

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eleventh
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 1, 1982 to May 13, 1983

STATE OF MAINE
One Hundred and Eleventh Legislature
First Regular Session
JOURNAL OF THE SENATE
December 1, 1982

Pursuant to the Provisions of the Constitution and the laws of the State of Maine, the Senators-elect to the One Hundred and Eleventh Legislature convened in the Senate Chamber and were called to order by MAY M. ROSS, Secretary of the Senate of the One Hundred and Tenth Legislature.

Prayer by Father Robert Lee of St. Dominic's Church in Portland.

FATHER LEE: Let us pray! God, our Father, we gather today for a very important event. We earnestly ask You to be with us today and throughout this Legislative Session.

Your sons and daughters have asked us to be their advocates and to work to bring about a better State of Maine. We can accomplish this work only with Your help and guidance.

Help up to cooperate with Your creative powers. Help us to understand our challenges. Help us to see the viable solutions. Finally, Father, help us always to turn to You for our strength.

Bless us and send Your spirit upon us. Keep us humble, yet confident that we can truly help bring about Your kingdom. Amen.

**Communication
State of Maine**

Office of the Secretary of State

To May M. Ross, Secretary of the Senate of the One Hundred and Tenth 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 Eleventh Legislature, as appears by the report submitted to the Governor under date of November 22, 1982.

District 1 - Walter W. Hichens of Eliot
District 2 - Dennis L. Dutremble of Biddeford
District 3 - Frank P. Wood of Sanford
District 4 - Peter W. Danton of Saco
District 5 - R. Donald Twitchell of Norway
District 6 - G. William Diamond of Windham
District 7 - Ronald E. Usher of Westbrook
District 8 - Barbara A. Gill of South Portland
District 9 - Gerard P. Conley of Portland
District 10 - Mary Najarian of Portland
District 11 - Nancy Randall Clark of Freeport
District 12 - Richard L. Trafton of Auburn
District 13 - Richard R. Charette of Lewiston
District 14 - Carroll E. Minkowsky of Lewiston
District 15 - Charles G. Dow of West Gardiner
District 16 - Edgar E. Erwin of Rumford
District 17 - Andrew J. Redmond of Madison
District 18 - Judy C. Kany of Waterville
District 19 - Beverly Miner Bustin of Augusta
District 20 - Charlotte Z. Sewall of Newcastle
District 21 - Samuel W. Collins, Jr. of Rockland
District 22 - Melvin A. Shute of Stockton Springs
District 23 - Thomas M. Teague of Fairfield
District 24 - Jerome A. Emerson of Corinna
District 25 - John E. Baldacci of Bangor
District 26 - Kenneth P. Hayes of Veazie
District 27 - Michael D. Pearson of Old Town
District 28 - Thomas R. Perkins of Blue Hill
District 29 - Larry M. Brown of Lubec
District 30 - Charles P. Pray of Millinocket
District 31 - James A. McBreaity of Perham
District 32 - Paul Elmer Violette of Van Buren
District 33 - Michael E. Carpenter of Houlton

IN TESTIMONY WHEREOF I have caused the Seal of the State to be herewith affixed at Augusta this twenty-fourth day of November, 1982.

/S/RODNEY S. QUINN
Secretary of State

Which was Read and Ordered Placed on File.

The roll being called, the following Senators-elect responded to their names: Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Col-

lins, Conley, Danton, Diamond, Dow, Dutremble, Emerson, Erwin, Gill, Hayes, Hichens, Kany, McBreaity, Minkowsky, Najarian, Pearson, Perkins, Pray, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Violette, Wood.

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

On motion by Senator-elect PRAY of Penobscot, that Senator-elect was charged with a message to His Excellency, the Governor, informing him that a quorum of 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, Senator-elect PRAY 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 of Maine.

Thereupon, the Governor, the Honorable JOSEPH E. BRENNAN, entered and addressed the Senate.

GOVERNOR JOSEPH E. BRENNAN: Would you please stand, raise your right hand, and repeat after me.

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

GOVERNOR BRENNAN: Madam Secretary, Honorable Members of the 111th Maine Senate. One hundred and ten previous times, in the long history of our state, new legislatures have convened to do the people's business. The elected representatives of our cities and towns and villages have met to fulfill their constitutional duties.

The first day of a new session is certainly a time for enthusiasm, for determination and for hope. Today is the ninth time that I have been privileged to be here on the first day of a legislative session.

I can well remember my very first session. I was elected to the House, in 1954, helped no doubt by the great democratic landslide of that year.

One of the other green freshmen, that year, is in this Chamber today. He is the very able new President of the Senate, my long-time friend, the Honorable Gerard P. Conley.

Another member of the freshmen class of 1964 is down the hall presiding over what is referred to as "that other body", Speaker John Martin. All three of us arrived here as a few of you have today, new ones, not really knowing just what to expect.

Surely, whatever ambition we have was limited to trying to do a good job on behalf of the people we represented. I am fairly certain that Gerry Conley didn't come to the House, in 1964, from the streets of downtown Portland intending to be come 'the savior of the moose.' Frankly, that has been but a sideline for him. His major interest, of course, has been human services and he has been extremely effective in pursuing that interest.

I suspect, although I am less certain, that John Martin did not come here knowing Robert's Rules of Order as intimately as he knew Eagle Lake. There are those, and of course, I am not among them, who have said that Speaker Martin has since written his own rules of order.

At any rate we learned the procedures and the rules, we made some mistakes along the way, and we discovered through a process of trial and error that this system does work. It does respond to the will of the people, the needs of the State, and the demands of the times. Those of you who have been here before have already discovered that, and those of you,

who are seated for the first time, will find it out. All of you will leave here hopefully next May, or June with a deeper and truer understanding of where Maine is today, of where Maine is going, and what needs to be done for this State.

So I am pleased to congratulate you upon taking office, and I welcome all of you, men and women, democrats and republicans, old friends and new faces. I wish each of you great success during the life of the 111th Maine Legislature.

No one should underestimate the importance of the duties that await you. It is your charge to approve an operating budget for state government for the next two years, to pass judgment on the men and women who will administer the people's agencies, and those who will serve as judges on our courts, most of all to be the final voice of public policies, in this State.

The responsibilities are heavy indeed, but I am optimistic that this will be another successful legislature.

If I could, I would confine my welcoming remarks to these few optimistic words, but I can not. Another time perhaps it would be more appropriate to devote the day solely to ceremony, but we do not have that leisure this year. For the job ahead is truly a tough one.

These have been difficult times for our nation and for our state, and yet we have seen in Maine some encouraging signs of hope and progress. The private sector has enjoyed a period of growth in recent years. Unemployment has been well below the national average. The success that Maine has enjoyed in preserving our unique way of life has made us the envy of many of our sister states. The very name, Maine, has come to stand for positive ideas, excellence in workmanship, an unhurried tranquil way of life, clean air, clean water, and a sense of community, that has been lost in so many other places.

To us and to those not so fortunate to live here, Maine is truly a special place, but at the same time there are difficulties that can not be denied. Difficulties that will influence you every time a bill comes before this Body. We're main captives of the troubled national economy, and while we are doing better than many states, we still live in a time when too many people can only dream of a better life.

We are faced with the problems of tax indexing and specifically it falls to this Legislature to regrettably undo some of the work in the last Legislature. Work that many of you here performed and did so well the last time. By cutting \$32 million or some part of that amount from programs that are not frills, but are rather programs such as school subsidies, homemaker services, guards at the prisons, aids at Pineland and so many, many others.

We face continued uncertainties from Washington and the undeniable need to reduce the huge federal deficit. Washington may well make its cuts from monies that go to the states, the cities, and to needy families.

So for you men and women of conscience, and for the members of my cabinet, and for myself, this will not be an easy term. We will have to say no, when we would like to say yes. We will have to postpone things that should not be put off, and we will find it impossible to do some of the things that we came here dreaming to do.

These financial realities do not mean that we should pack up our ideals and go home, for much is still possible. We will be introducing major new legislation in such areas as economic development, human services, energy and natural resources, capitol construction, and governmental reform.

We can and we will continue to build a better business climate for the people of Maine, and to that end I will ask this Legislature to enact a major program to support people who make their living in the tourist industry.

I will ask for your help in better promoting the produces of our farms, our forest and our sea.

I will ask for further commitment to improve our fine vocational education system, so that our young people can be better prepared to work in the world of high technology.

We can and we will take steps to remove great burdens from our people, and to that end I will ask this Legislature to enact a far reaching bill to come to grips with the soaring cost of health care.

In the process I will submit for your approval a measure to solve, once and for all, the chronic problems of highway financing, and we'll do it in the way that treats fairly all of those who use our roads.

We can and we will continue our progress toward social justice, and to that end I will ask this Legislature to change our Constitution so that it will finally guarantee full protection, full rights, and full opportunities to the women of our state by enacting the Maine Equal Rights Amendment.

I can assure you that the next 100 legislative days will be a time of trial and challenge for all of us, but I, also, know that you have in both parties dedicated and capable leaders of good will. Leaders who share with you, and share with me the determination to see that the system works, again. I can promise you full cooperation and assistance, from my cabinet, from my staff, and from myself, as we work together inservice to those who have sent us here.

Again, I congratulate you. I wish you a happy holiday season, and a successful and truly productive session. Thank you very, very much.

The Governor then withdrew from the Senate Chamber, amid the applause of the Senate, the members rising.

(Off Record Remarks)

The SECRETARY: The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: Madam Secretary, I move that Senator Pray from Penobscot, be authorized to cast one ballot on the part of the Senate in favor of Gerard P. Conley of Portland for President of the Senate.

The SECRETARY: The Senator from Knox, Senator Collins, moves that Senator Pray from Penobscot, be authorized to cast one ballot on the part of the Senate in favor of Gerard P. Conley for President of the Senate.

Is it the pleasure of the Senate that this motion receive passage?

It is a vote.

Senator Pray of Penobscot cast one ballot for Gerard P. Conley of Portland for President of the Senate. The Secretary then declared Senator Gerard P. Conley of Portland duly elected President of the Senate for the 111th Maine Legislature. (Applause, the members rising.)

The Secretary then appointed Senator Pray of Penobscot to escort the President of the Senate to the Governor's Office for the purpose of taking and subscribing to the necessary oaths of office to qualify him to enter upon the discharge of the duties as President of the Senate of the 111th Maine Legislature.

Subsequently, Senator Pray of Penobscot reported that he had attended to the duties assigned, and that Senator Gerard P. Conley of Cumberland had, before the Governor, taken and subscribed to the oaths of office required to qualify him for the discharge of duties of the President of the Senate of the 111th Maine Legislature.

The Secretary requested the Sergeant-at-Arms to escort the President of the Senate to the rostrum.

Thereupon, President Gerard P. Conley of Cumberland was escorted to the rostrum, amid the applause of the Senate the members rising.

The PRESIDENT: I have a few brief remarks that I would like to make, but before doing so I certainly want to convey to May Ross, and to her able staff, my deep thanks and appreciation for the cooperation that she has given us to help open the 111th Legislature, also, from a personal point-of-view for the many things that she has done for me, and her staff as well, over the 14 years that I have been a member of this Body. I just wanted her to know that I have deep affection for each and every one of them, as they leave here today.

(Applause, the members rising.)

The PRESIDENT: Secondly, I certainly want to thank you all very much. I must extend my sincere thanks to all the members of the Senate for the confidence that you have placed in me today. It is a great privilege to be elected President of this Body, an honor I accept with great appreciation, and a great deal of humility.

I would like to take this opportunity to thank my distinguished predecessors, Ken McLeod and Joe Sewall, for their outstanding leadership during the past 14 years. Under their guidance, this Senate has done well in serving the people of Maine. They have established a tradition of honor and fairness, and I am proud to inherit.

We are here today to convene the 111th Legislature. This new session brings with it many choices that will decide the future course of our great state for many years to come. We will be asked to take on many responsibilities, and to seek new ways of solving old problems. Some of the decisions we face will not be easy, or, in some cases, popular, but we must accept these challenges with courage, dedication, and a commitment to serve to the best of our ability, the people who have elected us to this office.

Many changes have occurred since we last met in this Chamber, be they for better or worse. While the circumstances of government change, the needs, and the rights of the people remain constant. We must remember that the best interests of the people of Maine will be served, not by conflict, but by compromise.

Henry Clay once said, that "government is a trust, and the officers of government its trustees: both are created for the benefit of the people".

Let us not forget this first responsibility, it is a challenge that belongs to each of us.

I pledge to discharge the responsibilities of this office in all fairness and impartiality for all members of this Senate, and for all the people of Maine.

I ask for your help, your support, and your continued confidence.

Thank you.

(Applause, the members rising.)

At this point, the President noted the presence in the Senate Chamber of Senator-elect REDMOND of Somerset and asked the Senator from Knox, Senator Collins, to escort that Senator-elect to the Governor's office for the purpose of subscribing to the oaths of office required by the Constitution.

Subsequently, Senator Collins of Knox reported that the Senator from Somerset, Senator Redmond had appeared before the Governor and subscribed to his oaths of office.

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

Senator NAJARIAN: Mr. President, I move that the Senator from Cumberland, Senator Gill be authorized to cast one ballot on the part of the Senate in favor of Joy O'Brien as Secretary of the Senate.

The PRESIDENT: Is it the pleasure of the Senate that this motion receive passage?

It is a vote.

Senator Gill of Cumberland cast one ballot for Joy O'Brien as Secretary of the Senate. The Chair then declared Joy J. O'Brien of Portland

duly elected Secretary of the Senate of the 111th Maine Legislature.

The President requested the Senator from Aroostook, Senator Carpenter, to escort the Secretary of the Senate to the Governor's office for the purpose of taking and subscribing to the necessary oaths of office to qualify her to enter upon the discharge of the duties of the Secretary of the Senate.

Subsequently, Senator Carpenter of Aroostook reported that he had attended to the duty assigned to him, and Joy J. O'Brien, before the Governor, had taken and subscribed to the oaths of office required to qualify her for the discharge of her duties as Secretary of the Senate for the 111th Maine Legislature.

The President requested the Sergeant-at-Arms to escort the Secretary of the Senate to the rostrum.

Thereupon, Joy J. O'Brien, Secretary of the Senate, was escorted to the rostrum, amid the applause of the Senate, the members rising.

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

Senator VIOLETTE: Mr. President, I move that the Senator from Hancock, Senator Perkins, be authorized to cast one ballot on the part of the Senate in favor of Valerie Mitchell of Waterville for the office of Assistant Secretary of the Senate.

The PRESIDENT: Is it the pleasure of the Senate that this motion receive passage?

It is a vote.

Senator Perkins of Hancock, cast one ballot on the part of the Senate in favor of Valerie Mitchell for Assistant Secretary of the Senate. The Chair declared Valerie Mitchell of Waterville duly elected Assistant Secretary of the Senate of the 111th Maine Legislature.

The President required the Senator from Washington, Senator Brown, to escort the Assistant Secretary of the Senate to the Governor's office for the purpose of taking and subscribing to the necessary oaths of office to qualify her to enter upon the discharge of the duties of the Assistant Secretary of the Senate.

Subsequently, Senator Brown of Washington reported that he had attended to the duty assigned to him, and Valerie Mitchell had, before the Governor, taken and subscribed to the oaths of office required to qualify her for the discharge of her duties as the Assistant Secretary of the Senate of the 111th Maine Legislature.

The President requested the Sergeant-at-Arms to escort the Assistant Secretary of the Senate to the rostrum.

Thereupon, Valerie Mitchell, Assistant Secretary of the Senate, was escorted to the rostrum, amid the applause of the Senate, the members rising.

The PRESIDENT: The Chair at this time would like to take note of one who, until a few moments ago was a member of this Body, and now is referred to as a former member of this Body, she is, Mrs. Barbara Trafton, the wife of the distinguished Senator Richard Trafton of Auburn, and we would ask the Senate to rise and welcome former Senator Trafton back to the Chambers. (Applause, the members rising.)

On motion by Senator Pray of Penobscot a message was sent to the House of Representatives informing that Body that the Senate had organized by the choice of Gerard P. Conley as President, Joy J. O'Brien as Secretary, and Valerie Mitchell as Assistant Secretary.

The President requested the Senator from Penobscot, Senator Pray, to convey the message to the other Body. The Senator retired to the Hall of the House.

At this point a message was received from the House of Representatives, through Representative Louis Jalbert of Lewiston, informing

the Senate that the House of Representatives of the 111th Legislature, was organized with the election of Speaker of the House, John Martin, Clerk Ed Pert and Assistant Clerk Deborah B. Wood.

At this point Senator Pray of Penobscot reported that he had delivered the message with which he was charged.

On motion by Senator Clark of Cumberland, ORDERED, that a committee of seven be appointed by the President, to whom the returns of votes for Senators for the political years of 1983 and 1984 shall be referred for examination and report.

Which was Read and Passed.

The President appointed the following to serve on the Senatorial Vote Committee:

Senators:

- DANTON of York
- BALDACCI of Penobscot
- HAYES of Penobscot
- BUSTIN of Kennebec
- REDMOND of Somerset
- HICHENS of York
- TEAGUE of Somerset

**Communication
State of Maine
Office of the Secretary of State**

Augusta, Maine
November 24, 1982

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 2, 1982.

Respectfully,
/S/RODNEY S. QUINN
Secretary of State

| | |
|------------------------------------|--------|
| District 1 | |
| Stephen C. Estes, Kittery | 6,801 |
| Walter W. Hichens, Eliot | 7,446 |
| Others | 1 |
| District 2 | |
| John G. Binette, Biddeford | 5,625 |
| Dennis L. Dutremble, Biddeford | 8,618 |
| District 3 | |
| James K. Monroe, Sanford | 5,944 |
| Frank P. Wood, Sanford | 9,276 |
| Others | 1 |
| District 4 | |
| J. Haley Booth, Saco | 1,353 |
| Fred E. Clark, Jr., Saco | 6,541 |
| Peter W. Danton, Saco | 9,625 |
| District 5 | |
| Alanson B. Noble, Otisfield | 6,741 |
| R. Donald Twitchell, Norway | 8,765 |
| Others | 1 |
| District 6 | |
| G. William Diamond, Windham | 11,049 |
| David G. Huber, Falmouth | 8,748 |
| District 7 | |
| Alexander J. Juniewicz, Westbrook | 6,921 |
| Ronald E. Usher, Westbrook | 9,019 |
| District 8 | |
| Cushman D. Anthony, South Portland | 6,271 |
| Barbara A. Gill, South Portland | 7,814 |
| District 9 | |
| Gerard P. Conley, Portland | 7,824 |
| District 10 | |
| Mary Najarian, Portland | 11,527 |
| District 11 | |
| Nancy Randall Clark, Freeport | 10,153 |
| L. Roger LaJeunesse, Brunswick | 4,905 |
| Others | 1 |
| District 12 | |
| Richard L. Trafton, Auburn | 7,659 |
| R. Peter Whitmore, Auburn | 5,596 |
| District 13 | |
| Richard R. Charette, Lewiston | 9,688 |
| District 14 | |

| | |
|-----------------------------------|--------|
| Clifford Card, Bowdoin | 4,785 |
| Carroll E. Minkowsky, Lewiston | 8,077 |
| District 15 | |
| David R. Ault, Wayne | 7,784 |
| Charles G. Dow, West Gardiner | 8,013 |
| District 16 | |
| Edgar E. Erwin, Rumford | 6,616 |
| Norman K. Ferguson, Jr., Hanover | 5,348 |
| District 17 | |
| Robert J. Garland, Anson | 5,768 |
| Andrew J. Redmond, Madison | 7,052 |
| District 18 | |
| Judy C. Kany, Waterville | 8,467 |
| Charles P. Ladd, Waterville | 5,340 |
| Others | 1 |
| District 19 | |
| Beverly Miner Bustin, Augusta | 7,364 |
| Sylvia V. Lund, Augusta | 5,796 |
| Others | 1 |
| District 20 | |
| Charlotte Z. Sewall, Newcastle | 9,566 |
| Jane Thayer, Phippsburg | 6,566 |
| Others | 1 |
| District 21 | |
| Samuel W. Collins, Jr., Rockland | 11,675 |
| Others | 5 |
| District 22 | |
| William Quinn, Belfast | 6,948 |
| Melvin A. Shute, Stockton Springs | 8,914 |
| Others | 1 |
| District 23 | |
| Reginald Huard, Winslow | 5,769 |
| Thomas M. Teague, Fairfield | 6,820 |
| Others | 2 |
| District 24 | |
| Jerome A. Emerson, Corinna | 8,336 |
| Helen S. Patterson, Orrington | 5,661 |
| District 25 | |
| John E. Baldacci, Bangor | 5,902 |
| George W. Wood III, Bangor | 4,355 |
| District 26 | |
| Kenneth P. Hayes, Veazie | 7,235 |
| Robert D. Treadwell, Sr., Veazie | 5,448 |
| Others | 1 |
| District 27 | |
| Michael D. Pearson, Old Town | 8,257 |
| Joseph Sewall, Old Town | 5,249 |
| Others | 3 |
| District 28 | |
| Thomas R. Perkins, Blue Hill | 10,458 |
| Bronson Platner, Mariaville | 4,666 |
| District 29 | |
| Larry M. Brown, Lubec | 7,363 |
| Theone F. Look, Jonesboro | 5,322 |
| Others | 1 |
| District 30 | |
| Paul A. Fichtner, Greenville | 4,279 |
| Charles P. Pray, Millinocket | 7,685 |
| District 31 | |
| Eugene J. Conlogue, Presque Isle | 4,040 |
| James A. McBreairty, Perham | 4,822 |
| District 32 | |
| Paul Elmer Violette, Van Buren | 6,540 |
| Others | 5 |
| District 33 | |
| Michael E. Carpenter, Houlton | 9,403 |
| Others | 8 |

Which was Read and with accompanying papers, referred to the Committee on SENATORIAL VOTE.

On motion by Senator PRAY of Penobscot, ORDERED, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature in the Hall of the House, for the purpose of electing a Secretary of State, State Treasurer and Attorney General at two o'clock in the afternoon.

Which was Read and Passed.
The President requested the Sergeant-at-Arms to escort the Senator from Penobscot, Senator Pray, to deliver the message to the Hall of the House.

Subsequently, Senator Pray of Penobscot reported that he had delivered the message with which he was charged.

On motion by Senator CARPENTER of Aroostook,

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

Which was Read.

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

Senator PRAY: Mr. President, I offer Senate Amendment "A" to the Senate Order relating to the Senate Rules, and move its adoption.

The PRESIDENT: The Senator from Penobscot, Senator Pray, presents Senate Amendment "A" to the Senate Order relating to the Senate Rules.

Senate Amendment "A" (S-3) was Read.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: Mr. President, I have a point of inquiry I would like to make with respect to Senate Amendment "A". I note that a new provision is being added to the Senate Rules, that empowers the President to appoint legal counsel.

During the time that I have served in the Senate, legal services have been provided to the President, and the entire legislature by the Office of the Attorney General, and by counsel who are part of our non-partisan legislative staff. I believe at the present time we have six lawyers on the Legislative Assistant's staff.

I am curious whether this person would be of service only to the President, and whether this person would be a partisan counsel and in what other respects his role might differ from those services we have known in the past?

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

Senator PRAY: Mr. President, and Ladies and Gentlemen of the Senate, to respond to the minority floorleader, the good Senator from Knox, Senator Collins, in reference to the concern of legal counsel to the President, and his remarks as to whether or not this would be a partisan position.

First of all through the procedure the President is chosen by a plurality of the members of this Senate, so in essence that position is really a non-partisan position, which normally goes to the majority party, as the case was today. The President of the Senate happens to be a member of the Democratic Party.

The concern of legal counsel, though, is not necessarily one to be serving the President of the Senate, but is one of a partisan legal aid, or legal counsel. In the past there have been several occasions through the Attorney General's office, and the attorney general will still remain as the ultimate source of legal advice to the legislature.

This individual would provide a type of buffer, perhaps, for the lesser choices of other words, to provide legal interpretations, and advice to this Chamber, through the President's office. Since the President's office is a non-partisan office, in effect, this would not be a partisan appointment.

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

The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Senator MINKOWSKY: Mr. President and Members of the Senate, this has just come to my attention, also, and I guess that this is some kind of a new wrinkle that we are just going to engage in.

I listened very intently to the explanation by the good Senator from Penobscot, Senator Pray, but I still do not see the rationale behind the entire thing, if the Attorney General's office is available, and if we do have non-partisan attorneys available.

Regardless of the fact that the President of the Senate is Democrat, I am a Democrat, and this is the first that I have seen of this thing, this morning. I think basically we should have

more ample time to be better informed exactly, what the rationale of this particular document was, what the origin was, and why it is absolutely a necessity to have it before us?

If we are having such difficulties in the State of Maine, and people of the State of Maine are asking for an austerity program, would anybody care to venture what the cost of this particular position would be?

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

Senator CARPENTER: Mr. President, and Ladies and Gentlemen of the Senate, to respond to the good Senator from Androscoggin, Senator Minkowsky, the time that I have been in the legislature, the number of requests for opinions from the attorney general, there has just been a snowstorm of them.

I think that all of us can remember many of the ones that have gone over and come back, which have been basic legal questions. Contrary to what maybe the popular preception of many of the people of the State of Maine, that the Statehouse is loaded with attorneys, we have very few attorneys in the legislature.

The good Senator from Knox, Senator Collins, pointed out that we do have some attorneys in positions of staff assistants, but their jobs are such that they are not going to have time, or they have not had time, and will not have time in the future to answer these questions.

I think that it is the intent of this amendment to the rules, that we have somebody to whom we can turn in a non-partisan position, to whom we can turn to offer questions of legal and legislative intent and other legalisms, if you will, because whether we like it or not ultimately it is going to be an attorney who decides these questions once we pass legislation here.

I think it is important that we have this kind of expertise and as far as the Attorney General's office is concerned I am not sure what the policy is going to be there. I know in the past there has been a problem with getting questions over and opinions back. It would be hoped that we could speed up the legislative process and assist the individual Senators in answering questions.

At this point a message was received from the House, through the Honorable John Diamond of Bangor, informing the Senate that the House concurs in the proposal for a Joint Convention, and looks forward to the Senate's arrival at 2 p.m. this afternoon.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: Mr. President, with respect to the pending amendment to the Senate Rules, I would ask for a Division on the vote.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Senator MINKOWSKY: Mr. President, and Members of the Senate, over the 17 years since I have served in this legislation, both in the House and the Senate, I never found the Attorney General's office unable to render decisions to this particular Body.

In fact, I looked upon the Attorney General's office as one of the most competent agencies, especially now with a Democratic Attorney General, who has done a very, very capable job.

If it is a matter of having another qualified lawyer, I am sure that the Attorney General, if they are looking for a specialist in that particular field can find that person and handle it administratively under the Attorney General's office instead of going through this particular route.

I am very much opposed to what I am hearing at the present time to this particular move, and I think that it is incumbent upon my leadership to have better informed me, exactly what this was all about beforehand.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Wood.

Senator WOOD: Mr. President, I present Senate Amendment "B" to Senate Amendment "A", and move its Adoption.

The PRESIDENT: The Senator from York, Senator Wood presents Senate Amendment "B" to Senate Amendment "A".

(Senate at Ease)

The Senate called to order by the President.

Senate Amendment "B" (S-2) to Senate Amendment "A" was Read.

The PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Perkins.

Senator PERKINS: Mr. President, and Ladies and Gentlemen of the Senate, in view of the fact that we have just received distribution of this amendment, I wonder if the good Senator from York would explain his amendment?

The PRESIDENT: The Chair recognizes the Senator from York, Senator Wood.

Senator WOOD: Mr. President, and Members of the Senate, this amendment has been in here before, in the past session, it simply is a house-keeping measure, which says that when the Senate has taken action on a confirmation that, that action shall be related to the House. It seems to me, to complete the cycle.

The way that confirmations are handled now, we get a letter saying that someone is being proposed by the Governor, the committee then holds hearings, and the Senate takes final action. The House is notified all along the way, in the process, except that last notification as to what was the outcome. This seems, to me, to be a neat way of tidying up the package.

Senate Amendment "B" to Senate Amendment "A" was Adopted.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of the Adoption of Senate Amendment "A", as amended by Senate Amendment "B", please rise in their places to be counted.

Will all those Senators opposed, please rise in their places to be counted.

21 Senators having voted in the affirmative, and 11 Senators having voted in the negative, Senate Amendment "A" was Adopted.

The PRESIDENT: Is it now the pleasure of the Senate that this order, as amended, receive passage?

It is a vote.

(See Action Later Today)

Orders

On motion by Senator CARPENTER of Aroostook,

ORDERED, the House concurring, that the Joint Rules of the 110th Legislature, as amended, be the rules of this Legislature.

(S. P. 1)

Which was Read.

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

Senator PRAY: Mr. President, I submit Senate Amendment "A" to Senate Paper 1, and move its Adoption. I would like to speak to that motion.

The PRESIDENT: The Senator from Penobscot, Senator Pray presents Senate Amendment "A" to Senate Paper 1 and moves its Adoption. Senate Amendment "A" (S-1) was Read.

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

Senator PRAY: Thank you, Mr. President. Mr. President, and Ladies, and Gentlemen of the Senate, for those of you who have gone through this process of the opening of the session, sometimes understand why there is not always time for leadership, of either political party, to explain to everyone exactly what is taking place. Perhaps it may be a fault of leadership, but because of the responsibilities of

organizing the session, and other things that take place, and the requirement that we have rules to operate on, the necessity to adopt those rules, to accept them, on the opening day sometimes does not allow the time frame in which to talk to each and every individual member as to what this does.

I would like to walk you through the next several pages, what is comprised of Senate Amendment "A".

First of all, on page 1, starting on line 21, there is a change which basically allows both houses the opportunity to have a vote on bills that are being recalled from the legislative files. It is basically a correction, and I think the legislative intent remains the same, but it allows both Branches of the Legislature an opportunity by a 2/3's vote to remove something from the legislative files.

If you will then turn to page 2, it allows in the next step to speed the legislative process along that while the Legislature is in recess for the Clerk and the Secretary, along with the approval of the Speaker and the President, to assign bills to the appropriate joint standing committees. It is an attempt to implement, to speed up the process of bills being printed, and having the committee work sessions and hearings starting without necessarily having to go through the existing procedure that we have at this time.

On the bottom section of page 2, reports of bills from committees. The basic change in this section would be the leave to withdraw and unanimous leave to withdraw reports. Last time there were several situations, and it was the first session of which I have seen a divided leave to withdraw report, and this would establish a leave to withdraw and a unanimous leave to withdraw. It would allow individual Senators to take action, if they did not agree on a leave to withdraw report, for them to express themselves.

The rest of it, for those of you who are here, and that section basically is the same on the committee reports and what they mean, the various ought to pass and ought not to pass reports.

Section 9, on page 3, explains the unanimous leave to withdraw, which I have just made reference to a few moments ago. I will attempt to go slow for those of you who are reading this for the first time, although it was distributed earlier today. At that point a leave to withdraw report, a unanimous leave to withdraw report would be treated similar to an ought not to pass report.

On the following page in reference to the new draft, those of you who were here last session, may have on a number of occasions had the opportunity to see a bill come out with a Senate Amendment "A" and when you started reading Senate Amendment "A" it said, "striking out everything after the enacting clause", and we had a new bill. This corrects that situation and defines what the new drafts shall be.

The next few changes are changes of the numbering of the sections of the Joint Rules. The section which used to be section 22 which has been crossed off, on page 6, deletes the existing section on the ought not to pass report which has been put in the other sections of this order, which was back a couple of pages before.

The next change is at the bottom of that page, is changing the cloture date for the state departments, agencies, and commissions bills from November to January. This is to allow these departments ample opportunity to present the proposed legislation that they have.

The following page, it is again, from November to January.

The next sections are 4, 5, and 24A which have been deleted, which will be deleted by this amendment, takes out the section which appeared under the era of government when Governor James Longley served the state. There had been several occasions where he

could not find an individual to sponsor a bill, and a proposal to the rules had been put in that the Governor could introduce legislation bearing the name of the President, or the Speaker. These sections of the Joint Rules are now being deleted, that, also, by the way, included the Chief Justice.

Again, we go back to the cloture date change of the First Regular Session of changing it from the second Friday of December, to the last Friday of December.

The following step is the completion forms of which the Legislative Research people are to have the proposed legislation ready for the session.

Then to the last page it handles the expressions of legislative sentiments. This will allow them not to be on the calendar as they have been in the past, but they will be listed in an index, with the action taken by the President of the Senate and the Speaker while the legislature is not in session, this would allow them to sign legislative sentiments. Seemingly, in the past those of you who have introduced a great number of them, and I perhaps am as guilty as others in introducing a number of legislative sentiments, we find that not everybody waits for an occasion when we are in session, high schools go and win championships while we are gone, other people provide some type of community service which we feel should be recognized and it is not always during the months that the Legislature sets. This would allow in that time period for the President and Speaker to sign these without legislative action.

Mr. President, I move passage of this amendment.

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

Senator CARPENTER: Mr. President, while the good Senator from Penobscot was explaining the amendment we found a small typographical error, so I would ask somebody to Table adoption until later in today's session.

On motion by Senator Pray of Penobscot, Tabled until later in today's session, pending Adoption of Senate Amendment "A".

On motion by Senator HICHENS of York,

ORDERED, the House concurring, that there be prepared, after adjournment of the present session, by the Legislative Information Officer, a Register of all the Bills and Resolves considered by both branches of the Legislature, showing the history and final disposition of each Bill and Resolve and that there be printed 400 copies of the same. The Legislative Information Officer shall mail a copy of the Register to each member and officer of the Legislature and the State Law and Legislative Reference Library shall receive such number of copies as may be required. (S. P. 2)

Which was Read and Passed.

Sent down forthwith for concurrence.

On motion by Senator BUSTIN of Kennebec, ORDERED, the House concurring, that the Secretary of Senate and the 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. 3)

Which was Read and Passed.

Sent down forthwith for concurrence.

On motion by Senator CARPENTER of Aroostook,

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Wednesday, January 5, 1983, at 10 o'clock in the morning. (S. P. 14)

Which was Read and Passed.

Sent down forthwith for concurrence.

On motion by Senator TEAGUE of Somerset, ORDERED, the House concurring, that two

hundred seventy-five (275) copies of the Legislative Record for the session of 1983 be printed, 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 with the State Law Librarian for exchange and library use; and be it further

ORDERED, that suitable index be prepared for such Legislative Record, under the direction of the Director of Legislative Research. (S. P. 4)

Which was Read and Passed.

Sent down forthwith for concurrence.

On motion by Senator SHUTE of Waldo,

ORDERED, the House concurring, that the Secretary of the Senate and Clerk of the House jointly prepare the Senate and House Register and that 40,000 copies be printed for the use of the Legislature. (S. P. 5)

Which was Read and Passed.

Sent down forthwith for concurrence.

On motion by Senator CLARK of Cumberland,

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. 6)

Which was Read and Passed.

Sent down forthwith for concurrence.

On motion by Senator BROWN of Washington,

ORDERED, the House concurring, that the rooms in the State House and State Office Building used by the One Hundred and Tenth Legislature as hearing rooms be reserved for hearing rooms for the One Hundred and Eleventh 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. 7)

Which was Read and Passed.

Sent down forthwith for concurrence.

On motion by Senator SEWALL of Lincoln, 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. 8)

Which was Read and Passed.

Sent down forthwith for concurrence.

On motion by Senator DUTREMBLE of York, ORDERED, the House concurring, that the Clerk of the House and the Secretary of the Senate be authorized to furnish 100 - 20¢ stamps for each member of the House and Senate for the purpose of distributing 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. 9)

Which was Read and Passed.

Sent down forthwith for concurrence.

On motion by Senator USHER of Cumberland,

ORDERED, the House concurring, that telephone 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 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 repre-

sentatives, 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 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 the President of the Senate or the Speaker of the House may, upon a finding of abuse of the privilege of telephone service by a member of the Senate or a member of the House, respectively, temporarily suspend or terminate the privilege of said telephone service to that member. (S. P. 10)

Which was Read and Passed.

Sent down forthwith for concurrence.

On motion by Senator PEARSON of Penobscot,

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. 11)

Which was Read and Passed.

Sent down forthwith for concurrence.

On motion by Senator WOOD of York, ORDERED, the House concurring, that 3,500 copies of the Governor's Message be printed. (S. P. 12)

Which was Read and Passed.

Sent down forthwith for concurrence.

On motion by Senator COLLINS of Knox, 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 Five Hundred and Twenty Dollars (520) bi-weekly, the first payment to be made on January 5, 1983, according to lists certified to the State Controller by the President of the Senate and Speaker of the House, respectively. (S. P. 13)

Which was Read and Passed.

Sent down forthwith for concurrence.

On motion by Senator PRAY of Penobscot, ORDERED, that the subordinate officers of the Senate be appointed as follows: by the President, a Secretary to the President, an Assistant Postmaster, a Supply Clerk and a Courier; by the Secretary, a Reporter, an Assistant Reporter, four office secretaries and four stenographers, one of whom shall be a member of the minority party.

Which was Read and Passed.

On motion by Senator CHARETTE of Androscoggin,

ORDERED, that the Secretary of the Senate be directed to furnish each member of the Senate, during the present session with two daily newspapers printed in the State, as each member may direct.

Which was Read and Passed.

On motion by Senator TRAFTON of Androscoggin,

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

Which was Read and Passed.

On motion by Senator MINKOWSKY of Androscoggin,

ORDERED, that the President of the Senate is authorized, at his discretion, to permit radio or sound television film or live television, or any two or three of these communication media, on the floor of the Senate while the Senate is in session.

Which was Read and Passed.

On motion by Senator McBREAIRTY of Aroostook,

ORDERED, that the Secretary of the Senate be authorized to purchase five thousand (5,000) copies of the folder entitled "This Is Your Legislature," and five thousand (5,000) copies of the pamphlet entitled "How a Bill Becomes A Law in Maine," from the League of Women Voters of Maine for the use of members of the Senate.

Which was Read and Passed.

On motion by Senator REDMOND of Somerset,

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 Senator EMERSON of Penobscot,

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 Senator VIOLETTE of Aroostook,

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 Senator GILL of Cumberland,

ORDERED, that the Senate Majority Floorleader and the Senate Minority Floorleader be authorized to hire one secretary each.

Which was Read and Passed.

On motion by Senator DOW of Kennebec,

ORDERED, that all Bills and Resolves carrying or requiring an appropriation of highway revenue or involving a loss of highway revenue that are in order to be passed, to be enacted, or finally passed, shall, at the request of a member of the Committee on Appropriations and Financial Affairs, be placed on a special calendar to be called up for consideration only by a member of that Committee.

Which was Read and Passed.

On motion by Senator NAJARIAN of Cumberland,

ORDERED, that all Bills and Resolves carrying or requiring an appropriation or involving a loss of revenue that are in order to be passed to be enacted, or finally passed, shall, at the request of a member of the Committee on Appropriations and Financial Affairs, be placed on a special calendar to be called up for consideration only by a member of that committee.

Which was Read and Passed.

On motion by Senator Najarian of Cumberland,

ORDERED, that all Bills and Resolves carrying or requiring an appropriation or involving a loss of revenue that are in order to be passed to be enacted, or finally passed, shall, at the request of a member of the Committee on Appropriations and Financial Affairs, to be placed on a special calendar to be called up for consideration only by a member of that committee.

Which was Read and Passed.

On motion by Senator Danton of York,

ORDERED, the House concurring, that any tax supported public library 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. 15)

Which was Read and Passed.

Sent down forthwith for concurrence.

(Senate At Ease)

The Senate called to order by the President.

On motion by Senator PRAY of Penobscot, the Senate voted to reconsider its action of earlier in today's session, whereby, An Order Relative to the Senate Rules received Passage.

On motion by Senator PRAY of Penobscot, the Senate voted to reconsider its action whereby Senate Amendment "A", was Adopted.

On motion by Senator PRAY of Penobscot, Senate Amendment "B" to Senate Amendment "A" was Indefinitely Postponed.

On motion by Senator PRAY of Penobscot, Senate Amendment "A", as amended by Senate Amendment "B" was Adopted.

On motion by Senator PRAY of Penobscot, the Senate voted to reconsider its action whereby Senate Amendment "B" to Senate Amendment "A" was Adopted.

THE PRESIDENT: Is it now the pleasure of the Senate that this Order, as amended, receive passage?

It is a vote.

On motion by Senator PRAY of Penobscot, Recessed until the Sound of the Bell.

(Recess)

(After Recess)

The Senate called to order by the President.

At this point the Senate retired to the Hall of the House, where a Joint Convention was formed.

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

AFTER JOINT CONVENTION IN SENATE

The Senate called to order by the President.

Senator Collins of Knox was granted unanimous consent to address the Senate, Off the Record.

Senator Pray of Penobscot was granted unanimous consent to address the Senate, Off the Record.

On motion by Senator PRAY of Penobscot, Recessed until the Sound of the Bell.

(Recess)

(After Recess)

The Senate called to order by the President.

Out of Order and Under Suspension of the Rules, the Senate voted to consider the following:

Papers From The House Joint Orders

ORDERED, the Senate concurring, that the Speaker of the House is authorized, at his discretion, to permit radio or television, in the Hall of the House of Representatives while the House is in session, or during Joint Conventions of the Legislature. (H. P. 2)

Comes from the House, Read and Passed.

Which was Read and Passed, in concurrence.

An Expression of Legislative Sentiment Recognizing:

Portland High School Football Team and Coach Jack Garvin, winners of the State of Maine Class AA Football Championship for 1982. (H. P. 1)

Comes from the House, Read and Passed.

Which was Read and Passed, in concurrence.

Communication Department of Finance And Administration Bureau of the Budget

December 1, 1982

To the President of the Senate and the Speaker of the House of Representatives

As required by Chapter 704, Public Laws of 1981, Section 9, I submit the following documentation and certification which is required as of this date.

As of October 31, 1982 the adjusted unappropriated surplus in the General Fund, as recorded in the books of the State of Maine, is \$3,776,576. Also recorded on those books is a budgetary deficit for the first four months of fiscal year 1983 of \$2,608,291. The combination of the unappropriated surplus and the budgetary deficit reflects a total surplus in the General Fund as of October 31 of \$1,168,285.

After reviewing the current revenues and the latest projections for the remainder of this fiscal year and the interval between October 31 and December 1, I find nothing that would indicate that the revenues for fiscal year 1983 will be in excess of the current estimates.

As you are aware, on November 2, 1982 the voters of Maine approved a measure to index the state individual income tax. Based on figures furnished by the State Tax Assessor, indexing, if determined retroactive to January 1, 1981, will cause a reduction to the state's resources of \$12,276,000 for fiscal year 1982 and \$20,910,000 for fiscal year 1983. It is my understanding that this obligation arises during the current fiscal year. As this measure does not provide any new revenues to the state this would leave the state with a budgetary deficit of \$32,017,715 at June 30, 1983.

After taking into account all outstanding contingencies known to me on this date, I certify to you that there is not sufficient unappropriated revenue available to provide full federal conformity, as contemplated in Chapter 704, Public Laws of 1981.

Sincerely,

/S/ G. WILLIAM BUKER
State Budget Officer

Which was Read and Ordered Placed on File.

Orders Of The Day

The President laid before the Senate the Tabled and specially assigned matter:

Joint Order (S. P. 1) Relative to the Joint Rules of this Legislature.

In Senate—Read
Tabled Earlier in the Day by Senator PRAY of Penobscot

Pending Adoption of Senate Amendment "A" (S-1)

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

Senator PRAY: Request permission to ap-

proach the rostrum?

The PRESIDENT: The Senator may do so.

(Senate At Ease)

The Senate called to order by the President.

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

Senator PRAY: Thankyou, Mr. President. Mr. President, and Ladies and Gentlemen of the Senate, I appreciate the patience of the members as we straighten out the Joint Rules for the session, which are very important and we have to operate under for the next two years. We are attempting to be careful, as we proceed through this.

On motion by Senator Pray of Penobscot, Senate Amendment "A" (S-1) was Indefinitely Postponed.

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

Senator PRAY: Mr. President, I offer Senate Amendment "B" under filing number S-4 and move its Adoption.

The PRESIDENT: The Senator from Penobscot, Senator Pray, now offers Senate Amendment "B" to S. P. 1 and moves its Adoption.

Senate Amendment "B" (S-4) was Read.

The PRESIDENT: The Senator has the floor. Senator PRAY: Mr. President, and Ladies and Gentlemen of the Senate, what this does is basically what we had attempted to agree to do this morning, with Senate Amendment "A" and Senate Amendment "B".

Senate Amendment "B" ... dealt with the concerns of Senator Frank Wood, the Senator from York, in reference to confirmations, that the House be notified of the Senate action, that has been included in this amendment.

The additional concerns, or question which is considered under Senate Amendment "B" filing number S-4 on page 2, under subsection 15, section 3, dealing with committee reports and a correction to some concerns that were expressed this morning that there might have been a typographical or drafting error, that corrects that error in reference to committee reports.

There are no other changes from the amendments that we had this morning. Thank you, Mr. President.

Senate Amendment "B" was Adopted.

Which was Passed, as amended.

Sent down forthwith for concurrence.

Senator Pray of Penobscot was granted unanimous consent to address the Senate, On the Record.

Senator PRAY: Mr. President, Ladies and Gentlemen of the Senate, just a brief time ago we recessed to caucus about three legislative documents that are coming before us today, and a concern of importance that they be handled while we are here today.

Those L. D.'s are still in the possession of the House, and pending the arrival of those bills, we can't do anything at this time. I am sorry to inform you and request your patience as we, again, will be recessing for a brief time, in a few moments.

Out of Order and Under Suspension of the Rules, the Senate voted to consider the following:

Orders

An Expression of Legislative Sentiment recognizing:

the Franklin Memorial Hospital and the outstanding efforts of its trustees, administrators and staff in meeting the needs of the area of service through a 1982-83 expansion project. (S. P. 16)

Presented by Senator REDMOND of Somerset (Cosponsor: Representative WEBSTER of Farmington)

Which was Read and Passed.

An Expression of Legislative Sentiment recognizing:

the Bulldogs of Madison High School and coach Art Rudman, winners of the State of Maine Class C Football Championship for 1982. (S. P. 17)

Presented by Senator REDMOND of Somerset (Cosponsor: Representative RICHARD of Madison)

Which was Read and Passed.

On motion by Senator PRAY of Penobscot, Recessed until the Sound of the Bell.

Recess

After Recess

The Senate called to order by the President.

There being no objections all items previously acted upon were sent forthwith.

Out of Order and Under Suspension of the Rules, the Senate voted to consider the following:

**Papers From the House
Non-concurrent Matter**

Joint Order Relative to Adjournment (S. P. 14)

In the Senate, December 1, 1982 Read and Passed.

Comes from the House, Indefinitely Postponed in non-concurrence.

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

Senator PRAY: Mr. President, I move that the Senate Recede and Concur.

The PRESIDENT: The Senator from Penobscot, Senator Pray, moves that the Senate Recede and Concur with the House.

Is this the pleasure of the Senate?

The motion prevailed.

House Papers

BILL, "An Act to Allow the Alternative Budget Adoption Process to Continue Past December 31, 1982" (Emergency) (H. P. 3) (L. D. 1) (Governor's Bill)

Committee on Education suggested.

Comes from the House, Read Twice and Passed to be Engrossed without Reference to a Committee, and Ordered Printed.

The PRESIDENT: Is it the pleasure of the Senate that, Under Suspension of the Rules, L. D. 1 be given its First Reading at this time without Reference to Committee?

It is a vote.

Under Suspension of the Rules, the Bill Read Twice, and Passed to be Engrossed, without Reference to Committee, and Ordered Printed, in concurrence.

Sent forthwith to the Engrossing Department.

BILL, "An Act Concerning State-paid Basic Life Insurance Benefits for Legislative Employees" (Emergency) (H. P. 4) (L. D. 2)

Committee on State Government suggested.

Comes from the House, Read Twice and Passed to be Engrossed without Reference to a Committee, and Ordered Printed.

The PRESIDENT: Is it the pleasure of the Senate that, Under Suspension of the Rules, L. D. 2 be given its First Reading at this time without Reference to Committee?

It is a vote.

Under Suspension of the Rules, the Bill Read Twice, and Passed to be Engrossed, without Reference to Committee, and Ordered Printed, in concurrence.

Sent forthwith to the Engrossing Department.

BILL, "An Act Concerning Legislative Services" (Emergency) (H. P. 5) (L. D. 3)

Committee on State Government suggested.

Comes from the House, Read Twice and Passed to be Engrossed as Amended by House Amendment "A" (H-2) without Reference to a Committee, and Ordered Printed.

The PRESIDENT: Is it the pleasure of the Senate that, Under Suspension of the Rules, L. D. 3 be given its First Reading at this time without Reference to Committee?

It is a vote.

Under Suspension of the Rules, the Bill Read Once. House Amendment "A" was Read.

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

Senator PRAY: Mr. President, Ladies and Gentlemen of the Senate, to explain the amendment, earlier today there was concern in reference to the transition period of going from the present seven year term down to a lesser term. Earlier it was three years and this amendment takes it to those who are currently serving in the first, four years of a seven year term shall continue to serve in that capacity until 1986. That will effect one present employee in that situation, and that is the Legislative Research Officer, and when he retook the position, last time, under the last council, he took the seven year term with the understanding that there would be a possible change in the number of years of his appointment. He stated at that time that he was willing to accept that.

House Amendment "A" was Adopted, in concurrence.

Under further Suspension of the Rules, the Bill, as amended, Read a Second time, and Passed to be Engrossed without Reference to Committee, and Ordered Printed, in concurrence.

Sent forthwith to the Engrossing Department.

Joint Order

ORDRED, the Senate concurring, that, when the House and Senate adjourn, they adjourn to Wednesday, January 5, 1983 at ten o'clock in the morning; except that, if there is a need to conduct legislative business prior to that date, the President of the Senate and the Speaker of the House may issue the call for convening the Legislature prior to that date. (H. P. 7)

Comes from the House, Read and Passed.

Which was Read and Passed, in concurrence.

Joint Resolution

Senator McBreairty of Aroostook (Cosponsors: Representatives Lisnik of Presque Isle, MacBride of Presque Isle and Mahany of Easton) present the following Joint Resolution and move its adoption. (Approved for introduction by a majority of the Legislative Council, pursuant to Joint Rule 35.)

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES, THE SECRETARY OF COMMERCE AND THE MAINE CONGRESSIONAL DELEGATION CONCERNING THE CURRENT HARDSHIPS ON CERTAIN MAINE INDUSTRIES DUE TO THE LACK OF A FAIR AND EQUITABLE TRADE POLICIES

WE, your Memorialists, the Senate and House of Representatives of the State of Maine in the First Regular Session of the 111th Legislature, now assembled, most respectfully present and petition the President of the United States, the Secretary of Commerce and the Maine Congressional Delegation, as follows:

WHEREAS, certain industries of the State are severely suffering from the lack of fair and reasonable trade policies on foreign goods; and

WHEREAS, this crisis is compounded by a difference in currency values and government subsidies which have resulted in a flood of Canadian imports; and

WHEREAS, the encroachment on producer markets of eastern United States is devastating the farming, lumber and fishing industries

of this State; and

WHEREAS, the Maine economy is suffering the depletion of these vital industries and the loss of countless jobs related thereto; and

WHEREAS, the citizens of Maine whose livelihood depends on a prompt and equitable solution to this problem must look to the Federal Government for appropriate relief; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge that these difficulties and hardships should not be allowed to continue; and be it further

RESOLVED: That We respectfully request the President of the United States and the Secretary of Commerce for the United States and the Maine Congressional Delegation to make every effort to establish fair and equitable foreign trade policies for the farming, fishing and lumber industries of this State; to renegotiate those international trade agreements which are so undeniably injurious to Maine industries; to provide appropriate relief where undue damage has resulted and to adjust the imbalance caused by the differences in currency values; and be it further

RESOLVED: That suitable copies of this resolution be transmitted immediately to the Honorable Ronald W. Reagan, President of the United States, to the Secretary of Commerce for the United States and to each member of the Maine Congressional Delegation. (S. P. 18) Which was Read.

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

Senator McBREAIRTY: Mr. President, Honorable Members of the Senate, I am sure that you are all aware of the devastating effect Canadian imports are having on our potato, lumber, and fishing industries.

This Joint Resolution, if passed and forwarded to Washington, will respectfully request the President of the United States, and the Secretary of Commerce for the United States, and the Maine Congressional Delegation to make every effort to establish fair and equitable foreign trade policies for the farming, fishing, and lumbering industries of the State. To renegotiate those international trade agreements which are so undeniably injurious to Maine industries. To provide appropriate relief where undo damage has resulted and to adjust the imbalance caused by the difference in currency values.

Thank you, very much.

Which was Adopted.

Sent down forthwith for concurrence.

Out of Order and Under Suspension of the Rules, the Senate voted to consider the following:

**Paper From The House
Joint Order**

ORDERED, The Senate concurring, that the Legislative Finance Officer be authorized and directed to pay each member of the Legislature prior to January 1, 1983, a \$300 allowance for constituent services as authorized in the Maine Revised Statutes, Title 3, section 2. (H. P. 6)

Comes from the House, Read and Passed.

Which was Read and Passed, in concurrence.

(Off Record Remarks)

On motion by Senator PRAY of Penobscot, Recessed until the Sound of the Bell.

Recess

After Recess

The Senate called to order by the President.

Under Suspension of the Rules, the Senate voted to consider the following:

Enactors

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

Emergency

BILL, "An Act to Allow the Alternative Budget Adoption Process to Continue Past December 31, 1982." (H. P.3) (L. D. 1) (Governor's Bill)

This being an emergency measure and having received the affirmative votes of 28 members of the Senate, with No Senators having voted in the negative, was Passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

BILL, "An Act Concerning State-paid Basic Life Insurance Benefits for Legislative Employees." (H. P. 4) (L. D. 2)

This being an emergency measure and having received the affirmative votes of 28 Members of the Senate, with No Senators having voted in the negative, was Passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

BILL, "An Act Concerning Legislative Services." (H. P. 5) (L. D. 3)

This being an emergency measure and having received the affirmative votes of 28 Members of the Senate, with No Senators having voted in the negative, was Passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

(Off Record Remarks)

The Adjournment Order having been returned from the House, Read and Passed, in concurrence, on motion by Senator Pray of Penobscot, Adjourned until Wednesday, January 5, 1983 at ten o'clock in the morning.