

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**One Hundred And Thirteenth Legislature**  
OF THE  
**State Of Maine**

**VOLUME II**

**FIRST REGULAR SESSION**

May 26, 1987 to June 30, 1987

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tolerances that have been allowed previously with the lower speed at 55 miles per hour, that it is recognized or acknowledged if you traverse the turnpike or the interstate system, that apparently there is a tolerance of plus or minus 10 miles per hour that I would hope that they would not allow that same tolerance to continue with the increased speed. Recognizing full well that if it is increased to 65 miles per hour then 66 miles per hour does not necessarily mean that one is summoned to court, but I do feel that anything beyond the plus or minus 5 miles per hour should be a maximum, recognizing that there are some deficiencies in the speedometer and perhaps sizes of tires and other types of things like that that might one get into the judicial system and be able to argue. I think it is incumbent upon the judicial system to weigh the impact of all of this and at least be willing to support the law enforcement agency. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion of Senator CAHILL of Sagadahoc, to ACCEPT Report A, the OUGHT TO PASS AS AMENDED Report.

The Chair will order a Division. 18 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator CAHILL of Sagadahoc, to ACCEPT Report A, the OUGHT TO PASS AS AMENDED Report, PREVAILED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-212) READ.

On motion by Senator CLARK of Cumberland, Committee Amendment "A" (H-212) INDEFINITELY POSTPONED in NON-CONCURRENCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

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

PAPERS FROM THE HOUSE  
Non-concurrent Matter

Bill "An Act to Create Minimum Safety Standards for Firefighters"

H.P. 1234 L.D. 1686

In Senate, June 1, 1987, PASSED TO BE ENGROSSED, in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENTS "A" (H-225) AND "B" (H-235) in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

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

Senator BLACK: Thank you Mr. President, I would like to pose a question to the Chair. I understand that the Honorable Senator from Cumberland, Senator Clark's, motion was to remove Committee Amendment "A" (H-212) off of the divided report from the Committee on Transportation?

THE PRESIDENT: The Chair would inform the Senator that the motion by Senator Clark of Cumberland, was that Committee Amendment "A" (H-212) be Indefinitely Postponed, which was subsequently done.

The Chair recognizes the Senator from Cumberland, Senator Black.

Senator BLACK: Mr. President, the question I would like to know is exactly what this did to the Bill?

THE PRESIDENT: The Chair would advise the Senator that the Bill has been assigned for Second Reading without the Committee Amendment.

Senator WEBSTER of Franklin was granted unanimous consent to address the Senate on the Record.

Senator WEBSTER: Thank you Mr. President, ladies and gentlemen of the Senate. Is the Senate still in possession of supplement 19, L.D. 734?

THE PRESIDENT: The Chair would answer in the negative, the Bill having been assigned to Second Reading the next Legislative Day.

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

Senator BLACK: Thank you Mr. President, my question has been answered. I received a note from the Secretary saying that it was an emergency preamble, that was removed.

Senate at Ease

Senate called to order by the President.

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

Senator BALDACCI: Thank you Mr. President and Members of the Senate. I believe one of the greatest miscarriages of justice has taken place, where this Body has decided to, by a Division, support a Committee Report and then with an appearance of a slight of hand find that that report, with its Committee Amendment having been eliminated and assigned to another day. Only represents to the people of the state of Maine that there are flaws in the process. We are all trying to do our job, we win some and we lose some, believe me I have lost my share of them.

But the process at the Committee level, the process in the Senate and the process that we live by to represent to the people the integrity and the ethics that are involved here, I believe have just been dealt a blow. I hope in the future, when these issues are decided by the Body that there is not some usurping of that ethics which we are all abided to under the oath that we took when we accepted this office. Thank you Mr. President.

Senator PEARSON of Penobscot was granted unanimous consent to address the Senate on the Record.

Senator PEARSON: Thank you Mr. President, men and women of the Senate. This is another day, there are other opportunities, using the process, to express a difference of opinion over status of the Bill that we have before us. I must say, with the differences of opinion that I have from time to time with every member including the Presiding Officer, that I stack his fairness up against anybody.

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

Senator CLARK: Thank you Mr. President, men and women of the Senate. I would like to explain to members of this Chamber, most of whom including myself, have been less than attentive in the deliberations in our afternoon and early evening sessions this week and I emphasize the words including myself. Because it is the result of our inattentiveness that allowed my motion, which was made through the Chair, to Indefinitely Postpone a Committee Amendment, which is allowed under the rules with which we operate and which allowed without slight of hand, but a deliberate pause of the gavel and a look around the Chamber before that gavel fell.

I realize that there are members of this Chamber who are not happy with the status of a Bill, which will be before us in second reading tomorrow morning. I will be supportive of a motion to