

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

**One Hundred And Sixteenth Legislature**

OF THE

**State Of Maine**

**VOLUME III**

**FIRST REGULAR SESSION**

**Senate**

December 2, 1992 to May 18, 1993

An Act to Repeal the Mandatory First-aid Requirement for Licensed Maine Guides  
 H.P. 248 L.D. 327  
 (C "A" H-76)

An Act Relating to Interspousal Immunity  
 H.P. 258 L.D. 336

An Act to Amend the Laws Concerning Transfers of Commercial Moorings  
 S.P. 166 L.D. 558  
 (S "A" S-51)

Which were **PASSED TO BE ENACTED** and having been signed by the President, were presented by the Secretary to the Governor for his approval.

**ORDERS OF THE DAY**

**HELD BILL**

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

Senator **PARADIS:** Mr. President, is the Senate in possession of "An Act to Protect Reproductive Privacy in Maine" S.P. 117, L.D. 318?

**THE PRESIDENT:** The Chair would answer in the affirmative. The Bill having been held at the Senator's Request.

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

On further motion by same Senator, the Senate **RECONSIDERED** its action whereby it **PASSED TO BE ENACTED:**

An Act to Protect Reproductive Privacy in Maine (Governor's Bill)  
 S.P. 117 L.D. 318

(In Senate, April 8, 1993, **PASSED TO BE ENACTED**, in concurrence.)

(In House, April 8, 1993, **PASSED TO BE ENACTED.**)

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

Senator **PARADIS:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I thank you for your reconsideration of L.D. 318. My last minute decision to vote on the prevailing side of the issue last week took many people and myself by surprise, so thank you for your indulgence. Last Thursday morning I had a conversation with Representative Paul Young from Limestone and he expressed his concern about having this Bill, which was so offensive to certain people, leave the legislative process on Holy Thursday and Holy week. I had also listened to debate in the other body, making the case vociferous to hold this Bill for that reason. I knew one had to

be on the prevailing side to hold the Bill and it was a snap decision at the last moment for me to pursue that approach. It was for me a basic respect for individuals who genuinely and honestly believe in a constancy of ethics, a respect of life from conception to death, respect for a life which is a seamless garment, a type and belief of behavior that is lived every day. I know full well a pro-life stand implies a responsibility which cannot be assuaged simply by a one-second vote. For some their pro-choice vote is based strictly on respecting other people to make their own decisions and for others an anti-abortion vote is strictly that, a pro-life stand that doesn't extend beyond the womb. Once again Mr. President, men and women of the Senate I appreciate your consideration and would like a roll call.

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

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

Senator **CAHILL:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I noticed a whole bunch of oohs and ahhs when I got on my feet and I won't take very long because I know everyone is ready for dinner. I did need to make a statement regarding the statement by the good Senator from Aroostook, Senator Paradis. Last week when we had the debate and the final vote on this piece of legislation I sort of kicked myself a few times for not moving reconsideration at that point or moving that the Bill be sent forthwith to the Governor and I think that was a bit of a political or procedural faux pas on my part and I blame no one but myself for that. I talked with several members of this body when I learned that the Bill had been held and they assured me that it was because the good Senator from Aroostook, Senator Paradis, had made an error when she voted, and today I learn that the reason it was held was not an error, she did not vote wrong, she held the vote intentionally so that it wouldn't be sent down to the Governor on her religious holiday. I guess I am happy to extend my vote to reconsider legislation if someone did, indeed, make an error, but it will be the last time I extend my vote to reconsider when someone just wants to state their religious preference over someone else's in this political process. I don't think it's the time or the place to do that and I object to it very strenuously. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Oxford, Senator Luther.

Senator **LUTHER:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I'm glad to have the opportunity to say one last thing about this Bill. I think sometimes this argument has been minimized to the point of arguing about the color blue. The color blue happens to be my favorite color but I wouldn't tell anybody else that they had to like the color blue. I think the point we have to be making here is it is not an abortion argument, it is an argument about what value are you going to place on human life. This reminds me a lot of the argument about slavery. I, myself, would never own any slaves, I think slavery is wrong, but I wouldn't tell somebody else that they can't own slaves. The point was not between the slave owner and the person who didn't own slaves, there was a third party who was innocent. In this argument it is who is going to pick up the tab for the brave new world and such women in it? The tab is going to be picked up by the innocent and unborn babies. Thank you.

**THE PRESIDENT:** The pending question before the Senate is **ENACTMENT**.

A vote of Yes will be in favor of **ENACTMENT**.

A vote of No will be opposed.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

**ROLL CALL**

**YEAS:** Senators AMERO, BALDACCI, BEGLEY, BRANNIGAN, BUSTIN, BUTLAND, CAHILL, CARPENTER, CIANCHETTE, CLEVELAND, CONLEY, ESTY, FOSTER, HANDY, HARRIMAN, LAWRENCE, LUDWIG, MARDEN, MCCORMICK, O'DEA, PINGREE, SUMMERS, TITCOMB, VOSE, THE PRESIDENT - DENNIS L. DUTREMBLE

**NAYS:** Senators BERUBE, CAREY, GOULD, HALL, HANLEY, KIEFFER, LUTHER, PARADIS, PEARSON, WEBSTER

**ABSENT:** Senators None

25 Senators having voted in the affirmative and 10 Senators having voted in the negative, with No Senators being absent, the Bill was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

On motion by Senator **CAHILL** of Sagadahoc, under suspension of the Rules, Ordered sent forthwith to the Governor.

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

**ENACTORS**

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

**Emergency**

An Act to Amend the Charter of the Newport Water District

H.P. 705 L.D. 957  
(C "A" H-134)

This being an Emergency Measure and 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.

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

**PAPERS FROM THE HOUSE**

**Joint Resolution**

The Following Joint Resolution: H.P. 923

**JOINT RESOLUTION HONORING THE UNIVERSITY OF MAINE BLACK BEARS HOCKEY TEAM**

WHEREAS, the University of Maine's hockey team has capped a record-breaking season by winning the National Collegiate Athletic Association Division 1 championship and bringing home to Maine the first Division 1 team championship of any kind; and

WHEREAS, in a 42-1-2 season filled with glorious moments, the Black Bears saved the best for last, combining their renowned speed and depth, their discipline and their creativity with an extraordinary demonstration of teamwork and perseverance; and

WHEREAS, many members of this team achieved significant individual milestones during the championship series, but never lost sight of their shared dream; and

WHEREAS, along the way to their championship, this team of young men comprised of Reg Cardinal, Barry Clukey, Mike Dunham, Eric Fenton, Chris Ferraro, Peter Ferraro, Tony Frenette, Craig Gwinn, Greg Hirsch, Chris Imes, Cal Ingraham, Paul Kariya, Dave LaCouture, Mike Latendresse, Dave MacIsaac, Brad Mahoney, Blair Marsh, Matt Martin, Martin Mercier, Jim Montgomery, Dan Murphy, Brad Purdie, Jack Rodrigue, Kent Salfi, Mike Santonelli, Lee Saunders, Andy Silverman, Garth Snow, Pat Tardif, Chuck Texiera, Jaime Thompson, Justin Tomberlin and Jason Weinrich, head coach Shawn Walsh and coaches Red Gendron, Bruce Major and Grant Standbrook showed not only their prowess in competition, but as ambassadors for the State of Maine, capturing the imagination and support of their host state as well as their home state and country; and

WHEREAS, they have demonstrated not only their athletic skills, but the heart, soul and imagination that sets apart the best of champions; now, therefore, be it

RESOLVED: That We, the Members of the 116th Legislature of the State of Maine, now assembled in the First Regular Session, take this occasion to recognize and celebrate the outstanding victory and achievement of the Maine Black Bears, and to welcome this "team of destiny" home to the State whose honor they have brightened, and to extend our heartiest congratulations; and be it further