

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Twelfth***

***Legislature***

OF THE

STATE OF MAINE

**VOLUME II**

**SECOND REGULAR SESSION**

April 3 - April 16, 1986

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**SECOND SPECIAL SESSION**

May 28 - May 30, 1986

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**THIRD CONFIRMATION SESSION**

July 15, 1986

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**FOURTH CONFIRMATION SESSION**

August 29, 1986

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**THIRD SPECIAL SESSION**

October 17, 1986

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**FIFTH CONFIRMATION SESSION**

November 24, 1986

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I will miss the process, but I am also looking forward to a new kind of life and new experience. I leave knowing that I am leaving the Senate in good and capable hands, and I will be reading about you all in the newspapers. I hope you will stop these secret caucus's.

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Senator STOVER of Sagadahoc was granted unanimous consent to address the Senate On the Record.

Senator STOVER: Thank you, Mr. President and fellow Members of the Senate. This concludes 46 years of public life for me, starting on the town and county level and then up here for the last ten years. I have to admit that I am going to miss the special excitement of being a part of so many things at once. However, I leave with no regrets, I am going to leave with a lot of wonderful memories and the enthusiastic anticipation of tomorrow.

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Senator BALDACCI of Penobscot was granted unanimous consent to address the Senate On the Record.

Senator BALDACCI: Mr. President and Members of the Senate. There is another Senator who has come with us for just this last year of the Session, among all the others, that are retiring or not running again. Someone who I have gained a lot of respect for, and I have talked to individual Members of this Senate, and they feel the same way that I do about the good Senator from York, Senator Kerry. Senator Kerry is a very bright and sensitive individual and a true thinker. Some have said that even though he has been here for a short while, he has left an impact, and as I talked to other Members of the Chamber, I think that they think an awful lot of him and are sorry to see the Senator deciding that maybe this is not the life for him. As some have said, maybe he is just a faster learner than some of us in the Chamber. I would say that it would be an unanimous report that this Senate will be a little bit less without the good Senator from York, Senator David Kerry.

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Senator MCBREAIRTY of Aroostook was granted unanimous consent to address the Senate On the Record.

Senator MCBREAIRTY: Mr. President and Honorable Members of the Senate. When I ran for the Legislature, twelve years ago, in 1974, I had no idea that the people would want me here as long as they have put me here, or that you people would have to put up with me as long. Sometimes teachers have a great influence on our lives.

I had a teacher one time that told me that if you first do not succeed try, try, again. So I guess that is a policy that stuck with me and as many of you know, I have tried and tried again, and sometimes became successful. Serving in this Body and also in the other, has been a great experience for me. All I can say is thanks to every one of you for the help you have given me over the years. I will never forget the experiences that I have had here. I tell all young people that I see, that if they can run for the Legislature and get six to ten years of service here, that they would get an education that they could get no where else in the world. I strongly believe that. Thanks again.

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Off Record Remarks

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Senator PERKINS of Hancock was granted unanimous consent to address the Senate Off the Record.

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On motion by Senator MCBREAIRTY of Aroostook RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

SECOND READERS

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

Senate

Bill "An Act to Make Corrections of Errors and Inconsistencies in the Laws of Maine" (Emergency)  
S.P. 965 L.D. 2405

Which was READ A SECOND TIME.

On motion by Senator ANDREWS of Cumberland, the Senate SUSPENDED THE RULES.

On further motion by same Senator, Senate Amendment "A" (S-546) READ.

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

Senator PERKINS: Mr. President, I would like an explanation of this amendment.

THE PRESIDENT: The Senator from Hancock, Senator Perkins, has posed a question through the Chair to any Senator who may care to respond.

The Chair recognizes the Senator from Cumberland, Senator Andrews.

Senator ANDREWS: Mr. President, Men and Women of the Senate. To answer the good Senator's question, this amendment addresses a bill that we passed several weeks ago, that dealt with the fuel assistance program. As you know, we made some changes in the program to allow municipalities that are currently administering locally that program, to continue to administer that under certain conditions. Because of a drafting error, we, in fact, amended a statute which we had repealed earlier. So this amendment, in essence, puts this bill that we discussed and passed several weeks ago, into the Division of Community Services section of law. There has been no substantive change, it simply places this statute that we passed several weeks ago in it's proper place in the books.

On motion by Senator ANDREWS of Cumberland, Senate Amendment "A" (S-546) ADOPTED.

On motion by Senator CARPENTER of Aroostook, the Senate SUSPENDED THE RULES.

On further motion by same Senator, Senate Amendment "B" (S-548) READ.

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

Senator CARPENTER: Mr. President, Ladies and Gentlemen of the Senate. This is an issue that arose this morning and I apologize for the lateness of bringing this issue before the Legislature. Under Title 1, section 71, Rules of Construction, sub-section 7, says words of a masculine gender may include the feminine, however, it is my understanding that under the recodification of the education laws, in Title 20-A last year, Title 20-A, sub-4 says, ignore this gender in neutral paragraph of Title 1. We are now repealing that ignore language, if you will, and we are adding a couple of more words and that is, where every reasonable, as determined by the revisor of statutes, nouns rather than pronouns shall be used, to refer to persons in order to avoid gender identification. The participants in this controversy, have included Senator Clark, and persons who don't reside in this Body, but yet, who do reside on this floor, and it is my understanding that although this could arguably be a substantiative change, it is something that the Revisor of Statutes feels is necessary to help him clear up his books for now and in the future.

On motion by Senator CARPENTER of Aroostook, Senate Amendment "B" (S-548) ADOPTED.

On further motion by same Senator, the Senate SUSPENDED THE RULES.

On further motion by same Senator, Senate Amendment "C" (S-549) READ.

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

Senator CARPENTER: Mr. President, Ladies and Gentlemen of the Senate. Our friend from Waldo County, yesterday, correctly picked up some incorrect dates in the Compensation Commission Bill, so-called, and we thought those were going to be taken care of, just routinely at the Engrossing Department.

In fact, that was not possible because the Bill had already been engrossed, with the errors in them. The Governor signed the Bill this morning. We rushed around and got a Chapter number on it and now we are correcting those. We did change those dates to conform with what the Compensation Commission had originally intended.

On motion by Senator CARPENTER of Aroostook, Senate Amendment "C" (S-549) ADOPTED.

Which was PASSED TO BE ENGROSSED, as Amended.

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

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

#### ORDERS

#### Joint Resolution

On motion by Senator GAUVREAU of Androscoggin (Cosponsored by: Senator PERKINS of Hancock, Representative NELSON of Portland, Representative TAYLOR of Camden) the following Joint Resolution:  
S.P. 966

#### JOINT RESOLUTION MEMORIALIZING CONGRESS TO EVALUATE FURTHER THE HEALTH RISK FROM THE PRESENCE OF METHYLENE CHLORIDE AS A RESIDUE FROM ITS USE AS A SOLVENT IN THE EXTRACTION OF CAFFEINE FROM GREEN COFFEE BEANS

WE, your Memorialists, the Senate and House of Representatives of the State of Maine, in the One Hundred and Twelfth Legislative Session assembled, most respectfully request and petition the Congress of the United States, as follows:

WHEREAS, certain brands of coffee are decaffeinated by a method which uses methylene chloride as a solvent, leaving a residue of methylene chloride in the dry coffee product; and