

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**Senate Legislative Record**  
**One Hundred and Eighteenth Legislature**  
**State of Maine**

**Volume 2**

**First Special Session (Continued)**  
**May 20, 1997 to June 20, 1997**

**First Confirmation Session**  
**October 6, 1997**

**Second Regular Session**  
**January 7, 1998 to March 24, 1998**

**Pages 981 - 1977**

Senator **HARRIMAN**: Thank you and good afternoon, Mr. President. Mr. President, may I have permission to pose two questions?

**THE PRESIDENT**: The Senator may pose his questions.

Senator **HARRIMAN**: Thank you very much. I'm curious to know, to anyone who might be able to answer, why known existing sources are not being addressed in this legislation? I'm curious to know how much of the problem has the small business community contributed and how much will the rules cure, if all of these proposals in this bill are implemented? What measurable, identifiable progress will we make at cleaning up this problem? Thank you Mr. President.

**THE PRESIDENT**: The Senator from Cumberland, Senator Harriman, poses a series of questions through the Chair to anyone who may wish to answer. The Chair recognizes the Senator from Kennebec, Senator Treat.

Senator **TREAT**: Thank you Mr. President. Question 1, why only existing sources? The law that was passed by this legislature last year came up with that and frankly, I wasn't part of the committee that was involved in vetting that bill and voting on it. But I think we all know that sometimes you have to start somewhere and one of the philosophies in this state, with regard to environmental protection, is to start with pollution prevention. Pollution prevention is much cheaper than trying to fix something later, and the sense here is that if we can build things right in the first place, we aren't going to have to go back later on and put all kinds of requirements on those now-existing sources to renovate and we won't have to pay the additional money to clean up lakes that are now more polluted because we didn't do pollution prevention in the first place. The third question, and I must confess I missed the second one, but the third question, as I understand it, that was just posed was what identifiable improvement will we see? Again, that's a hard question to quantify since what we're talking about is preventing something bad from happening, but there are 247 lakes in this state that are at risk right now. Several of those lakes are more than at risk. They're actually polluted to an extent where they're considered to have serious algae blooms. Some of those lakes, both the at-risk and the currently blooming ones, are water sources and I think that we need to focus on that. We heard from the Portland Water District. They said that by putting in these similar kinds of controls in their areas that \$25 million, or so, was saved in costs that they otherwise would have had to pay. In addition, there's the property values which are going down in areas where there are these kinds of lake blooms. China Lake comes to mind, but in my district I have several lakes including Cobboosecontee, Cochnewagon, Annabessacook where we are seeing the same effect. So certainly just like we put Bills on the Appropriations Table that have a future cost, this has future savings and they are very significant but we don't always have the exact dollar figure. But I think and I'm confident that indeed the costs and benefits were appropriately weighed by the Department of Environmental Protection. These rules not only went to the Department but then went to the Board of Environmental Protection which also voted for them and then they went to our committee which 12 to 1 did vote for them as well. So I feel confident that this is an appropriate thing to do and it makes sense from a fiscal as well as from an environmental point of view.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

#### ROLL CALL

**YEAS**: Senators: AMERO, BENNETT, BENOIT, CAREY, CASSIDY, CATHCART, CLEVELAND, DAGGETT, FERGUSON, GOLDTHWAIT, HARRIMAN, JENKINS, LAFOUNTAIN, LONGLEY, MICHAUD, MILLS, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, TREAT, THE PRESIDENT - MARK W. LAWRENCE

**NAYS**: Senators: ABROMSON, BUTLAND, HALL, KIEFFER, KILKELLY, LIBBY, MACKINNON, MITCHELL, SMALL

26 Senators having voted in the affirmative and 9 Senators having voted in the negative, the motion by Senator **TREAT** of Kennebec to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-578)** Report, in concurrence, **PREVAILED**.

The Resolve **READ ONCE**.

Committee Amendment "A" (H-578) **READ** and **ADOPTED**, in concurrence.

The Resolve as Amended, **LATER TODAY ASSIGNED FOR SECOND READING**.

---

Off Record Remarks

---

The President requested the Sergeant-at-Arms escort the Senator from Kennebec, Senator **CAREY** to the rostrum where he assumed the duties as President Pro Tem.

The President took a seat on the floor of the Senate.

The Senate called to Order by the President Pro Tem.

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:

An Act to Restructure the State's Electric Industry  
H.P. 1274 L.D. 1804  
(C "A" H-568)

---

Off Record Remarks

---

Off Record Remarks

The Chair ordered a Division. 31 Senators having voted in the affirmative and no Senators having voted in the negative, the Bill was **PASSED TO BE ENACTED** and having been signed by the President Pro Tem, was presented by the Secretary to the Governor for his approval.

**THE PRESIDENT PRO TEM:** It is a distinct honor for me to have been allowed to have been the President Pro Tem for this Bill and for that I am eternally grateful to the President. Thank you Mr. President.

**THE PRESIDENT PRO TEM:** The Chair recognizes the Senator from Cumberland Senator Harriman.

Senator **HARRIMAN:** Thank you Mr. President. I request unanimous consent to address the Senate on the record.

**THE PRESIDENT PRO TEM:** Is there objection? Hearing none, the Senator may proceed.

Senator **HARRIMAN:** Thank you Mr. President. I would just like to take this opportunity to express to you, Mr. President, the tremendous amount of respect I have for you as the Chair of the Utilities and Energy Committee. Since January the President has conducted himself with grace and professionalism and class and his infamous wit that on many occasions got us through some tough, tough discussions in our Committee. And were it not for your fairness, your sense of compassion and your genuine interest in what everyone had to say to our Committee, this Bill would not have the honor of your signature on it and for that I want to thank you. Thank you Mr. President.

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

Senator **GOLDTHWAIT:** Thank you Mr. President, men and women of the Senate. I know it is tradition in the Navy that when there is an act of particular merit, there is an extra ration of rum at the end of the day, and I would like to inquire, Mr. President, if the right field will be receiving an extra ration of raisins at the end of the day?

**THE PRESIDENT PRO TEM:** The Chair can not comment on such things since food is not allowed in this chamber. The Chair recognizes the Senator from Sagadahoc, Senator Small.

Senator **SMALL:** Thank you Mr. President. May I pose a question to the Chair?

**THE PRESIDENT PRO TEM:** As long as it's not to the Chair.

Senator **SMALL:** Well, it actually was. I always wanted to take advantage of a situation. I just wondered whether we could set an adjournment motion for maybe 4 o'clock while the presiding officer is up there.

**THE PRESIDENT PRO TEM:** I have to tell you this gavel has tremendous power. However, it is limited to what it can do when it's in the hands of a President Pro Tem.

**THE PRESIDENT PRO TEM:** Again I thank you all for the support that you have given me through these several months on the Utilities Committee and I know that you'll be extremely pleased that I've been given one additional duty. We'll be recessed until 1:30. I'm sorry it can't be 4 o'clock.

The President Pro Tem requested the Sergeant-at-Arms escort the Senator from York, Senator **LAWRENCE** to the rostrum where he resumed his duties as President.

The Sergeant-at-Arms escorted the Senator from Kennebec, Senator **CAREY** to his seat on the floor.

Senate called to order by the President

On motion by Senator **ABROMSON** of Cumberland, **RECESSED** until 1:30 in the afternoon.

After Recess

Senate called to order by the President.

Off Record Remarks

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

COMMITTEE REPORTS

House

Ought to Pass

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Regarding Legislative Review of Chapter 6: Regulations Relating to Coordination and Oversight of Patient Care Services by Unlicensed Health Care Assistive Personnel, a Major Substantive Rule of the Maine State Board of Nursing (Emergency) H.P. 1328 L.D. 1877

Reported that the same **Ought to Pass**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Resolve **READ ONCE**.

The Resolve **LATER TODAY ASSIGNED FOR SECOND READING**.