

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth*

*Legislature*

OF THE

STATE OF MAINE

1973

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Wednesday, January 3, 1973

**STATE OF MAINE**

One Hundred and Sixth Legislature  
Pursuant to the provisions of the Constitution and the laws of the State of Maine, the Senators-elect to the One Hundred and Sixth Legislature convene in the Senate Chamber and are called to order by Harry N. Starbranch, Secretary of the Senate of the One Hundred and Fifth Legislature.

Prayer by Rev. Ondon P. Stairs of Augusta.

**Communication****STATE OF MAINE**

Office of the Secretary of State  
To Harry N. Starbranch, Secretary of the Senate of the One Hundred and Fifth Legislature:

In compliance with 3 M.R.S.A., Section 1, I hereby certify that the following are the names and residences of the Senators-elect to the One Hundred and Sixth Legislature, as appears by the report submitted to the Governor and Council under date of November 22, 1972 and corrected tabulation submitted under date of December 20, 1972:

- District 1 Walter W. Hichens of Eliot
- District 2 Guy A. Marcotte of Biddeford
- District 3 John B. Roberts of Sanford
- District 4 Peter W. Danton of Saco
- District 5 David F. Aldrich of Norway
- District 6 Harrison L. Richardson of Cumberland
- District 7 Linwood E. Graffam of Gorham
- District 8 Richard N. Berry of Cape Elizabeth
- District 9 Gerard P. Conley of Portland
- District 10 Joseph E. Brennan of Portland
- District 11 Richard A. Morrell of Brunswick
- District 12 Richard B. Olfene of Auburn
- District 13 Robert W. Clifford of Lewiston
- District 14 Carroll E. Minkowsky of Lewiston

- District 15 Jerrold B. Speers of Winthrop
- District 16 Armand J. Fortier of Rumford
- District 17 Elden H. Shute Jr. of Farmington
- District 18 Cyril M. Joly Jr., of Waterville
- District 19 Bennett D. Katz of Augusta
- District 20 T. Tarpay Schulten of Woolwich
- District 21 Paul R. Huber of Rockland
- District 22 Edwin H. Greeley of Morrill
- District 23 Alton E. Cianchette of Pittsfield
- District 24 Minnette H. Cummings of Newport
- District 25 John H. Cox of Bangor
- District 26 Kenneth P. MacLeod of Brewer
- District 27 Joseph Sewall of Old Town
- District 28 Frank Whitehouse Anderson of Ellsworth
- District 29 J. Hollis Wyman of Milbridge
- District 30 Wakine G. Tanous of East Millinocket
- District 31 Peter S. Kelley of Caribou
- District 32 Edward P. Cyr of Madawaska
- District 33 Arnold S. Peabody of Houlton

IN TESTIMONY WHEREOF I have caused the seal of the State to be herewith affixed at Augusta this third day of January, A.D., 1973 and of the Independence of the United States of America the One Hundred and Ninety-seventh.

Secretary of State

Which was Read and Ordered Placed on File.

The roll being called, the following Senators-elect responded to their names:

Senators Aldrich, Anderson, Berry, Brennan, Cianchette, Clifford, Conley, Cox, Cummings, Cyr, Danton, Fortier, Graffam, Greeley, Hichens, Joly, Katz, Kelley, Marcotte, Minkowsky, Morrell, Olfene, Peabody, Richardson, Roberts, Schulten, Sewall, Shute, Speers, Tanous, and President MacLeod.

Absent: Senators Huber and Wyman.

31 Senators-elect having answered to the roll call, the Secretary declared that a quorum was present.

On motion by Mr. Berry of Cumberland, that Senator-elect was charged with a message to the Governor and Council informing them that a quorum of the Senators-elect was present in the Senate Chamber, ready to take and subscribe to the oaths of office required by the Constitution to qualify them to enter upon the discharge of their official duties.

Subsequently, Mr. Berry reported that he had delivered the message with which he was charged and the Governor was pleased to reply that he would attend upon the Senators-elect forthwith for the purpose of administering to them the oaths of office required by the Constitution.

Thereupon, the Governor, the Honorable Kenneth M. Curtis, attended by the Executive Council, came in and the Governor addressed the Senate:

Governor Kenneth M. Curtis:

Mr. Secretary and Members of the One Hundred and Sixth Senate: It gives me great pleasure to welcome all of you to the State House and to congratulate you on your election to the One Hundred and Sixth Legislature. I look forward to working closely with all of you this session and I pledge my full support to our common goal of serving the people of Maine.

As the elected representatives of the people, we have a solemn obligation to try our best to govern wisely and fairly, with open minds to the problems and needs of our citizens.

In the next three weeks I will be presenting for your consideration separate messages dealing with the budget, my legislative recommendations, and the pressing issue of tax reform. My staff and I will be available throughout the coming months to cooperate with you on these and many other important tasks before us.

I want to wish you all a most pleasant and successful session.

Now if you would stand please and raise your right hand, it will be an honor for me to administer your oath of office.

Thereupon, the Senators-elect took and subscribed the oaths of office required by the Constitution.

The Governor and Council then withdrew from the Senate Chamber.

The SECRETARY: The Secretary recognizes Senator Berry.

Mr. BERRY: Mr. Secretary, I place in nomination for the position of President of the Maine State Senate the name of Kenneth P. MacLeod.

The SECRETARY: The name of Kenneth P. MacLeod is entered as a nominee for the office of President of the Senate.

The Chair recognizes Senator Brennan.

Mr. BRENNAN: Mr. Secretary, I move that nominations be closed and that the Senator from Penobscot, Mr. Sewall, be authorized to cast one ballot on the part of the Senate in favor of Senator Kenneth P. MacLeod for President of the Senate.

The SECRETARY: Is this the pleasure of the Senate? It is a vote.

Senator Sewall has cast one vote for Kenneth P. MacLeod as President of the Senate. The Chair declares Kenneth P. MacLeod as President of the One Hundred and Sixth Legislative Senate.

Will Senator Brennan please escort Senator MacLeod to the rostrum.

Thereupon, President MacLeod was escorted to the rostrum by Senator Brennan, amid the applause of the Senate Chamber, the members rising.

The PRESIDENT: Well, I must say it feels pretty good to be back at the same old stand and look out at the same faces and some new faces this morning.

I feel differently this term than I have ever felt since I have been in the Legislature. This is my fifth term. Maybe it is just me, but I sense a feeling of change, of excitement, and of good feeling

permeating this whole Legislature, in both branches, that I haven't felt for a long time, and it crosses party lines. Maybe by two weeks from now we will all be at each other's throats, but I just don't feel that right now. I think it is going to be a good and a productive session.

I know that I have got a good Senate to work with. Some of you I have known personally for a long time, and the new ones, I have taken some time and looked into the backgrounds, and I know we have a fine Senate. Numerically, as far as partisan things go, I don't feel too unhappy about that either this time, although that never was a major problem in the past.

I think, for sheer courage, the Senator from Brunswick, Senator Morrell, probably has more guts than anyone else in the Senate. If you look down to where he is sitting, and then you turn to his left down that row, that front row, he is kind of by himself there with more than half of the Minority membership in that one section of the Senate.

Mr. MORRELL: A couple of them have agreed to switch.

The PRESIDENT: They have agreed to switch? O.K., Dick. He has already been working. You may get along fine, or you can turn around here and see some good Republican faces.

I want to take this opportunity to thank the staff of the Senate for the extraordinary efforts they have put in in getting ready for this session. I don't mean just in the Senate that we have a printed calendar in front of us, but they also have a printed calendar in the House for the first time in recent memory on opening day. They had to start from scratch over there with a brand new staff and a brand new Clerk, and with very little cooperation from the preceding staff. Our staff went up and helped Louise Lincoln get started and get organized, so they not only had the job to do down here but they had the job to do at the other end of the hall, and I want to take this opportunity to publicly thank Harry and his staff for the fine work they did in getting this One Hundred and Sixth Legislature organized.

The Chair awaits the pleasure of the Senate.

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On motion by Mr. Berry of Cumberland, Mr. Sewall of Penobscot was authorized to cast one ballot on the part of the Senate in favor of Harry N. Starbranch for Secretary of the Senate. This was done, and Harry N. Starbranch of Augusta was declared duly elected Secretary of the Senate for the political years 1973 and 1974.

At the request of the President, Mr. Berry escorted the Secretary-elect to the Council Chamber for the purpose of taking a n d subscribing to the necessary oaths of office to qualify him to enter upon the discharge of the duties of the Secretary of the Senate.

Subsequently Mr. Berry reported to the Senate that he had attended to the duty assigned to him and that Harry N. Starbranch had, before the Governor and Council, taken and subscribed to the necessary oaths of office to qualify him to enter upon the discharge of the duties of the Secretary of the Senate.

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On motion by Mr. Greeley of Waldo, Mr. Hichens of York was authorized to cast one ballot on the part of the Senate in favor of May M. Ross for Assistant Secretary of the Senate. This was done, and May M. Ross of Augusta was declared duly elected Assistant Secretary of the Senate for the political years 1973 and 1974.

Mrs. Ross subsequently appeared before the Governor and Council and took and subscribed the oaths of office.

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On motion by Mr. Berry of Cumberland, a message was sent to the House of Representatives informing that body that the Senate had organized by the choice of Kenneth P. MacLeod as President, Harry N. Starbranch as Secretary, and May M. Ross as Assistant Secretary.

The President requested that the Secretary carry the message, and the Secretary retired to the House of Representatives and subsequently reported that he had delivered the message with which he was charged.

**Order**

Out of order and under suspension of the rules:

On motion by Mr. Roberts of York,

ORDERED, that a committee of seven be appointed by the President, to whom the returns of votes for Senators for the political years of 1973 and 1974 shall be referred for examination and report.

Which was Read and Passed.

The President appointed:

Senators:

BERRY of Cumberland  
BRENNAN of Cumberland  
ANDERSON of Hancock  
TANOUS of Penobscot  
CUMMINGS of Penobscot  
DANTON of York  
SCHULTEN of Sagadahoc

**Communication****STATE OF MAINE**

Office of the Secretary of State  
Augusta, Maine  
January 3, 1973

To the President of the Senate:

In compliance with the Constitution and laws of the State of Maine, I have the honor to herewith transmit the returns of the votes cast for Senators to the Legislature in the several cities, towns and plantations in the State of Maine at the General Election held on November 7, A.D., 1972.

Respectfully,

Secretary of State

Which was Read and, together with all accompanying papers, referred to the Committee on Senatorial Vote.

**Order**

Out of order and under suspension of the rules:

On motion by Mr. Shute of Franklin,

ORDERED, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature at 11 o'clock this morning in the Hall of the House, for the purpose of electing a Secretary of State, State Treasurer, Attorney General, State Auditor and seven Executive Councilors.

Which was Read and Passed.

The President requested that the Sergeant-at-Arms carry the message, and the Sergeant-at-Arms

retired to the House of Representatives and subsequently reported that he had delivered the message with which he was charged.

**Joint Order**

Out of order and under suspension of the rules:

On motion by Mr. Berry of Cumberland,

ORDERED, the House concurring, that the Joint Rules of the One Hundred and Fifth Legislature, as amended, be the Joint Rules of this Legislature, with the exception of Joint Rule number 1, paragraphs 1 and 3, and Joint Rule number 5, which shall be amended to read as follows:

1. Joint Standing Committees. There shall be no more than 20 Joint Standing Committees which shall be appointed as follows at the commencement of the session, viz:

On Agriculture  
On Appropriations and Financial Affairs  
On Business Legislation  
On County Government  
On Education  
On Election Laws  
On Fisheries and Wildlife  
On Health and Institutional Services  
On Human Resources  
On Judiciary  
On Labor  
On Legal Affairs  
On Liquor Control  
On Marine Resources  
On Natural Resources  
On Public Utilities  
On State Government  
On Taxation  
On Transportation  
On Veterans and Retirement

Reference of Bills. There shall also be appointed a Joint Standing Committee on Reference of Bills consisting of two on the part of the Senate and four on the part of the House, with the President of the Senate and Speaker of the House members ex-officio.

5. Employees. The salaries of all officers and employees of the Legislature shall be established by the President of the Senate, the Speaker of the House and the Majority Floor Leaders of both the House and Senate. The Secretary of the Senate is authorized and

directed to certify vouchers of said officers and employees of the Senate and Committee clerks and the Clerk of the House is authorized and directed to certify vouchers of said officers and employees of the House, in conformance with this Rule, to the State Controller and said salaries shall be paid at such intervals as the President of the Senate, the Speaker of the House and the Majority Floor Leaders of both the House and the Senate may determine. (S. P. 15)

Which was Read and Passed.

Under suspension of the rules, sent down forthwith for concurrence.

#### Order

Out of order and under suspension of the rules:

On motion by Mr. Conley of Cumberland,

ORDERED, that the rules of the Senate of the One Hundred and Fifth Legislature be the rules of this Senate.

Which was Read and Passed.

#### Communication

##### STATE OF MAINE

Director of Legislative Research  
Augusta, Maine 04330

December 26, 1972

To the Honorable Harry N. Starbranch,  
Secretary of the Senate of the 106th Legislature

In accordance with the Revised Statutes, Title 3, section 164, subsection 10, I hereby submit the report of the Director of Legislative Research.

Since a new revision of the public laws of Maine was enacted by the 101st Legislature, it is suggested that any criticisms of the 1964 revision, whether constructive or otherwise, be forwarded to the Director for aid in planning future revisions.

To facilitate the work of the Legislature, this office sent letters to each administrative department and each member of the present Legislature pointing out applicable rules and urging the use of the available facilities of the office in the preparation of bills to be introduced. The record shows during the regular and special session of the

105th Legislature the office of the Director processed 2,049 Acts and resolves and 2,317 amendments. Approximately 325 Acts and resolves were drafted prior to convening the present session and it is hoped that such cooperation may be continued and extended in the future.

The members of the Legislature are reminded that the Joint Rules provide that a statement of intent must accompany each bill and amendment, and each bill, resolve and petition must be signed by a member before introduction.

As a final note, in order to continue to promote uniformity of procedure, to avoid confusion and to permit an orderly transition from revision to revision, it is important that all bills be checked by the office of the Director before presentation to the Legislature. The cooperation of the members of the 106th Legislature in this respect is earnestly requested.

Respectfully,

(Signed)

SAMUEL H. SLOSBERG  
Director  
(S. P. 32)

Which was Read and Ordered  
Placed on File.

Sent down for concurrence.

#### Committee Appointments

At this time, there being no objection, the President appointed the following Senate members to the Reference of Bills Committee:

BERRY of Cumberland  
BRENNAN of Cumberland  
MacLEOD of Penobscot  
(ex-officio)

#### Senate Papers Fisheries and Wildlife

Mr. Hichens of York presented Bill, "An Act Providing Complimentary Hunting Licenses to Maine Residents over 70 Years of Age." (S. P. 1) (L. D. 28)

The same Senator presented Bill, "An Act Relating to Regulations Governing Horsepower of Boats on Certain Inland Waters." (S. P. 11) (L. D. 68)

Which were referred to the Committee on Fisheries and Wildlife and Ordered Printed.

Under suspension of the rules, sent down forthwith for concurrence.

**Health and Institutional Services**

Mr. Hichens of York presented Bill, "An Act Relating to Release of Patients at Pineland Hospital and Training Center." (S. P. 2) (L. D. 29)

The same Senator presented Bill, "An Act to Provide Hospital Administrators under the Department of Mental Health and Corrections." (S. P. 3) (L. D. 30)

Which were referred to the Committee on Health and Institutional Services and Ordered Printed.

Under suspension of the rules, sent down forthwith for concurrence.

**Legal Affairs**

Mr. Berry of Cumberland presented Bill, "An Act Authorizing Use of the Name Friends of Maine Medical Center." (S. P. 6) (L. D. 33)

Mrs. Cummings of Penobscot presented Bill, "An Act Changing Name of Dance, Incorporated." (S. P. 8) (L. D. 61)

The same Senator presented Bill, "An Act Changing Name of Family Planning Association of the Pine Tree State, Inc." (S. P. 9) (L. D. 62)

Which were referred to the Committee on Legal Affairs and Ordered Printed.

Under suspension of the rules, sent down forthwith for concurrence.

Mr. Shute of Franklin presented Bill, "An Act Providing a Moratorium on Cutting Timber and Grass on the Public Reserved Lots." (S. P. 7) (L. D. 34)

On motion by Mr. Berry of Cumberland, tabled and Tomorrow Assigned, pending Reference to Committee.

**State Government**

Mr. Berry of Cumberland presented Bill, "An Act Creating the Office of Inspector-General for the Department of Health and Welfare." (S. P. 10) (L. D. 63)

Mr. Hichens of York presented Bill, "An Act Placing Control of Pineland Hospital and Training Center under an Independent Board of Trustees." (S. P. 12) (L. D. 69)

Which were referred to the Committee on State Government and Ordered Printed.

Under suspension of the rules sent down forthwith for concurrence.

**Taxation**

Mr. Hichens of York presented Bill, "An Act to Correct Error in Definition of Farmland Under Farm and Open Space Land Law." (S. P. 4) (L. D. 31)

Mr. Joly of Kennebec presented, Resolve, to Reimburse Aviation Oil Company for Tax Paid for Shrinkage of Motor Fuel. (S. P. 5) (L. D. 32)

Which were referred to the Committee on Taxation and Ordered Printed.

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

**Orders**

On motion by Mr. Cox of Penobscot,

ORDERED, the House concurring, the payroll of the officers and employees of the House and Senate of the One Hundred and Sixth Legislature who participated in the organization of the One Hundred and Sixth Legislature be paid when approved by the President of the Senate and Speaker of the House respectively. (S. P. 16)

Which was Read and Passed.

Under suspension of the rules, sent down forthwith for concurrence.

On motion by Mr. Cyr of Knox, ORDERED, that the Secretary of the Senate be directed to furnish each member and officer of the Senate, during the present session, with two daily newspapers printed in the State, as each member and officer may direct.

Which was Read and Passed.

On motion by Mr. Berry of Cumberland,

ORDERED, that the official Reporter of the Senate be authorized to procure the services of an assistant reporter during the present session.

Which was Read and Passed.



On motion by Mr. Hichens of York,

ORDERED, that the Secretary of the Senate be authorized to invite the clergymen of Augusta, Hallowell and Gardiner to officiate as Chaplains of the Senate, or to invite clergymen from other areas of the State as requested by any member of the Senate, and be it further

ORDERED, that all clergymen acting as Chaplains of the Senate shall receive \$10.00 for each officiation. The same is to be approved by the Secretary of the Senate.

Which was Read and Passed.

On motion by Mr. Morrell of Cumberland,

ORDERED, that the Secretary of the Senate prepare and have printed five hundred diagrams of the Senate Chamber for the use of the Senate.

Which was Read and Passed.

On motion by Mr. Clifford of Androscoggin,

ORDERED, that the Secretary of the Senate be directed to secure uniforms for the subordinate officers of the Senate.

Which was Read and Passed.

On motion by Mr. Graffam of Cumberland,

ORDERED, that the Senate hold one session a day commencing at 10:00 o'clock in the forenoon until otherwise ordered.

Which was Read and Passed.

On motion by Mr. Joly of Kennebec,

ORDERED, that subordinate officers of the Senate be appointed as follows: by the President, a Secretary to the President and the official Reporter of the Senate; by the Secretary, an Administrative Assistant to the Secretary, a Secretary to the Assistant Secretary, and Index Secretary, a Recording Secretary, a Docket Clerk, a Postal Clerk, and two Senate Stenographers, one of whom will operate the Public Address System.

Which was Read and Passed.

On motion by Mr. Katz of Kennebec,

ORDERED, the House concurring, that the Legislative Finance Officer be authorized and directed to prepare weekly, from expense accounts to be submitted to him by the members of the Senate and House, expense rosters showing the entitlement of each member for meals allowance and lodging reimbursement and to obtain approval thereof by the President of the Senate and the Speaker of the House respectively, and deliver the same to the State Controller for processing and payment, in the manner and form recommended by the Joint Interim Committee of the 101st Legislature created to study and report on a method of implementing the administration of the provision of law relating to the mileage and expenses for members of the Legislature; and be it further

ORDERED, that the Legislative Finance Officer be authorized and directed to provide the forms necessary for such purpose and provide suitable space in his office for the filing and safekeeping of all such expense accounts and other papers and records pertaining thereto. (S. P. 17)

Which was Read and Passed.

Under suspension of the rules, sent down forthwith for concurrence.

On motion by Mr. Cianchette of Somerset,

ORDERED, the House concurring, that the Secretary of the Senate and Clerk of the House jointly prepare the Senate and House Registers, and that 10,000 copies be printed for the use of the Legislature. (S. P. 18)

Which was Read and Passed.

Under suspension of the rules, sent down forthwith for concurrence.

At this point a message was received from the House of Representatives, through Representative Larry Simpson, announcing the organization of the House by the election of Richard D. Hewes as Speaker, E. Louise Lincoln as Clerk, and Catherine Fenderson as Assistant Clerk.

On motion by Mr. Anderson of Hancock,

ORDERED, the House concurring, that all printing and binding authorized by the Legislature shall be under the direction of the Secretary of the Senate and Clerk of the House. (S. P. 19)

Which was Read and Passed.

Under suspension of the rules, sent down forthwith for concurrence.

On motion by Mr. Peabody of Arrostook,

ORDERED, the House concurring, that any Town or City Clerk or Board of County Commissioners may upon written request to the Document Clerk receive without charge, copies of all printed bills, so that there may be available to the public during the legislative session a complete and convenient file of all printed bills. (S. P. 20)

Which was Read and Passed.

Under suspension of the rules, sent down forthwith for concurrence.

On motion by Mr. Richardson of Cumberland,

ORDERED, the House concurring, that the Secretary of the Senate and Clerk of the House, respectively, purchase such services, supplies, and equipment as may be needed to carry on the business of the Senate and the House, respectively. (S. P. 21)

Which was Read and Passed.

Under suspension of the rules, sent down forthwith for concurrence.

On motion by Mr. Speers of Kennebec,

ORDERED, the House concurring, that the Secretary of the Senate and Clerk of the House, respectively, be authorized to furnish wrappers and postage stamps for each member of the Senate and House not exceeding \$16.00 in amount each, for the purpose of distributing the various reports of the Departments of State and other public documents such as they may desire to mail to the citizens of the State. (S. P. 22)

Which was Read and Passed.

Under suspension of the rules, sent down forthwith for concurrence.

On motion by Mr. Minkowsky of Androscoggin,

ORDERED, the House concurring, that the members of the Legislature be furnished with express and parcel transportation for all packages and department reports in a sum not exceeding \$8.00 for each member, the privilege granted to be a personal privilege not to be exercised by anyone other than the member and that such transportation be furnished and expended under the direction of the Secretary of the Senate and Clerk of the House, respectively, and the unexpended balance at the close of the year 1974 shall be available for use in 1974. (S. P. 23)

Which was Read and Passed.

Under suspension of the rules, sent down forthwith for concurrence.

On motion by Mr. Greeley of Waldo,

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House, respectively, be authorized to furnish to the Superintendent of Public Printing, postage on all correspondence relative to advertising committee hearings during the present session, same to be charged to legislative expense. (S. P. 24)

Which was Read and Passed.

Under suspension of the rules, sent down forthwith for concurrence.

On motion by Mrs. Cummings of Penobscot,

ORDERED, the House concurring, that the rooms in the State House and State Office Building used by the One Hundred and Fifth Legislature as hearing rooms be reserved as hearing rooms for the One Hundred and Sixth and succeeding legislatures and be released for other purposes only upon approval by the President of the Senate and Speaker of the House. (S. P. 25)

Which was Read and Passed.

Under suspension of the rules, sent down forthwith for concurrence.

On motion by Mr. Tanous of Penobscot,

**ORDERED**, the House concurring, that there be paid to the members of the Senate and House as advances on account of compensation established by statute, the amount of one hundred and twenty-five dollars (\$125) weekly, according to lists certified to the State Controller by the President of the Senate and Speaker of the House, respectively. (S. P. 26)

Which was Read and Passed.

Under suspension of the rules, sent down forthwith for concurrence.

On motion by Mr. Katz of Kennebec,

**ORDERED**, the House concurring, that three hundred twenty-five (325) copies of the Legislative Record for the session of 1973 be printed and bound, one copy for each of the members of the Senate, House of Representatives, the Secretary of the Senate and Clerk of the House, and the remainder to be deposited in the State Library for exchange and library use; and be it further

**ORDERED**, that suitable index be prepared for such Legislative Record, under the direction of the Secretary of the Senate and Clerk of the House. (S. P. 27)

Which was Read and Passed.

Under suspension of the rules, sent down forthwith for concurrence.

On motion by Mr. Schulten of Sagadahoc,

**ORDERED**, the House concurring, that free telephone service be provided for each member of the Senate and House, and each representative from the Indian Tribes at the Legislature for a reasonable number of calls, of reasonable duration, as determined by the President of the Senate as to members of the Senate and the Speaker of the House as to members of the House and the representatives from the Indian Tribes, to points within the limits of the State of Maine, the privilege granted to be a personal privilege, not to be exercised by other than the members or representative,

that each member of the Senate and House, and each representative from the Indian Tribes at the Legislature, may be provided with a credit card under the direction of the Secretary of the Senate and the Clerk of the House, respectively, the cost of this service to be paid to the New England Telephone Company at regular tariff rates, and be it further

**ORDERED**, that free telegraph service may be provided for each member of the Senate and House, and each representative from the Indian Tribes at the Legislature, for a reasonable number of messages of reasonable length, as determined by the President of the Senate as to members of the Senate and the Speaker of the House as to members of the House and the representatives from the Indian Tribes, to points within the State of Maine, the privilege granted to be a personal privilege, not to be exercised by other than the member or representative, that each member of the Senate and House, and each representative from the Indian Tribes at the Legislature, may be provided with a card under the direction of the Secretary of the Senate and Clerk of the House, respectively, the cost of the service to be paid to Western Union Telegraph Company at regular tariff rates. (S. P. 28)

Which was Read and Passed.

Under suspension of the rules, sent down forthwith for concurrence.

The **PRESIDENT**: The Chair would ask the Senators to form in the rear of the Senate Chamber to proceed down to the Hall of the House for the Joint Convention.

Thereupon, the Senate then retired to the Hall of the House of Representatives where a Joint Convention was formed.

(For proceedings of Joint Convention, see House Report.)

#### **In Senate**

Called to order by the President.

On motion by Mr. Sewall of Penobscot,

Recessed until 2 o'clock this afternoon.

#### **After Recess**

Called to order by the President.

**Joint Orders**

Out of order and under suspension of the rules:

On motion by Mr. Berry of Cumberland,

WHEREAS, problems facing Maine's citizens require increasingly complex decisions by the Legislature; and

WHEREAS, the Legislature needs professional staff assistance in order to help it make those decisions; and

WHEREAS, the 105th Legislature, recognizing this need, appropriated \$60,000 to hire six part-time committee staff members; and

WHEREAS, the Special Interim Committee on Legislative Structure and Procedure, after a careful review of all the information available to it, has concluded that these six staff member positions ought to be made full time, and available for the use of the Legislature;

NOW, THEREFORE, be it

ORDERED, the House concurring, that the President of the Senate and the Speaker of the House, subject to the approval of the Majority and Minority Floor Leaders of both the House and the Senate, shall employ six full-time legislative staff members who shall work at the direction of the President of the Senate, the Speaker of the House and the Majority and Minority Floor Leaders of both the House and the Senate. The staff shall assist the leadership of the Legislature, members of the Legislature and the legislative committees in drafting legislation, research, program review and shall generally assist the Legislature in its decision-making process. The staff members shall be assigned to legislative committees during and after the legislative sessions and in those instances shall work as directed by the respective committee chairmen, subject, however, to the control of the aforementioned legislative officers. The staff members shall be employed without regard to political affiliation. Their compensation shall be determined by the President of the Senate, the Speaker of the House and the Majority and Minority Floor Leaders of both the House and the Senate and shall

not, in any case, exceed \$14,000 per year. The staff members shall be furnished with such secretarial assistance as is necessary and the compensation of such secretaries shall be determined by the President of the Senate, the Speaker of the House and the Majority and Minority Floor Leaders of both the House and the Senate. (S. P. 30)

Which was Read and Passed.

Under suspension of the rules, sent down forthwith for concurrence.

Out of order and under suspension of the rules:

On motion by Mr. Sewall of Penobscot,

WHEREAS, the President of the Senate and the Speaker of the House have heavy responsibilities; and

WHEREAS, it is difficult, without competent assistance, for the President of the Senate and the Speaker of the House to carry out all their many duties and to make all the necessary policy decisions they are required to make; and

WHEREAS, the Majority and Minority Floor Leaders of both the House and Senate also have considerable need for professional staff assistance;

NOW, THEREFORE, be it

ORDERED, the House concurring that the President of the Senate, the Speaker of the House, and the Majority and Minority Floor Leaders of both the House and the Senate, may employ, each at their discretion, one legislative assistant during the period in which the Legislature is actually in session. The compensation of any such assistant shall not exceed \$14,000 per annum and shall be determined by the aforementioned officers.

And be it further

ORDERED, that the President of the Senate and the Speaker of the House, and the Majority and Minority Floor Leaders of both the House and the Senate, be furnished with secretarial assistance as needed. The compensation of any such secretary shall be determined by them. (S. P. 31)

Which was Read and Passed.

Under suspension of the rules, sent down forthwith for concurrence.

Out of order and under suspension of the rules:

On motion by Mr. Sewall of Penobscot,

**ORDERED**, the House concurring, that the following be recalled from the Governor's Office to the Senate: Bill, "An Act Relating to Guarantees by the Maine Industrial Building Authority." (S. P. 706) (L. D. 1887) (S. P. 29)

Which was Read and Passed.

Under suspension of the rules, sent down forthwith for concurrence.

(Off Record Remarks)

Mr. Sewall of Penobscot was granted unanimous consent to address the Senate.

Mr. SEWALL: Mr. President and Members of the Senate: As an act of courtesy to the Senate, it might be in order to very briefly explain the purpose for recalling L. D. 1887 from the Governor's desk.

This bill was passed during the Special Session over my signature from the Appropriations Committee. It calls for bank participation in state guarantees to industries throughout the state in an endeavor to bring additional expertise to focus on certain types of industrial loans. Certain features of this bill appear to be a little too stringent, so we have had a discussion with the Governor's office on this matter and have agreed, since he has appointed, in effect, an entirely new Industrial Building Authority with some fresh ideas and new energies, that we would, if possible, recall this bill from his desk and table it for a few weeks to see if we could further increase the benefits that this might bring to the state by insuring that these loans be given somewhat better surveillance and better attention than they were in the past.

This is the reason for the order which I have just submitted and, with your indulgence, we will in time get the bill back from the Governor's office, we will put it on the table here in the Senate,

and then we will be able to discuss it in the next few weeks ahead. Thank you.

(Off Record Remarks)

#### House Papers

Out of order and under suspension of the rules, the Senate voted to take up the following:

#### House Papers

#### Non-concurrent Matter

Joint Order (S. P. 15) relative to Joint Rules.

In the Senate January 3, 1973, Read and Passed.

Comes from the House, Read and Passed as Amended by House Amendment "A" (H-2).

Mr. Berry of Cumberland moved that the Senate Recede and Concur.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Tanous.

Mr. TANOUS: Mr. President, I don't seem to have before me Senate Paper 15, and I wonder if we might have an opportunity to look at it before we vote on this.

The PRESIDENT: Senate Paper 15 is on your advance journal and calendar, Joint Rules, and the amendment is found under House Amendment A, H-2.

The Chair recognizes the same Senator.

Mr. TANOUS: Mr. President, perhaps in the essence of saving time someone who has read this perhaps might explain it to us.

The PRESIDENT: The Senator from Penobscot, Senator Tanous, has asked for an explanation of the amendment from any Senator who cares to answer.

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY: Mr. President and Members of the Senate: The net essence of H-2 is to eliminate an error in the bill where it was referred to as the "third reading" and it should have been the "second reading". And the purpose is, as stated, to change the Joint Rules from the third to the second reader.

I spent a little time this morning at the joint caucus on the basic change and I think we did cover that. I would hope that I wouldn't take any more time of the Senate,

and I would be glad to talk with Senator Tanous later if it would help him any.

The PRESIDENT: Is it now the pleasure of the Senate to recede and concur with the House?

The motion prevailed.

#### Committee Appointments

At this time, there being no objection, the President appointed the following Senate members of Committees, the first-named members thereof to serve as Chairmen:

#### Agriculture

Peabody, Ch.  
Hichens  
Cyr

#### Appropriations

Sewall, Ch.  
Morrell  
Conley

#### Business Legislation

Cox, Ch.  
Katz  
Marcotte

#### County Government

Roberts, Ch.  
Peabody  
Clifford

#### Education

Katz, ch.  
Olfene  
Minkowsky

#### Elections Laws

Shute, Ch.  
Joly  
Cianchette

#### Fisheries & Wildlife

Anderson, Ch.  
Graffam  
Aldrich

#### Health & Inst. Services

Hichens, Ch.  
Greeley  
Minkowsky

#### Human Resources

Graffam, Ch.  
Hichens  
Kelley

#### Judiciary

Tanous, Ch.  
Speers  
Brennan

#### Labor

Tanous, Ch.  
Huber  
Kelley

#### Legal Affairs

Joly, Ch.  
Roberts  
Aldrich

#### Liquor Control

Olfene, Ch.  
Schulten  
Fortier

#### Marine Resources

Huber, Ch.  
Richardson  
Danton

#### Natural Resources

Schulten, Ch.  
Cummings  
Marcotte

#### Public Utilities

Cummings, Ch.  
Anderson  
Cyr

#### State Government

Speers, Ch.  
Wyman  
Clifford

#### Taxation

Wyman, Ch.  
Cox  
Fortier

#### Transportation

Greeley, Ch.  
Shute  
Cianchette

#### Veterans & Retirement

Richardson, Ch.  
Shute  
Danton

#### Reconsidered Matter

On motion by Mr. Speers of Kennebec, the Senate voted to reconsider its action whereby it voted to Recede and Concur on Non-concurrent Matter: Joint Order (S. P. 15) relative to Joint Rules.

The PRESIDENT: The Chair recognizes the same Senator.

Mr. SPEERS: Mr. President, I wonder if Senator Berry might be able to explain a little further what he mentioned, as I understood him to refer to it, about a mistake in the printing in that the amendments in the House would be allowed in the third reading rather than in the second reading, whereas amendments are allowed in the Senate at the second reading of any bills or resolves.

As I understand it, the House procedures are that the bills and resolves are given two readings on the same day and a third reading on the successive day. In the Senate the bills and resolves are given only one reading on the first day and a second reading on the

successive day. If we passed the joint rule as it would be amended by the House, would we not then be allowing the House to amend bills and resolves either on the first or second day, whereas in the Senate we are allowing ourselves to amend bills and resolves only on the second day that they are presented before this body?

The PRESIDENT: The Senator from Kennebec, Senator Speers, has posed a question through the Chair, which the Senator from Cumberland, Senator Berry, may answer if he desires.

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY: Mr. President and Members of the Senate: As I

indicated before in my answer to Senator Tanous, if you will look at H-2, what it in effect amounts to is that we are eliminating the third reading and having just the two readings prior to amendment in the House. There is no change so far as the conduct of a bill in the Senate is concerned.

The PRESIDENT: Is the Senate ready for the question?

Thereupon, the Senate voted to Recede and Concur.

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On motion by Mr. Sewall of Penobscot,

Adjourned until 10 o'clock tomorrow morning.