

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eleventh
Legislature***

OF THE

STATE OF MAINE

Volume II

FIRST REGULAR SESSION

May 16, 1983 to June 24, 1983

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August 4, 1983

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STATE OF MAINE
 One Hundred and Eleventh Legislature
 First Regular Session
 JOURNAL OF THE SENATE
 Augusta, Maine
 June 24, 1983
 Senate called to order by the President.

Prayer by The Honorable Nancy Randall Clark of Cumberland.

SENATOR CLARK: Thank you, Mr. President. Our gracious Lord, on this, the Saint John the Baptiste Day, we offer our humble thanks for the strength to serve; the wisdom to guide, and the courage to act with responsive hearts that Thou hast bestowed on us these past many Legislative days.

For all Thy grace and blessings, O Lord, we are truly grateful. Keep us in Thy favor until we come together to do Thy work again. Amen.

Reading of the Journal of yesterday.

Senator Carpenter of Aroostook was granted unanimous consent to address the Senate, On the Record.

Senator CARPENTER: Mr. President, as we wrap up this Legislative Session there is a young lady who has been here with us the whole session and has been providing us with sustenance and cheer and she wanted me to thank all the Members of the Senate, that's Pat Ellis downstairs in the little coffee shop on the first floor of the State House. She wanted me to thank all the Members of the Senate and have the same thing done in the other Body for all their graciousness and their kindness and their business and wish them well and have a happy summer. Thank you.

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

BILL, "An Act to Provide for Reapportionment of County Commissioner Districts" (H. P. 689) (L. D. 869)

(In Senate June 23, 1983 Passed to be Engrossed as Amended by House Amendment "A" (H-411) as Amended by Senate Amendment "A" (S-257) thereto in non-concurrence)

(Comes from the House Passed to be Engrossed as Amended by House Amendment "A" (H-411) as Amended by House Amendment "C" (H-432) thereto in non-concurrence)

The PRESIDENT: Is it the pleasure of the Senate to Recede and Concur with the House? It is a vote.

Non-concurrent Matter

BILL, "An Act to Clarify the Negotiability of Pay Rates Under the State Employees Labor Relations Act" (S. P. 170) (L. D. 525)

(In Senate April 5, 1983 Passed to be Engrossed)

(In House June 23, 1983 Recommended to the Committee on Labor in non-concurrence)

The PRESIDENT: Is it the pleasure of the Senate to Recede and Concur with the House? It is a vote.

Joint Order

The following Joint Order (H. P. 1357)

ORDERED, the Senate concurring, that the following specified matters be held over to the next special or regular session of the 111th Legislature:

COMMITTEE	BILL
Energy and Natural Resources	
S. P. 614	L. D. 1750
State Government	
S. P. 530	L. D. 1553
Taxation	
H. P. 1039	L. D. 1364
H. P. 1188	L. D. 1584

Comes from the House, Read and Passed.

Which was Read and Passed, in concurrence.

Communication

The following Communication:
**State of Maine
 House of Representatives
 Augusta 04333**

June 23, 1983

Honorable Joy O'Brien
 Secretary of the Senate
 111th Maine Legislature
 Augusta, Maine 04333
 Dear Madam Secretary:

The House voted today to Adhere to its previous action whereby it Failed to Enact Bill "An Act to Encourage Prompt Resolution of Public Employee Labor Disputes" (H. P. 1267) (L. D. 1678)

Sincerely,
 S/EDWIN H. PERT
 Clerk of the House

Which was Read and Ordered Placed on File.

**Committee Report
 House
 Divided Report**

The Majority of the Committee on Business Legislation on BILL, "An Act to Authorize the Public Advocate to Intervene in Workers' Compensation Rate Filings" (H. P. 1000) (L. D. 1308)

Reported that the same Ought Not to Pass.
 Signed:

- Senators:
 SEWALL of Lincoln
- Representatives:
 PERKINS of Brooksville
 CONARY of Oakland
 RACINE of Biddeford
 MacBRIDE of Presque Isle
 POULIOT of Lewiston
 TELOW of Lewiston
 MURRAY of Bangor
 STEVENS of Bangor

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-297)

- Signed:
 Senators:
 CLARK of Cumberland
 CHARETTE of Androscoggin
- Representatives:
 BRANNIGAN of Portland
 MARTIN of Van Buren
- Comes from the House, Bill and Accompanying Papers Indefinitely Postponed.
 Which Reports were Read and the Majority Ought Not to Pass Report of the Committee was Accepted.

Enactors

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

An Act to Increase the Per Diem for County Commissioners Who Hire a Full-time County Administrator (H. P. 1351) (L. D. 1786)

An Act to Amend the Adult Protective Services Act (S. P. 536) (L. D. 1562)

An Act Concerning State Assistance to Areas Affected by Non-English Speaking Immigrants and Refugees. (S. P. 532) (L. D. 1555)

An Act to Require the Department of Human Services to Conduct Demonstrations of Adult Day Care and Other Services through Long-term Care Facilities. (S. P. 499) (L. D. 1511)

An Act to Establish a Commission to Review and Evaluate the University of Maine System. (S. P. 537) (L. D. 1566)

An Act to Protect the Public from Unsafe Pesticide Use. (S. P. 553) (L. D. 1602)

An Act to Rejuvenate the Fishing Industry in Maine. (S. P. 575) (L. D. 1652)

An Act Relating to the Education of Dependent Children. (H. P. 879) (L. D. 1133)

An Act to Equitably Share the Cost of Police Training. (H. P. 1075) (L. D. 1407)

An Act to Insure State Enforcement of Equal Opportunity in State-supported Educational Programs. (H. P. 1241) (L. D. 1653)

An Act to Change the Treatment of Certain Sales under the Sales Tax Law. (S. P. 627) (L. D.

1766)
 An Act to Provide an Income Tax Checkoff for Voluntary Support of Nongame Wildlife Management. (S. P. 380) (L. D. 1151)

An Act to Establish the Maine Environmental Protection Fund. (H. P. 1327) (L. D. 1762)

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

Senator COLLINS: Mr. President, the remainder of these fifteen items present a mixed bag and I want to make one statement that will apply in general to L. D. 1562, L. D. 1566, L. D. 1602, L. D. 1652, L. D. 1133, L. D. 1653, L. D. 1151 and L. D. 1762.

These are all items on which Republicans and Democrats disagree. The Republicans bow to the Legislative process and recognize that they do not have the votes to defeat these measures and rather than discuss them further or take individual votes, I simply make this statement that, in general, Republicans feel that these items exceed the spending that we ought to be doing in this Legislative year. Thank you, Mr. President.

Which were Passed to be Enacted, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

An Act to Amend the Statutes Regarding Corrections. (H. P. 1339) (L. D. 1779)

On motion by Senator Najarian of Cumberland, placed on the Special Appropriations Table, pending Enactment.

An Act to Revise the Markup Percentage for Maine Produced Products Under the Liquor Law (H. P. 1355) (L. D. 1791)

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: Mr. President, Ladies and Gentlemen of the Senate, L. D. 1791, as I said last night is a Bill that Legal Affairs heard earlier this year and it seems that it's back on the calendar for Enactment with quite a loss of revenue to the State; a loss of revenue over a three-year period is four hundred and seventy-five thousand dollars. I wonder how the Legislature can justify giving a tax break or take a loss of revenue from one company, a distiller in Lewiston to the tune of four hundred and seventy-five thousand dollars could be used for a lot of social services in the State or even a reduction in taxes in the State.

What the Bill does is call, if the new bill is the same as the old one, the new bill is not printed yet to my knowledge, it would allow the Liquor Commission to make a 65% markup in liquor produced in Maine versus a 75% in liquor coming into the State, and I really don't see how this Legislature can justify this four hundred and seventy-five thousand dollars loss of revenue for one liquor distiller in the State of Maine. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: I'd ask for a Roll Call.

The PRESIDENT: A Roll Call has been requested.

The Chair recognizes the Senator from Androscoggin, Senator Charette.

Senator CHARETTE: Thank you, Mr. President. Women and Men of the Senate, this was a Bill heard in Legal Affairs; went through the two Readers in the House and the Senate; Enacted through the process and then placed on the Appropriations Table at which time there were technical problems and a redraft had to be considered yesterday as a new bill.

I'd like to speak a little bit on this Bill. We do have in Lewiston a citizen of good standing, a citizen who has paid taxes to the State of Maine and to the city of Lewiston for several years. Lawrence Distilleries is a family owned business and it is to this day, family operated. It has competed for years with the distilleries owned by a large conglomerate and multinational corporations. When it was given the op-

portunity to compete fairly, it has succeeded, but now, because of Legislation that we passed in good faith in which we did not realize, might have an impact on Lawrence Distilleries, the survival of this employer is threatened.

One of the reasons that Lawrence Distilleries has survived has been the fairness of the Maine Liquor Commission. The Commission has never shown any favoritism toward this or any other Maine producer of liquor, but it has done its job in requiring the larger out-of-state companies to compete fairly within the State.

One way that this competition was kept was by the Commission requiring the out-of-state competitors to charge their actual transportation costs in getting their product to Maine. By doing this, the Commission prevented a subsidy of competition in Maine with revenues earned in other states by these larger distributors. Thus, for example, the Commission's policies made it impossible for a Kentucky manufacturer to cut its costs in Maine and recover them in another state where it enjoyed a dominant market position.

We have, unintentionally, undermined that protection of Lawrence Distilleries and any other Maine producer of alcohol by allowing the warehousing of liquor in Maine. When the Commission charges transportation costs for liquor, warehoused in Maine, it charges only from the warehouse in Maine to the State purchasing store. That's from Portland to Hallowell. Because this matter is so complexed and subjected to so many legal questions, it is our recommendation at this point that we leave the law that we passed last year in tact, and simply do what other states have done, and that is, to give an advantage in terms of a lower markup to liquor that is produced within the State in which it is sold. It is a fact of economic life that we compete with the state of New Hampshire in many areas; not the least of which is liquor sales. In this instance, we also compete for the location of the industries which produce liquor.

In New Hampshire, the markup for liquor produced is a maximum of 35% as compared with a maximum of 45% for liquor produced outside of New Hampshire. So, any in-house or in-State manufacturer gets a markup of 35% compared to the out-of-state 45%. In Maine, the markup is 75% whether you are a producer in Maine or out-of-state. Further, New Hampshire actively solicits industries which produce liquor elsewhere, to open up branches in New Hampshire to improve their liquor sales because New Hampshire's liquor sales are so huge, this is a significant incentive which more and more manufacturers are taking an advantage of and Lawrence has just done this, they've recently opened a branch in New Hampshire with a 35% markup, from Lewiston, that's a hundred thirty, forty, fifty miles; it would be so easy for him to transfer his plant in Lewiston to New Hampshire and get a 35% markup. Let's keep him in Lewiston.

We are faced with the fact that if we do not change our laws to compete with New Hampshire, there will be a very significant incentive to produce liquor in New Hampshire and to sell it in both Maine and New Hampshire. In addition, there will be no penalty under Maine Laws for not having produced liquor in Maine. I am sure all of us want to keep Maine industry in Maine.

This Bill in this new draft, as amended, calls for a three step decrease in the percentage from 75% to 65% and this will be effective beginning July 1, 1984 at a reduced dollar at seventy-five thousand dollars and building up to what had been estimated would be revenues lost by passing this Bill which was a total revenues loss at two-hundred fifty-two thousand dollars that was estimated from the Liquor Commission, however, we feel that this is not really justified to those full dollars and by doing this in a three step stage and allow that 10% difference and beginning only in July, '84,

we feel that by '85 and '86, this will allow this company to compete with out-of-staters and there's no question that sales could be increased.

Therefore, I urge the Passage of this Bill and let's keep our one and only liquor producer in the State of Maine.

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: Mr. President, Ladies and Gentlemen of the Senate, it was just yesterday, I think, or the day before, that the Legislature passed a bill to allow credit cards to buy liquor. Now, this should increase the revenue to these distillers in the State and out-of-state, also. It certainly will increase the consumption according to the revenue coming into the State.

I don't see why the Legislature should feel that it has to have a loss of revenue of four hundred and seventy-five thousand dollars over the next three years, for one distiller here in the State of Maine. Now, certainly the State of Maine cannot be continually run by the state of New Hampshire. If it was, every liquor store in the State of Maine would be the same price as the one at Portsmouth or Kittery, so the State of Maine doesn't follow New Hampshire in that regard. I don't think it should follow the state of New Hampshire in how they have the markup on their liquor.

If a company does move to New Hampshire to sell to both the State of Maine and New Hampshire that company will still have a 75% markup when they ship products into the State of Maine. They won't have a 35% markup like they do in New Hampshire, so I would urge the defeat of this Bill.

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

Senator NAJARIAN: Mr. President and Members of the Senate, I'd just like to say that this particular Bill had unanimous support of the Democrats on the Appropriations Committee and Democratic Leadership. There is no reason to discriminate against the Maine manufacturer, simply because it happens to be liquor. We're passing laws around here all the time, trying to promote Maine products, and help the Maine potato farmer and all the Maine manufacturers. There's no difference in this than passing a tax break we did for Pratt Whitney which was one manufacturer and we're just extending to this Maine manufacturer of liquor, an advantage that he previously had in freight rates that he lost when we passed a bill here two years ago, inadvertently, when we established a warehousing for imported liquor and one has been established in Portland. This Bill gives him no more than what he previously had, and it's to help to keep this gentleman in business and not lose it to New Hampshire which is one thing we've been trying to do all Session, I thought, is to create jobs and to have jobs in Maine.

I hope you will support the Enactment of this Bill.

The PRESIDENT: A Roll Call has been requested. Under the Constitution, in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

Obviously more than one-fifth having arisen a Roll Call is ordered.

The pending question before the Senate is the Enactment of L.D. 1791.

A Yes vote will be in favor of Enactment.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA—Brown, Bustin, Carpenter, Charette, Clark, Danton, Diamond, Dow, Dutremble, Erwin, Hayes, Minkowsky, Najarian, Pray, Trafton, Usher, Violette, Wood, The President-Gerard P. Conley.

NAY—Collins, Emerson, Gill, Hichens, McBreairty, Pearson, Perkins, Sewall, Shute, Teague, Twitchell.

ABSENT—Baldacci, Kany, Redmond.

A Roll Call was had.

19 Senators having voted in the affirmative and 11 Senators in the negative, with 3 Senators being absent, the Bill was Passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

An Act Relating to Authority of the Land Use Regulation Commission over Organized Municipalities. (S. P. 302) (L. D. 916)

Comes from the House, Indefinitely Postponed.

On motion by Senator Pray of Penobscot, Tabled until later in today's session, pending Enactment.

An Act Relating to the Labeling of Milk Containers. (H. P. 1132) (L. D. 1498)

Comes from the House, Indefinitely Postponed.

Which was Passed to be Enacted, and having been signed by the President. Sent down for concurrence.

RESOLVE, Approving the 1983 Draft and Arrangement of the Constitution of Maine Made by the Chief Justice of the Supreme Judicial Court and Providing for its Publication and Distribution. (S. P. 180) (L. D. 547)

Which was Finally Passed and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

An Act to Provide Immediate Authorization and Funding to Clean Up Hazardous Waste Dump at Buckfield. (S. P. 571) (L. D. 1649)

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

An Act Concerning the Agricultural Use of Sludge. (H. P. 1248) (L. D. 1662)

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

Senator MINKOWSKY: Mr. President and Members of the Senate, I apologize to the Chair for the question that I happened to notice as an error that what should be 8-19 was classified as 8-9 on our calendar this morning.

Mr. President and Members of the Senate, I have some limited experience in the use of sludge as I live within a quarter of a mile of the Lewiston Sludge Plant, and I can assure you that it has some very, very toxic odors which for the residents in the area can actually make you nauseous.

This particular Bill this morning which basically pertains to the tanning industry in the State of Maine, I feel, is an area that is not a clean industry but an area that the industry, itself, should be held totally responsible for the pilot program instead of passing this on to the people of the State of Maine through an eighty thousand dollar appropriation.

It's interesting to note on the first page of this emergency item it says, "whereas properly controlled land application of tannery sludge can be cost effective and an environmentally sound method of managing these wastes while increasing soil conditioning and productivity," but yet, when you get down to the other area of line number 21, it says, "the Legislature further finds that land application of tannery sludge would enhance soil production or productivity. The Legislature directs the Commissioner of Environmental Protection to conduct a

three year tannery sludge application demonstration project, to determine whether this poses any adverse health or environmental affects." I've never seen anything so darn inconsistent as what we've observed in this particular piece of Legislation. If it is good enough, as it says up above, to increase the productivity in increasing the soil conditioning and a lot of the stuff is going to get into the food chain, I really think we better give this thing very, very serious consideration. Now, the industry, itself, apparently has set aside a fifty acre plot of land for this pilot program; but while the taxpayers of the State of Maine will pick up the actual three year experimental program on this particular thing.

Now, monitor the project and evaluate the impact of sludge application on ground water, soils and plants, crops uptake of heavy metals. I've been concerned with the ground water of the State of Maine for as many years, from the time I was on the, one of the blue chip committees we had many years ago, known as the Legislative Research Committee, and that's the time we really started to evaluate exactly what impact these chemicals would have upon our ground water.

Now, this tanning industry, I believe, does not pay the highest wages in the State of Maine either, but I think they basically if they are producing a product, which they claim in this particular L.D. is of paramount importance, they should be held totally accountable and totally responsible for the maintenance of this particular three year study. It's not proper for us to allocate taxpayers money and still pass the abundance of Legislation regulate and over regulate every other single industry in the State of Maine, and allow these people this particular flexibility. We are being very inconsistent if we Enact this particular Bill this morning.

Mr. President, I do not intend to move for the Indefinite Postponement of this Bill, but I would request a Roll Call so that I might voice my opposition to this particular Bill by voting against it.

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

Senator PEARSON: Mr. President, Men and Women of the Senate, in the absence of the Senate Chairman of Energy and Natural Resources, I would like to tell you a few things about this particular Bill.

This deals with the tanning industry which were principally located in the areas of the sponsors of this particular Bill, and I say were because between the time this Bill was first sponsored and the present time, some of those businesses have gone out of business because of some difficulty they've had.

The tanning industry in Maine is a marginal type of business, sometimes in our economy, one of the problems that they've had over the years; one of their principal problems is sludge. That is the by-product of the tanning industry.

We had before our Committee an expert come in from, I forget where it was, I think it was the University of Pennsylvania, but I could be mistaken, who talked to us about applying these by-products of the tanning industry on our land for agricultural purposes, and he spoke in terms of minerals, and frankly he sailed over my head; but what he said was that experiments they've done in some part of the country on a very limited basis have indicated that to apply this sludge on a piece of agricultural land was not a detriment, but was good for the soil. However, there is some lingering fears about this particular thing and so the people in our tanning industry of Maine want to put this to rest by applying this to their own land and have it monitored over a period of several years and grow the kind of crops that will best indicate whether the by-products will be detrimental to the soil.

So that if this particular thing turns out to be successful they will be able to not only sell their

leather goods but they will be able to sell their by-products on the Maine economy to the farmers in the State of Maine to enhance their soil.

What I am saying is there are some doubts. They are pretty sure that they know that it is going to be good in most cases depending on the minerals in the soil in any given area, but they want to prove it once and for all. So they came to the Maine Legislature and asked us for some help, just as we have given help to a lot of different other industries in Maine. So I would hope that you would pass this particular Bill so that they could get on with this project of spreading this sludge over their land, sludge is kind of a bad name really, but spread it over their land and begin the research that will end up helping that industry.

The PRESIDENT: The Chair recognizes the Senator from Washington, Senator Brown.

Senator BROWN: Thank you, Mr. President. Ladies and Gentlemen I would like to just add to the comments of the good Senator from Penobscot, Senator Pearson in good terms of what he has just said, and, also to point out to the good Senator from Androscoggin, Senator Minkowsky that if he would refer to Senate Amendment 249 he will note that the appropriate amount has been reduced by twenty thousand the first year, and ten thousand the second year, for a total reduction of eighty thousand, to thirty thousand.

I might, also, say that the same sort of arguments that the good Senator has presented where thoroughly discussed in Committee. One of the concerns was that this is a marginal industry and there is yet the doubts of what affect this use of sludge for agricultural purposes might have on the ground water. So as a result of the State appropriating these sums of money and you'll notice in sections 3, 4 and 5 and 6 of the Bill will have very close follow-up to what is being done in terms of that research. I think that it is a very reasonable project for us to follow-up on.

Especially I would like to point out the reduction in the fund, the industries will come up with the remainder of the funds that are necessary to carry out this research. Thank you, Mr. President.

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

Senator PEARSON: Mr. President, I would point out that this is an emergency measure and I would appreciate it if you would keep that thought in mind when you are voting.

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

Senator McBREAIRTY: Mr. President and Honorable Members of the Senate I would just like to say that the Natural Resources did work hard on this Bill, we had several work sessions and I do hope that the Bill passes. Thank you.

The PRESIDENT: A Roll Call has been requested. Under the Constitution in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of the Senators present and voting.

Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

Obviously more than one-fifth having arisen a Roll Call is ordered.

The pending question before the Senate is Passage to be Enacted on L.D. 1662.

A Yes vote will be in favor of Enactment.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA—Brown, Bustin, Carpenter, Charette, Clark, Collins, Diamond, Dow, Dutremble, Emerson, Erwin, Gill, Hayes, Hichens, McBreaity, Najarian, Pearson, Pray, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Violette, Wood, The President—Gerard P. Conley.

NAY—Minkowsky, Perkins.

ABSENT—Baldacci, Danton, Kany, Red-

mond.

A Roll Call was had.

27 Senators having voted in the affirmative and 2 Senators in the negative, with 4 Senators being absent, the Bill was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Orders of the Day Unfinished Business June 23, 1983

The following matters in the consideration of which the Senate was engaged at the time of adjournment yesterday, have preference in the Orders of the Day and continue with such preference until disposed of as provided by Rule 25.

The PRESIDENT: The Chair would direct the Senate's attention to the first matter of Unfinished Business:

Papers From the House Joint Order

JOINT ORDER (H. P. 1356) Recalling L.D. 1131 An Act to Revise the Truancy Laws from the Governor's Desk.

(In House June 23, 1983 Read and Passed)

Which was Read and Passed, in concurrence.

The PRESIDENT: The Chair would direct the Senate's attention to the second matter of Unfinished Business:

RESOLVE, Authorizing and Directing the Commissioner of Agriculture, Food and Rural Resources to Promote Regional and International Cooperation in the Development of Agricultural Programs Designed to Encourage Greater Food Production, Marketing and Food Self-sufficiency Among the States of New England and Quebec and the Maritimes (S. P. 324) (L. D. 969)

Tabled—June 23, 1983 by Senator PRAY of Penobscot.

Pending—Final Passage.

(In Senate May 12, 1983 Passed to be Enacted as Amended by Committee Amendment "A" (S-82) and House Amendment "A" (H-234) in concurrence)

(In House May 17, 1983 Passed to be Enacted)

On motion by Senator Najarian of Cumberland, LD 969 was Indefinitely Postponed, in non-concurrence.

Sent down for concurrence.

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

Enactor

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

Emergency

An Act to Reform the Workers' Compensation System (H. P. 1019) (L. D. 1322)

This being an emergency measure and having received the affirmative vote of 29 Members of the Senate with 1 Senator 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.

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

Enactors

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

An Act to Extend and Amend the Statute entitled Purchase of Foodstuffs from Maine Concerns. (H. P. 710) (L. D. 901)

An Act to Assure Public Awareness of Nuclear Civil Protection Plans for Maine. (H. P. 1266) (L. D. 1677)

An Act to Extend Consumers Freedom of Choice Regarding Insured Mental Health Services. (H. P. 743) (L. D. 955)

An Act to Promote Work-site High Blood Pressure Programs for Maine Workers. (S. P. 284) (L. D. 872)

An Act to Create a Maine Sentencing Guidelines Commission. (H. P. 1270) (L. D. 1684)

An Act to Address School Failure in Kindergarten and Early Elementary Grades. (H. P. 1066) (L. D. 1404)

An Act to Provide a Statewide Office of School Volunteer Programs. (H. P. 386) (L. D. 469)

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

Senator COLLINS: Mr. President, again, I would like to expedite the Legislative process, but put a position onto the Record with respect to items L. D. 901, L. D. 1677, L. D. 955, L. D. 1684, L. D. 496 and L. D. 1714; these are items which, in general, Republicans felt exceeded the spending capacity of the State in this particular year.

Rather than debate these, they have all had debate before, rather than ask for separate votes recognizing that Republicans do not have the votes to stop any of these items, I simply want to state that position for the Record and then let the Legislative process take its course.

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

Senator PRAY: Thank you, Mr. President. Mr. President, Ladies and Gentlemen of the Senate I just want to clarify or perhaps expand on the remarks of the good Senator from Knox, Senator Collins, yesterday afternoon the Members of the two political parties, the leadership of both branches, had an opportunity to sit down and review the recommendations of the Appropriations Committee on the eighty-two bills that were on the Appropriations Table. Out of the eighty-two bills; twenty-five of those broke down along party lines either to be funded or not to be funded; three of those twenty-five were recommended by the Minority Party to be funded which were not; fifty-six of them broke down in a non-partisan basis of support, that were not of a political significance that one political party opposed the other by a combination thereof not always unanimously but at least bi-partisanly. So while some of these issues have been signaled as areas of which the Minority Party opposes, there were others that they did on a number of occasions support.

I think that the package that will come out of this Legislative Session both in the Part II Budget and the combination of these legislative documents which require funding is a positive step for the State of Maine. It is a step that the people of this State echoed last November when they elected those of us who serve in this Chamber and in the other Body that they spoke that they wanted. I think that this entire program, including these L.D.'s are now here pending enactment as a positive step forward and a step that the Members of this Legislature no matter what their political alliance may be can be proud of.

Which were Passed to be Enacted and having been signed by the President, were by the Secretary presented to the Governor for his approval.

An Act Appropriating Funds for Independent Living Services for the Disabled. (S. P. 316) (L. D. 952)

On motion by Senator Najarian of Cumberland the Senate voted to Reconsider its action whereby L.D. 952 was Passed to be Engrossed.

On further motion by the same Senator, the Senate voted to further Suspend its Rules.

On further motion by the same Senator, the Senate voted to Reconsider its action whereby it Adopted Senate Amendment "A" (S-232)

On further motion by the same Senator, Senate Amendment "A" (S-232) was Indefinitely Postponed, in non-concurrence.

On further motion by the same Senator, the Senate voted to Reconsider its action whereby

it Adopted Committee Amendment "A" (S-150) as amended by House Amendment "A" (H-336) thereto.

The PRESIDENT: The Senator has the floor. Senator NAJARIAN: I offer Senate Amendment "A" under filing number S-268 to Committee Amendment "A" and move its Adoption.

The PRESIDENT: The Senator from Cumberland, Senator Najarian offers Senate Amendment "A" to Committee Amendment "A" and moves its Adoption.

Senate Amendment "A" (S-268) to Committee Amendment "A" was Read and Adopted.

Committee Amendment "A" as amended by House Amendment "A" (H-336) and Senate Amendment "A" (S-268) thereto was Adopted, in non-concurrence.

The Bill was Passed to be Engrossed, as amended, in non-concurrence.

Sent down for concurrence.

An Act to Provide Equitable Mental Health Insurance. (S. P. 596) (L. D. 1718)

The PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Sewall.

Senator SEWALL: Mr. President, speaking of L.D. 1718 An Act to Provide Equitable Mental Health Insurance, I would ask first for a Roll Call on this Bill and make one more plea to the Senate in a State where we do not mandate Health Insurance for employees, a business doesn't have to buy it, we should not be mandating what benefits the business does.

It is not good for the employer, it is a disincentive for him/her to even offer health insurance; and secondly it is not good for the employee, because they don't get to negotiate for the benefits they might want to have, they get told by us what they are going to have. It does neither side one bit of good. I do request a Roll Call.

The PRESIDENT: A Roll Call has been requested.

The Chair recognizes the Senator from Cumberland, Senator Clark.

Senator CLARK: Thank you, Mr. President. Mr. President, Men and Women of the Senate, this Legislature has spoken with reference to L. D. 1023 in its New Draft form L. D. 1718. This Legislature is advocating for a reduction in the stigma associated with mental illness and for an end to discrimination in the provision of health insurance. The case is that simple.

I would hope that we would enact this measure this morning.

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

Senator PEARSON: Mr. President, Men and Women of the Senate, I don't think whether you mandate or do not mandate that you are attaching or not attaching a stigma or anything else. I just think that an employee ought to be able to negotiate the benefits that he/she wants. It is just as simple as that, and here we are getting into the business of telling what kind of coverage that they can have, whether they want it or not, or whether they want something else or not. It just amazes me, it's incredible, to use a word another Senator uses often, that we would do this type of thing.

The PRESIDENT: Under the Constitution in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

Obviously more than one-fifth having arisen a Roll Call is ordered.

The pending question before the Senate is Passage to be Enacted on L.D. 1718.

A Yes vote will be in favor of Enactment.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA—Brown, Bustin, Carpenter, Charette, Clark, Collins, Diamond, Dow, Dutremble,

Erwin, Gill, Hayes, Najarian, Perkins, Pray, Wood, The President-Gerard P. Conley.

NAY—Emerson, Hichens, McBreairty, Minkowsky, Pearson, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Violette.

ABSENT—Baldacci, Danton, Kany, Redmond.

Senator Diamond of Cumberland was granted permission to change his vote from Yea to Nay.

A Roll Call was had.

16 Senators having voted in the affirmative and 13 Senators in the negative, with 4 Senators being absent, the Bill was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

An Act to Provide Equitable Health Care for Alcoholism and Drug Dependency Treatment. (H. P. 1293) (L. D. 1714)

The PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Sewall.

Senator SEWALL: Mr. President, Members of the Senate this is the same thing again, mandating a benefit where insurance is not mandated, again not leaving the choice up to either side, I understand that a Roll Call would probably be exactly the same so I am going to let it go, but I think that we are setting a very dangerous precedent here.

Which was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

RESOLVE, to Establish a Maine Commission to Examine the Availability, Quality and Delivery of Services Provided to Children with Special Needs. (H. P. 1251) (L. D. 1664)

Which was Finally Passed and having been signed by the President was by the Secretary presented to the Governor for his approval.

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

Orders of the Day

On motion by Senator Najarian of Cumberland the Senate voted to remove from the Special Appropriations Table:

An Act to Revise the Markup Percentage for Maine Produced Products Under the Liquor Law. (H. P. 1084) (L. D. 1432)

On motion by Senator Najarian of Cumberland L. D. 1432 was Indefinitely Postponed, in non-concurrence.

Sent down for concurrence.

On motion by Senator Najarian of Cumberland the Senate voted to remove from the Special Appropriations Table:

An Act to Amend the Forest Fire Control Laws and Change the Method of Funding Forest Fire Control Services (H. P. 1342) (L. D. 1781)

The PRESIDENT: A Roll Call has been requested. Under the Constitution in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

Obviously more than one-fifth having arisen a Roll Call is ordered.

The pending question before the Senate is Passage to be Enacted on L.D. 1781.

A Yes vote will be in favor of Enactment.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA—Brown, Bustin, Carpenter, Charette, Clark, Diamond, Dow, Dutremble, Erwin, Hayes, Minkowsky, Najarian, Pearson, Pray, Teague, Twitchell, Usher, Violette, Wood, The President-Gerard P. Conley.

NAY—Collins, Emerson, Gill, McBreairty, Perkins, Sewall, Shute, Trafton.

ABSENT—Baldacci, Danton, Hichens, Kany, Redmond.

A Roll Call was had.

20 Senators having voted in the affirmative and 8 Senators in the negative, with 5 Senators being absent, L.D. 1781 Failed of Passage to be Enacted, in non-concurrence.

Sent down for concurrence.

(Off Record Remarks)

Senator Dutremble of York was granted unanimous consent to address the Senate, On the Record.

Senator DUTREMBLE: Mr. President and Members of the Senate, I would like to talk to you a little bit about Labor, the fact that I have been on the Labor Committee for three years now, two years my first term here in the Senate, and this year as Chairman of the Labor Committee, and many times in those three years I have heard people testify before our Committee about the business climate of this State and how we have to watch out what we do with the business climate of this State. Then, of course, we have the other side who are really concerned about the workers climate of the State. I am a little concerned about both of them, and I guess during those three years I've come to realize that when we talk about business climate and when we talk about workers climate what we should really be concerned about when we pass bills is to make sure that we pass bills that would protect our workers and yet not really affect our good businesses.

I guess during the years, I've been in favor of passing bills that restrict or protect our workers from bad employers. I guess I want to talk to you this morning about what I consider a bad employer. A term for those employers who come to the State of Maine and really could care less about the State of Maine or they could care less about the employees and all they really care about is making the buck. I am talking about those employers who come to the State of Maine and rape our industries, use our workers and then they get up and leave and leave our people high and dry, making our workers in the communities that these industries are in, financially devastated.

I come from an area, the Biddeford-Saco area, that has been financially devastated by employers who have pulled out and left our community high and dry. Many of the textile mills have pulled out and moved down south because of cheaper labor and many other reasons. We had a major employer close down about fifteen years ago over a nickle in a labor management dispute. We have had the shoe industry leave our community. So the Biddeford-Saco area has been financially devastated by these moves.

Now in the early 70's we had legislators from the Biddeford-Saco area come to the Legislature to introduce bills to protect people all over the State of Maine from what happened in the Biddeford-Saco area. I am talking about the severance pay provisions and I am talking about the plant closing provisions. Unfortunately, there appeared to be a loophole and another industry in the city of Biddeford-Saco has closed their doors and left three hundred and thirty people without a job.

Only one thing is different—they may have done something illegal and the Attorney General is checking on it. I really hope that the Attorney General of this State can tuck it to them the way that these industries have been tucking it to the people of the Biddeford-Saco area over the last twenty or thirty years. If they can't next year I'll be here introducing a bill to close down these loopholes and I hope that you remember this and all support me on it so that we can start helping the working people of the State and start tucking it to the fat-cats who are raping our people and leaving us all

high and dry.

Out of Order and 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: An Act to Improve Access to Small Claims Court (H. P. 480) (L. D. 577)

An Act to Establish a Special Acquisitions Fund at the State Library (S. P. 573) (L. D. 1651)

An Act to Provide Cost-of-living Adjustments to Retired State Employees, Teachers and Beneficiaries (H. P. 1142) (L. D. 1507)

An Act Relating to Ethanol Production in the State (H. P. 1282) (L. D. 1699)

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

Senator COLLINS: Mr. President, I repeat the statements that I've made before on Enactors and this time with respect to L.D. 577, again, I will not ask for a further debate or a Roll Call but me thinks this again is an item that exceeds the expenditure capacity of the State.

Which were Passed to be Enacted and having been signed by the President, were by the Secretary presented to the Governor for his approval.

RESOLVE, Directing the Department of Marine Resources to Erect a Fishway on the Orange River in Whiting, Washington County (H. P. 420) (L. D. 503)

Which was Finally Passed and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Under Suspension of the Rules, on motion by Senator Pray of Penobscot, there being no objections all matters previously acted upon were sent forthwith.

Orders of the Day

On motion by Senator Pray of Penobscot the Senate voted to remove from the Unassigned Table:

JOINT ORDER relative to Amending the Joint Rules by Repealing and Replacing Joint Rule 21 (H. P. 1297)

Tabled—June 6, 1983 by Senator PRAY of Penobscot.

Pending—Passage.
(In House June 3, 1983 Passed as Amended by House Amendment "A" (H-321).)

On motion by Senator Pray of Penobscot, Indefinitely Postponed, in non-concurrence.

Sent down for concurrence.
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
Non-concurrent Matter**

BILL, "An Act to Revise the Truancy Laws" (H. P. 877) (L. D. 1131)

(In House June 15, 1983 Passed to be Enacted)

(In Senate June 15, 1983 Passed to be Enacted)

Recalled from the Governor's Desk pursuant to Joint Order (H. P. 1356)

(Comes from the House, Bill and Accompanying Papers Recommended to the Committee on Education in non-concurrence.)

The PRESIDENT: Is it the pleasure of the Senate to Recede and Concur with the House? It is a vote.

Non-concurrent Matter

JOINT ORDER Relative to Joint Rule 15 (S. P. 418)

(In Senate March 21, 1983 Read and Passed.)

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

The PRESIDENT: Is it the pleasure of the Senate to Recede and Concur with the House? It is a vote.

**Committee Report
House**

Divided Report

The Majority of the Committee on Labor on BILL, "An Act Concerning Arbitration Involving Municipal Fire and Police Departments" (H. P. 331) (L. D. 390)

Reported that the same Ought to Pass in New Draft under New Title, BILL, "An Act Establishing Emergency Service Personnel Arbitration Act" (H. P. 1299) (L. D. 1724)

Signed:

Senators:

DUTREMBLE of York
HAYES of Penobscot

Representatives:

GAUVREAU of Lewiston
TAMMARO of Baileyville
TUTTLE of Sanford
NORTON of Biddeford
SWAZEY of Bucksport
BEAULIEU of Portland

The Minority of the same Committee on the same subject matter Reported that the same Ought Not to Pass.

Signed:

Senator:

SEWALL of Lincoln

Representatives:

WILLEY of Hampden
LEWIS of Auburn
BONNEY of Falmouth
ZIRNKILTON of Mount Desert

Comes from the House, Bill and Accompanying Papers Recommended to the Committee on Labor.

Which Reports were Read.

On motion by Senator Pray of Penobscot, Recommended to the Committee on Labor, in concurrence.

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

Communication

The Following Communication:

**State of Maine
House of Representatives
Augusta 04333**

June 24, 1983

Honorable Joy J. O'Brien
Secretary of the Senate
111th Legislature
Augusta, Maine
Dear Madam Secretary:

The House voted today to adhere to its action whereby it Indefinitely Postponed An Act Relating to the Labeling of Milk Containers (H. P. 1132) (L. D. 1498)

Sincerely,

S EDWIN H. PERT
Clerk of the House

Which was Read and Ordered Placed on File.

Enactor

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

Emergency

An Act Relating to Services of a Municipal Character in the Unorganized Territory (H. P. 1344) (L. D. 1783)

This being an emergency measure and having received the affirmative vote 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.

Out of Order and Under Suspension of the

Rules, the Senate voted to consider the following:

Enactor

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

An Act to Establish Funding for Programs of Preventive Intervention and Family Support (H. P. 1268) (L. D. 1682)

Comes from the House, Failing of Passage to be Enacted.

Which was Passed to be Enacted and having been signed by the President.

Sent down for concurrence.

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

**Committee Report
Senate
Ought to Pass**

Senator TRAFON for the Committee on Judiciary on BILL, "An Act Making Additional Corrections of Errors and Inconsistencies in the Laws of Maine" (Emergency) (S. P. 635) (L. D. 1792) Reported that the same Ought to Pass pursuant to Joint Order (S. P. 628)

Which Report was Read and Accepted.

The Bill Read Once.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, that L. D. 1792 be given its Second Reading by Title Only?

It is a vote.

Under Suspension of the Rules, the Bill Read a Second Time and Passed to be Engrossed.

Sent down forthwith for concurrence.

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

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

"An Act to Amend the Forest Fire Control Laws and Change the Method of Funding Forest Fire Control Services." (H. P. 1342) (L. D. 1781)

(In House, June 22, 1983, Passed to be Enacted.)

(In Senate, June 24, 1983, Failed of Enactment.)

(Comes from the House, that Body Adhered.)

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

Senator WOOD: I move that we Recede and Concur.

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

This being an emergency measure and having received the affirmative vote of 26 Members of the Senate, with 3 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.

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

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

RESOLVE, Authorizing and Directing the Commissioner of Agriculture, Food and Rural Resources to Prompt Regional and International Cooperation in the Development of Agricultural Programs Designed to Encourage Greater Food Production, Marketing and Food Self-Sufficiency Among the State of Northern New England and Quebec and the Maritimes. (S. P. 324) (L. D. 969)

(In Senate, June 24, 1983, Bill and Accompanying Papers Indefinitely Postponed in non-concurrence.)

(Comes from the House, Passed to be Engrossed as Amended by Committee Amendment "A" (S-82) and House Amendment "A" (H-234) and House Amendment "B" (H-433) in

non-concurrence.)

The PRESIDENT: Is it the pleasure of the Senate to Recede and Concur with the House?

It is a vote.

The PRESIDENT: The Chair at this time would like to take this opportunity to express the feelings of the presiding officer, his deep thanks to all of those who have worked so hard throughout this Session and it is primarily all the Senate staff particularly Joy O'Brien who has done an outstanding job as Secretary of the Senate. Valerie Mitchell who green as a horn coming in here has done a superb job one that we are extremely proud of. Our very illustrious Sergeant-at-arms (Molly Pitcher), who salutes me every morning and her assistant Lori Murphy. Certainly thanks to Tom Hickey the doorman, Kevin McVey, Susan Rosenthal for their part as pages throughout the session. Terry Morrison who has done an outstanding job we've got her listed as Supply Clerk, she's given me much help and assistance to make sure that things do run smoothly here. Jim Gormley the Postmaster and his able assistant Charlie Meserve. Linda Howe, the Reporter, who hasn't made a mistake yet in the Record that I've caught. Charlotte Clark, the Assistant Reporter, Maureen Johnson, Marilyn Canavan who certainly are the unspoken heroes who have worked inside those closed doors, over there, many, many late hours of the evening, and it is a thankless job. To Angela Morin, our young lady here at the control center, and also, working in the Secretary's office. Certainly to those sightless people on the fourth floor who served as Senate Stenographers: Rachel Hatch, Rosemary Thomas, Jean Vashon, and Helen Wing and I would ask the Senate to rise and give these people an outstanding greeting. (Applause, the Members Rising)

(Senate At Ease)

The Senate called to order by the President.

Orders of the Day

On motion by Senator Pray of Penobscot, the Senate voted to remove from the Table:

An Act Relating to Authority of the Land Use Regulation Commission over Organized Municipalities (S. P. 302) (L. D. 916)

Tabled—June 24, 1983 by Senator Pray of Penobscot.

Pending—Enactment.

(In House, June 23, 1983, Bill and Accompanying Papers Indefinitely Postponed.)

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

Senator KANY: Mr. President, and Members of the Senate: I ask for a Division, and I hope that we do fail to Enact this Bill.

It has come to my attention that in addition to assessing most areas that we usually think of in the unorganized territory it, also, affects the Indian Land Claims Settlement area in with which up to three hundred thousand acres of trust lands in the unorganized area of the State could be affected, and these lands would be treated like part of a municipality and currently they would be excluded from LURC jurisdiction only upon adoption by the tribal government of a plan and ordinance and LURC would retain oversight for four years.

If this Bill passes it would allow an additional three hundred thousand acres of forest land scattered across the State to be removed from comprehensive planning and zoning without the benefit of four years of LURC oversight.

I urge rejection of this Bill upon Enactment, now.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of Enactment, please rise in their places to be counted.

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

No Senators having voted in the affirmative, and 23 Senators having voted in the negative, L. D. 916 Failed of Passage to be Enacted.

Senator Charette of Androscoggin, was granted unanimous consent to address the Senate, On the Record.

Senator CHARETTE: Thank you, Mr. President. Shortly, this will be distributed in English representative of what I am going to say in French.

NOUS CÉLÉBRONS AUJOURD'HUI LE 24 JUIN, LA FÊTE DE SAINT JEAN BAPTISTE.

ON REPRESENTE SOUVENT JEAN BAPTISTE AVEC UN MOUTON, AUTANT QU'ON PEUT EN JUGER, JEAN N'AVAIT RIEN DE CET ANIMAL "SUIVEUX" ET SANS INITIATIVE. AU CONTRAIRE, SA PERSONNALITE EST CELL D'UN CHEF DE FILE, ARDENT, FOUGUEUX, A LA PAROLE ET AU GESTE DU HERAULT.

LA FETE DE SAINT JEAN FUT TRÈS POPULAIRE DES LES PREMIERS SIÈCLES CHRÉTIENS. LES PREMIERES CELEBRATIONS DE LA SAINT JEAN BAPTISTE PAR LES CANADIENS-FRANÇAIS COINCIDENT AVEC LES DEBUTS DE LA PETITE COLONIE DE LA NOUVELLE-FRANCE. EN EFFET, UN DOCUMENT RAPPORTE LA CEREMONIE DU "FEU DE LA SAINT JEAN," LE SOIR DU 23 JUIN 1636.

LE 25 FÉVRIER 1908, LE PAPE PIE X ACCÉDANT AU VOEU DE QU CARDINAL BEGIN, ARCHEVÊQUE DE QUÉBEC, PUBLIAIT UN BREF DANS LEQUEL IL DISAIT: "...NOUS ÉTABLISSONS, CONSTITUONS ET PROCLAMONS SAINT JEAN BAPTISTE PATRON SPECIAL AUPRES DE DIEU DES FIDÈLES FRANCO-CANADIENS, TANT DE CEUX QUI SONT AU CANADA QUE DE CEUX QUI VIVENT SUR UNE TERRE ÉTRANGÈRE."

EN 1875 LA PREMIÈRE CÉLÉBRATION IMPORTANTE DE LA SAINT JEAN BAPTISTE DANS LE MAINE: A EU LIEU A LEWISTON, MAINE.

PUISSENT CES QUELQUES NOTES, NOUS FAIRE APPRECIER A SA JUSTE VALEUR LA FIGURE ET LA MISSION INCOMPARABLES DE SAINT JEAN BAPTISTE ET REVEILLER, SI BESOIN ÉTAIT, LA FIERTE DE L'AVOIR COMME PATRON SPECIAL.

MERCI.

IT IS A FITTING TRIBUTE THAT THIS STATE NOURISHES FRANCO ETHNIC PRIDE THROUGH THE SPECIAL OBSERVANCE THE FEAST OF ST. JOHN BAPTISTE.

Thank you, Mr. President.

Senator Dutremble of York was granted unanimous consent to address the Senate, On the Record.

Senator DUTREMBLE: Mr. President and Members of the Senate: First let me say to my fellow franco, the Senator from Androscoggin, that he did a very good job and I understood every word of it.

Today is a very special day in Maine. It is the first State observance of Saint Jean Baptiste giving the Franco-Americans their first day and their own day of celebration.

Speaking from the French corner of this Body, if you look here I have the good Senator from Androscoggin, Senator Charette, the good Senator from Androscoggin, Senator Minkowsky, then we have the good Senator from Somerset, Senator Redmond, the good Senator from Aroostook, Senator Violette, and even the good Senator from Westbrook, from Cumberland, Senator Usher, who tells us today that he is part French.

There are a lot of francos who feel that the Franco-American population in the State of Maine for a number of years have been ignored a little too much when it comes to matters of State importance or matters that are important to French people. I know that we here in the French section of the Body feel that the Franco-Americans of the State of Maine are the backbone of the State of Maine.

Unfortunately, it seem that in past years that less and less of our Franco-American heritage is remembered and more and more of it is lost. I think that it is important that we, and our sons and daughters remember our background and our history when it comes to Franco-American culture. Most Franco-Americans came to my area in the 1890's and the early 1900's and spent long hours for little pay working in the textile mills down there. I am sure that they realized then, and we realize especially today that the time that they spend working only helped to build the communities of Biddeford-Saco and helped in the foundation and the building of Maine and of this country.

So today, on this special day, fight of Saint John Baptiste, I join with all the people of the other traditional Franco-American centers around the State of Maine, and Biddeford-Saco, and Sanford, and in Westbrook, and in Brunswick, and Gardiner, and Winslow, and Augusta, and Waterville, and Lewiston-Auburn, and in the Valley and hope that we all celebrate together this Saint John Baptiste, and in Bangor, and Old Town, and in Orono, and hope that the next time somebody asks you, "did you hear the one about the Frenchmen" you all turn around and say "Yes and aren't they a great bunch of people."

Also, before I stop, you notice these pins that a lot of the people are wearing, "C'est le temps Franco-American" translated that is "it is time for the Franco-American" and "Américain Premiere Kermesse" is translated into "First Festival" which will be held in Biddeford, the First Franco-American Festival will be held in Biddeford July 1, 2, 3 and 4th and we invite each of you here the Members of the Senate and to the people of the State of Maine that you could come down to the great city of Biddeford next week and enjoy the festivities you're all welcome to participate and enjoy good French food and hospitality. Thank you.

Senator Violette of Aroostook was granted unanimous consent to address the Senate, On the Record.

Senator VIOLETTE: Mr. President and Ladies and Gentlemen of the Senate: We have heard some remarks of my good fellow Senators here in the back row, Senator Charette from Androscoggin, explaining a little bit of the background of Saint John Baptiste and we've heard some of the concerns of the Senator from York, Senator Dutremble, has shared with us and I want to share with you a few of my own thoughts in this regard. I spoke out a few days ago in regards to the proposed University of "UML" I spoke not only of the University but also about the people of French here in Maine.

I have a concern for these people who make up approximately one-third of all of Maine's citizens and I am going to share with you some of my thoughts and history in that regard today.

First of all I want to join my fellow members who recognize Saint John Baptiste Day. I also want to speak of the Acadian people, the other group of French descent who live primarily in the northern part of the State. Their patron saint is Mary and that feast is celebrated on August the 15th which is the fast of the Assumption of our Blessed Mother. That feast day was selected as Le première congrès des Acadiens in 1885 in Moncton, New Brunswick which was attended by Acadians from throughout the Maritimes and New England. The Congress was called to look at what could be done for the plight of this abused minority over the years at the hand in New Brunswick of the Loyalists. There were no schools for these people of their own, they were unaccepted to attend English schools in the Province, so Pères de La Sainte-Croix "the Fathers of the Holy Cross" came and founded St. Joseph College which became the University of Moncton, a French college, the only French law school

outside of Quebec in North America. At this same time, the Congress decided to select a flag which is the tri-colors with the star. The star was selected as a part of the flag because of the song which was "Mary Star of the Sea" and that's the patron saint of the Acadians, Mary.

The Saint John Valley shares in the twin cultures of the Quebec and the Acadians and so they celebrate their annual Acadian Festival in the Saint John Valley over the next several weeks starting this evening, hopefully, I might be able to get up there.

I speak with a great deal of pride of the people who settled in the Saint John Valley. A people who were abused and subjected to great pain and suffering. The Acadians first came to North America and settled on the Island of St. Croix in 1604 and then moved to what is now Nova Scotia where they took the raw land, where no one had ever lived before and turned them into farms where they lived until 1755. The great deportation, the story of Evangeline, when the Loyalists, the English from New England were given all these lands and the Acadians were thrown out; families were split apart, if they had not fled; some were sent to Massachusetts; some were sent to Louisiana; some were sent to Haiti; others were killed. Some were lucky, I say lucky, enough to go to the Fredericton area, where they started all over again, but in 1785 only thirty years later, they lost all their land again; all their farms and their homes to the English and the Loyalists. They were sent to the Upper Saint John River, a place hard enough to live in today but where two hundred years ago, all there was, were forests and river. Many died, but out of all this, families grew, parishes were formed and a new life began.

The bigotry against the French and the Acadians did not end there, two hundred years ago. Yesterday, I was looking through a history of Aroostook written by Edward Wiggin in 1892. In the 1922 copy of this book the introduction was written by the good George H. Collins from Presque Isle. The public published work, Mr. Collins goes on to say, the published work is here with presented to the people of Aroostook and we believe that all who are interested in the history, growth and development of our great county will find this work of value and interest. When this book was published, that was approximately sixty years ago. The Table of Contents of this book of Aroostook county contains a list of the towns in Aroostook County. One town, of the ten towns in Aroostook County is mentioned in the Table of Contents, and all of those towns are over one hundred years old, since they were incorporated, and over two hundred years those people have been living there. For all of the valley, The Table of Contents list all of the other names in the county except when it comes to the Valley, it's called "the Upper Saint John Country." We go to that ten page section out of a two hundred page book to the Upper Saint John Country, a book printed in 1922, about the history of Aroostook County, mind you, those people up in the Saint John Valley were there before all those other people had come to Aroostook County. The Upper Saint John River Country, and I quote from a few phrases here. "With the French, it was entirely different. They are not only of another nationality and with language, manners, customs and traditions different from our own, but they are of a different race altogether. They are the Latin Race which is not readily grafted upon the Anglo-Saxon stock and hence, they are not readily merged into the general mass of the population of this region. Schools in which the English language is taught and the literature of our country introduced, to a certain extent, are having their influence and some idea of the fact that they are part of the State of Maine and of the United States is beginning to make itself manifest, especially, among the younger

portions of the population."

Another phrase, "with them, the New England Thanksgiving is almost unknown and Christmas is not the Merry Christmas we enjoy. New Years Day is particularly a day of feasting and merriment while mardigras is the chief holiday of the year. Others, there are, that but they are those handed down in the traditions of the Catholic Church of foreign lands, and have little to do with our distinctive American institutions. Fourth of July is little thought of, (I wonder why my grandfather played in the band in Van Buren for the Fourth of July.) Fourth of July is little thought among these people and it will be long before Concord and Bunker Hill, or even Gettysburg and Appomattox will have much significant in the minds of our French citizens."

The people of Madawaska; that area that I come from the Saint John Valley both sides together are called "LaMadawaska" because that was the area that the French people who settled both sides of that river first went to when they arrived at Saint David and Saint Basile. "The people of Madawaska, as this whole upper country settled by the French is called, are simple minded, light hearted, pleasure loving class of kindly and most hospitable manners, peaceable and even law abiding in their general deportment."

I could go on and on but one last line that I would like to share with you, "their methods of agriculture are generally of a somewhat crude and primitive sort."

I just wanted to share with you and this was printed in 1922, one hundred and forty years after the Acadian people came to northern Aroostook and settled there after two hundred years of being deprived of all that they had worked for in North America.

So I wanted to share with you today some of the reasons why I am so glad that I joined with Senator Charette the good Senator from Androscoggin in cosponsoring his resolution earlier in the year recognizing Saint John Baptiste day as an annual State event, and why I join with him once again this year in his joint order, only of this week, recognizing Saint John Baptiste, I am very proud of my French heritage and I only wish to share with you some of the reasons why when I speak with such furor and force with regards to the French people as to why I do so. I think you very much.

Senator Dutremble of York was granted unanimous consent to address the Senate, Off the Record.

Senator Danton of York was granted unanimous consent to address the Senate, On the Record.

Senator DANTON: Mr. President, first I would like to say that one of my ambitions has always been to serve as an ambassador to the United Nations, and today I know what it would have felt like listening to the good Senator from Androscoggin, Senator Charette speak in his native tongue, but I would be remiss as a Senator with Greek heritage if I didn't get up and wish the Franco Senators in this Chamber a happy Saint Jean the Baptiste Day.

Senator Usher of Cumberland was granted unanimous consent to address the Senate, On the Record.

Senator USHER: Thank you, Mr. President. I, too, represent a large group of Franco-American people in Westbrook. We have a very large parish down there, Saint Hyacinth's, a lot of French people, my mother was French and my wife is French and I am sure that I have a little background in a French parish.

I would like to extend on behalf of all the Westbrook residents congratulations to all of the French people in the State of Maine.

As I was looking around on break I noticed quite a few people wearing the little red, white and blue flower that was passed out by the

good Senator from Androscoggin, Senator Charette. It would be hard to convince some people so I would like to put it on the Record, can you imagine LaMinkowsky, or LaNajarian, LaClark, LaPitcher, and LaConley all joining in today's celebration? I thank them too for joining in.

Senator Gill of Cumberland was granted unanimous consent to address the Senate, On the Record.

Senator GILL: Mr. President, Members of the Senate: I couldn't sit still and not get involved in this honoring of Saint John Baptiste because coming from a Polish ethnic background and since the Pope is Polish, Pope Paul, I just wanted to bring the greetings of Pope Paul and all of those people in the State of Maine in honor of the anniversary of Saint John Baptiste in my native tongue, if you don't mind one of my native tongues, Mr. President.

I would like to put into the Record:

Naza święty ojciec Paulo jest Polski, i naza Polski ludzie życzenic Francuski ludzie Szczęście, jak my obchodzą z nimi to dzień dla wam szanowny święta Jan Baptista.

Senator Carpenter of Aroostook was granted unanimous consent to address the Senate, On the Record.

Senator CARPENTER: Mr. President, Ladies and Gentlemen of the Senate, just to add a little bit of a serious note to this discussion, I listened to the remarks of the Senator from Androscoggin, Senator Charette a couple of times on this and I heard the other good Senator, my fellow Aroostookin the other day on the University of Maine in Lewiston campus and I happen to represent the county seat of Aroostook and grew up in the non-French portion of Aroostook County, and perhaps these gentlemen are a little bit bias and think that the French people have been put down or not recognized for their value over the years, but let me tell you coming from my area of the State of Maine that is exactly the way it was.

I came to this Legislature with those kinds of thoughts rattling around in my head because of some of the culture of the people where I grew up. I think the one thing that changed my mind, I spent about forty-eight hours as a virtual hostage at the border, in the big border confrontation with a bunch of those wide Frenchmen from the Saint John Valley, about four years ago, while that whole incident was something that is not to be repeated, I came away with an absolutely profound respect for the people, and what they stood for, and what they believed in and their culture. I was one who used to tell my share of jokes and that sort of thing before that time, but I commend people such as the Senators we have in this Chamber from a French background, people like Elmer Violette, and people like that who have through great difficulty and only with great perseverance have forced us to recognize the value and the contributions of the French people of this State. It has not come easy, it is still not recognized in many areas of the State of Maine including some which I represent. Thank you.

Senator Bustin of Kennebec was granted unanimous consent to address the Senate, On the Record.

Senator BUSTIN: Thank you, Mr. President. Ladies and Gentlemen of the Senate, I had not meant to speak of this issue but when I heard everybody speaking I thought that a Wasp really ought to speak and congratulate the French people and be glad that they have a celebration in their honor. I further thought that I ought to speak because I do come from a heavily French community. I can tell you here on the Record that without that French community I probably would not be standing here right now, they are my friends, they are my neighbors, they are the people that support me

most in this city and I appreciate them very, very much.

I, also, want to say on the Record that I can probably stand up here and qualify for almost any day, not the Polish day, but I can qualify for the French day, the Irish day, the English day, and the Indian day whenever those come about, thank you.

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

Senator BALDACC: Thankyou, Mr. President, that was what I was going to say. Mr. President and Members of the Senate, being of Italian and Lebanese descent and not having too many holidays to cherish, or to have parades, or speeches, and resolutions towards and recognizing the improvements and the upgrading that the Franco-American community have made in the State of Maine it gives the Italian and the Lebanese community in Maine something to shoot for, something to achieve in seeing how well the Franco-Americans have done.

Also, Mr. President, being from Penobscot County and listening to the discussion of the good Senator from Aroostook County, Senator Carpenter and the good Senator from Aroostook, Senator Violette, I think that when people of ethnic origin do so well and upgrade themselves so tremendously that it gives all of us, who are the have not's in this world, something to dream that they are going to have. So today on Saint John Baptiste day I congratulate you. Thank you, Mr. President.

Senator Wood of York was granted unanimous consent to address the Senate, On the Record.

Senator WOOD: Mr. President, Members of the Senate, seeing every other Franco-American community in the State has been mentioned I want to point out that I, too, represent a large Franco-American community and for the benefit of Senator Dutremble ours was built in 1870 not 1890 so they came to our section of York County first and then settled down in Biddeford after they saw the good part of the county.

Secondly, not only did I marry French, but there is some French blood in me today.

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.

On motion by Senator Najarian of Cumberland, the Senate voted to remove from the Special Appropriations Table:

An Act to Amend the Statutes Regarding Corrections (H. P. 1339) (L. D. 1779)

On motion by Senator Najarian of Cumberland, the Senate voted to Suspend its Rules.

On further motion by the Senator, the Senate voted to Reconsider its action whereby L. D. 1779 was Passed to be Engrossed.

The PRESIDENT: The Senator has the floor. Senator NAJARIAN: I now present Senate Amendment "F" to L. D. 1779 under filing number S-270 and move its Adoption.

The PRESIDENT: The Senator from Cumberland, Senator Najarian, offers Senate Amendment "F" and moves its Adoption.

Senate Amendment "F" (S-270) was Read and Adopted.

The Bill was Passed to be Engrossed, as amended, in non-concurrence.

Sent down for concurrence.

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

On motion by Senator Carpenter of Aroostook, 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:

Enactor

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

An Act Appropriating Funds for Independent Living Services for the Disabled (S. P. 316) (L. D. 952)

Which was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

An Act to Make Additional Corrections of Errors and Inconsistencies in the Laws of Maine (S. P. 635) (L. D. 1792)

Emergency

An Act to Provide for Reapportionment of County Commissioner Districts (H. P. 689) (L. D. 869)

These being emergency measures and having received the affirmative votes of 26 Members of the Senate, with No Senators having voted in the negative, were Passed to be Enacted and having been signed by the President, were by the Secretary presented to the Governor for his approval.

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

Committee Report

House

Leave to Withdraw

The following Leave to Withdraw report shall be placed in the legislative files without further action pursuant to Rule 15 of the Joint Rules:

BILL, "An Act to Revise Truancy Laws (H. P. 877) (L. D. 1131)

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

Order

Joint Order

On motion by Senator Najarian of Cumberland, the following Joint Order: (S. P. 636)

ORDERED, the House concurring, that the departments and agencies of the State are directed to use any and all available means to avoid the layoff or break in service of present State employees due solely to the 90-day waiting period for Public Law 1983, chapter 477, to become effective.

Which was Read and Passed.

Sent down for concurrence.

Enactor

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

An Act to Amend the Statutes Regarding Corrections (H. P. 1339) (L. D. 1779)

Which was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

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

Paper from the House

Joint Order

The Following Joint Order: (H. P. 1358)
ORDERED, the Senate concurring, that the following specified matter be held over to the next special or regular session of the 111th Leg-

islature:

Committee Bill
 Labor H. P. 1299 L. D. 1724
 Comes from the House, Read and Passed.
 Which was Read and Passed, in concurrence.

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

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:

Communications
 The Following Communication:
State of Maine
House of Representatives
Augusta 04333

June 24, 1983

Honorable Joy J. O'Brien
 Secretary of the Senate
 111th Legislature
 Augusta, Maine 04333
 Dear Madam Secretary:

The House voted today to adhere to its former action whereby it Failed to Enact An Act to Establish Funding for Programs of Preventive Intervention and Family Support (H. P. 1268) (L. D. 1682) (S. "A" S-261)

Sincerely,
 /S/ EDWIN H. PERT
 Clerk of the House

Which was Read and Ordered Placed on File.

At this point, a message was received from the House of Representatives, through Representative Mitchell of Vassalboro, the Majority Floor Leader of the House, that the House had transacted all business before it and was ready to Adjourn, Without Day.

The Following Communication:
State of Maine
House of Representatives
Augusta 04333

June 24, 1983

The Honorable Joy J. O'Brien
 Secretary of the Senate
 111th Legislature
 Augusta, Maine 04333
 Dear Madam Secretary:

House Paper 713, Legislative Document 904, AN ACT to Create Boothbay Region Waterfowl Sanctuary, having been returned by the Governor together with his objections to the same pursuant to the provisions of the Constitution of the State of Maine, after reconsideration the House proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

Fifty voted in favor and eighty against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Respectfully,
 /S/ EDWIN H. PERT
 Clerk of the House

Which was Read and Ordered Placed on File.

Enactor

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

RESOLVE, Authorizing and Directing the Commissioner of Agriculture, Food and Rural Resources to Promote Regional and International Cooperation in the Development of Agricultural Programs Designed to Encourage Greater Good Production, Marketing and Food Self-sufficiency Among the States of New England and Quebec and the Maritimes (S. P. 324)

(L. D. 969)

Which was Finally Passed and having been signed by the President, was by the Secretary presented to the Governor for his approval.

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

Committee Report
Committee of Conference

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on RESOLVE, Authorizing the Conveyance of a Certain Unused Building and Land Owned by the State to the Town of Wells for \$10,000 (H. P. 1024) (L. D. 1325) have had the same under consideration, and ask leave to report: that they are unable to agree.

Comes from the House, Read and Accepted.
 Which Report was Read and Accepted, in concurrence.

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

Paper from the House
Joint Order

The following Joint Order (H. P. 1359)
 ORDERED, the Senate concurring, that the following specified matter be held over to the next special or regular session of the 111th Legislature:

Committee Bill
 Taxation H. P. 359 L. D. 417
 Comes from the House, Read and Passed.

Which was Read and Passed, in concurrence.

Senator Wood of York was granted unanimous consent to address the Senate, On the Record.

Senator WOOD: Thank you, Mr. President. Mr. President and Members of the Senate: It seems we began this Session talking about tax policy and we are going to end it talking about tax policy. Several questions have arisen in the last couple of days, regarding the Unitary Method and I would like to read something into the Record on that.

"House Amendment 412 to the Unitary Method Bill, provides that corporations not required to file a Federal Income Tax Return are not to be included in the combined report which is used with Unitary Method.

Questions have arisen whether H-412 clearly resolves the issue of exempting corporations which are not subject to United States Corporate Income Taxation from being included in the concept of unitary business and thus subject to combined reporting.

As a prime mover behind the adoption of the Unitary System of taxing corporations, I wish to make it absolutely clear that in adopting this system of taxation, this legislation does not intend that unitary business, either in concept of definition, include the income, property, payroll or sales or corporations that are not subject to income taxation under the laws of the United States. That such a corporation may, at some time, or even on the regular basis, have to file an informational return, or any other such form, with the Federal Government in order to prove they are exempt from U.S. Tax Laws, or to supply certain information, or to recover certain payments, or otherwise, is not intended to make that company subject to the Unitary Tax. The key is whether a corporation is subject to income taxation as a corporation under the laws of the United States. Whether such a corporation may, at some time, have to file some form or return with the Federal Government is immaterial.

I also wish to make clear that in apportioning the taxes of those corporations subject to the Unitary Tax, it is intended that the same three factor formula of property, sales and payroll, as is presently used to apportion corporate taxes, will continue to be used."

As you can see those obviously were not my smooth flowing words but that of a tax lawyer. Thank you.

Out of Order and Under Suspension of the Rules:

On motion by Senator PRAY of Penobscot, the following Order:

ORDERED, that a message be sent to the House of Representatives informing that Body that the Senate has transacted all the business which has come before it and is ready to Adjourn Without Day.

Which was Read and Passed.
 The President appointed Senator Pray of Penobscot to convey the message to the House of Representatives. The Senator then retired to the Hall of the House, and subsequently reported that he had delivered the message with which he was charged.

Out of Order and Under Suspension of the Rules:

On motion by Senator CARPENTER of Aroostook, the following Order:

ORDERED, that a message be sent to His Excellency, the Governor, informing him that the Senate has transacted all business which has come before it and is ready to Adjourn Without Day.

Which was Read and Passed.
 The President appointed Senator Carpenter of Aroostook to convey the message to his Excellency the Governor. Subsequently, Senator Carpenter of Aroostook reported that he had delivered the message with which he was charged and the Governor will attend the Session forthwith.

(Senate at Ease)

The Senate called to order by the President.

The Sergeant-at-Arms escorted the Governor of Maine, the Honorable Joseph E. Brennan to the rostrum. (Amid applause of the Senate, the Members rising.)

The PRESIDENT: The Chair is pleased to welcome His Excellency, the Honorable Joseph E. Brennan, Governor of the State of Maine. (Applause, the Members rising.)

Governor BRENNAN: Mr. President and Members of the Senate, I am honored to come before you to express my congratulations on the completion of the work of this Session.

I believe that this Legislature will be remembered for a number of important and long-lasting achievements. It was this Senate and this Legislature that said "enough is enough" for runaway hospital costs. It was this Senate and this Legislature that Enacted a comprehensive plan for the wise and careful protection and development of our rivers. It was this Senate and this Legislature that strengthened the prospects for business growth and jobs by improving the Maine State Loan Guarantee Authority and giving new financial support for our farmers. It was this Senate and this Legislature that served the cause of social justice for public higher education by making possible a campus for the University of Maine at Lewiston.

In transportation, resource conservation, economic development, equal rights for women, human needs, public safety and many areas of concern to the people of Maine, I believe that you acted with vision and with a belief that those in public office ought to leave the State a little better than they found it.

It was with special pride that I observed the workings of this Senate, for more than the other Body, the eyes of the State were on you. As you know, not a single member of the Majority Party had ever before, served in the Maine Senate as a member of the Majority, and many wondered, and really wondered just how you'd perform.

More than thirty years ago, Adlai Stevenson

said, "Even more important than winning an election, is governing the Nation", that is a test of a political party. At the State level, you met Adlai Stevenson's test with restraint with wisdom and with respect for the traditions of this very distinguished Body. I congratulate you for that.

For the Minority Party, I appreciate that your diminished voice at times may have been disheartening, but I know that as a party and as individuals, you never lost sight of the real reason you came here, to try to serve the people of your communities according to your consciences and your heart. Let me assure you, it is not for partisan reasons that I consider this as able, as effective, as capable a Legislature that I have seen in the two decades or so, that I have been watching Legislatures.

President Conley, it is with special pride that I congratulate you on the successful completion of this your first session as the presiding officer. I believe that you, the floor leaders, the Committee Chairs, the Secretary of the Senate, her staff, and the other Senate staff deserve the sincere thanks of the people of Maine and my personal congratulations for what you've accomplished.

The work of this Senate, I believe, will affect the well-being of this State very favorably for decades to come.

Again, I thank you for the cooperation that my Administration has received in working with you and I wish you well this summer. Thank you. (Applause, the Members rising.)

The Sergeant-at-Arms escorted the Honorable Joseph E. Brennan, the Governor of Maine, from the Senate Chamber. (Amid the applause of the Senate, the Members rising.)

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

Senator PRAY: Thank you, Mr. President. Mr. President, Ladies and Gentlemen of the Senate today does mark the 100th Legislative Day of this Session and as one of those who continuously predicted that we would be out of here before Memorial Day I hate to tell you what the calendar day is, but I am sure that we all know.

This marks the end of the First Regular Session in which you, Mr. President, as presiding officer, as a member of my political party has served in that capacity for a number of years. I just as one individual on behalf of the Democratic Members, on behalf of the staff, and I am sure that I, also, reflect the Minority Party's leaders and their members in congratulating you for a job well done, for your leadership as the presiding officer of this Chamber.

I hope that this Session will not mark the end of this reign of Democratic control, but I do want to say that you have provided and shown that the Democratic Party is just as capable of having a presiding officer with the distinction of those who have served in the past. Thank you, Mr. President. (Applause, the Members rising.)

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator McBreairty.
Senator McBREAIRTY: Mr. President and Honorable Members of the Senate I move that the Senate Adjourn Sine Die.

On motion by Senator McBreairty of Aroostook, at 5:23 p.m., on Friday, June 24, 1983 the Honorable Gerard P. Conley, declared the Senate of the First Regular Session of the 111th Legislature Adjourned, Sine Die.