

# MAINE STATE LEGISLATURE

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Senate Legislative Record  
One Hundred and Twentieth Legislature  
State of Maine

Volume 2

First Regular Session (Continued)  
May 24, 2001 to June 22, 2001

First Confirmation Session  
October 24, 2001

Second Confirmation Session  
December 6, 2001

Second Regular Session  
January 2, 2002 to April 1, 2002

Pages 912 - 1844

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

In Senate Chamber  
Tuesday  
June 12, 2001

Senate called to order by President Michael H. Michaud of Penobscot County.

Prayer by Reverend Robert Beaumont of Penney Memorial Baptist Church in Augusta.

**REVEREND BEAUMONT:** Let us pray. Oh mighty God, as rain falls gently to earth, providing essential nourishment to our world, it brings to mind Your still small voice that gently breaks through to our hardened hearts. Help us to hear You speaking. Help us to see signs of presence. Help us to feel the gentle tugs on our coat sleeves telling us You have a message for us. We become so wrapped up in our own importance that we often lose touch with the voice of the infinite who cares deeply about how we do business in God's world. I thank You today, oh God, for the commitment and dedication of the members of this Senate body who devote themselves to the governing of important matters of our State. Give them wisdom to make decisions that You will be proud of. Keep them strong in mind, humble in spirit, and tender in heart. Amen.

Reading of the Journal of Monday, June 11, 2001.

Off Record Remarks

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

HOUSE REPORTS - from the Committee on **LABOR** on Bill "An Act to Restore an Injured Employee's Right to Sue an Employer for Damages"

H.P. 302 L.D. 380

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-525)** (7 members)

Minority - **Ought Not to Pass** (6 members)

In House, June 7, 2001, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-525) AS AMENDED BY HOUSE AMENDMENT "A" (H-702)** thereto.

In Senate, June 11, 2001, Reports **READ**. Motion by Senator **EDMONDS** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **FAILED**. Subsequently, the Minority **OUGHT NOT TO PASS** Report **ACCEPTED**, in **NON-CONCURRENCE**.

Comes from the House, that Body **ADHERED**.

Senator **EDMONDS** of Cumberland moved the Senate **RECEDE** and **CONCUR**.

The Chair ordered a Division. 10 Senators having voted in the affirmative and 21 Senators having voted in the negative, the motion by Senator **EDMONDS** of Cumberland to **RECEDE** and **CONCUR**, **FAILED**.

On motion by President Pro Tem **BENNETT** of Oxford, the Senate **ADHERED**.

**Non-Concurrent Matter**

Resolve, to Improve Child Development Services  
H.P. 611 L.D. 766  
(C "A" H-662)

In House, June 8, 2001, **FINALLY PASSED**.

In Senate, June 11, 2001, on motion by Senator **MITCHELL** of Penobscot, Resolve and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Comes from the House, that Body **ADHERED**.

Senator **MITCHELL** of Penobscot moved the Senate **ADHERE**.

The Chair ordered a Division.

**THE PRESIDENT:** The Chair recognizes the Senator from Hancock, Senator Goldthwait.

Senator **GOLDTHWAIT:** Thank you, Mr. President. Ladies and gentlemen of the Senate. This issue of Child Development Services has been a significant issue in my area and it's not one that I have a lot of background on. But I do know that a number of issues have arisen, causing some concern about the ability of children to receive services in my area. I have become persuaded that there are deficiencies to be realized, and that most importantly, there is an opportunity to serve more children actually at less cost than we are doing now. Frankly, between the possible reports on this bill, I'm not sure how much difference there is. But either one would be an opportunity to take a closer look at this situation with the hope of making some improvement. So I hope that you will vote against the pending motion.

Senator **MARTIN** of Aroostook moved the Senate **RECEDE** and **CONCUR**.

Same Senator requested a Roll Call.

**THE PRESIDENT:** The Chair recognizes the Senator from Penobscot, Senator Mitchell.

Senator **MITCHELL:** Thank you, Mr. President, ladies and gentlemen of the Senate. Yes, there are more services that can be given to serve more people at less cost. Those are what are being enacted currently on an ongoing basis. The reports are due to come back with the existing requirements currently. Those reports, as well as the federal investigation, is being reported back to committee in January, at which time we will be assessing the additional services being provided, the reductions in cost, and what is going to be necessary on an ongoing basis to adopt. So we feel that by letting people do their job for the money that we are paying them and to have the committee overseeing this, the Committee of Education, that we will be able to correct the inefficiencies in the areas where there are any. In the counties where they are more proficient and they are working on the other end of it, we're going to be able to bring the two together and we're going to have a much smoother running CDS, under the current management with the committee being an overseer and scrutinizing the reports when they come to us in January without being a law. Do we need a law to ask people to do their jobs for the money that we're paying them?

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

Senator **NUTTING:** Thank you, Mr. President. Ladies and gentlemen of the Senate. I'll be very, very brief. Once again, over a year ago the Department of Education charged the interested parties in this issue and formed a working group. This working group has resolved several very controversial issues in the relationship between the centers and private providers. As the good Senator from Penobscot, Senator Mitchell, just said, they are going to be reporting back to us, the Education Committee, in January. It is my belief that even more will be resolved at that point. So this is why I'll be opposing the current motion. Thank you.

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

Senator **MARTIN:** Thank you, Mr. President. Members of the Senate. Just so you are aware, the cost does vary from one end of the state to the other. Anywhere from \$4,400 for a child to \$2,500 for a child. That is a disparity that is occurring throughout the state. It is an unfortunate one, but this will continue to occur as long as you have 16 different boards controlling the money. That is not going to change by what is being done now.

On motion by Senator **MARTIN** of Aroostook, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

#### ROLL CALL (#130)

**YEAS:** Senators: BROMLEY, CATHCART, DAGGETT, EDMONDS, GAGNON, GOLDTHWAIT, MARTIN, PENDLETON, RAND, SAVAGE, SAWYER, TURNER, THE PRESIDENT - MICHAEL H. MICHAUD

**NAYS:** Senators: ABROMSON, BENNETT, CARPENTER, DAVIS, DOUGLASS, FERGUSON, KILKELLY, KNEELAND, LEMONT, MCALEVEY, MILLS, MITCHELL, NUTTING, O'GARA, ROTUNDO, SHOREY, SMALL, TREAT, WOODCOCK, YOUNGBLOOD

**ABSENT:** Senators: LAFOUNTAIN, LONGLEY

13 Senators having voted in the affirmative and 20 Senators having voted in the negative, with 2 Senators being absent, the motion by Senator **MARTIN** of Aroostook to **RECEDE** and **CONCUR**, **FAILED**.

On motion by Senator **MITCHELL** of Penobscot, the Senate **ADHERED**.

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#### Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **LABOR** on Bill "An Act to Provide Parity of Representation in Workers' Compensation Claims"

H.P. 1130 L.D. 1527

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-524)** (7 members)

Minority - **Ought Not to Pass** (6 members)

In House, June 7, 2001, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-524)**.

In Senate, June 11, 2001, Reports **READ**. Motion by Senator **EDMONDS** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **FAILED**. Subsequently, the Minority **OUGHT NOT TO PASS** Report **ACCEPTED**, in **NON-CONCURRENCE**.

Comes from the House, that Body **ADHERED**.

Senator **EDMONDS** of Cumberland moved the Senate **RECEDE** and **CONCUR**.

The Chair ordered a Division. 13 Senators having voted in the affirmative and 20 Senators having voted in the negative, the motion by Senator **EDMONDS** of Cumberland to **RECEDE** and **CONCUR**, **FAILED**.

On motion by President Pro Tem **BENNETT** of Oxford, the Senate **ADHERED**.

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**House Paper**

Bill "An Act to Clarify the Laws Regarding the Extension of Water and Wastewater Service to the Town of Raymond"  
(EMERGENCY)

H.P. 1372 L.D. 1828

Comes from the House, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed.

Under suspension of the Rules, **READ TWICE**, without reference to a Committee.

On motion by Senator **FERGUSON** of Oxford, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED**, without reference to a committee, in **NON-CONCURRENCE**.

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**Joint Order**

The following Joint Order: H.P. 1374

**ORDERED**, the Senate concurring, that Bill, "An Act to Repeal the Presidential Preference Primary Elections," H.P. 960, L.D. 1273, and all its accompanying papers, be recalled from the legislative files to the House.

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

**READ**.

Pursuant to Joint Rule 404 a Division was had. 9 Members of the Senate having voted in the affirmative, and 24 Senators having voted in the negative, and 9 being less than two-thirds of those present and voting, **FAILED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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**Joint Resolution**

The following Joint Resolution: H.P. 1371

**JOINT RESOLUTION REGARDING  
THE RELEASE OF ALEWIVES  
INTO THE ST. CROIX RIVER**

WHEREAS, the passage of alewives upstream of the Woodland Dam and Grand Falls Dam on the St. Croix River is a matter of mutual concern to the communities of the St. Croix River; and

WHEREAS, the United States Government, the State of Maine, the Government of Canada and the Province of New Brunswick have not yet completed a formal agreement regarding the release of alewives in the St. Croix River; and

WHEREAS, the Canadian Fisheries and Oceans department has begun to truck and release hundreds of alewives around the Woodland Dam; now, therefore, be it

**RESOLVED**: That We, the Members of the One Hundred and Twentieth Legislature of the State of Maine now assembled in the First Regular Session, recognize that it is the best interest of the United States Government, the Government of Canada and the Province of New Brunswick to hold public hearings and consult with interested private and public entities and Native Americans to address and resolve the issues surrounding the release of alewives above the Woodland Dam and Grand Falls Dam; and be it further

**RESOLVED**: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States, the Premier of New Brunswick, the Premier of Canada, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, each Member of the Maine Congressional Delegation, the Lieutenant Governor of New Brunswick, the Speaker of the Canadian Legislative Assembly, the Canadian Fisheries and Oceans department, the United States Fish and Wildlife Service, the New Brunswick Department of Natural Resources and Energy and the Chairs of the Joint Standing Committee on Inland Fisheries and Wildlife and the Chairs of the Joint Standing Committee on Natural Resources within the Maine State Legislature.

Comes from the House, **READ** and **ADOPTED**.

**READ** and **ADOPTED**, in concurrence.

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**COMMUNICATIONS**

The Following Communication: S.C. 348

**120<sup>TH</sup> LEGISLATURE  
JOINT STANDING COMMITTEE ON  
STATE AND LOCAL GOVERNMENT**

June 11, 2001

The Honorable Michael H. Michaud  
President of the Senate of Maine  
120th Maine Legislature  
State House  
Augusta, Maine 04333-0003

Dear Mr. President:

LEGISLATIVE RECORD - SENATE, TUESDAY, JUNE 12, 2001

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 120th Maine Legislature, the Joint Standing Committee on State and Local Government has had under consideration the nomination of M. Jane Sheehan of Kennebunkport, for appointment to the State Civil Service Appeals Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS Senators	3	Pendleton of Cumberland, Rotundo of Androscoggin, Youngblood of Penobscot
Representatives	9	Bagley of Machias, Chase of Levant, Haskell of Milford, Hatch of Skowhegan, Kasprzak of Newport, Lessard of Topsham, McDonough of Portland, McLaughlin of Cape Elizabeth, Murphy of Berwick

NAYS 0

ABSENT 1 Rep. Cressey of Baldwin

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of M. Jane Sheehan of Kennebunkport, for appointment to the State Civil Service Appeals Board be confirmed.

Signed,

S/Peggy A. Pendleton  
Senate Chair

S/Martha A. Bagley  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **STATE AND LOCAL GOVERNMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 120<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#131)**

YEAS: Senator: MARTIN

NAYS: Senators: ABROMSON, BENNETT, BROMLEY,  
CARPENTER, CATHCART, DAGGETT, DAVIS,  
DOUGLASS, EDMONDS, FERGUSON, GAGNON,  
GOLDTHWAIT, KILKELLY, KNEELAND, LEMONT,

MCALEVEY, MILLS, MITCHELL, NUTTING,  
O'GARA, PENDLETON, RAND, ROTUNDO,  
SAVAGE, SAWYER, SHOREY, SMALL, TREAT,  
TURNER, WOODCOCK, YOUNGBLOOD, THE  
PRESIDENT - MICHAEL H. MICHAUD

ABSENT: Senators: LAFOUNTAIN, LONGLEY

1 Senator having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent, and 1 being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **M. Jane Sheehan** of Kennebunkport, for appointment to the State Civil Service Appeals Board was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 349

**120<sup>TH</sup> LEGISLATURE  
JOINT STANDING COMMITTEE ON  
STATE AND LOCAL GOVERNMENT**

June 11, 2001

The Honorable Michael H. Michaud  
President of the Senate of Maine  
120th Maine Legislature  
State House  
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 120th Maine Legislature, the Joint Standing Committee on State and Local Government has had under consideration the nomination of James M. Connellan of Brunswick, for reappointment to the State Civil Service Appeals Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS Senators	2	Pendleton of Cumberland, Youngblood of Penobscot
Representatives	9	Bagley of Machias, Chase of Levant, Haskell of Milford, Hatch of Skowhegan, Kasprzak of Newport, Lessard of Topsham, McDonough of Portland, McLaughlin of Cape Elizabeth, Murphy of Berwick

NAYS 0

ABSENT 2 Rep. Cressey of Baldwin,  
Sen. Rotundo of  
Androscoggin

120<sup>TH</sup> LEGISLATURE  
JOINT STANDING COMMITTEE ON  
STATE AND LOCAL GOVERNMENT

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of James M. Connellan of Brunswick, for reappointment to the State Civil Service Appeals Board be confirmed.

June 11, 2001

The Honorable Michael H. Michaud  
President of the Senate of Maine  
120th Maine Legislature  
State House  
Augusta, Maine 04333-0003

Signed,

S/Peggy A. Pendleton Senate Chair  
S/Martha A. Bagley House Chair

Dear Mr. President:

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **STATE AND LOCAL GOVERNMENT** be overridden?"

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 120th Maine Legislature, the Joint Standing Committee on State and Local Government has had under consideration the nomination of John R. Hanson of Bangor, for appointment to the State Civil Service Appeals Board.

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 120<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

The Doorkeepers secured the Chamber.

YEAS Senators	2	Pendleton of Cumberland, Youngblood of Penobscot
Representatives	9	Bagley of Machias, Chase of Levant, Haskell of Milford, Hatch of Skowhegan, Kasprzak of Newport, Lessard of Topsham, McDonough of Portland, McLaughlin of Cape Elizabeth, Murphy of Berwick

The Secretary opened the vote.

**ROLL CALL (#132)**

YEAS: Senators: None

NAYS: Senators: ABROMSON, BENNETT, BROMLEY, CARPENTER, CATHCART, DAGGETT, DAVIS, DOUGLASS, EDMONDS, FERGUSON, GAGNON, GOLDTHWAIT, KILKELLY, KNEELAND, LEMONT, MARTIN, MCALEVEY, MILLS, MITCHELL, NUTTING, O'GARA, PENDLETON, RAND, ROTUNDO, SAVAGE, SAWYER, SHOREY, SMALL, TREAT, TURNER, WOODCOCK, YOUNGBLOOD, THE PRESIDENT - MICHAEL H. MICHAUD

NAYS	0	
ABSENT	2	Rep. Cressey of Baldwin, Sen. Rotundo of Androscoggin

ABSENT: Senators: LAFOUNTAIN, LONGLEY

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of John R. Hanson of Bangor, for appointment to the State Civil Service Appeals Board be confirmed.

Signed,

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **James M. Connellan** of Brunswick, for reappointment to the State Civil Service Appeals Board was **CONFIRMED**.

S/Peggy A. Pendleton Senate Chair  
S/Martha A. Bagley House Chair

**READ and ORDERED PLACED ON FILE.**

The Secretary has so informed the Speaker of the House of Representatives.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **STATE AND LOCAL GOVERNMENT** be overridden?"

The Following Communication: S.C. 350

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 120<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#133)**

YEAS: Senator: WOODCOCK

NAYS: Senators: ABROMSON, BENNETT, BROMLEY, CARPENTER, CATHCART, DAGGETT, DAVIS, DOUGLASS, EDMONDS, FERGUSON, GAGNON, GOLDTHWAIT, KILKELLY, KNEELAND, LEMONT, MARTIN, MCALEVEY, MILLS, MITCHELL, NUTTING, O'GARA, PENDLETON, RAND, ROTUNDO, SAVAGE, SAWYER, SHOREY, SMALL, TREAT, TURNER, YOUNGBLOOD, THE PRESIDENT - MICHAEL H. MICHAUD

ABSENT: Senators: LAFOUNTAIN, LONGLEY

1 Senator having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent, and 1 being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **John R. Hanson** of Bangor, for appointment to the State Civil Service Appeals Board was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

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The Following Communication: S.C. 352

**120<sup>TH</sup> LEGISLATURE  
SENATE OF MAINE  
OFFICE OF THE SECRETARY**

June 11, 2001

Honorable Michael H. Michaud  
President of the Senate  
120<sup>th</sup> Legislature  
Augusta, ME 04333

Dear President Michaud:

Please be advised that on June 11, 2001, Bill, "An Act Providing Funding for the Office of the State Fire Marshall and to Increase Certain Fire Inspection Fees." (H.P. 1368) (L.D. 1825) was placed in the Legislative File.

Sincerely,

S/Joy J. O'Brien  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

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**ORDERS**

**Joint Order**

Expressions of Legislative Sentiment recognizing:

Christine Hastedt, of Freeport, recipient of the 2001 Kutak-Dodds Prize given by the National Legal Aid and Defender Association and the Robert J. Kutak Foundation for her remarkable vision, zealous advocacy and selfless devotion to empowering low-income citizens of the State. The award is among the most prestigious honors in the equal justice community and is given for significant contributions to the enhancement of human dignity and quality of life of those persons unable to afford legal representation. Christine works for the Maine Equal Justice Project. We extend our appreciation to Christine for her dedication to the citizens of this State and congratulate her on her receiving this prestigious honor;

SLS 370

Sponsored by Senator EDMONDS of Cumberland. Cosponsored by Representative BULL of Freeport, President MICHAUD of Penobscot, President Pro Tem BENNETT of Oxford, Senator DAGGETT of Kennebec, Senator TREAT of Kennebec, Senator SMALL of Sagadahoc, Senator DAVIS of Piscataquis, Senator RAND of Cumberland, Senator LONGLEY of Waldo, Senator ROTUNDO of Androscoggin, Senator O'GARA of Cumberland, Senator MCALEVEY of York, Senator GOLDTHWAIT of Hancock, Senator MARTIN of Aroostook, Senator NUTTING of Androscoggin, Senator KILKELLY of Lincoln, Senator MILLS of Somerset, Senator PENDLETON of Cumberland, Senator LAFOUNTAIN of York, Senator LEMONT of York, Senator KNEELAND of Aroostook, Senator SHOREY of Washington, Senator TURNER of Cumberland, Senator WOODCOCK of Franklin, Senator YOUNGBLOOD of Penobscot, Senator SAWYER of Penobscot, Senator SAVAGE of Knox, Senator GAGNON of Kennebec, Senator CARPENTER of York, Speaker SAXL of Portland, Representative COLWELL of Gardiner, Representative NORBERT of Portland, Representative DUDLEY of Portland, Representative DUPLESSIE of Westbrook, Representative MATTHEWS of Winslow, Representative KANE of Saco, Representative LAVERRIERE-BOUCHER of Biddeford, Representative DUGAY of Cherryfield, Representative SIMPSON of Auburn and Representative BLISS of South Portland.

**READ.**

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Edmonds.

Senator **EDMONDS:** Thank you, Mr. President. Women and men of the Senate. I am very pleased today to be speaking about, not only my constituent, Chris Hastedt, but my friend. Since 1971, when she began work at the Pine Tree Legal as a paralegal, Chris has worked selflessly for the people of Maine. I know it seems as if her work has been for the low income people of Maine, but that isn't true. Every time you raise any one of us up, you raise all of us up. Chris has spent her 30 years doing just that. I must say that I find that to be part of this legislature and to have her as a resource has been just one of the best



things possible. I know Chris is not somebody to call attention to herself and I want to apologize for calling attention to her today and yet I don't. I want us to know, that those of us in this building, know who does all the hard work and they do deserve recognition and appreciation, I am mightily proud that we have her in our state thinking about all of us and mightily proud that she is my friend. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Somerset, Senator Mills.

Senator **MILLS:** Mr. President and men and women of the Senate. I can't resist the opportunity just to say a couple of words because Chris exemplifies all that is best in a very good lobbyist. The information that she brings, whether you agree with her or not on any issue, to share is absolutely first rate. It's impeccable. She's always got her facts straight. She always knows far more about the issue, often times, than many other people. Information is strength in the process that goes on around here. I'm never so comfortable as I am when I have two lobbyist, one on each side of the issue. Both of them well informed. Both of them aggressive. Both of them persuasive. Then you know that what is happening to you, as a decision maker, is a good and beneficial process. You get real nervous when you are only getting lobbied by one side on any issue. The other thing that Chris Hastedt is better at than anybody else is in engendering guilt. There is nothing more powerful than having that capacity.

**PASSED.**

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the chamber Chris Hastedt. The Chair would ask Chris to rise and accept the greetings of the Senate chamber.

Sent down for concurrence.

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Off Record Remarks

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**ENACTORS**

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

**Mandate**

An Act to Require Election Law Training to Voter Registrars and Clerks

H.P. 483 L.D. 623  
(S "A" S-326 to C "A" H-503)

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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**Mandate**

An Act to Provide for Variance Notification in the Shoreland Zoning Law

H.P. 704 L.D. 919  
(C "A" H-33; S "A" S-327)

Comes from the House, **FAILED ENACTMENT.**

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and signed by the President, in **NON-CONCURRENCE.**

Sent down for concurrence.

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**Act**

An Act to Implement Maine's System of Learning Results

S.P. 582 L.D. 1760  
(C "A" S-303)

On motion by Senator **GOLDTHWAIT** of Hancock, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

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Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

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**ORDERS OF THE DAY**

**Unfinished Business**

The following matters in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later (5/24/01) Assigned matter:

**SENATE REPORT** - from the Committee on **TRANSPORTATION** on Bill "An Act Regarding Uninsured Drivers"

S.P. 425 L.D. 1380  
(C "A" S-144)

Report - **Ought to Pass As Amended by Committee Amendment "A" (S-144)**

Tabled - May 24, 2001, by Senator **SAVAGE** of Knox

Pending - **FURTHER CONSIDERATION**

(In Senate, May 8, 2001, Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-144).**)

(In House, May 24, 2001, Report **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE.**)

On motion by Senator **CATHCART** of Penobscot, the Senate **RECEDED** from whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-144).**

On further motion by same Senator, the Senate **RECEDED** from whereby it **ADOPTED COMMITTEE AMENDMENT "A" (S-144).**

On further motion by same Senator, Senate Amendment "A" (S-334) to Committee Amendment "A" (S-144) **READ** and **ADOPTED.**

Committee Amendment "A" (S-144) as Amended by Senate Amendment "A" (S-334) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

**PASSED TO BE ENGROSSED AS AMENDED COMMITTEE AMENDMENT "A" (S-144) AS AMENDED BY SENATE AMENDMENT "A" (S-334)** thereto, in **NON-CONCURRENCE.**

Sent down for concurrence.

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Senate at Ease.

Senate called to order by the President.

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Off Record Remarks

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The Chair laid before the Senate the following Tabled and Later (6/11/01) Assigned matter:

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require a 2/3 Vote for the Maine Government Facilities Authority to Issue Securities

H.P. 1298 L.D. 1767  
(C "B" H-699)

Tabled - June 11, 2001, by Senator **NUTTING** of Androscoggin

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED**, in **NON-CONCURRENCE**

(In House, June 8, 2001, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED.**)

(In Senate, June 11, 2001, Reports **READ.** Motion by Senator **GOLDTHWAIT** of Hancock to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **FAILED.** The Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-699)** Report **ACCEPTED**, in **NON-CONCURRENCE.** **READ ONCE.** Committee Amendment "B" (H-699) **READ** and **ADOPTED.** **RULES SUSPENDED, READ A SECOND TIME.**)

On motion by Senator **NUTTING** of Androscoggin, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "B" (H-699).

On further motion by same Senator, Senate Amendment "A" (S-339) to Committee Amendment "B" (H-699) **READ.**

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

Senator **NUTTING:** Thank you, Mr. President. Ladies and gentlemen of the Senate. This is a bill we just debated on yesterday. I'm trying to reach some type of middle ground here. When we originally created the Governmental Facilities Authority, it required a two-thirds vote to authorize it to borrow money. The committee amendment that was before us yesterday I voted for only to get it to second reading so I could offer this amendment. The committee amendment, just to refresh your memory, said that even lease/purchases were going to have to have a two-thirds vote. That has never been the case. That goes way too far for me. You can go back four or five administrations, Independents, Republicans, and Democrats; they've never had to have a two-thirds vote of the legislature to do a lease/purchase agreement for the vehicles used by the DOT or any other thing like that. But I do feel, and I've always felt, that if we're going to borrow money through the Governmental Facilities Authority, that it should require a two-thirds vote because it is not going out to the public. So that is what I am trying to do with this amendment. I had a lot of help drafting this amendment, not only by the Revisor's Office. They had some questions and the former director of the fiscal office, Jim Clair, came over and helped draft this amendment. He's very comfortable with it. Also, I heard the concerns yesterday that all we need to do is change the name of the Governmental Facilities Authority to something else and then it would be exempt from this law. At everyone's suggestion downstairs in helping draft this, the way it words on line 33 of this amendment is, 'the Maine Governmental Facilities Authority or its successor may not issue securities,'..., 'without a two-thirds vote.' So I think we've covered that base as well. I hope you will support adopting this amendment. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Hancock, Senator Goldthwait.

Senator **GOLDTHWAIT:** Thank you, Mr. President. Ladies and gentlemen of the Senate. The amendment of the Constitution is, in my mind, something that should be undertaken only for situations where there are no other alternatives or in issues where it addresses fundamental rights dealing with state government. In this particular case, it is interesting that many people were involved in drafting because the language is almost identical to the original bill, which was decided that needed to be amended before it was even acted upon. The only change is, as

the Senator from Androscoggin, Senator Nutting, references, the 'or its successor' language. However, the bill doesn't define 'successor'. I don't know how a court would look at the possible definition of 'successor'. But it still seems to me that this would be quite an easy matter to circumvent and my objection to the original bill remains in this amended version. I would urge you to vote against the pending motion.

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

Senator **NUTTING:** Thank you, Mr. President. I thank the good Senator from Hancock, Senator Goldthwait, for her comments. It is my understanding that the original bill needed to be amended so that an attempt could be made to also lump in lease/purchases for a two-thirds and I'm opposed to that, as I know she is. As far as somehow getting into a legal problem with 'or its successor', I'm told this is standard language and as long as the Governmental Facilities Authority was part of whatever was created, this would very clearly cover that. You would have to create something brand new, with a new bill, which would have thorough debate, if you were to get around this. This would easily and clearly cover it. If you took the Governmental Facilities Authority and added school construction to it, as long as the original Governmental Facilities Authority was part of this whole borrowing mechanism, this amendment would require that at the least, a legislature give a two-thirds vote before this money was borrowed. Thank you.

The Chair ordered a Division. 23 Senators having voted in the affirmative and 10 Senators having voted in the negative, the motion by Senator **NUTTING** of Androscoggin to **ADOPT** Senate Amendment "A" (S-339) to Committee Amendment "B" (H-699), **PREVAILED**.

Committee Amendment "B" (H-669) as Amended by Senate Amendment "A" (S-339) thereto, **ADOPTED**.

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-669) AS AMENDED BY SENATE AMENDMENT "A" (S-339)** thereto, in **NON-CONCURRENCE**.

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

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Off Record Remarks

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

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Senator **SMALL** of Sagadahoc was granted unanimous consent to address the Senate off the Record.

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**RECESSED** until 2:30 in the afternoon.

After Recess

Senate called to order by the President.

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#### ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (6/11/01) Assigned matter:

Resolve, to Create a Commission to Study Issues Concerning Changes to the Traditional Uses of Maine Forests and Lands, Including Camp Lot Lease Arrangements and Public Enjoyment (EMERGENCY)

H.P. 1366 L.D. 1823

Tabled - June 11, 2001, by Senator **DAGGETT** of Kennebec

Pending - **FURTHER CONSIDERATION**

(Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested and ordered printed.)

(In Senate, June 6, 2001, **PASSED TO BE ENGROSSED**, without reference to a Committee, in concurrence.)

(In House, June 8, 2001, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-695)**, without reference to a Committee, in **NON-CONCURRENCE**.)

On motion by Senator **KILKELLY** of Lincoln, the Senate **RECEDED** from whereby the Bill was **PASSED TO BE ENGROSSED**, without reference to a Committee, in concurrence.

House Amendment "A" (H-695) **READ**.

On motion by Senator **KILKELLY** of Lincoln, Senate Amendment "A" (S-320) to House Amendment "A" (H-695) **READ**.

**THE PRESIDENT:** The Chair recognizes the Senator from Lincoln, Senator Kilkelly.

Senator **KILKELLY:** Thank you, Mr. President. Men and women of the Senate. This amendment clarifies the duties of this commission so that there is not a great deal of overlap between the Access Study Committee, which has been meeting for over a year. It's our goal to make sure that the information that we've already generated is provided to that committee for their effort.

On motion by Senator **KILKELLY** of Lincoln, Senate Amendment "A" (S-320) to House Amendment "A" (H-695) **ADOPTED**.

House Amendment "A" (H-695) as Amended by Senate Amendment "A" (S-320) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

**PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-695) AS AMENDED BY SENATE AMENDMENT "A" (S-320)** thereto, in **NON-CONCURRENCE**.

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

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The Chair laid before the Senate the following Tabled and Later (6/5/01) Assigned matter:

An Act to Classify Employer-provided Medical Treatment as a Payment under the Maine Workers' Compensation Act of 1992  
H.P. 644 L.D. 844  
(C "A" H-244)

Tabled - June 5, 2001, by Senator **MARTIN** of Aroostook

Pending - motion by same Senator to **INSIST**

(In House, May 29, 2001, **PASSED TO BE ENACTED**.)

(In Senate, June 4, 2001, **FAILED ENACTMENT**, in **NON-CONCURRENCE**.)

(In House, June 4, 2001, that Body **INSISTED**.)

(In Senate, June 5, 2001, motion by Senator **EDMONDS** of Cumberland to **RECEDE** and **CONCUR**, **FAILED**.)

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

Senator **MARTIN:** Thank you, Mr. President, members of the Senate. During the course of this session, I have not been as much involved in labor bills as in the past years that I have served because I believe that the committee has done an excellent job in coming out with bills and trying to be responsible with the bills that have come up and not try to do the entire horizon of every possibility that could occur. This one does bother me because I think that this is one that I think we need to do. I tried a number of ways in which there might be a possibility of trying to get an amendment to perhaps work out some of the difficulties that some people saw. But in the end, the only way that really works is if the bill passes the way it is drafted as amended. As I think about what a worker encompasses, ends up facing, in working for an employer, he or she is at the detriment of a bunch of lawyers who have drafted all kinds of information and the employer hasn't. The employee has very little. Most of the time, the employee doesn't even get the material, and if he or she does get it, they have difficulty reading the jargon in which it is written. So the more that I think about the fact that you have an employee who works for a large corporation who ends up going to the nurse or physician, if that happens to be the case, and then, subsequently, that develops into a problem, when they showed up at that company door, that becomes the incident and should have been reported. If failure to report occurs, he or she loses their benefits to which they are entitled. Our system is such that that employee is left abandoned. This particular legislation applies not to the small individuals who own businesses, because none of the small businesses that I know employ a physician or nurse, so that is never an issue. But this is a problem and this has occurred. There are members of this Legislature, in fact, that are suffering because of this law, that actually have felt the burden of this law. So I think that, even

though I made a previous motion which obviously doesn't get me to where I want to go, it is important that we reverse ourselves. So, Mr. President, I'm now going to move that we **Recede** and **Concur** with the other body and request that when the vote be taken it be taken by the yeas and nays.

Senator **MARTIN** of Aroostook moved the Senate **RECEDE** and **CONCUR**.

On further motion by same Senator, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

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Senate at Ease.

Senate called to order by the President.

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The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#134)**

**YEAS:** Senators: BENNETT, BROMLEY, CATHCART, DAGGETT, DOUGLASS, EDMONDS, GAGNON, GOLDTHWAIT, LAFOUNTAIN, LEMONT, LONGLEY, MARTIN, MILLS, NUTTING, O'GARA, PENDLETON, RAND, ROTUNDO, TREAT, THE PRESIDENT - MICHAEL H. MICHAUD

**NAYS:** Senators: ABROMSON, CARPENTER, DAVIS, FERGUSON, KILKELLY, KNEELAND, MCALEVEY, MITCHELL, SAVAGE, SAWYER, SHOREY, SMALL, TURNER, WOODCOCK, YOUNGBLOOD

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **MARTIN** of Aroostook to **RECEDE** and **CONCUR**, **PREVAILED** and **PASSED TO BE ENACTED** and signed by the President, in concurrence.

President Pro Tem **BENNETT** of Oxford moved the Senate **RECONSIDER** whereby the Bill was **PASSED TO BE ENACTED**, in concurrence.

On motion by Senator **MARTIN** of Aroostook, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

On motion by President Pro Tem **BENNETT** of Oxford, **TABLED** until Later in Today's Session, pending motion by same Senator to **RECONSIDER** whereby the Bill was **PASSED TO BE ENACTED**, in concurrence. (Roll Call Ordered)

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Senate at Ease.

Senate called to order by the President.

The Chair laid before the Senate the following Tabled and Later (5/15/01) Assigned matter:

Bill "An Act to Require the Secretary of State to Establish a Central Voter List for the State"

H.P. 182 L.D. 193

Tabled - May 15, 2001, by President Pro Tem **BENNETT** of Oxford

Pending - **ADOPTION OF COMMITTEE AMENDMENT "A" (H-438)**, in concurrence

(In House, May 14, 2001, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-438)**.)

(In Senate, May 15, 2001, the **OUGHT TO PASS AS AMENDED** Report from the Committee on **LEGAL AND VETERANS AFFAIRS READ** and **ACCEPTED. READ ONCE.** Committee Amendment "A" (H-438) **READ**.)

On motion by President Pro Tem **BENNETT** of Oxford, Senate Amendment "A" (S-341) to Committee Amendment "A" (H-438) **READ**.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Rand.

Senator **RAND:** Thank you, Mr. President. May I pose a question through the chair to anyone who wishes to answer?

**THE PRESIDENT:** The Senator may pose her question.

Senator **RAND:** Could someone please explain what this amendment does?

**THE PRESIDENT:** The Senator from Cumberland, Senator Rand poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from President Pro Tem Bennett of Oxford.

President Pro Tem **BENNETT:** Thank you, Mr. President. Fellow members of the Senate. This amendment was something which I've been discussing for the last ten days or so with the Secretary of State and his office. Basically, it is a compromise based on those discussions. The bill would have the Secretary of State undertake an inspection, a review, a study if you will, of the possibility of creating a central voter list for the State. Where the Secretary of State is a partisan office, the desire was to make sure that such an inspection, such a study, were done in a bi-partisan and non-partisan manner and the amendment helps insure that through the membership. The Secretary of State will serve as a non-voting chair of his study group and there will be some assurance that all parties will have some representation on the inspection and the study of whether or not we should have a central voter list in the State. Thank you.

On motion by President Pro Tem **BENNETT** of Oxford, Senate Amendment "A" (S-341) to Committee Amendment "A" (H-438) **ADOPTED**.

Committee Amendment "A" (H-438) as Amended by Senate Amendment "A" (S-341) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-438) AS AMENDED BY SENATE AMENDMENT "A" (S-341)** thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later (6/8/01) Assigned matter:

Bill "An Act to Prevent Infestation of Invasive Aquatic Plants and to Control Other Invasive Species" (EMERGENCY)  
S.P. 630 L.D. 1812

Tabled - June 8, 2001, by Senator **DAVIS** of Piscataquis

Pending - motion by Senator **MARTIN** of Aroostook to **RECEDE**

(In Senate, May 25, 2001, **PASSED TO BE ENGROSSED**.)

(In House, June 7, 2001, Bill and accompanying papers **COMMITTED** to the Committees on **NATURAL RESOURCES** and **INLAND FISHERIES AND WILDLIFE**, in **NON-CONCURRENCE**.)

On motion by Senator **MARTIN** of Aroostook, the Senate **RECEDED**.

On motion by Senator **KILKELLY** of Lincoln, Senate Amendment "A" (S-342) **READ**.

**THE PRESIDENT:** The Chair recognizes the Senator from Lincoln, Senator Kilkelly.

Senator **KILKELLY:** Thank you, Mr. President, men and women of the Senate. This amendment is brought forward, hopefully it will be seen as a compromise on this issue of milfoil. It takes \$600,000 and applies it in two years for this program. It creates one-and-a-half positions, as opposed to three positions in the Department of Environmental Protection and funds those for both years, the biennium. Currently there is a federally funded position in DEP and the money would go, as of July 1, 2001, to make that a full-time position as opposed to a part-time position. Instead of creating a new commission, it uses the Land and Water Resources Council, which currently exists, and is statutorily charged with looking at issues that have an economic impact on the land and water resources of the state and are multi-agency, which of course this is. So rather than creating a new commission, we use an existing structure. It authorizes that commission to develop the plan for the federal government that is required to deal with invasive species. It also requires that the Land and Water Resources Council work with all of the various

groups in the state that have been involved in this issue. Lake association groups, municipalities, lake education, soil and water conservationists, any number of groups. The Land and Water Resources Council must consult with them in order to put this plan together.

It also requires that the Department of Environmental Protection develop a program that is primarily focused on education and distributing educational material and spreading the workload out over all of the various local groups. There is \$200,000 in the first year of the biennium and all other. That's \$45,000 more than was in the original amendment out of the Natural Resources Committee and that money is available for grants or contracts to local groups, again, municipalities, local organizations, lake associations, and others, so we can get them on the ground immediately getting training and distributing material as soon as possible. It requires a report back by both the Land and Water Resources Council and the Department of Environmental Protection to the Inland Fisheries and Wildlife Committee and also to the Natural Resources Committee so that we can take a look at what the actual costs have been in the program, what the projected costs are for the next year, what kinds of collaborative efforts have happened, what kind of training has happened, and what funding sources are needed in the future. I believe that what this does is to implement a program almost immediately and to provide information and education to the public.

Everyone that I have talked to has likened this to a health care issue, a public health issue. In public health, the first thing that you do is try to educate people about what the problem is and what the solutions are. This amendment, in fact, moves that process forward immediately. It also involves us in looking at the future needs of this program. It does fund the staffing for two years. It does develop a program for two years. It authorizes the fund to accept private and public money. We would encourage them to apply to the Outdoor Heritage Fund, which just a few years ago, provided \$37,000 to do an evaluation of invasive species. One of the things that was interesting to me, as having served on the Agriculture, Conservation and Forestry Committee for the last seven years, was that I wasn't aware that that grant had gone out. I have requested, from the Outdoor Heritage Fund and from members of their board, that we get a summary of that money that has gone out on these kinds of issues because they also put \$10,000 into signs so there could be signs at various boat launches. So there are lots of funds out there. There are lots of resources out there. I think what we ought to do is look at our money as seed money and look at our money as a way to motivate, to bring forward, opportunities from the local level to respond to this issue and to take some time to look at what kind of a program and enforcement do we need to ramp up and spend this summer distributing the educational materials, doing some voluntary inspections, and moving forward. This does have a sticker. The sticker you receive when you receive the information material about milfoil. There is no penalty for not putting the sticker on the boat, but I sort of likened it to having a poppy on Memorial Day. It's an indicator, it says 'yes, I've gotten the information.' Once you see the sticker on the boat, people aren't going to keep asking if you got the information about milfoil. We have taken the penalty out and we've taken the cost out. So what this is is funded with \$600,000 over the two years with an expectation of up to \$90,000 from the federal government once the plan is developed and money from the Outdoor Heritage Fund and other sources, and also what that would leverage, in terms of activity locally and what it would leverage in terms of

funds. So I hope that you will vote to adopt this amendment and allow us to move on and deal with this problem. Thank you.

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

Senator **MARTIN:** Thank you, Mr. President. Members of the Senate. Let me give you a little background of how we got to the piece of legislation that is before you from the Natural Resources Committee. The Natural Resources Committee was actually involved with legislation that was introduced last term to start an informational program which, in fact, it did do. If you have not been out of the state lately, at all the entrances now entering the state there is a sign that was purchased that talks about the fact that Maine is trying to keep milfoil out of the state. It is now at all of the crossings, whether you be on the Canadian side or on the New Hampshire side. Brochures were printed, for distribution, and has been given to people. As a result of that, legislation was introduced this year to try to move us further along to try to solve the problem. The Natural Resources Committee had three public hearings. For one of them, in order to attract as much attention as possible, we put out a press release, which hit every paper in the state, talking about the possibility of the committee putting a \$100 sticker requirement on every motorized boat or whatever that went on the water. Needless to say, that got the attention. Nothing like money to get someone's attention. We got the attention. We had massive crowds that showed up. Ironically, none of them objected. There wasn't a single opponent that came to the hearings. All they said, however, was 'please don't make it any more than \$20. We think that would be enough.' In reality, that is actually more than what I thought we would want to go. So we basically drafted a bill, as you know, that called for the bill that we had discussion about before for a \$20 sticker requirement for any motorized boat or skidoo or anything with a motor that went on the lake. The other body choose to amend that to what you now have in front of you, for \$20 for out-of-state and \$10 for in-state.

I do want to thank the Senator from Lincoln, Senator Kilkelly, in her efforts to try to find a way to try to get us somewhere and move forward, but not quite as far as where the committee wanted to go. But I cannot accept that. I believe and I know that the members of the committee who put this legislation together cannot either. The reason, quite frankly, is a very simple one. That is that there is more to the sticker than simply the requirement for \$10. Our hope is that the sticker, once it is given, will also have the material. When you simply get a sticker and don't have to pay anything for it, no one is going to read it. But now you're going to have that information and you're going to know you're getting something in return and you're going to ask why you're paying \$10. That will be an indication and that will be a key for you to get to read that material.

Now I have to tell you that there are some people who oppose this. There were a couple of calls that said, 'we have 5 or 6 boats and we have a business and those boats never leave the lake and why should I pay?' I responded, 'well I have 14 and they never leave the lake and I will pay because I believe that it is a statewide problem that needs to be solved and this is a mechanism of getting to the problem.'

Now some people would suggest that we basically continue an educational program and then not worry about enforcement. Well, I want to tell you that that is what most states in the country did and that is why most states are where they are. They decided to educate. You can educate all you want to, but if

people aren't listening, there is no way to educate them. That is my concern with what we're talking about. In Vermont, which was the last state to really get hammered in good shape and now they have Eurasian Milfoil and now they are spending all kinds of money to try to deal with it. The President Pro Tem distributed a sheet to you last week and I just want to quote the last paragraph that they said in their memo, 'Maine is in the unusual, inevitable situation of being ahead of the curve. We have the opportunity to act now to stop infestations before they start. Based on our experience here, an ounce of prevention is worth a ton of cure. I urge you to do what you can to stop this plant before it gets started in Maine.' Once it is here, we are in deep trouble. We talk about 'Vacation Land' and they talk about people who might be concerned about, in my case, being in that business. People say 'why do you want to pay an extra \$300.' Well, I can assure you, once milfoil hits Fish Lake, it won't matter because they will not be coming any more.

If you have not seen what Eurasian Milfoil does, you ought to. It acts like a carpet. You can't swim. You can't boat. You can't do anything on that water. That is what it does. In Lake St. George, as we speak right now, they have a harvester that goes down about a couple of feet and harvests it and picks it up so that people can continue to boat. But not anything else. The other group in Maine that is really concerned, and were in on every single work session and every single hearing, were those people representing the drinking water commissions, the municipalities that have to take their water from lakes, the Portland Water District, Lewiston/Auburn. We had at least ten of them that came in and they said, 'we want you to do this.' Because if this gets into the Portland water supply, for example, whether it be Portland or Lewiston/Auburn or anyone, they will have to find another source for that water. You cannot use it. The only way to stop it is to use a chemical. The chemical that they are now using throughout the country in those states that are using it is a chemical known as Sonar. After Sonar is placed in the lake, they don't let you boat, they don't let you swim, and by the way, they don't let you use the water to water your lawn for a period of time. If that doesn't tell you what the danger is, and that will become the alternative in order to be able to, if you're not going to do what Lake St. George is doing by harvesting, try to kill the plant. This will, of course, kill all the fish. But you'll be able to boat. I don't think that we want that to ever be a situation where we get to in Maine.

My problem with the present amendment is twofold. One is enforcement, because there will be none, because it does not provide for that unless someone wants to volunteer and be at every location you can think of. That's not going to work. We know that. This is what the other states did. This is why they have got the problem. There are only three states in the country that do not, at the present, have Eurasian Milfoil. Wyoming, Montana, and Maine. That's it. Everyone else has Eurasian Milfoil. I think that the last thing we want to do is wait another two years and provide a little information here and there. Then, in two years, someone comes up and says, 'guess what, it's here.' Then we'll all look at one another and say, 'why?'

Now there is, of course, some other ways in which the spreading can occur. I need to be honest and tell you some of the things we've thought of and things we can do. One of the other sources is the potential of float planes. They can come from anywhere to land in one of our Maine lakes and pick it up and bring it to another lake because that is the way it is spread. They can go to Vermont and fly to Maine to fish. Of course, the FAA controls planes and not us. In talking to the officials, what

we will be able to do is get the list of who happens to be the owners and who are the pilots that are certified and we can mail the material to inform them that we have this program in Maine and that we want them to participate and that we want them to buy the sticker even though they don't have to because we cannot force them. We will need to do everything we can to prevent the possibility of it coming here. That is why we believe the plan that has been put forth before you now has the ability to achieve that goal. I really wish that we could reach a compromise. To get to that stage as to what has been introduced is a possibility. But I don't see it as a way to compromise. I would hope that the members of the Senate would agree with me today and would vote against adoption of the Senate Amendment.

Senator **MARTIN** of Aroostook requested a Roll Call.

**THE PRESIDENT:** The Chair recognizes the Senator from Waldo, Senator Longley.

Senator **LONGLEY:** Thank you, Mr. President. I rise in opposition to the pending motion. I can't remember in the past four terms an issue that has struck me as we can either act now or forever wish we had. It seems like this is an issue where it is really important to be aggressive. The amendment, I understand, is well intentioned. It feels like it might be fiddling while Rome burns. It feels like it was filled with hopes and prayers. I don't know that we have time for those hopes and prayers to come to fruition. If it's on St. George, I think of the biblical story of St. George slaying the dragon. I think this is a dragon we've got to slay. I think we have to stop it sooner rather than later. I encourage everyone to vote against the pending motion, to be aggressive on this. I personally, and I can't imagine any of you, really don't look forward to diving into a lake that is filled with weeds. I don't know what that feels like and I don't want to know what that feels like. But knowing the weather is getting really hot tomorrow and through the next week, I'm sure we'll have a better idea. If we're going to jump into a lake, let's make sure it stays a wonderful clean Maine lake. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Penobscot, Senator Sawyer.

Senator **SAWYER:** Thank you, Mr. President. Ladies and gentlemen of the Senate. I too rise in opposition to the amendment before you. During the course of these discussions, I kept trying to come up with an appropriate metaphor for evasive Eurasian Milfoil. I guess the best I could come up with is that it is a STD. That is evasive Eurasian Milfoil is the herpes of Maine lakes. To follow the metaphor, it is, by today's standards, incurable. I've also asked myself the same questions. Are we being overly bold? The Natural Resources Committee, by its very nature, is much more of a command and control mindset. I fully appreciate that Inland Fisheries and Wildlife, by its very nature, has much more, I don't mean to be perjurious when I say, of a can we get along, can we make this work attitude and has a reticence and an appropriate hesitancy to be too caught up with enforcement. However, for me, the final answer was if we have the debate, granted, as to what is the best action to take going forward, that still remains for me a difficult question. In the perverse way that I approach such things, I have asked myself if what I was about to do was wrong, which wrong would I rather have done? It seems to me that it would be wrong to over react,

to tax people unnecessarily, and find out that we couldn't stop the spread of Milfoil. In my mind, that would have been a wrong decision. The other wrong decision is to sit back and not do something and find out that in 2001 we actually could have done something to improve the problem in the State of Maine. So for me, it's an easy answer when I invert the question. My problem with the amendment, frankly, is that it has no cost. It has no penalties. It has no enforcement, and by that definition, will have no Milfoil prevention. I urge your opposition to the amendment. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from York, Senator Carpenter.

**Senator CARPENTER:** Thank you, Mr. President, women and men of the Maine Senate. I rise today in support of the amendment on the Milfoil bill. I want to make a few things clear here. At the beginning of the discussion it sounded like the good Senator from Aroostook, Senator Martin, was stating that the original bill was against Milfoil and that the amendment seemed to somehow be in favor of Milfoil. I want to make it perfectly clear that no one that supports or does not support either one of these bills in any way is in favor of Milfoil in our lakes. I have, in the past, been president of a large summer lake in southern Maine, which is not a very important position. Certainly not as important as being a Senator. But we were active in trying to eliminate or slow down the growth of Milfoil. It is pretty much impossible. If you cut it here, it grows there. Tough to control. There are some chemicals. They don't know exactly how well they work. But I do want to say that there aren't many bills that we pass here in this body that can't be improved by some amendments. I happen to believe that this amendment improves the Milfoil bill and I urge you to vote for the amendment. Thank you.

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

**Senator NUTTING:** Thank you, Mr. President. Ladies and gentlemen of the Senate. I rise to urge you to vote against the adoption of this proposed amendment. I had something handed out. I think you all received it. It says, 'for scenes like this' and in color there is a picture perfect lake with no Milfoil in it, 'rely upon K-Tea Algaecide and Komeen Herbicide.' When I first saw that I thought that maybe it was a joke. But in many, many states in the United States that is the only way they now have to have a lake that looks like that. I read a recent University of Maine study that said our lakes in Maine contribute \$1.2 billion a year to our economy and are related to at least 50,000 jobs a year in this state. I like what they came up with. If you're going to have to do something, I like the \$10 fee on in-state residents and a \$20 fee on non-residents. To me the threat of this comes from other states. So them being asked to pay twice what a Maine resident would pay is very, very reasonable. In fact, if you go by the best estimate on the number of boats that come to Maine, non-residents are going to be paying about 60% of the total fees raised for this. To me that is very, very fair. I want to compliment the committee on their work. For my four years on the Natural Resources Committee, I am not currently on that committee, but I was there when this subject was discussed earlier. Ladies and gentlemen, it takes one inch of this plant, that is all it takes, to go from one lake to another and begin growing. Just one inch, one cut up piece. A branch, whatever, anything will continue and take root and grow and spread like wildfire. I think the only way we're

going to do this is with inspections. That is why I urge you to oppose the pending amendment and go with the committee report as it is. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Somerset, Senator Mills.

**Senator MILLS:** Mr. President, men and women of the Senate. I rise just briefly to make a more general, and perhaps procedural, point about this bill and its amendment and its process through this institution. It occurs to me, from having observed the legislature fairly closely now for about ten years, that in this session, perhaps with the impact of term limits, particularly in the other chamber, that we seem have achieved a stage of paralysis that I have not been witness to in prior sessions, although there have been times when one wonders about democracy in action and its incapacity to act in the face of a known threat. This is such a threat. This is a serious, serious problem. Maybe not everyone was pleased that it was referred to the Committee on Natural Resources, but that is where it went. The Committee on Natural Resources held one hearing after another, after another. They seem to have investigated this issue with great thoroughness. They seem to have tried to involve, and did involve, other committees with related jurisdiction as much as they could. They came up with a plan that emerged from the committee with a unanimous report, bi-partisan, unanimous report. Some version of this has achieved very strong support in the other chamber. It appears to me that if we want to validate the committee process of this institution, if we want to validate the way in which we do business and make it possible for us to continue to do business, that in times like these, when faced with such an obvious environmental and economic threat, we have to be able to respond with suitable, aggressive measures that may not please everyone, that will, in fact, displease some. We just have to have the courage to act and act strongly. I have not seen that in this institution this spring. I've seen us too often paralyzed with inactivity, with endless debate, not in this chamber but in certain committees and certain other chambers. We need to put an end to it. We need to make decisions. We need to manage the State of Maine and the people of Maine want us to act on this issue and they want us to act now. They want us to act firmly and decisively, even if we offend some people, even if we run the risk of doing the wrong thing. The risk is worth taking in this instance. I wish to register my opposition to the amendment for that reason.

**THE PRESIDENT:** The Chair recognizes the Senator from Lincoln, Senator Kilkelly.

**Senator KILKELLY:** Thank you, Mr. President. Men and women of the Senate. One of the premises behind this amendment is that we actually couldn't hire enough people to go out and set foot on every pond in this state over the course of the summer. If we are going to be effective in terms of getting information out, it is critically important that we collaborate and partner with people that are already involved with lakes, whether it is a lake association, whether it is a municipal water utility, whether it is a municipality or some other group. When we take our money and use it as seed money and use it to support the activities of local people, that provides more coverage and better coverage than if we were to go out and hire six game wardens and add time to the information folks at Inland Fisheries and Wildlife and hire three people at the Department of Environmental Protection and try to



hire more and more people to do this work. I am firmly convinced of that. One of the worse scenarios that I can think of is to have three boats out on a lake at any given time, one of them is looking for plants, one of them is looking for non-point source pollution, and one of them is looking for something else. All of them are doing it differently and all of them are out there and all of them are using both the human resources and also the financial resources, which are always limited and which are limited by their very nature. My concern about the bill that came out of committee is that it does not provide as strong a response as possible and collaboration and training, as can happen, if we have that as the priority. I think that it ought to happen as soon as possible. It's almost July. The boating season is well on us. To be able to implement something as quickly as possible makes a great deal of sense. So I think it really does make sense for us to partner and to move forward. As to the Inland Fisheries and Wildlife Committee not being one that is concerned about enforcement, I would say that having served on that committee for five years and having been very concerned about the laws that we oversee and making sure that we were getting the kind of response that we wanted from the Judiciary and the District Attorneys in terms of the issues that were important to us, that we have spent a great deal of time looking at penalties and looking at enforcement and taking that very seriously. But we also do have a very strong education component within the Department of Inland Fisheries and Wildlife and an effort to provide people with the information they need in order to do the right thing. I am convinced that people, in fact, will do the right thing when provided that information. So this bill does not have a cost, in terms of not having to purchase a sticker. It does have enforcement because this amendment leaves in from the original bill the provisions about launching a boat in a quarantined area, launching a boat that has Milfoil on it, and transporting Milfoil. All of those things are in place. It also provides for enforcement for that, because obviously those things would be enforced. So I think it's not a matter of not doing anything, it is a matter of being collaborative, using existing resources like the Land and Water Resources Council, using existing systems, and working with a public/private partnership more effectively. Thank you.

On motion by Senator **MARTIN** of Aroostook, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#135)**

**YEAS:** Senators: **CARPENTER, FERGUSON, KILKELLY, LEMONT**

**NAYS:** Senators: **ABROMSON, BENNETT, BROMLEY, CATHCART, DAGGETT, DAVIS, DOUGLASS, EDMONDS, GAGNON, GOLDTHWAIT, KNEELAND, LAFOUNTAIN, LONGLEY, MARTIN, MCALEVEY, MILLS, MITCHELL, NUTTING, O'GARA, PENDLETON, RAND, ROTUNDO, SAVAGE, SAWYER, SHOREY, SMALL, TREAT, TURNER, WOODCOCK, YOUNGBLOOD, THE PRESIDENT - MICHAEL H. MICHAUD**

4 Senators having voted in the affirmative and 31 Senators having voted in the negative, the motion by Senator **KILKELLY** of Lincoln to **ADOPT** Senate Amendment "A" (S-342), **FAILED**.

House Amendment "D" (H-696) **READ**.

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

Senator **MARTIN:** Thank you, Mr. President, members of the Senate. Just so that you are aware, there are three amendments. Two more will follow after this one. They basically are all acceptable to the committee. They were adopted by the other body. This one happens to be the one that does deal with sticker cost. This will be the one that goes to the \$10 for in-state and \$20 for out-of-state. There will also be one that talks about regional cooperation, which there is some attempt to try to work with other New England states. Finally there will be one that calls for coordination for reporting from the Land and Water Committee.

House Amendment "D" (H-696) **ADOPTED**, in concurrence.

House Amendment "E" (H-700) **READ** and **ADOPTED**, in concurrence.

House Amendment "C" (H-694) **READ** and **ADOPTED**, in concurrence.

**PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENTS "D" (H-696); "E" (H-700) AND "C" (H-694), in NON-CONCURRENCE.**

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

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

Bill "An Act to Clarify the Laws Regarding the Extension of Water and Wastewater Service to the Town of Raymond" (EMERGENCY)

H.P. 1372 L.D. 1828

Tabled - June 12, 2001, by Senator **FERGUSON** of Oxford

Pending - pending **PASSAGE TO BE ENGROSSED**, without reference to a committee, in **NON-CONCURRENCE**

(In House, June 11, 2001, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed.)

(In Senate, June 12, 2001, **RULES SUSPENDED, READ TWICE**, without reference to a Committee.)

On motion by Senator **FERGUSON** of Oxford, Senate Amendment "A" (S-343) **READ** and **ADOPTED**.

**PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-343), without reference to a committee, in NON-CONCURRENCE.**

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

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Senate at Ease.

Senate called to order by the President.

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The Chair laid before the Senate the following Tabled and Later (5/15/01) Assigned matter:

**SENATE REPORT - from the Committee on TRANSPORTATION on Resolve, to Change Route Designations of Certain Interstates and to Change the Interstate Exit Numbering System**  
S.P. 385 L.D. 1282

**Report - Ought to Pass as Amended by Committee Amendment "A" (S-183)**

Tabled - May 15, 2001, by Senator **MARTIN** of Aroostook

Pending - **ACCEPTANCE OF REPORT**

(In Senate, May 15, 2001, Report **READ**.)

Report **ACCEPTED**.

**READ ONCE**.

Committee Amendment "A" (S-183) **READ**.

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

Senator **MARTIN:** Thank you, Mr. President. Members of the Senate. I suspect that any vote I will have on this bill will not exceed the votes on a previous bill. But I need to try to put this in perspective. If you have not had an opportunity, I'd urge you to take out Committee Amendment "A" because you will find that Committee Amendment "A" spends roughly \$800,000 to redo signs on 95, 295, 495, the Maine Turnpike, and whatever. But half of the money is the Maine Turnpike and the other half is on the interstate system by the Department of Transportation. That, frankly, is what caught my attention when it came from the committee. So it became a money question.

Then I guess I got to the second part and I started looking as to what would happen on the numbering. I could quickly realize that you hit Kittery and it says, 'Exit 495 Houlton' rather than Exit 62. Rather than the exit to get to Eagle Lake on Route 11, Exit 58 or 60, it would be Exit 375 and Exit 395. If I was coming for my first time into Maine and didn't know where I was going, I would say, 'I'm turning around.'

Now that may sound a little strange to you, but I'm going to give you a little story of what happened with one of my guests who was coming from New Jersey. They stopped at L.L. Bean

and called about 6 o'clock at night. They said, 'we'll be there in a couple of hours.' They were looking at the numbers, assuming that we were like the rest of the country.

Now I didn't devise those numbers, but I certainly don't know how much money I want to spend fixing the problem. So what I tried to do was to work with members of the Transportation Committee, the Department of Transportation, and the Maine Turnpike Authority. I thought I had an amendment that was acceptable. Devised one, devised two, and then was told, basically, no way, we're going for the whole boat. So here we are. In my position of representing the northern most district of this state, I am here to tell you that I believe it will be a mistake, economically, because I think it'll have a major impact on tourism. I know sometimes what we say, those of us in northern Maine, falls upon deaf ears because so many legislators have never been there. I think it will even get worse now because of term limits. I really think that, and I've said this before, not only on this issue, I think that before people get elected there ought to be a requirement that they go to all corners of this state to see what is there. Then they would have an idea of what Washington County looks like and Northern Aroostook, Western Oxford, etc.

I'll give you one other story before I offer my amendment, and which one I will choose. It has to do with people in my area who go and travel south. Then they come back and complain about the roads in northern Maine. It took me a little while to figure out why. You see, the only road they travel is 95 and the Maine Turnpike after they get on it. They never get to see the condition of the roads elsewhere. They assume all the roads in southern Maine are all like that. I know better. I've been around. So they come back and tell us legislators they are not treated right up here. So that's been one of my concerns, but I'm really concerned about what we are doing. I think it's a mistake, but I'm not really able to convince the Transportation Committee of that. Mr. President, I'm going to offer Senate Amendment "A" and move for its adoption.

On motion by Senator **MARTIN** of Aroostook, Senate Amendment "A" (S-335) to Committee Amendment "A" (S-183) **READ**

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

Senator **MARTIN:** Thank you, Mr. President. This amendment requires that the Department of Transportation and the Maine Turnpike Authority reimburse businesses for the cost of reprinting their advertising material. You see, all the advertising material is going to be wrong. Think about it. If you want to help small businesses, this is the way to do it. I urge you to vote for Senate Amendment "A".

**THE PRESIDENT:** The Chair recognizes the Senator from Knox, Senator Savage.

Senator **SAVAGE:** Thank you, Mr. President. Men and women of the Senate. I speak to you supporting a 13 to 0 committee report. I'll tell you that four members of my committee travel north of Augusta on a weekly basis, two of them from the county. There are only two members of these thirteen members who don't travel some section of the interstate system when commuting too and from session. I feel obliged to support my committee who studied this situation for a long time. They heard the pros and cons. The bill will help Maine travelers by

simplifying the numbering of Interstates and exits by directing visitors to less congested highways. Travels on the interstate system can be easily confused. They enter Maine in Kittery on I-95 and for six miles they pass Exit 1, 2, 3, 4. Then after continuing through the toll plaza, they pass another Exit 2, 3, 4. The Maine Turnpike is currently designated as I-95 from York to Falmouth. It will simply then become I-95 for its entire length, from Kittery to Houlton. Further, the exit numbers will be changed to reflect actual mileage from Kittery to Houlton. Duplicate exit numbers will be eliminated. I hear the good Senator from Aroostook, Senator Martin's, comments about the distance. I ask you, friends, when your visitors come to the State of Maine and they look at the map, might they realize that its quite a distance from Kittery to Houlton or further north? Exit numbers reflecting mileage will make Maine consistent with a system that is used by 39 other states across the country. New exits can be added easily, instead of having a 7B or 8A, etc. The hope is that it also will reduce the congestion on and avoid the widening of 295 because it will then direct people straight up instead of taking 295 to go to Falmouth and so forth. It should help reduce the congestion on 295. I ask you to support a 13 to 0 committee report. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator O'Gara.

Senator **O'GARA:** Thank you, Mr. President. First of all, on behalf of the Senator from Aroostook, Senator Martin, the amendment should be number 337, the one he is specifically talking about, not number 335. There are two Senate Amendment "A"s that were passed out to you. The one that the Senator is talking about with reimbursing costs would be a filing number of 337. I'll continue if you'd like.

**THE PRESIDENT:** The current amendment is Senate Amendment "A" with a filing number of 335, which is to Committee Amendment "A". There is another Senate Amendment "A" which is 337, which is to the bill. The current one we are dealing with is Senate Amendment "A" S-335 to Committee Amendment "A".

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator O'Gara.

Senator **O'GARA:** Mr. President. The Senator from Aroostook, Senator Martin, can make his own comments if he'd like, but I have Senate Amendment "A" with a filing number of 335 in front of me. I do not see any reference to ordering the department, or anybody else, to reimburse businesses, or anybody else, for costs that they might entail. As I look at it, and I don't see the Senator getting up, S-337 talks about reimbursing. As soon as that is straightened out, I'd be more than happy to talk about the issue.

**THE PRESIDENT:** The Senator from Cumberland, Senator O'Gara poses a question through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Aroostook, Senator Martin.

Senator **MARTIN:** Thank you very much. There are, in fact, two Senate Amendment "A". Senate Amendment "A" to Committee Amendment "A" does the same thing as Senate Amendment "A"

to the bill. Senate Amendment "A" to Committee Amendment "A" is 335.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator O'Gara.

Senator **O'GARA:** Thank you, Mr. President, ladies and gentlemen of the Senate. I'm going to speak, obviously, against this one and any other one the Senator presents. But I've just got so many words inside ready to go, and they are all in order, you see. I just want to be sure that someone can tell me how Senate Amendment "A" S-335 and S-337 can be exactly alike when nowhere in this amendment that I'm holding in my right hand, maybe I ought to move it to my left so it's a little closer to the Senator, nowhere does it refer to the department reimbursing. Let me read just a little bit of S-337.

**THE PRESIDENT:** The Chair would remind the Senator that Senate Amendment "A" S-337 is not currently before the body. The amendment that is currently before the body is Senate Amendment "A" S-335.

Senator **O'GARA:** Let me talk to you about S-335. This numbering bill was required because the existing system, and I feel very uncomfortable talking about it because we're not addressing the reimbursing part of it, is out dated. Just 39 other states have already been mentioned. It is not dynamic. It does not allow for inevitable growth in the number of exchanges. The new system would be starting with exit, you probably don't understand what I'm talking about because what I'm saying doesn't have anything to do with the amendment, but if you want me to talk about S-335 I will. It will be mileage based and it will start with mile 1 in Kittery and go to mile 290 in Houlton. Now the reason that this amendment, that I am talking about now, would be inadequate from our point of view. First of all, it goes against what we should be doing with our numbering system. It just doesn't make any sense. The numbering system we have now is confusing to people. There are two things about it they don't understand. As some of you probably know, I work part-time for the Maine Turnpike. On June 24<sup>th</sup> I will have been there 10 years. I have worked from York to Gardiner. The single most often raised concern, when they get on at Exit 9 or Exit 6A, which are the two that really bring people through, and on up to any part of the state they want to go to, is not how far it is to Houlton or Presque Isle. It is where am I? What road am I on? Am I on 95, 295, 495, or the Maine Turnpike? Am I going east, west, north, or south?

The Senator from Aroostook, Senator Martin, I assume, is asserting that he has a pulse on how the people from Aroostook County feel about this numbering system. I will not challenge that assertion. But I have been on the Transportation Committee for nine years. As I told you just now, I've been on the turnpike for ten. I have listened to literally thousands of people complain about our system as it stands now. The numbering system and the exit system. This system makes sense. It allows for breathing space as we, the DOT or the Turnpike Authority, develop as we go into the future. I have always supported extending 95 all the way up, not just leaving it at Houlton. Extending it to where it was originally intended to go, as a matter of fact, under the Eisenhower administration. If we develop it the way we want to with this system, then it will be a natural flow. The Senator from Knox, Senator Savage, has already said it, but I'm going to repeat it. I can assure you that nobody that leaves

their home in New Jersey, New York, Pennsylvania, or wherever else and gets to York, and finds out they've got another 300 or whatever miles to go, turns around and goes back. Nobody does that. If they don't already know that they've got one heck of a long way to go by the time they get to York, then they aren't going to come in the first place. Nobody, I'm telling you, ladies and gentlemen. You can talk to any veteran toll collector or a rookie and they will tell you the same thing. It isn't the mileage, it's 'where am I?' 'Am I on the right road to Presque Isle?' 'Am I on the right road to Houlton?' Not 'how far is it?'

The comment about Aroostook County. I have to be careful and I try to be as casual with this as I can in the beginning and we've had a little bit of fun with that. That's okay. But I want each of you in this Senate not to be lulled into this attempt to make you feel sorry for Aroostook County. This has nothing to do with Aroostook County. As a matter of fact, two of the members on the Transportation Committee are from Aroostook County and vigorously supported the 13 to 0 vote. It makes sense.

A little while ago one of our members in the Senate talked about the committee process. They are not in the chamber at this point, but they talked about the committee process. We had a public hearing at which nobody spoke in opposition. Nobody. We had the work session. We had input from everybody. It made sense. We voted 13 to 0 to adopt this bill. I realize now I'm talking just a little bit beyond and I will stop on that point. I urge you to defeat S-335.

**THE PRESIDENT:** The Chair recognizes the Senator from Knox, Senator Savage.

Senator **SAVAGE:** Thank you, Mr. President, ladies and gentlemen of the Senate. I have to support my cohort from my committee, the Senator from Cumberland, Senator O'Gara, because no wonder he was confused as well as I was and I believe maybe the good Senator from Aroostook, Senator Martin, as well. In this amendment that we are addressing, S-335, it does not mention reimbursement. Just to set the record straight. Thank you.

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Senator **DOUGLASS** of Androscoggin requested and received leave of the Senate for members and staff to remove their jackets for the remainder of this Session.

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Off Record Remarks

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

Senator **MARTIN:** Thank you, Mr. President, members of the Senate. I really was pleased to cause confusion and I withdraw Senate Amendment "A" to Committee Amendment "A".

Senator **MARTIN** of Aroostook requested and received leave of the Senate to withdraw Senate Amendment "A" (S-335) to Committee Amendment "A" (S-183).

Committee Amendment "A" (S-183) **ADOPTED.**

Under suspension of the Rules, **READ A SECOND TIME.**

On motion by Senator **MARTIN** of Aroostook, Senate Amendment "A" (S-337) **READ.**

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

Senator **MARTIN:** Thank you, Mr. President. I am sorry for having caused confusion. This is the amendment that I'm looking for. This is the one which would reimburse the business community for the renumbering.

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

Senator **GAGNON:** Mr. President, men and women of the Senate. I join my fellow committee members in Transportation in asking you to defeat this pending motion. I might suggest, Mr. President, that we take the amendment numbering system and refer it to the Committee on Transportation and maybe straighten it out so there wouldn't be confusion in the future. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Knox, Senator Savage.

Senator **SAVAGE:** Thank you, Mr. President. Ladies and gentlemen of the Senate. I assume it is all right if I speak again since it is another amendment? The Transportation Committee considered this impact to the business. We know there has been some concern in the past when it has been suggested that we change the numbering. Both DOT and the Maine Turnpike Authority agree to implement this change with lots of advance notice to businesses to allow for letterhead, advertising, etc. to be used up and will add signs saying 'formerly exit' to be cooperative to those businesses effected by this. Thank you.

The Chair ordered a Division. 7 Senators having voted in the affirmative and 25 Senators having voted in the negative, the motion by Senator **MARTIN** of Aroostook to **ADOPT** Senate Amendment "A" (S- 337), **FAILED.**

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

Senator **MARTIN:** Mr. President, members of the Senate. Now, in my opinion, we are at the serious point of whether or not we want to spend \$800,000. But half of that would come from the Maine Turnpike Authority and the other half would come from DOT. I firmly believe that we have plenty of roads in Maine where that money could be better spent than the renumbering system. So I would urge you to vote against engrossment and request the vote be taken by the yeas and nays so we can decide whether the roads in Maine should be fixed with that money or else it be spent on signs.

On motion by Senator **MARTIN** of Aroostook, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#136)**

YEAS: Senators: ABROMSON, BENNETT, BROMLEY,  
CARPENTER, CATHCART, DAGGETT, DAVIS,  
DOUGLASS, EDMONDS, FERGUSON, GAGNON,  
MILLS, MITCHELL, NUTTING, O'GARA,  
PENDLETON, RAND, SAVAGE, SAWYER, SMALL,  
TURNER, WOODCOCK

NAYS: Senators: KILKELLY, KNEELAND,  
LAFOUNTAIN, LONGLEY, MARTIN, MCALEVEY,  
ROTUNDO, SHOREY, TREAT, YOUNGBLOOD,  
THE PRESIDENT - MICHAEL H. MICHAUD

ABSENT: Senators: GOLDTHWAIT, LEMONT

22 Senators having voted in the affirmative and 11 Senators  
having voted in the negative, with 2 Senators being absent, was  
**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE  
AMENDMENT "A" (S-183).**

Sent down for concurrence.

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Senate at Ease.

Senate called to order by the President.

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

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Senator **SMALL** of Sagadahoc was granted unanimous consent  
to address the Senate off the Record.

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On motion by President Pro Tem **BENNETT** of Oxford,  
**ADJOURNED** to Wednesday, June 13, 2001, at 11:00 in the  
morning.