCE and ORDERED PRINTED.

Sent down for concurrence.

The Following Communication: S.C. 71

STATE OF MAINE
SUPREME JUDICIAL COURT
AUGUSTA, MAINE 04330

February 13, 1995

The Honorable Jeffrey H. Butland
President of the Senate
117th Maine Legislature
Capitol Building - Third Floor
Augusta, Maine 04333

The Honorable Dan A. Gwadosky
Speaker of the House
117th Maine Legislature
Capitol Building - Third Floor
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

I am pleased to accept your invitation to address a Joint Convention of the House and Senate on Thursday, February 23, 1995 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.

Sincerely yours,

S/Daniel E. Wathen
Chief Justice

Which was READ and ORDERED PLACED ON FILE.

Bill "An Act to Increase Paid Health Insurance Benefits to Retired Teachers"

S.P. 232 L.D. 597

Presented by Senator ESTY, JR. of Cumberland
Cosponsored by Senators: FAIRCLOTH of Penobscot, O'DEA of Penobscot, PARADIS of Aroostook, Representatives: CHASE of China, CLARK of Millinocket, CLOUTIER of South Portland, DESMOND of Mapleton, FISHER of Brewer, GREEN of Monmouth, HATCH of Skowhegan, LEMAIRE of Lewiston, MCELROY of Unity, MORRISON of Bangor, STEVENS of Orono, TUFTS of Stockton Springs

Bill "An Act to Reimburse Former Temporary Hearing Officers of the Workers' Compensation Board for Lapsed Vacation Time"

S.P. 234 L.D. 599

Presented by Senator BEGLEY of Lincoln
Cosponsored by Representative CHASE of China and, Representative: AIKMAN of Poland
Submitted by the Workers' Compensation Board pursuant to Joint Rule 24.

Reference to the Committee on LABOR suggested and ORDERED PRINTED.

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

Sent down for concurrence.

SENATE PAPERS

Bill "An Act to Clarify Credit Union Common Bond Requirements"

S.P. 235 L.D. 600

Presented by Senator KIEFFER of Aroostook
Cosponsored by Senator: CAREY of Kennebec, Representatives: CAMERON of Rumford, CARLETON, JR. of Wells, DONNELLY of Presque Isle, GIERINGER, JR. of Portland, HEINO of Boothbay, KNEELAND of Easton, LOVETT of Scarborough, MAYO, III of Bath, NADEAU of Saco, RICE of South Bristol, SPEAR of Nobleboro

Reference to the Committee on BANKING AND INSURANCE suggested and ORDERED PRINTED.

Bill "An Act to Establish Landowner Recognition Day"

S.P. 233 L.D. 598

Presented by Senator HALL of Piscataquis
Cosponsored by Senators: KIEFFER of Aroostook, MICHAUD of Penobscot, Representatives: CHICK of Lebanon, KEANE of Old Town, PERKINS of Penobscot, ROSEBUSH of East Millinocket, TUFTS of Stockton Springs

Reference to the Committee on STATE AND LOCAL GOVERNMENT suggested and ORDERED PRINTED.

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

Sent down for concurrence.

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator **CARPENTER** for the Committee on **UTILITIES AND ENERGY** on Bill "An Act to Amend the Charter of the Port Clyde Water District" (Emergency)
S.P. 41 L.D. 71

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (S-11)**

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

The Bill **READ ONCE**.

Committee Amendment "A" **READ** and **ADOPTED**.

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

Senate at Ease

Senate called to order by the President.

Senator **CIANCHETTE** of Somerset was granted unanimous consent to address the Senate on the Record.

Senator **CIANCHETTE**: Thank you Mr. President, Ladies and Gentlemen of the Senate. I would like to announce and put on the Record of the Senate today a congratulations to a constituent corporation of mine in Pittsfield, Maine, and one that I am also the Chair of, that they have reached the unbelievable feat of accomplishing one million consecutive safe work hours at the Maine Yankee Atomic Power Plant during various repairs that have spanned almost ten years. It will be ten years in September. The crew has had as many as 450 people working around the clock in some very difficult situations. I am very proud of that corporation and those team members who have accomplished that feat. I believe they are setting the example for others to follow that you can work safely without hurting people. Again, I am very proud to place on the Record, congratulations to that fine corporation. Thank you.

Senate at Ease

Senate called to order by the President.

ORDERS OF THE DAY

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

Bill "An Act to Implement the Recommendations of the Commission to Study the Statutory Procedures for Local Property Tax Abatement Appeals"
H.P. 425 L.D. 582

Tabled - February 17, 1995, by Senator **AMERO** of Cumberland.

Pending - Motion of the same Senator to refer to the Committee on **STATE AND LOCAL GOVERNMENT**

Reference to the Committee on **TAXATION** suggested.

(In House February 17, 1995, referred to the Committee on **TAXATION** and **ORDERED PRINTED**.)

On motion by Senator **AMERO** of Cumberland, referred to the Committee on **STATE AND LOCAL GOVERNMENT** in **NON-CONCURRENCE**.

Sent down for concurrence.

Off Record Remarks

On motion by Senator **LAWRENCE** of York, **RECESSED** until 11:05 o'clock in the morning.

After Recess

Senate called to order by the President.

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 President.

Off Record Remarks

On motion by Senator **McCORMICK** of Kennebec,
ADJOURNED until 10 o'clock tomorrow morning.