

# MAINE STATE LEGISLATURE

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**Legislative Record**

OF THE

**One Hundred and Seventh Legislature**

(First Special Session)

OF THE

STATE OF MAINE

**1976**

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Monday, April 26, 1976

Senate called to order by the President.

Prayer by The Honorable Donald R. O'Leary of Mexico:

Let us pray. Heavenly Father, we ask your blessing on those elected to serve the people of this state. We ask your guidance in our deliberations. We pray that our decisions and actions taken are the best possible. We ask if there is anything that is good that we can do that we do it now, for we know we shall not pass this way again. Amen.

Reading of the Journal of Friday, April 16, 1976.

**(Off Record Remarks)**

On motion by Mr. Speers of Kennebec, recessed until the sound of the bell.

**After Recess**

Called to order by the President.

**Communications**  
**STATE OF MAINE**  
Office of the Governor  
Augusta, Maine 04330

April 22, 1976

To Members of the 107th Maine Legislature: I am today returning to you without my signature and without my approval S. P. 790, L. D. 2341, An Act to Revise Expenditures of State Government for the Fiscal Years Ending June 30, 1976, and June 30, 1977, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government.

I am vetoing this measure for six basic reasons:

1. First and foremost, it does not meet the test of a fair and adequate pay plan for state employees. This is not only the benchmark of this Governor but a suggestion of dedicated, experienced and fair-minded personnel and labor representatives as well. It also has been an objective stressed by the Maine State employees in the past.

2. The bill is more of a welfare approach than a pay plan. I do not believe a majority of state employees want a welfare approach in the form of an across-the-board handout or an approach which rewards the newest employees and the ones who do the least as much as it does those who do the most and carry the heaviest load.

3. The bill from a financial standpoint represents a future tax increase and is fiscally irresponsible as it proposes to fund continuing programs such as Pine Tree Legal and additional welfare (AFDC) from one-time funding sources. The one-time funding approach imposes on legislators and a Governor in the future the responsibility for finding additional tax money to fund over-spending previously committed. That situation would be similar to the problems inherited by the current Legislature and Governor. . . problems which were not of our creation.

4. Our Commissioner of Education, Sawin Millett, advises that the bill is constitutionally suspect in that it proposes to use the principal from the permanent school fund to help finance the Appropriations Act. This fund was set up to preserve revenues from the sale of public lots for education and therefore, it would follow that to use the principal without the benefit of public hearing would violate the intent of the law.

5. The bill also proposes to curtail the activities of the State Museum and Archives in order to provide funding for other purposes. We do not feel it is necessary or fair to deprive the people of Maine of these services, particularly in a Bicentennial year, without the benefit of a public hearing.

6. I believe some legislators share my feelings

that it is unfair to include a controversial item like an appropriation for Pine Tree Legal in an Appropriations Bill. I am advised that many legislators feel as I do that a state appropriation for this private organization should be closely scrutinized to determine whether it is, in fact, providing legal counsel to low income persons or whether the major thrust of its mission is an advocacy role designed to use taxpayer money to promote the spending of more taxpayer money. Furthermore, I am advised that some legislators also share my concern that taxpayer dollars should not be used for lobbying efforts to promote the spending of more taxpayer dollars.

In the final analysis, if this bill were to become law, it would say loudly and clearly to the people of Maine that this Governor and this Legislature do not mean what they have been saying about cost effectiveness in state government. We could in effect be saying that we fail to support:

1. Equal pay for equal work for employees in state government.

2. Equal pay for equal work for those in state government compared to those outside state government.

3. Equal pay for women doing equal work with men, and equal opportunity for women in the future, which can only come to pass with an adequate and fair pay and classification plan.

I am vetoing this bill because this Legislature will have before it when it returns April 26th a bill which we feel provides state employees with a fair and adequate pay and compensation plan and a bill which funds the operations of state government in a fiscally responsible manner. The bill, being sponsored by Sen. David Huber, represents numerous compromises on the part of this administration and includes the thinking of legislators from both parties and from state employees.

While I support the Huber Bill, we are calling on members of the Legislature, state employees and all citizens of Maine to provide input, support and counsel as to what we might do further to lighten the load of the Legislature upon its return and still enact an adequate and fair pay and classification plan for state employees.

Therefore, I would respectfully ask this honorable body to sustain my veto of L. D. 2341 and to act immediately to consider the bill which will be before it.

Very truly yours,

Signed:

**JAMES B. LONGLEY**  
Governor

Which was Read and Ordered Placed on File.

The PRESIDENT: The pending question before the Senate is: Shall this bill become a law notwithstanding the objections of the Governor? According to the Constitution, the vote will be taken by the "Yeas" and "Nays". A vote of "Yes" will be in favor of the bill; a vote of "No" will be in favor of sustaining the veto of the Governor.

Is the Senate ready for the question? The pending question is: Shall this bill become a law notwithstanding the objections of the Governor? A vote of "Yes" will be in favor of the bill; a vote of "No" will be in favor of sustaining the veto of the Governor.

The Secretary will call the roll.

**ROLL CALL**

**YEAS:** Senators Cianchette, Clifford, Conley, Curtis, Graham, Merrill, O'Leary, Pray, Reeves.

**NAYS:** Senators R. Berry, Carboneau, Collins, Corson, Cummings, Cyr, Danton, Gahagan, Graffam, Greeley, Hichens, Huber, Jackson, Katz, Marcotte, McNally, Roberts, Speers, Thomas, Trotzky, Wyman.

**ABSENT:** Senators E. Berry, Johnston.

A roll call was had. Nine Senators having

voted in the affirmative, and 21 Senators having voted in the negative, with two Senators being absent, and nine being less than two-thirds of the membership present, the veto of the Governor was sustained.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President, having voted with the majority, I move the Senate reconsider its action whereby this veto was sustained, and urge the Senate to vote against the motion.

The PRESIDENT: The Senator from Kennebec, Senator Speers, now moves the Senate reconsider its action whereby the veto of the Governor was sustained. All those Senators in favor of reconsideration will please say "Yes"; those opposed will say "No".

A viva voce vote being taken, the motion did not prevail.

**(Off Record Remarks)**

On motion by Mr. Speers of Kennebec, Recessed until the sound of the bell.

**After Recess**

Called to order by the President.

**Senate Papers**

Mr. Huber of Cumberland presented, Bill, "An Act to Revise and Reallocate Appropriations from the General Fund for the Expenditures of State Government for the Fiscal Year Ending June 30, 1976 and June 30, 1977 and Changing Certain Provisions of the Laws Necessary to the Proper Operations of State Government." (S. P. 813)

Under suspension of the rules, the Bill was given its First and Second Readings.

Whereupon, Mr. Huber of Cumberland presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-588, was Read.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Huber.

Mr. HUBER: Mr. President and Members of the Senate: This amendment makes some substantial changes to the L.D., primarily in the area of the state employee compensation plan. First, it implements the classification plan for state employees, effective the first pay period in November, 1976, following the hoped for completion of the appeals process. There is another amendment which I will present, if this is successfully adopted, which will allow extension of this appeals process beyond the first pay period in November of '76, with retroactive payments to this date on appeals settled after this date.

Second, as has been provided in previous legislation, it provides a transitional payment which will insure that all state employees receive at least \$572, either through the annualized increase under the compensation plan or a one-time bonus to make up this amount. Thus, all state employees will receive the equivalent of at least \$11 per week. As in previous legislation, 42 percent of state employees will receive more than \$11 under the compensation plan, and 20 percent of state employees will receive more than \$15 per week under the compensation plan.

In addition, this amendment provides for \$40 payments to all full-time continuing employees, which payments will be made in each of the months, July, August, September and October, 1976. These one-time payments totaling \$160 would be to tide state employees over from the period of July to October.

This emergency legislation provides immediate initiation of the appeals process, if it is successfully passed, and again requires completion of the appeals prior to November 1, '76.

Finally, in terms of state employee compensation, this amendment would increase mileage payments to state employees using their own cars from 12 to 13 cents.

In addition, on page 11 of the amendment AFDC language is included so that when savings can be foreseen up to a total of 1 million dollars these savings will be used to increase standards in the AFDC program.

It also includes specific language in respect to Pineland Center on page 13 of the amendment which would assure, as best we can, the accreditation of the Pineland program.

The University of Maine language on page 15 is somewhat altered from previous legislation to assure that this will provide funds for employee and faculty salary increases, whereas previous proposals have only specified for employee salary increases.

I think probably most people are familiar with this by now, but I do think this is the fairest compensation plan that we can come up with. It has been the result of a number of long sessions by the Speaker of the House and the President of the Senate and the Executive Department, and I feel is as fair a program as we can come up with, with no tax increase and using existing funding, so I hope the Senate will adopt Senate Amendment "A". And I would like to inquire through the Chair now whether I should present Senate Amendment "A" to Senate Amendment "A" prior to proceeding?

The PRESIDENT: The Chair would answer in the affirmative, that Senate Amendment "A" to Senate Amendment "A" must be adopted before we adopt Senate Amendment "A".

The Senator has the floor.

The same Senator then presented Senate Amendment "A" to Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing No. S-592, to Senate Amendment "A" was Read.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Huber.

Mr. HUBER: Mr. President and Members of the Senate: Senate Amendment "A" to Senate Amendment "A" changes our appeals board procedure as presented in Senate Amendment "A" itself so that the temporary compensation review board shall make every attempt to complete the review of and provide decisions on all appeals prior to the first day of November, '76. If further provides that in the event any appeals may remain undecided on November 1, '76, the board shall complete those appeals as expeditiously as possible. It further provides that any appeals decided after November 1, '76 shall include payments to the affected employees retroactive to the first pay period in November of '76. This replaces the provision in Senate Amendment "A" as printed which would have referred any unsettled appeals to a court appointed master. There were constitutional problems found with this provision, and this amendment cures these problems.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President and Members of the Senate: First, I would like to also add my appreciation to you and the Speaker and the Governor for working so diligently over the weekend. The compromise measure that came before us today has been already amended by the good Senator from Cumberland, Senator Huber, and is now under consideration.

I would like to point out that I met with the Speaker earlier this morning to go over the compromise before us, and I must state that there are a couple of avenues that perhaps I am still a little reluctant to go along with, but I, on the other hand, recognize the legislative procedure that once this amendment has been adopted it is going down to the other body, where I am sure it will be thoroughly debated.

One of those areas that definitely concerned me is the payments relative to AFDC recipients. As I have stated time and time again, in my particular community, for exam-

ple, I think it was the month of February that 47 percent of those individuals on AFDC were also on general assistance, which obviously causes the property tax increase, an additional burden on the taxpayers of Portland. I think it is absolutely ludicrous that at a time when the state could be appropriating money and be receiving an additional 1.4 million dollars for each million dollars that the state put up for AFDC that these payments could not be increased and take these people, AFDC recipients, and remove them from the burden of the local property taxpayer.

There is perhaps one other avenue, but I am sure that when this bill gets down into the other body it will more than likely be resolved there. I would like to state for the record that it is my understanding of the language within the proposed legislation before us today that it is clearly the intent of this legislature and, it is my understanding, clearly the intent of the chief executive of this state that once these monies become available within the AFDC account, when that surplus occurs, that 1 million dollars of it will automatically be used to bring the allotments to these recipients upward. Therefore, Mr. President, I would move the adoption of Senate Amendment "A" to Senate Amendment "A".

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Cyr.

Mr. CYR: Mr. President and Members of the Senate: I too am a little disturbed about the treatment of the AFDC in this amendment, and I would like to pose a question to the Senator from Cumberland, Senator Huber, as to whether or not this language would satisfy the federal government for the matching money. In other words, the treatment, the way we are treating this million dollars, will this be matched 2.5 times by the federal government? In other words, by treating it this way, will we get 3½ million dollars for the AFDC, or are we just going to get pure state money, which is 1 million dollars?

Now, if we were to increase the grants to the equivalent of 1 million dollars, then we would be sure that the federal government would match it 2½ times, and thereby generating 3½ million dollars.

The PRESIDENT: The Senator from Aroostook, Senator Cyr, has posed a question to the Senator from Cumberland, Senator Huber.

The Chair recognizes that Senator.

Mr. HUBER: Mr. President and Members of the Senate: I believe, inasmuch as this 1 million dollars which may be saved during '76-'77 is already appropriated money, and that this would be an expansion of program standards, that this money would be matched. If this money were saved and then taken out of the AFDC program, I am sure it would not be, but I am sure the answer is in the affirmative; that inasmuch as this existing appropriation would be used to expand program standards, it will be matched 70-30 by federal funds.

The PRESIDENT: Is it now the pleasure of the Senate to adopt Senate Amendment "A" to Senate Amendment "A"?

The motion prevailed.

Thereupon, Senate Amendment "A", as Amended by Senate Amendment "A" Thereto, was Adopted.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Merrill.

Mr. MERRILL: Mr. President and Members of the Senate: I would like to join my voice of congratulations to the leadership of this body, congratulations in what I think is one of the greatest negotiation feats of all time, just when the position seems to be the weakest to come up with the strongest position that has been come up with yet. As a matter of fact, you have done such a good job that I find absolutely nothing in

it that is good in terms of the points of disagreement here.

It seems to me that when we left here a week ago there were really two points of fundamental disagreement. One was whether or not we would give a permanent pay increase across the board of some kind or another or whether we would have this one payment situation. The second one was when the Hay Plan would be implemented, if at all. The compromise of course that we were hoping for was that we could find some implementation date, hopefully sometime probably after the 108th came in, at least after enough time had gone by so some of us thought it had a reasonable chance of having completed its work. What we end up with is the implementation of the Hay Plan before the 108th comes in and no real pay increase, but instead sort of a grandiose version of the chicken or the turkey that we hand out on Thanksgiving, sort of a pat on the head at one time.

I think that this can be called a compromise, I guess. I find nothing in it that is a compromise, and as one who my colleagues know has worked seriously for an honest compromise, and worked very hard and was at times seen as an Uncle Tom by some of the people that held their positions more adamantly, I find today to have no crisis of conscience in that regard, there is nothing in this that makes it palatable to me, and that if it is accepted by this legislature, either as an emergency or otherwise, it will be without my support and, as a matter of fact, with my active opposition. I ask when the vote is taken that it be taken by the "Yeas" and "Nays".

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President and Members of the Senate: I certainly wish to join with the good Senators from Cumberland, Senator Conley and Senator Merrill, in their congratulations to the leadership who have spent many long hours and very difficult hours in trying to work out a solution to a problem which has proven surprisingly even more difficult than a very difficult problem which we found a solution to earlier in this session.

I think we all recognize, and certainly by our service in this body we have got to recognize that we are faced with three individual bodies with regard to this particular problem: This branch of the legislature, the other branch of the legislature, and the executive department of this state. And if we are going to come up with any kind of a pay raise for state employees, which I am confident we all agree is just and deserved in this session of the legislature, we are going to have to arrive at that position by an acceptance of all three of those particular branches. It has been very difficult and there certainly is much with which individuals can disagree in the proposal that is before us at this present time, but I think that it is a testamentary to the three individuals who have worked so very hard and very long representing the three branches involved that they have come up with a proposal that is in a form to be at least presented for acceptance.

Certainly there are things that we disagree with in this particular proposal, but certainly, Mr. President, after three very difficult weeks of attempting to arrive at a position which is perhaps more agreeable to a greater number, and of obviously failing at arriving at that position, that the question is very obvious at the present time as to whether or not we are going to be able to enact any kind of pay increase for state employees in this session with the cooperation of all three branches, which are essential, or whether we are to finally adjourn this session tragically having failed to accomplish what we all agree and agree so very strongly should be accomplished. That certainly is the question that is before us at the present time, and I think that if we do fail in passing some kind of a state employee pay raise it will

be tragic for us and I think inexcusable for us, but the real tragedy goes to those state employees who deserve a pay raise and who face the necessity of having a pay raise given to them but, because of our failure, they would not have a raise awarded to them.

So I would urge the passage of this bill to be engrossed and certainly hope for the best.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ: Mr. President, this has been a unique experience for me. My voting record has been all over the darn place. If anybody asked me how I voted on state employees pay, I really don't know, I voted so many different ways in hoping to find a solution. Maybe the Senator from Cumberland, Senator Merrill, sees the single crystal ball out there that is his point of view, but I haven't been able to identify a consensus.

I voted against what was called my party's report, Report "B", I voted against the engrossment. I felt it was not a broad enough program. It had nothing for AFDC in it, and I felt that justice was in favor of including AFDC payments. After some other parliamentary procedures I voted for the so-called Carbonneau compromise, which was rejected by the other body. I voted for an \$11 across-the-board increase, which was vetoed by the Governor. So where do we go from here?

The legislative process involves and depends upon negotiation. This legislature so far has failed in the procedure that legislatures depend upon to succeed in getting legislation enacted, our situation has been exacerbated by what I consider to be unfortunate labor leadership militancy in the corridors, which has made an extraordinary difficult job almost impossible for us in the past weeks.

The difference in what I hear from state employees in the City of Augusta and in District 19 where so many of them live bears very little relationship to what I have been hearing from their representatives here in the corridors of the third floor. I was out of state over the weekend, and this morning I left Logan Airport, and while I was having breakfast I ran into two state employees who came over, and they said, "We are counting on you to do the best you can". I think that is what all state employees are counting on us here to do.

You may very well hear demands for \$15 across-the-board, and it is coming from some state employees and it certainly is coming from their leadership, but with the constraints of our limitations here, all anybody can ask is that we do the very best we can. And the very best we can means no rigidities, no digging in our heels, but hopefully identifying the consensus and supporting the consensus. We missed an opportunity last time with the so-called Carbonneau amendment. This may or may not be the consensus. But I think we better take it one step at a time, and I would ask that those who have rigid feelings loosen their rigidity and join in helping to find this central meeting place.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Merrill.

Mr. MERRILL: Mr. President and Members of the Senate: I am not going to allow those who have very short memories to put me in the posture of being the dog in the manger on this today. I have been as active and as adamant in trying to find a compromise as anyone here. There were some pretty deaf ears a week ago when we had what I felt was a real compromise, which was a real middle ground between the two positions. This isn't a compromise. This is a sellout. Now, there has been mention of the three bodies that have to come into accommodation. Well, there is no accommodation here for the position of the other one; whether they will cave in is the question.

Now, there has been mention of the hard

rhetoric, and it has been hard. We faced it when we were working on the Carbonneau amendment. I recognize the role that has been played by some outside of this hall, and let's be honest about it if we want to discuss what has caused the problem. The problem hasn't been helped by those who add to the rhetoric such words as socialistic, dictatorial, unamerican. We have had rhetoric from the highest officer of this state which would be unacceptable on the floor of this body because it goes to the person and because it attacks the personal motives of the people doing it and not the ideas that we are working for, and that hasn't helped either, if we want to spread around some blame.

Now, I don't think that it is a matter of digging in your heels to insist that a compromise be a real middle ground, but I just see no middle ground in this bill. Now, there may be enough people here for two-thirds or a majority to just say, well, let's give in. And if there are, well and good. But they shouldn't go home thinking that they have come up with some great solution that is a compromise. In point of fact, it is much less of a compromise than what two-thirds of the Senate was willing to go along with at the end of last week, a little too late, I might say, but was willing to go along with. So I just think it is a little hypocritical and it is a little late in the game to be suggesting that an unwillingness just to give up the whole game represents a lack of flexibility. I don't think that is the case. If some people had been flexible and willing to part with the hard lines of leadership a couple of weeks ago, we probably wouldn't be here today.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ: Mr. President, I am certain that when the Senator from Cumberland, Senator Merrill, says "let's not be hypocritical" he is not looking in my direction because we have such a cordial and loving relationship, and I think he gave an excellent speech, but my plea remains before the Senate, my plea for all of us to be a little less rigid than we have been in the past. And if this is not the best possible compromise, it is the compromise that is before us at this time.

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

Mr. CURTIS: Mr. President, I was appalled over the weekend to listen to the news reports about one of the statements of the chief executive, and today I have obtained a copy of this legislative report No. 11 which deals with the topic before us today. Included in that publication is the statement that "Frankly, we feel state employees' needs are greater and more deserving", and this is in reference to the university and the university employees. I get very concerned when we don't treat all employees who rely upon state financing equally or in some measure try to pay attention to the needs of all of them.

This bill before us has substantially less money in it for university salary increases than the bill which we enacted on Friday a week ago, and on which we failed to override a governor's veto earlier today. So I get concerned about that reduction, especially when I realize that the amount of money being provided for the university by the State of Maine for next year is about 3.7 million dollars less than we have provided for this year by recommendation of the governor and by act of this legislature a year ago. At that time I was very concerned, as many other people were, and raised the question and was assured that this was a problem which time would take care of, and a problem which was necessary only in order to balance the budget for the biennium, as we were required to do. Well, we see what has happened. Of the 3.7 million dollar cut that we provided, there is now about \$500,000 that is offered as a replacement.

There is an additional \$200,000 which would be available to students at the university, so that those in greatest need on scholarship and in need of assistance financially would be able perhaps to stay in the school even though tuition costs are increasing radically and rapidly. There are, as a matter of fact, pending right now before the trustees a total of about 2.7 million dollars in additional tuition costs.

But because of the attempts that people have made, and because of the inability of this legislature to override a veto on a previous bill, I think that at this time it makes sense to move this bill along as much as possible. And for my own justification, although I am very unhappy about this particular provision regarding the university, I think that we have done our best this year and it is only important that we look to the future and try to salvage what we can, both in terms of state employee morale and also in terms of university employee morale.

Today I learned that there is another professor who will be leaving the University of Maine at Orono's Political Science Department in the area of Public Administration for a salary increase of some \$4,000 a year. He is added to the long, long list, many of which I have recited to the Senate last year and earlier this year. It is a serious problem, morale at the university is very low, and I for one am extremely concerned. I hope that next year we will be able to do better than we seem to be able to do this year.

The PRESIDENT: Is the Senate ready for the question? A roll call has been requested. In order for the Chair to order a roll call, it must be the expressed desire of one-fifth of those Senators present and voting. Will all those Senators in favor of a roll call please rise in their places until counted.

Obviously more than one-fifth having arisen, a roll call is ordered.

The Chair recognizes the Senator from Oxford, Senator O'Leary.

Mr. O'LEARY: Mr. President, I wish to pair my vote with that of Senator Graffam, who, if he were here, would be voting for this amendment, and I would be voting in opposition.

The PRESIDENT: The Senator from Oxford, Senator O'Leary, requests leave of the Senate to pair his vote with the Senator from Cumberland, Senator Graffam, who, if he were here, would be voting "Yea", and the Senator from Oxford, Senator O'Leary, would be voting "Nay". Is it the pleasure of the Senate to grant this leave?

It is a vote.

The pending question before the Senate is passage to be engrossed of Senate Paper 813. A "Yes" vote will be in favor of passage to be engrossed; a "No" vote will be opposed.

The Secretary will call the roll.

#### ROLL CALL

YEAS: Senators R. Berry, Carbonneau, Cianchette, Collins, Conley, Corson, Cummings, Curtis, Cyr, Danton, Gahagan, Greeley, Hichens, Huber, Jackson, Katz, Marcotte, McNally, Roberts, Speers, Thomas, Trotzky, Wyman.

NAYS: Senators Graham, Merrill, Pray, Reeves.

ABSENT: Senators E. Berry, Clifford, Johnston.

A roll call was had. 23 Senators having voted in the affirmative, and 4 Senators having voted in the negative, with two Senators pairing their vote and three being absent, the Bill was Passed to be Engrossed.

Thereupon, under suspension of the rules, sent down forthwith for concurrence.

#### Orders

On motion by Mr. Graffam of Cumberland,

## STATE OF MAINE

In The Year Of Our Lord One Thousand Nine Hundred And Seventy-six

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Harriet Tapley Of Gorham Who Attained 101 Years of Age On April 21, 1976

WE the Members of the Senate and House of Representatives do hereby Order that our congratulations and acknowledgment be extended; and further

ORDER and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine. (S. P. 814)

Which was Read and Passed.  
Sent down for concurrence.

## Papers From The House

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

## House Paper

Bill, "An Act to Revise Provision for Chairman of the Commission on Governmental Ethics and Election Practices." (H. P. 2358) (L. D. 2356)

Comes from the House, Passed to be Engrossed without reference to Committee and Ordered Printed.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President, by way of explanation, I understand that the new Commission on Governmental Ethics and Election Practices has met and has requested the authority to elect its own chairman. As the statutes stand at the present time, the six members who are appointed must meet and choose a seventh member and that seventh member must serve as the chairman of the commission. The changes that this bill would make would provide that they elect a seventh member but that they may also elect from among all seven members their choice as chairman rather than having the seventh member necessarily serve as chairman.

The PRESIDENT: Is it now the pleasure of the Senate that this bill be given its first reading at this time?

Thereupon, under suspension of the rules, the Bill was given its First and Second Readings and Passed to be Engrossed in concurrence.

Under further suspension of the rules, sent forthwith to the Engrossing Department.

Resolve, Authorizing the Commissioner of Public Safety to Convey the State's Interest and Easement in Certain Land Located in Hancock County and in the Pole Line on that Easement to the Bangor Hydro-Electric Company. (H. P. 2368)

Comes from the House, Passed to be Engrossed without reference to Committee and Ordered Printed.

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

Mrs. CUMMINGS: Mr. President, is there any explanation for this resolve?

The PRESIDENT: The Senator from Penobscot, Senator Cummings, has posed a question through the Chair to any knowledgeable Senator who may care to answer.

The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President, I don't mean to imply by my rising that I fit that qualification, but I do share the curiosity of the good Senator from Penobscot, Senator Cummings, and would suggest that perhaps this could be passed to be engrossed and we would have it back as an

enactor in the morning to make the decision as to its worthiness at that time.

The PRESIDENT: Is the Senate ready for the question?

Thereupon, under suspension of the rules, the Resolve was given its first and Second Readings and Passed to be Engrossed in concurrence.

Under further suspension of the rules, sent forthwith to the Engrossing Department.

On motion by Mrs. Cummings of Penobscot, Adjourned until 10 o'clock tomorrow morning.