

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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STATE OF MAINE
One Hundred and Eleventh Legislature
First Special Session
JOURNAL OF THE SENATE
Augusta, Maine
September 6, 1983

In compliance with a proclamation of His Excellency, Governor JOSEPH E. BRENNAN, the Senators convened in the Senate Chamber at 11:00 o'clock in the morning. Senate called to order by the President.

Prayer by Father Valmont R. Gilbert of St. Augustine Church of Augusta.

FATHER GILBERT: Let us pray! Most loving Father in heaven we acknowledge that all that we have comes from You and must return to You.

This morning the Members of the Senate come together to consider and decide the long-term needs of the people of our State whom they represent. Give them in their deliberation ministry of service to all. See that they may always use their office for the healing of the many social ills in our State. All this we ask in the name of Jesus our Lord.

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

Senator CLARK: Thank you, Mr. President. Mr. President, I would request that the traditional and historical decorum rule whereby Members of the Senate usually wear their jackets while we're in session be repealed for the duration of this the First Special Session of the One Hundred and Eleventh Maine Legislature.

The PRESIDENT: The Senator from Cumberland, Senator Clark moves that that special provincial rule be repealed; that will now permit all women and men present to remove their jackets for the remainder of this Session.

Is this the pleasure of the Senate?

It is a vote.

The Secretary will read the Proclamation.

**State of Maine
PROCLAMATION**

WHEREAS, there exists in the State of Maine an extraordinary occasion whereby the Governor intends to present bond proposals to the 111th Legislature for their consideration and action; and

WHEREAS, these bond proposals will offer the people of the State of Maine the opportunity to enhance the State's economic development, improve our airports, stimulate development of our cargo ports, continue our efforts to clean up the pollution of our waters, assist communities in developing their local economies, provide adequate facilities for incarceration of convicted offenders, improve our ability to develop and analyze evidence in criminal cases, clean up hazardous material, and otherwise enhance the quality of life in our State; and

WHEREAS, it is necessary to approve these bond proposals in a timely fashion so that they may be included on the ballot for consideration by the voters at referendum in November, 1983;

NOW, THEREFORE, I, JOSEPH E. BRENNAN, Governor of the State of Maine, by virtue of the constitutional power vested in me as Governor, convene the Legislature of this State, hereby requesting the Senators and Representatives to assemble in their respective chambers at the Capital at Augusta on Tuesday, the sixth day of September, 1983 at eleven o'clock in the morning, in order to receive communications and enact a bond issue package.

Given at the Office of the Governor at Augusta, and sealed with the Great Seal of the State of Maine, this twenty fourth day of August in the Year of Our Lord Nineteen Hundred and Eighty-three.

S/JOSEPH E. BRENNAN
Governor
S/ELSIE I. BOWEN
Deputy Secretary of State
A true copy.

S/JAMES S. HENDERSON
Attest: Deputy Secretary of State

Which was Read and Ordered Placed on File.

The Roll being called the following Senators answered to their names:

Baldacci, Brown, Bustin, Carpenter, Charrette, Clark, Collins, Diamond, Dow, Emerson, Erwin, Gill, Hayes, Kany, McBrearty, Minkowsky, Najarian, Pearson, Perkins, Pray, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Wood, the President — Gerard P. Conley.

28 Senators having answered to the Roll, the President declared that a quorum was present.

Out of Order and Under Suspension of the Rules:

On motion by Senator PRAY of Penobscot. ORDERED, that a message be sent to His Excellency, the Governor, informing him that a quorum of Senators is assembled in the Senate Chamber for the consideration of such business as may come before the Senate.

Which was Read and Passed.

The President appointed Senator Pray of Penobscot to convey the message to His Excellency, the Governor.

Subsequently, Senator Pray of Penobscot 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.

ORDERED, that a message be conveyed to the House of Representatives informing that Body that a quorum of Senators is present for the consideration of such business as may come before the Senate.

Which was Read and Passed.

The President appointed Senator Carpenter of Aroostook to deliver the message to the House of Representatives.

At this point a message was received from the House of Representatives, through Representative Mitchell of Vassalboro, the Majority Floor leader of the House, informing the Senate that a quorum existed in the Hall of the House and awaited such business as might come before it.

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

Our of Order and Under Suspension of the Rules:

On motion by Senator PRAY of Penobscot. ORDERED, that a message be sent to the House of Representatives proposing a Convention of both branches in the Hall of the House at 11:30 a.m. for the purpose of extending to his Excellency, Governor Joseph E. Brennan, an invitation to attend the Convention and make such communication as pleases him.

Which was Read and Passed.

The President appointed Senator Pray of Penobscot to deliver the message to the House of Representatives.

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

(Off Record Remarks)

At this point a message was received from the House through Representative Mitchell of Vassalboro, informing the Senate that the House concurs in the proposition for a Joint

Convention to be held in the Hall of the House at 11:30 o'clock to extend to His Excellency, Governor Joseph E. Brennan, an invitation to make such communications as pleases him.

Communications

The Following Communication:

**State of Maine
Office of the Governor
Augusta, Maine
04333**

August 24, 1983

Honorable Gerard P. Conley
President of the Senate
Senate Chambers
State House
Augusta, Maine 04333
Dear Senator Conley:

This is to inform you that I am nominating Roland J. Poulin of Waterville for reappointment to the District Court as an Active Retired Judge.

Pursuant to Title 4 M.R.S.A., Section 157-B, this nomination will require review by the Joint Standing Committee on the Judiciary and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Following Communication:

**The Senate of Maine
Augusta**

Augusta 24, 1983

The Honorable Richard Trafton
The Honorable Barry Hobbins
Chairmen, Judiciary Committee
111th Legislature
Augusta, Maine 04333
Gentlemen:

Please be advised that Governor Joseph E. Brennan has nominated Roland J. Poulin of Waterville for reappointment to the District Court as an Active Retired Judge.

Pursuant to Title 4 M.R.S.A., Section 157-B, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,
S/JOY J. O'BRIEN
Secretary of the Senate

Which was Read and Ordered Placed on File.

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

Communication

The Following Communication:

**State of Maine
One Hundred and Eleventh Legislature
Committee on Judiciary**

September 6, 1983

The Honorable Gerard P. Conley
President of the Maine Senate
State House
Augusta, Maine 04333
Dear President Conley:

In accordance with #M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Roland J. Poulin of Waterville, as an Active Retired Judge of the Maine District Court.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators—3
Representatives—9

NAYS: 0

ABSENT: 1 (Rep. Sharon Benoit)

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Roland J. Poulin of Waterville, as an Active Retired Judge of the District Court be confirmed.

Sincerely,
/S/RICHARD L. TRAFTON
Senate Chair
/S/BARRY J. HOBBS
House Chair

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Judiciary has recommended that the nomination of Roland J. Poulin be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Judiciary be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.
The Secretary will call the Roll.

ROLL CALL

YEA—None.

NAY—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Emerson, Erwin, Gill, Hayes, Kany, McBreairty, Minkowsky, Najarian, Pearson, Perkins, Pray, Sewall, Shute, Teague, Traf-ton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Dutremble, Hichens, Redmond.
No Senators having voted in the affirmative and 30 Senators in the negative, with 3 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted.

The nomination of Roland J. Poulin is confirmed.

The Secretary was directed to inform the Speaker of the House.

(Off Record Remarks)

The Following Communication:
State of Maine
Office of the Governor
Augusta, Maine
04333

August 18, 1983

Honorable Gerard P. Conley
President of the Senate
Senate Chambers
State House Station #3
Augusta, Maine 04333
Dear Senator Conley:

This is to inform you that I am nominating Louis Scolnik of Lewiston for appointment to the Supreme Judicial Court of the State of Maine.

Pursuant to the Maine Constitution, Article V, Part 1, Section 8, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,
S/JOY J. O'BRIEN
Secretary of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:
State of Maine
One Hundred and Eleventh Legislature
Committee on Judiciary

August 30, 1983

The Honorable Gerard P. Conley
President of the Maine Senate
State House

Augusta, Maine 04333

Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 111th Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Louis Scolnik as a Justice of the Maine Supreme Judicial Court.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators—3
Representatives—10
NAYS: 0

Thirteen members having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Louis Scolnik, of Lewiston, as an Associate Justice of the Maine Supreme Judicial Court be confirmed.

Sincerely,
S/RICHARD L. TRAFTON
Senate Chair
S/BARRY J. HOBBS
House Chair

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Judiciary has recommended that the nomination of Louis Scolnik be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Judiciary be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.
The Secretary will call the Roll.

ROLL CALL

YEA—None.

NAY—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Emerson, Erwin, Gill, Hayes, Kany, McBreairty, Minkowsky, Najarian, Pearson, Perkins, Pray, Sewall, Shute, Teague, Traf-ton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Dutremble, Hichens, Redmond.
No Senators having voted in the affirmative and 30 Senators in the negative, with 3 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted.

The nomination of Louis Scolnik is confirmed.

The Secretary was directed to inform the Speaker of the House.

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.

The Following Communication:
State of Maine
Office of the Governor
Augusta, Maine
04333

August 11, 1983

Honorable Gerard P. Conley
President of the Senate
Senate Chambers
State House

Augusta, Maine 04333

Dear Senator Conley:

This is to inform you that I am nominating Charles H. Milan, III, of Brewer for reappointment to the Maine State Liquor Commission.

Pursuant to Title 3 M.R.S.A., Section 151-A, this nomination will require review by the Joint Standing Committee on Legal Affairs and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Following Communication:
The Senate of Maine
Augusta

August 11, 1983

The Honorable Richard Charette
The Honorable Harold Cox
Chairmen, Committee on Legal Affairs
111th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Charles H. Milan, III of Brewer for reappointment to the Maine State Liquor Commission.

Pursuant to Title 3 M.R.S.A., Section 151-A, this nomination will require review by the Joint Standing Committee on Legal Affairs.

Sincerely,
S/JOY J. O'BRIEN
Secretary of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:
State of Maine
One Hundred and Eleventh Legislature
Committee on Legal Affairs

August 29, 1983

The Honorable Gerard P. Conley
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 111th Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Charles H. Milan as a member of the Maine State Liquor Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators—2
Representatives—8
NAYS: 1

ABSENT: 3 (Sen. Danton of York, Rep. Murphy of Berwick, Rep. Stover of West Bath.)

Ten Members of the Committee having voted in the affirmative and one in the negative, it was the vote of the Committee that the nomination of Charles H. Milan as a member of the Maine State Liquor Commission be confirmed.

Sincerely,
S/RICHARD R. CHARETTE,
Senate Chairman
S/HAROLD R. COX,
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Legal Affairs has recommended that the nomination of Charles H. Milan III be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on

Legal Affairs be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?
The Doorkeepers will secure the Chamber.
The Secretary will call the Roll.

ROLL CALL

YEA—None.

NAY—Baldacci, Brown, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Emerson, Erwin, Gill, Hayes, Kany, McBreairty, Minkowsky, Najarian, Pearson, Pray, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Bustin, Dutremble, Hichens, Perkins, Redmond.

No Senators having voted in the affirmative and 28 Senators in the negative, with 5 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted.

The nomination of Charles H. Milan III is confirmed.

The Secretary was directed to inform the Speaker of the House.

The Following Communication:

**State of Maine
Office of the Governor
Augusta, Maine
04333**

August 24, 1983

Honorable Gerard P. Conley
President of the Senate
Senate Chambers
State House
Augusta, Maine 04333
Dear Senator Conley:

This is to inform you that I am nominating Robert E. Baldacci, Jr., of Bangor, Sarah E. Redfield of Portland and Roger P. Michaud of Lewiston as at-large members; William B. Manheimer of Monmouth as the attorney member; and Leo M. Loiselle of East Holden as the certified public accountant member of the Finance Authority of Maine.

Pursuant to Title 10 M.R.S.A., Section 110, these nominations will require review by the Joint Standing Committee on State Government and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Following Communication:
**The Senate of Maine
Augusta**

August 24, 1983

The Honorable Paul Violette
The Honorable Dan Gwadosky
Chairmen, State Government Committee
111th Legislature
Gentlemen:

Please be advised that Governor Joseph E. Brennan has nominated Robert E. Baldacci, Jr. of Bangor, Sarah E. Redfield of Portland and Roger P. Michaud of Lewiston as at-large members; William B. Manheimer of Monmouth as the attorney member; and Leo M. Loiselle of East Holden as the certified public accountant member of the Finance Authority of Maine.

Pursuant to Title 10 M.R.S.A., Section 110, these nominations will require review by the Joint Standing Committee on State Government and confirmation by the Senate.

Sincerely,

S/JOY J. O'BRIEN

Secretary of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:

**State of Maine
One Hundred and Eleventh Legislature
Committee on State Government**

September 1, 1983

The Honorable Gerard P. Conley
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on State Government has had under consideration the nomination of Robert E. Baldacci, Jr. of Bangor as a member of the Finance Authority of Maine.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 111th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee clerk called the roll with the following result:

YEAS: Senators—1
Representatives—8
NAYS: Senators—0
Representatives—0

ABSENT: Rep. Gwadosky of Fairfield, Sen. Hichens of York, Rep. LaPlante of Sabattus. ABSTAINING: Sen. Baldacci of Penobscot.

9 members of the Committee having voted in the affirmative and 0 in the negative, it was the vote of the Committee that the nomination of Robert E. Baldacci, Jr. as a member of the Finance Authority of Maine be confirmed.

Sincerely,
S/PAUL E. VIOLETTE
Senate Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on State Government has recommended that the nomination of Robert E. Baldacci, Jr. be confirmed.

The Chair recognizes the Senator from Penobscot, Senator Baldacci.

Senator BALDACC: Mr. President, I request Leave of the Senate to Abstain from voting.

The PRESIDENT: The Senator from Penobscot, Senator Baldacci, asks leave of the Senate to abstain from voting on this matter because of the appearance of a conflict of interest.

Is it the pleasure of the Senate to grant this Leave?

It is a vote.

The pending question before the Senate is: Shall the recommendation of the Committee on State Government be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.
The Secretary will call the Roll.

ROLL CALL

YEA—None.

NAY—Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Dow, Erwin, Gill, Hayes, Kany, McBreairty, Minkowsky, Pearson, Perkins, Pray, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Diamond, Dutremble, Emerson, Hichens, Najarian, Redmond.

No Senators having voted in the affirmative and 26 Senators in the negative, with 6 Senators being absent, and 1 Senator being excused, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted.

The nomination of Robert E. Baldacci, Jr. is confirmed.

The Secretary was directed to inform the Speaker of the House.

The Following Communication:

**State of Maine
One Hundred and Eleventh Legislature
Committee on State Government**

September 1, 1983

The Honorable Gerard P. Conley
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on State Government has had under consideration the nomination of Sarah E. Redfield of Portland as a member of the Finance Authority of Maine.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 111th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee clerk called the roll with the following result:

YEAS: Senators—2
Representatives—8
NAYS: Senators—0
Representatives—0

ABSENT: Rep. Gwadosky of Fairfield, Sen. Hichens of York, Rep. LaPlante of Sabattus.

10 members of the Committee having voted in the affirmative and 0 in the negative, it was the vote of the Committee that the nomination of Sarah E. Redfield as a member of the Finance Authority of Maine be confirmed.

Sincerely,
S/PAUL E. VIOLETTE
Senate Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on State Government has recommended that the nomination of Sarah E. Redfield be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on State Government be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.
The Secretary will call the Roll.

ROLL CALL

YEA—Pray.

NAY—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Dow, Erwin, Gill, Kany, McBreairty, Minkowsky, Pearson, Perkins, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Danton, Diamond, Dutremble, Emerson, Hayes, Hichens, Najarian, Redmond.

1 Senator having voted in the affirmative and 24 Senators in the negative, with 8 Senators being absent, and 1 being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted.

The nomination of Sarah E. Redfield is confirmed.

The Secretary was directed to inform the Speaker of the House.

The Following Communication:

State of Maine

**One Hundred and Eleventh Legislature
Committee on State Government**

September 1, 1983

The Honorable Gerard P. Conley
President of the Senate of Maine
State House

Augusta, Maine 04333

Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on State Government has had under consideration the nomination of Roger P. Michaud of Lewiston as a member of the Finance Authority of Maine.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 111th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee clerk called the roll with the following result:

YEAS: Senators—1
Representatives—8
NAYS: Senators—0
Representatives—0

ABSENT: Rep. Gwadosky of Fairfield, Sen. Hichens of York, Rep. LaPlante of Sabattus, Sen. Baldacci of Penobscot.

9 members of the Committee having voted in the affirmative and 0 in the negative, it was the vote of the Committee that the nomination of Roger P. Michaud as a member of the Finance Authority of Maine be confirmed.

Sincerely,
S/PAUL E. VIOLETTE
Senate Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on State Government has recommended that the nomination of Roger P. Michaud be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on State Government be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.
The Secretary will call the Roll.

ROLL CALL

YEA—None.

NAY—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Diamond, Dow, Emerson, Erwin, Gill, Kany, McBreaarty, Minkowsky, Najarian, Pearson, Perkins, Pray, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Danton, Dutremble, Hayes, Hichens, Redmond.

No Senators having voted in the affirmative and 28 Senators in the negative, with 5 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted.

The nomination of Roger P. Michaud is confirmed.

The Secretary was directed to inform the Speaker of the House.

The Following Communication:
State of Maine

**One Hundred and Eleventh Legislature
Committee on State Government**

September 1, 1983

The Honorable Gerard P. Conley
President of the Senate of Maine

State House

Augusta, Maine 04333

Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 111th Legislature, the Joint Standing Committee on State Government has had under consideration the nomination of William B. Manheimer of Monmouth as a member of the Finance Authority of Maine.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 111th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee Clerk called the roll with the following result:

YEAS: Senators—2
Representatives—8
NAYS: Senators—0
Representatives—0

ABSENT: Rep. Gwadosky of Fairfield, Sen. Hichens of York, Rep. LaPlante of Sabattus.

10 members of the Committee having voted in the affirmative and 0 in the negative, it was the vote of the Committee that the nomination of William B. Manheimer as a member of the Finance Authority of Maine be confirmed.

Sincerely,
S/PAUL E. VIOLETTE
Senate Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on State Government has recommended that the nomination of William B. Manheimer be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on State Government be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.
The Secretary will call the Roll.

ROLL CALL

YEA—None.

NAY—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Dow, Emerson, Erwin, Gill, Kany, McBreaarty, Minkowsky, Najarian, Pearson, Perkins, Pray, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Danton, Diamond, Dutremble, Hayes, Hichens, Redmond.

No Senators having voted in the affirmative and 27 Senators in the negative, with 6 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted.

The nomination of William B. Manheimer is confirmed.

The Secretary was directed to inform the Speaker of the House.

The Following Communication:
State of Maine

**One Hundred and Eleventh Legislature
Committee on State Government**

September 1, 1983

The Honorable Gerard P. Conley
President of the Senate of Maine
State House

Augusta, Maine 04333

Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on State Government has had under consideration the nomination of Leo M. Loiselle of East Holden as a member of the Finance Authority of Maine.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 111th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee clerk called the roll with the following result:

YEAS: Senators—1
Representatives—8
NAYS: Senators—0
Representatives—0

ABSENT: Rep. Gwadosky of Fairfield, Sen. Hichens of York, Rep. LaPlante of Sabattus. ABSTAINING: Sen. Baldacci of Bangor.

9 members of the Committee having voted in the affirmative and 0 in the negative, it was the vote of the Committee that the nomination of Leo M. Loiselle as a member of the Finance Authority of Maine be confirmed.

Sincerely,
S/PAUL E. VIOLETTE
Senate Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on State Government has recommended that the nomination of Leo M. Loiselle be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on State Government be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

The Chair recognizes the Senator from Penobscot, Senator Baldacci.

Senator BALDACCI: Mr. President, I request Leave of the Senate to Abstain from voting.

The PRESIDENT: The Senator from Penobscot, Senator Baldacci, asks Leave of the Senate to abstain from voting on this matter because of the appearance of a conflict of interest.

Is it the pleasure of the Senate to grant this Leave?

It is a vote.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.
The Secretary will call the Roll.

ROLL CALL

YEA—None.

NAY—Brown, Bustin, Carpenter, Charette, Clark, Collins, Diamond, Dow, Emerson, Erwin, Gill, Kany, McBreaarty, Minkowsky, Najarian, Pearson, Pray, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Danton, Dutremble, Hayes, Hichens, Perkins, Redmond.

No Senators having voted in the affirmative and 26 Senators in the negative, with 6 Senators being absent, and 1 Senator being excused, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted.

The nomination of Leo M. Loiselle is confirmed.

The Secretary was directed to inform the Speaker of the House.

The Following Communication:
**State of Maine
Office of the Governor**

**Augusta, Maine
04333**

August 22, 1983

Honorable Gerard P. Conley
President of the Senate
Senate Chambers
State House
Augusta, Maine 04333
Dear Senator Conley:

This is to inform you that I am nominating Neil Hapworth of Winslow for reappointment to the Board of Environmental Protection.

Pursuant to Title 38 M.R.S.A., Section 341, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Following Communication:
**The Senate of Maine
Augusta**

August 22, 1983

The Honorable Judy C. Kany
The Honorable Donald M. Hall
Chairs, Committee on Energy and Natural Resources
111th Maine Legislature
Augusta, Maine 04333
Dear Chairpersons Kany and Hall:

Please be advised that Governor Joseph E. Brennan has nominated Neil Hapworth of Winslow for reappointment to the Board of Environmental Protection.

Pursuant to Title 38 M.R.S.A. Section 341, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Sincerely,
S/JOY J. O'BRIEN
Secretary of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:
**State of Maine
One Hundred and Eleventh Legislature
Energy and Natural Resources**

The Honorable Gerard P. Conley
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Energy & Natural Resources has had under consideration the nomination of Neil Hapworth of Winslow for reappointment to the Board of Environmental Protection.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 111th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee clerk called the roll with the following result:

YEAS: Senators—2
Representatives—7
NAYS: Senators—0
Representatives—1

ABSENT: 4 Rep. John Michael of Auburn, Sen. Michael Pearson of Penobscot, Rep. Paul Jacques of Waterville Rep. Patrick McGowan of Pittsfield.

9 members of the Committee having voted in the affirmative and 1 in the negative, with 3 being absent. It was the vote of the Committee that the nomination of Neil Hapworth of Winslow for the reappointment to the Board

of Environmental Protection was confirmed.

Sincerely,
S/JUDY C. KANY
Senate Chairman
S/DONALD M. HALL
House Chairman

Which was Read and Ordered Placed on File.

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

Senator PRAY: Mr. President, a Parliamentary Inquiry. The issue now before us is the confirmation of Neil Hapworth?

The PRESIDENT: The Chair would respond in the affirmative.

On motion by Senator Pray of Penobscot, Tabled until later in Today's Session, pending Consideration.

The Following Communication:
**State of Maine
Office of the Governor
Augusta, Maine
04333**

August 18, 1983

Honorable Gerard P. Conley
President of the Senate
Senate Chambers
State House
Augusta, Maine 04333
Dear Senator Conley:

This is to inform you that I am nominating John S. Walker of Walker of East Livermore for reappointment to the Land Use Regulation Commission.

Pursuant to Title 12 M.R.S.A., Section 683, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Following Communication:
**The Senate of Maine
Augusta**

Augusta 18, 1983

The Honorable Judy C. Kany
The Honorable Donald M. Hall
Chairs, Committee on Energy and Natural Resources
111th Maine Legislature
Augusta, Maine 04333
Dear Chairpersons Kany and Hall:

Please be advised that Governor Joseph E. Brennan has nominated John S. Walker of East Livermore for reappointment to the Land Use Regulation Commission.

Pursuant to Title 12 M.R.S.A., Section 683, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Sincerely,
S/JOY J. O'BRIEN
Secretary of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:
**State of Maine
One Hundred and Eleventh Legislature
Committee on Energy and Natural Resources**

The Honorable Gerard P. Conley
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Energy & Natural Resources

has had under consideration the nomination of John S. Walker of East Livermore for reappointment to the Land Use Regulatory Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 111th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee clerk called the roll with the following result:

YEAS: Senators—2
Representatives—7
NAYS: Senators—0
Representatives—0

ABSENT: 4 Rep. John Michael of Auburn Sen. Michael Pearson of Penobscot Rep. Paul Jacques of Waterville Rep. Patrick McGowan of Pittsfield.

9 members of the Committee having voted in the affirmative and 0 in the negative, with 4 being absent. It was the vote of the Committee that the nomination of John S. Walker of East Livermore for reappointment to the Land Use Regulatory Commission be confirmed.

Sincerely,
S/JUDY C. KANY
Senate Chairman
S/DONALD M. HALL
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Energy and Natural Resources has recommended that the nomination of John S. Walker be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Energy and Natural Resources be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?
The Doorkeepers will secure the Chamber.
The Secretary will call the Roll.

ROLL CALL

YEA—None.
NAY—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Emerson, Erwin, Gill, Kany, McBreairey, Najarian, Pearson, Pray, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Dutremble, Hayes, Hichens, Minkowsky, Perkins, Redmond.

No Senators having voted in the affirmative and 27 Senators in the negative, with 6 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted.

The nomination of John S. Walker is confirmed.

The Secretary was directed to inform the Speaker of the House.

The Following Communication:
**State of Maine
Office of the Governor
Augusta, Maine
04333**

August 22, 1983

Honorable Gerard P. Conley
President of the Senate
Senate Chambers
State House
Augusta, Maine 04333
Dear Senator Conley:

This is to inform you that I am nominating Edward B. Lavery of Medford for appointment to the Board of Environmental Protection.

Pursuant to Title 38 M.R.S.A., Section 341, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Following Communication:
The Senate of Maine
Augusta

August 22, 1983

The Honorable Judy C. Kany
The Honorable Donald M. Hall
Chairs, Committee on Energy and Natural Resources
111th Maine Legislature
Augusta, Maine 04333

Dear Chairpersons Kany and Hall:

Please be advised that Governor Joseph E. Brennan has nominated Edward B. Laverty of Medford for appointment to the Board of Environmental Protection.

Pursuant to Title 38 M.R.S.A., Section 341, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Sincerely,
S/JOY J. O'BRIEN
Secretary of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:
State of Maine
One Hundred and Eleventh Legislature
Committee on Energy and
Natural Resources

The Honorable Gerard P. Conley
President of the Maine Senate
State House
Augusta, Maine 04333

Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Energy & Natural Resources has had under consideration the nomination of Edward B. Laverty of Medford for appointment to the Board of Environmental Protection.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 111th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee clerk called the roll with the following result:

YEAS: Senators—3
Representatives—8
NAYS: Senators—0
Representatives—0

ABSENT: 2 Rep. Paul Jacques of Waterville Rep. Patrick McGowan of Pittsfield.

11 Members of the Committee having voted in the affirmative and 0 in the negative with 2 being absent. It was the vote of the Committee that the nomination of Edward B. Laverty of Orono for appointment to the Board be confirmed.

Sincerely,
S/JUDY C. KANY
Senate Chairman
S DONALD M. HALL
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Energy and Natural Resources has recommended that the nomination of Edward B. Laverty be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Energy and Natural Resources be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?
The Doorkeepers will secure the Chamber.
The Secretary will call the Roll.

ROLL CALL

YEA—None.

NAY—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Emerson, Erwin, Gill, Hayes, Kany, McBreairty, Najarian, Pearson, Pray, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Dutremble, Hichens, Minkowsky, Perkins, Redmond.

No Senators having voted in the affirmative and 28 Senators in the negative, with 5 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted.

The nomination of Edward B. Laverty is confirmed.

The Secretary was directed to inform the Speaker of the House.

The Following Communication:
State of Maine
Office of the Governor
Augusta, Maine
04333

August 25, 1983

Honorable Gerard P. Conley
President of the Senate
Senate Chambers
State House
Augusta, Maine 04333

Dear Senator Conley:

This is to inform you that I am nominating Rufus Prince, Jr. of Turner for appointment as the agricultural member of the Pesticides Control Board.

Pursuant to Title 22 M.R.S.A., Section 1471-B, this nomination will require review by the Joint Standing Committee on Agriculture and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Following Communication:
The Senate of Maine
Augusta

August 25, 1983

The Honorable Edgar E. Erwin
The Honorable John M. Michael
Chairmen, Agriculture Committee
111th Legislature
Augusta, Maine 04333

Gentlemen:

Please be advised that Governor Joseph E. Brennan has nominated Rufus Prince, Jr., of Turner for appointment as the agricultural member of the Pesticides Control Board.

Pursuant to Title 22 M.R.S.A., Section 1471-B, this nomination will require review by the Joint Standing Committee on Agriculture and confirmation by the Senate.

Sincerely,
S/JOY J. O'BRIEN
Secretary of the Senate

Which was Read and Ordered Placed on File.

Under Suspension of the Rules, the Senate

voted to consider the following:

Communication
The Following Communication:
State of Maine
One Hundred and Eleventh Legislature
Committee on Agriculture

September 6, 1983

The Honorable Gerard P. Conley
President of the Senate
State House
Augusta, Maine 04333

Dear President Conley:
In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Agriculture has had under consideration the appointment of Rufus Prince, Jr. of Turner as a member of the Pesticides Control Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 111th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee clerk called the roll with the following result:

YEAS: Senators—2
Representatives—7
NAYS: Senators—0
Representatives—0

ABSENT: Sen. Hichens of York, Rep. Crouse of Washburn, Rep. McCollister of Canton.

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Rufus Prince, Jr. of Turner as a member of the Pesticides Control Board be confirmed.

Sincerely,
S/EDGAR E. ERWIN
Senate Chairman
S/JOHN M. MICHAEL
Acting House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Agriculture has recommended that the nomination of Rufus Prince, Jr. be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Agriculture be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?
The Doorkeepers will secure the Chamber.
The Secretary will call the Roll.

ROLL CALL

YEA—None.

NAY—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Emerson, Erwin, Hayes, Kany, McBreairty, Najarian, Pearson, Perkins, Pray, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Dutremble, Gill, Hichens, Minkowsky, Redmond.

No Senators having voted in the affirmative and 28 Senators in the negative, with 5 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted.

The nomination of Rufus Prince, Jr. is confirmed.

The Secretary was directed to inform the Speaker of the House.

The Following Communication:
State of Maine

**Office of the Governor
Augusta, Maine
04333**

August 17, 1983

Honorable Gerard P. Conley
President of the Senate
Senate Chambers
State House
Augusta, Maine 04333

Dear Senator Conley:

This is to inform you that I am nominating Thomas B. Saviello of Orrington for appointment as the forestry member of the Pesticides Control Board.

Pursuant to Title 22 M.R.S.A., Section 1471-B, this nomination will require review by the Joint Standing Committee on Agriculture and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Following Communication:
**The Senate of Maine
Augusta**

August 17, 1983

The Honorable Edgar E. Erwin
The Honorable John M. Michael
Chairmen, Committee on Agriculture
111th Maine Legislature

Dear Committee Chairmen:

Please be advised that Governor Joseph E. Brennan has nominated Thomas B. Saviello of Orrington for appointment as the forestry member of the Pesticides Control Board.

Pursuant to Title 22 M.R.S.A., Section 1471-B, this nomination will require review by the Joint Standing Committee on Agriculture and confirmation by the Senate.

Sincerely,
S/JOY J. O'BRIEN
Secretary of the Senate

Which was Read and Ordered Placed on File.

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

**Communication
The Following Communication:
State of Maine
One Hundred and Eleventh Legislature
Committee on Agriculture**

September 6, 1983

The Honorable Gerard P. Conley
President of the Senate of Maine
State House
Augusta, Maine 04333

Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Agriculture has had under consideration the nomination of Thomas B. Saviello of Orrington as a member of the Pesticides Control Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 111th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee clerk called the roll with the following result:

YEAS: Senators—2
Representatives—7
NAYS: Senators—0
Representatives—0

ABSENT: Sen. Hichens of York, Rep. Crouse of Washburn, Rep. McCollister of Canton.

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Thomas B. Saviello of Orrington as a member of the Pesticides Control

Board be confirmed.

Sincerely,
S/EDGAR E. ERWIN
Senate Chairman
S/JOHN M. MICHAEL
Acting House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Agriculture has recommended that the nomination of Thomas B. Saviello be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Agriculture be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?
The Doorkeepers will secure the Chamber.
The Secretary will call the Roll.

ROLL CALL

YEA—None.

NAY—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Erwin, Hayes, Kany, McBreaarty, Najarian, Pearson, Perkins, Pray, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Dutremble, Emerson, Gill, Hichens, Minkowsky, Redmond.

No Senators having voted in the affirmative and 27 Senators in the negative, with 6 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted.

The nomination of Thomas B. Saviello is confirmed.

The Secretary was directed to inform the Speaker of the House.

(Off Record Remarks)

The Following Communication:

August 17, 1983

Honorable Rodney S. Quinn
Secretary of State
State House Station # 101
Augusta, Maine 04333
Dear Mr. Quinn:

This is to inform you that I, D. Lorraine Dana Tribal Clerk of the Penobscot Indian Nation, was designated as the officer to certify the Nation's approval (or disapproval) of Legislation of the State of Maine affecting Indians, to the Secretary of State of the State of Maine when required to do so by the provisions of the United States Code, Title 25, Section 1725 (e).

Pursuant to the above I am pleased to inform you that the Penobscot Indian Nation gave its approval to the following named Acts of the 111th Legislature at a General Meeting held August 16, 1983 at the Community Building, at Indian Island:

P.L. 1983, Chapter 498 — L. D. 192 — AN ACT Relating to Training Penobscot Law Enforcement Officers.

P.L. 1983, Chapter 481 — L. D. 271 — AN ACT relating to Certifying Indian Representatives.

P.L. 1983, Chapter 492 — L. D. 1016 — AN ACT to Establish New Selection Procedures for the Maine Indian Tribal-State Commission Chairmanship.

P.L. 1983, Chapter 494 — L. D. 1713 — AN ACT Relating to Penobscot Nation Trust Land Designation.

P.L. 1983, Chapter 497 — L. D. 1755 — AN ACT relating to the Manner of Approval of Amendments to the Maine Indian Claims Settlement Act.

Sincerely,
S/D. LORRAINE DANA
Tribal Clerk

Penobscot Indian Nation

In Testimony Whereof, I have caused the Great Seal of the State to be hereunto affixed. GIVEN under my hand at Augusta, this twenty-third day of August in the year of our Lord one thousand nine hundred and eighty-three.

S/RODNEY S. QUINN
Secretary of State

Which was Read and Ordered Placed on File.

The Following Communication:

Resolution of the joint tribal council of the Passamaquoddy Tribe. Adopted at a meeting held at Calais, Maine on August 8, 1983

Be It Resolved That

(1) the Passamaquoddy Tribe approves of the amendments to the Act to Implement the Maine Indian Claims Settlement contained in the following Public Laws of Maine, pursuant to the Maine Indian Claims Settlement Act, 25 U.S.C.A. §1725(e) (1):

(a) Chapter 492 of the Public Laws of 1983, "An Act to Establish New Selection Procedures for the Maine Indian Tribal-State Commission Chairmanship";

(b) Chapter 493 of the Public Laws of 1983, "An Act to Extend the Time for Acquiring those Areas which have been Designated Potential Passamaquoddy Indian Territory";

(c) Chapter 497 of the Public Laws of 1983, "An Act Relating to the Manner of Approval of Amendments to the Maine Indian Claims Settlement Act";

(d) Chapter 498 of the Public Laws of 1983, "An Act Relating to Training Penobscot Law Enforcement Officers" [which reduces the training requirements for law enforcement officers of both tribes].

(2) a copy of this resolution shall be filed with the Secretary of State of the State of Maine and such copy shall constitute written certification by the Joint Tribal Council of the Passamaquoddy Tribe that the Passamaquoddy Tribe has agreed to the provisions of the said Chapters of the Public Laws of 1983 which amend the Maine Implementing Act.

(3) the Representative of the Passamaquoddy Tribe to the Maine Legislature, Wayne Newell, is designated as the officer authorized to execute the certificate of approval of legislation pursuant to 3 M.R.S.A. §602 as enacted by Chapter 497 of the Public Laws of 1983.

Dated: August 8, 1983 and signed by the members of the Joint Tribal Council of the Passamaquoddy Tribe.

Certification

We, the undersigned Governor(s) and/or Lt. Governor(s) of the Passamaquoddy Indian Tribe do hereby certify that the Joint Tribal Council of the Passamaquoddy Tribe is composed of members, of whom were present at a Regular (Special) Meeting held on August 8, 1983 and that the foregoing resolution was duly adopted by the affirmative vote of members.

S/JOHN STEVENS
(Lt.) Governor
S/RALPH F. DANA
(Lt.) Governor
S/DENNIS TAMAH

Attested: Tribal Clerk,

In Testimony Whereof, I have caused the Great Seal of the State to be hereunto affixed. GIVEN under my hand at Augusta, this twenty-third day of August in the year of our Lord one thousand nine hundred and eighty-three.

S/RODNEY S. QUINN
Secretary of State

Which was Read and Ordered Placed on File.

The Following Communication (S. P. 637):

**The Senate of Maine
Augusta**

August 25, 1983

The Honorable Gerard P. Conley
President of the Maine Senate
111th Legislature
The Honorable John L. Martin
Speaker of the Maine House
111th Legislature

Dear President Conley and Speaker Martin:
Please be advised that today one bill was received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, this bill was referred to the Joint Standing Committee on Appropriations and Financial Affairs and ordered printed on August 25, 1983 as follows:

Appropriations and Financial Affairs

Bill, "An Act to Authorize a General Fund Bond Issue in the Amount of \$11,875,000 for the Purpose of Making Air and Sea Transportation Improvements" (S. P. 639) (L. D. 1795) (Presented by Sen. Carpenter of Aroostook) (Cosponsors: Representative Drinkwater of Belfast, Representative Beaulieu of Portland and Representative Vose of Eastport)

Sincerely,
S/JOY J. O'BRIEN
Secretary of the Senate
S/EDWIN H. PERT
Clerk of the House

Which was Read and Ordered Placed on File.

Sent down forthwith for concurrence.

The Following Communication:
111th Maine Legislature

August 30, 1983

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

On July 15, 1983 pursuant to Chapter 53 of the Private and Special Laws of 1983, we appointed Senator Samuel W. Collins, Jr. of Knox and on August 29, 1983 pursuant to Chapter 53 of the Private and Special Laws of 1983, we appointed Representative Martin S. Hayden of Durham to the Maine Sentencing Guidelines Commission.

Sincerely,
S/GERARD P. CONLEY
President of the Senate
S/JOHN L. MARTIN
Speaker of the House

Which was Read and Ordered Placed on File.

The Following Communication:
**State of Maine
Senate Chamber
President's Office
Augusta, Maine 04333**

August 31, 1983

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

Please be advised that I have today recommended Senator Larry Brown of Washington to serve as an Ex Officio Legislative Member of the Advisory Committee on Medical Education established under 20-A M.R.S.A., Chapter 421, §11801-11809.

Sincerely,
S/GERARD P. CONLEY
President of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:
111th Maine Legislature

August 30, 1983

Honorable Joy J. O'Brien
Secretary of the Senate
111th Legislature

Augusta, Maine 04333

Dear Madam Secretary:

It is our pleasure to inform you that pursuant to Chapter 47, Resolves of 1983, we have appointed the following to serve on the Maine Commission to Examine the Availability, Quality and Delivery of Services Provided to Children with Special Needs:

CHAIRMAN

Kevin W. Concannon, Commissioner
Department of Mental Health and Mental Retardation

MEMBER OF THE JUDICIAL BRANCH

Honorable Arthur J. Nadeau, Jr. of Fal-

mouth

REPRESENTATIVE OF A POLICE FORCE

Chief Richard D. Griffin of Augusta

PHYSICIAN

Dr. Paul Marsh of Bangor

INTAKE WORKER

Mr. Louis Frye of Machias

NEWSPAPER EDITOR

Mr. A. Mark Woodward of Bangor

CHAIR OF A PUBLIC EVALUATION TEAM

Ms. Ann Leipman of Bangor

ELEMENTARY SCHOOL TEACHER

Ms. Marlene Day of Saco

JR. HIGH SCHOOL GUIDANCE COUN-

SELOR

Mr. Lowell Daigle of Fort Kent

SUPERINTENDENT OF SCHOOLS

J. Duke Albanese of Oakland

REPRESENTATIVE OF A NEIGHBOR-

HOOD GROUP

Mr. James Oliver of Portland

CASEWORKER

Ms. Louise Deprez of Wiscasset

REPRESENTATIVE OF A COMMUNITY

COUNSELING CENTER

Mr. Robert Vickers of Caribou

PHYSIOLOGIST SPECIALIZING

IN FAMILY PRACTICE

Dr. Lesley Swift of Rockland

PSYCHIATRIC SOCIAL WORKER

Ms. Kathleen Monaghan Corey of Gardiner

**REPRESENTATIVE OF AUGUSTA/
BANGOR MENTAL HEALTH INSTITUTE**

Ms. Terry Fortier of Augusta

REPRESENTATIVE OF THE DEPART-

MENT

OF MENTAL HEALTH AND MENTAL

RETARDATION

Dr. Roger Wilson of Bar Harbor

REPRESENTATIVE OF THE DEPART-

MENT OF HUMAN SERVICES

Commissioner Michael R. Petit of Augusta

REPRESENTATIVE OF THE DEPART-

MENT OF CORRECTIONS

Mr. Francis Cameron of South Portland

REPRESENTATIVE TO THE DEPART-

MENT OF EDUCATIONAL AND CULTURAL

SERVICES

Mrs. Christine Bartlett of Augusta

REPRESENTATIVE OF A PSYCHIATRIC

DEPARTMENT OF A HOSPITAL

Dr. Adair Heath of Portland

MEMBER OF THE CLERGY

Father Royal Parent of Millinocket

PUBLIC MEMBER

Cushman Anthony, Esquire, of Portland

DIRECTOR OF AN EMERGENCY

SHELTER FOR CHILDREN

Mr. Patrick Moore of Ellsworth Falls

Sincerely,

S/GERARD P. CONLEY

President of the Senate

S/JOHN L. MARTIN

Speaker of the House

Which was Read and Ordered Placed on File.

The Following Communication:
**The Senate of Maine
Augusta**

August 31, 1983

Honorable Joy J. O'Brien

Secretary to the Senate

111th Legislature

Augusta, Maine 04333

Dear Secretary O'Brien:

On July 11, 1983, I appointed Senator Barbara Gill of Cumberland and Senator Beverly Miner Bustin of Kennebec as Senate Members of the Commission to Study the Availability, Quality, and Delivery of Services Provided to Children with Special needs, pursuant to Chapter 47 of the Resolve Laws of 1983;

On July 11, 1983, I appointed Senator Judy Kany of Kennebec to serve as the Senate Member of the Citizens' Civil Emergency Commission, pursuant to Chapter 516 of the Public Laws of 1983;

On July 11, 1983, I appointed Senator Judy Kany of Kennebec and Senator Richard Traf-ton of Androscoggin as Senate Members of the Commission on Local Land Use Violations, pursuant to Chapter 458 of the Public Laws of 1983;

On July 12, 1983, I appointed Senator Michael Carpenter of Aroostook and Senator Mary Najarian of Cumberland to serve as Senate Members of the Commission to Study the Matter of Child Custody in Domestic Relations Cases, pursuant to Chapter 564 of the Public Laws of 1983;

On July 11, 1983, I appointed Senator Michael Pearson of Penobscot to serve as a Senate Member of the Whitewater Advisory Committee, pursuant to Chapter 502 of the Public Laws of 1983;

On July 12, 1983, I appointed Senator Ronald Usher of Cumberland as a Senate Member of the Whitewater Advisory Committee, pursuant to Chapter 502 of the Public Laws of 1983;

On July 13, 1983, I appointed Ms. Carolyn Ridge of Portland and Ms. Barbara Hamaluk of Portland to the Maine Commission for Women, pursuant to 5 M.R.S.A. §7021;

On July 13, 1983, I appointed Ms. Jane Roy of Orr's Island and Charles Canning of Augusta to the Maine State Compensation Commission, pursuant to 3 M.R.S.A. §2-A;

On July 15, 1983, I appointed Senator Samuel W. Collins of Knox to serve as the Senate Member of the Maine Sentencing Guidelines Commission, pursuant to Chapter 53 of the Private and Special Laws of 1983;

On July 20, 1983, I appointed Senator Frank Wood of York, Senator Michael Carpenter of Aroostook, and Senator Jerome Emerson of Penobscot as Senate Members of the Joint Select Committee on Wood Measurement Law, pursuant to Joint Rule 16 of the 111th Legislature;

On August 2, 1983, I appointed Ms. Nancy Chandler of South China to serve as a Public Member of the Whitewater Safety Commission, pursuant to Chapter 502 of the Public Laws of 1983;

On August 19, 1983, I appointed Mr. Garland Davis of Brunswick as a Public Member of the Radiological Emergency Preparedness Committee, pursuant to Chapter 472 of the Public Laws of 1983;

On August 19, 1983, I appointed Senator Michael Carpenter of Aroostook as a Legislative Advisory Member of the Regional Agricultural Committee, pursuant to Chapter 46 of the Resolves Laws of 1983.

Sincerely,

S/GERARD P. CONLEY

President of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:
State of Maine

**Department of Transportation
Transportation Building
State House Station 16
Augusta, Maine**

04333

August 31, 1983

Governor Joseph E. Brennan and Members of the 111th Legislature

Transmitted herewith is a copy of the revised Transportation Investment Program for Fiscal Years 1984 and 1985.

This revised Program is submitted in support of requests for funding in the areas of Air Transportation, Ports and the Maine State Ferry Service. This document describes the intended use of the funding requested.

The \$1.0 Million requested for Air Transportation Projects would generate an estimated \$13.2 Million in federal matching funds and an additional \$800,000 in local matching monies, providing sufficient funding for a total program in excess of \$15 Million.

The \$10.8 Million in state funding requested for Ports and Ferry Service Programs would provide necessary improvements in cargo terminal facilities at Sears Island in Searsport Harbor, Easport and Portland, the construction of a new 30-car ferry and the replacement of outmoded crew quarters on Vinalhaven and Islesboro.

We trust you will find this program to be a realistic effort to maintain and improve air and marine transportation service within Maine in a manner in keeping with today's economic climate.

Very truly yours,

S/GEORGE N. CAMPBELL, Jr.

Commissioner of Transportation

Which was Read and with Accompanying Papers Ordered Placed on File.

Communication

The Following Communication:

**State of Maine
Legislative Council
State House**

Augusta, Maine 04333

August 30, 1983

Ms. Joy J. O'Brien
Secretary of the Senate
State House Station #3
Augusta, Maine 04333

Dear Secretary O'Brien:

In response to requests from both the Joint Standing Committees on Education and Agriculture, the Legislative Council has authorized the creation of a Special Joint Committee to review the impact of the cuts in the public service program proposed by the University of Maine at Orono.

Pursuant to the Council's action, appointments to that Committee are:

Senator Frank P. Wood of York, Senate Chair

Senator Kenneth P. Hayes of Penobscot
Senator Walter W. Hichens of York
Representative Stephanie Locke of Dover
Foxcroft, House Chair

Representative Ada K. Brown of Gorham
Representative Stephen E. Crouse of
Crouseville

Representative Richard E. McCollister of
Canton

Representative John M. Michael of Auburn
Representative Carl B. Smith of Island Falls
Representative Frederick J. Anderson of
Stockholm

Representative John C. Bott of Orono
Representative Kenneth L. Matthews of
Caribou

Representative Weston R. Sherburne of
Dexter

If you have any questions please do not
hesitate to call me.

Sincerely,
S/CHARLES P. PRAY
Chairman

Which was Read and Ordered Placed on
File.

**Committee Reports
Senate**

Ought Not to Pass

The following Ought Not to Pass report shall be placed in the legislative files without further action pursuant to Rule 15 of the Joint Rules:

BILL, "An Act Authorizing a Bond Issue in the Amount of \$3,500,000 for the Purposes of Constructing Additional Facilities at the Maine Correctional Center." (Emergency) (S. P. 367) (L. D. 1141)

Ought to Pass in New Draft

Senator NAJARIAN for the Committee on Appropriations and Financial Affairs on BILL, "An Act to Authorize a General Fund Bond Issue in the Amount of \$11,875,000 for the Purpose of Making Air and Sea Transportation Improvements" (S. P. 639) (L. D. 1795) Reported that the same Ought to Pass in New Draft under same title (S. P. 640) (L. D. 1801)

Which Report was Read and Accepted. The Bill in New Draft Read Once.

The PRESIDENT: Is it the pleasure of the Senate that L. D. 1801 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.

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:

The Joint Standing Committee on Energy and Natural Resources' Recommendation that the nomination of Neil Hapworth be confirmed, tabled earlier in today's session, on motion by Senator Pray of Penobscot, pending Consideration.

The PRESIDENT: The Joint Standing Committee on Energy and Natural Resources has recommended that the nomination of Neil Hapworth be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Energy and Natural Resources be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA—Pearson.

NAY—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Diamond, Dow, Erwin, Gill, Hayes, Kany, McBreairty, Minkowsky, Najarian, Perkins, Pray, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Danton, Dutremble, Emerson, Hichens, Redmond.

1 Senator having voted in the affirmative and 27 Senators in the negative, with 5 Senators being absent, and 1 being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted.

The nomination of Neil Hapworth is confirmed.

The Secretary was directed to inform the Speaker of the House.

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

On motion by Senator Pray of Penobscot Recessed until 2:30 o'clock this afternoon.

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:

Communication:

The Following Communication: (H. P. 1362)

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

August 26, 1983

John L. Martin
Speaker of the House
111th Legislature

Gerard P. Conley
President of the Senate
111th Legislature

Dear Mr. Speaker and Mr. President:

On August 26, 1983, two Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, Bills were referred to the Joint Standing Committees on August 26, 1983 as follows:

Appropriations and Financial Affairs

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$8,820,000 for the Construction and Improvement of Municipal Facilities" (H. P. 1360) (L. D. 1793)

Bill "An Act to Authorize a Bond Issue in the Amount of \$21,794,000 for State Facilities Construction, Renovations and Improvements" (H. P. 1361) (L. D. 1794)

Sincerely,
S/EDWIN H. PERT
Clerk of the House
S/JOY J. O'BRIEN

Secretary of the Senate

Comes from the House, Read and Ordered Placed on File.

Which was Read and Ordered Placed on File, in concurrence.

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

**Paper from the House
House Paper**

BILL, "An Act to Empower the Legislative Council to Establish Benefit Schedules for Legislative Employees." (Approved for introduction by the Legislative Council pursuant to Joint Rule 26) (Emergency) (H. P. 1363) (L. D. 1796)

Reference to the Committee on State Government suggested.

Comes from the House, under suspension of the rules, Passed to be Engrossed without reference to a Committee.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, L. D. 1796 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.

Joint Resolution

The Following Joint Resolution: (H. P. 1368)

JOINT RESOLUTION RECOGNIZING WORLD FOOD DAY AND ADVANCE OF THE GOAL OF FOOD SECURITY FOR ALL PEOPLE ON EARTH

WHEREAS, the world is locked in an eternal struggle against the needless demeaning

forces of hunger and poverty; and

WHEREAS, all nations of the World Food Conference of 1974 affirmed the bold objective offered by the United States that within a decade no child will go to bed hungry; that no family will fear for the next day's bread; and that the potential of no human being will be stunted by malnutrition; and

WHEREAS, the Presidential Commission on World Hunger determined that the elimination of the long-term problem of hunger would necessitate the elimination of poverty, the principal cause of hunger; and

WHEREAS, people from all nations and all levels of government will join together on World Food Day, October 16, 1983, to advance the goal of food security for all people on earth; and

WHEREAS, it is altogether fitting and proper for this Legislature to call attention to the fact that none should go without in a nation and State with so much, and that, to the extent practicable and feasible, all state agencies should redouble their efforts insofar as they relate to the reduction of poverty and hunger in the State; now, therefore, be it

RESOLVED: That We, the Members of the Senate and House of Representatives of the 111th Legislature, now assembled in First Special Session, take this opportunity to reaffirm the right of every person to food and a nutritionally adequate diet; and to call on the Governor and all agencies of the State connected with the prevention of hunger to take all appropriate action to assure that right; and

RESOLVED: That a duly authenticated copy of this resolution, signed by the President of the Senate and the Speaker of the House of Representatives and attested by the Secretary of the Senate and the Clerk of the House of Representatives be transmitted to the Governor, and through him, to all state agencies connected with the prevention of hunger in the State.

Comes from the House, Read and Adopted.

Which was Read and Adopted, in concurrence.

(Off Record Remarks)

Committee Reports House Ought Not to Pass

The following Ought Not to Pass report shall be placed in the legislative files without further action pursuant to Rule 15 of the Joint Rules:

BILL, "An Act Authorizing a Bond Issue in the Amount of \$2,700,000 for the Purposes of Stabilizing and Restoring the Unique Historic Structures of the State" (H. P. 455) (L. D. 557)

Ought to Pass in New Draft under New Title

The Committee on Appropriations and Financial Affairs on Bill, "An Act to Authorize a General Fund Bond Issue in the Amount of \$8,820,000 for the Construction and Improvements of Municipal Facilities." (H. P. 1360) (L. D. 1793) Reported that the same Ought to Pass in New Draft under New Title, BILL, "An Act to Authorize a General Fund Bond Issue in the Amount of \$720,000 for County Courthouse Handicapped Accessibility." (H. P. 1366) (L. D. 1799)

Comes from the House, the Report Read and Accepted and the New Draft under New Title Passed to be Engrossed.

Which Report was Read and Accepted in concurrence. The Bill in New Draft under New Title Read Once.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, L. D. 1799 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, in concurrence.

Sent forthwith to the Engrossing Department.

The Committee on Appropriations and Financial Affairs on BILL, "An Act to Authorize a Bond Issue in the Amount of \$21,794,000 for State Facilities Construction, Renovations and Improvements." (H. P. 1361) (L. D. 1794) Reported that the same Ought to Pass in New Draft under New Title, BILL, "An Act to Authorize a Bond Issue in the Amount of \$21,094,000 for State Facilities Construction, Renovations and Improvements and Construction Improvements of Municipal Facilities and to Deauthorize Unused Portions of Previous Bond Issues." (H. P. 1367) (L. D. 1800)

Comes from the House, the Report Read and Accepted and the New Draft under New Title Passed to be Engrossed.

Which Report was Read and Accepted in concurrence. The Bill in New Draft under New Title Read Once.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, L. D. 1800 be given its Second Reading by Title Only?

It is a vote.

Under Suspension of the Rules, the Bill Read a Second Time.

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

Senator MINKOWSKY: Mr. President and Members of the Senate: I guess like each and every one of you I have in good conscience assessed and tried to evaluate exactly if these bond issues are really in the interest of the people of the State of Maine.

The only one I really came across that I think deserves merit and consideration by the voters is one relevant to the handicapped accessibility to our county courthouses.

In tallying up the bond issues before us this afternoon, we're talking of three bills that will cost the taxpayers a total of thirty-three million six hundred eighty-nine thousand dollars and at the end of their maturity of twenty years, sixty-five million one hundred seventy thousand eight hundred and forty dollars and we're only talking about a beginning.

Mr. President and Members of the Senate, I have never been, nor do I intend to be an advocate of lumping together many items in a bond issue. I believe each item, in referendum, should stand the test by the people of the State of Maine based on the merit of the issue itself. As I mentioned earlier, the best example before us is the new draft of L. D. 1793 which speaks to the issue of accessibility to our county courthouses by our handicapped citizens.

Bond issues should have a sunset provision of less than five years and should be deauthorized if not utilized according to the intent of the citizens of Maine, in referendum, (that they voted on) and that the Legislature should not be empowered to extend the period for issuing any remaining unused bonds. As we all realize each new Legislative Session that convenes does not have the same issues, concerns or objectives of the previous Legislature.

Number three, Mr. President, I do not condone the transfer between items as stated in L. D. 1801, section 10, page 4. That addresses: "the amount listed after each item is to be construed as a guide." I want to be specific. I don't want guide figures. I want specific figures.

Within section 4, "any one or more accounts may be exceeded with the approval of the Governor by transferring from one item to another not exceeding 10% in the aggregate." When the people of the State of Maine vote on these issues, they expect us to be right up front and saying, "this is the actual cost" and not allow the Administration, or anybody else

to change those figures item by item.

The in-depth assessment of need whether genuine or politically motivated by the bureaucrats, in conjunction with the Administration needs more than a rubber-stamp approval by Maine's elected representatives.

Some of the bond issue considerations only serve jurisdictions in Maine, as they have in the past, and will continue, I'm sure, in the future.

As I have said in the past, and I will continue to state these are very trying times and we do not want to continue strapping the Maine taxpayer with additional debt. "Austerity," I have found in my district is the word, and I'm adhering to what I'm hearing by the taxpayers in my area.

The Legislature has the capacity and the wisdom to be up front in making decisions item by item, and I don't think we should use this mechanism in lumping together these many different bond issues.

One of the articles I came across recently which I think is of significant value and we're talking primarily of the issue relevant to the 7.5 million dollar allocation for the Department of Corrections and possibly building new facilities for incarceration of prisoners. An item I came across just recently and I'd just like to quote a couple of passages from that item to make you aware that there is another alternative. "One cannot look at the billions being spent on prisons today with their proven record of failure to protect society or rehabilitate inmates without questioning whether our prison system really helps establish civil justice. When three out of four prisoners are rearrested within four years of their release, we have to wonder whether our prisons are really correctional institutions, as many are called, or more like graduate schools in crime, schools for which taxpayers and crime victims pay the enormous costs of the corruption tuition."

The second point, "I believe most prison officials would agree, that our society has created a correctional system in which the prisoner and the keeper alike are dehumanized and subjected to brutality and corruption. It is a system which needs all to be changed."

Another point, Mr. President, which I'd like to have for the Record and the Record only: "More than half of the prisoners in America are incarcerated for nonviolent crimes. In some jurisdictions this figure is as high as 70 percent. Yet, placing nonviolent offenders in a penitentiary can often be counterproductive. Frequently, they are subjected to brutal treatment, homosexual rape and a continual threat of violence and a bored routine that deadens the human spirit."

These are some reasons why I had very serious opposition to that particular bond issue.

There is one final point that was brought out which I thought should be emphasized, "Overcrowding is an epidemic-scale problem, but the only response now being considered is billions of dollars on new prison construction. If all the prisons proposed today are actually built they would cost at least 5.6 billion dollars. Finding a better way to deal with criminal offenders is not only timely; it is a matter of life and death, and fortunately, there are better ways readily available." Mr. President and Members of the Senate, some of those better ways are presently being instituted in the State of Maine without building new prison facilities. We have an adequate restitution program which can be improved, but it's on the right road to recovery. We have probation and contract probation; we have suspended sentences; we have fines; deferred sentencing; alcohol and drug treatment, and I could go on and on. This is the avenue to prevent further dehumanization of these individuals who are in our

prisons today. If you really want to have criminals, keep them in that particular environment and you will never solve the problems in the State of Maine.

Mr. President, finally, and Members of the Senate, I have outlined here this afternoon some of the basic reasons as an individual and discussing this with some constituents why I feel the only bond issue that I can really wholeheartedly vote on is the one relevant to the handicapped on accessibility to our courthouses. The other two, I don't advocate the people of the State of Maine voting on it, and at the present time, I don't feel that strongly that this particular issue should actually be passed.

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

Senator PEARSON: Mr. President, Men and Women of the Senate, I rise to address this particular bond issue, which is L. D. 1800, because I'm concerned about one of the towns that I represent, several actually, the towns of Charleston, Bradford and, also, some of the towns that are outside of my Senate District, Atkinson, Dover-Foxcroft and in that particular area, because this bond issue calls for the appropriation of the expenditure of two hundred and seventy thousand dollars for a segregation unit at the Charleston Correctional Facility in Charleston, Maine.

I know a little bit about that particular institution because I was the first person to advance the idea that the radar station at Charleston might be used as a pre-release center to alleviate some of the overflow from the prison at Windham. As a matter of fact, the Charleston facility falls still under the administrative control of Windham. It was originally planned to house only people who were the best risks and who were going to be released fairly soon. Because it was simply a radar station that had a minimal security fence; old type barrack buildings. You couldn't do very much with it without major repairs. The people of that area were told that it was going to be minimal security; as a matter of fact a citizens group was formed in that area to have input into the running of it, and by and large, most people in Charleston have been fairly happy with it.

It has provided some employment for some of the people in the local area, but I'm becoming concerned now because it calls for a segregation unit. The only time you have a segregation unit is if somebody has misbehaved, and apparently they are expecting that they are going to have people in that area, I guess ten beds as a matter of fact, that will be of that caliber. The good Senator from Cumberland, Senator Diamond, tells me that what has happened is there has been some pressure from the Thomaston Prison that has caused overflow into Windham, and the Windham Prison is now causing overflow into Charleston and the people of Charleston are faced with an installation there that is not suited for that area.

So, consequently, unlike the Senator from Androscoggin who didn't like that language that gave them a little give and take, I would hope that those people who finally make the decisions on the construction of facilities will keep in mind that we do not want, and we do not expect that the State will go back on its word that this was going to be a minimal security pre-release center designed for people who were very good risks. It should not need a segregation unit. It is dangerous to that area and I hope that when it is considered, when the final construction is made that it won't be built.

That is not to say that I do not support the bond issue because I do. I recognize that in toto we have got to do something about our prisons. That simply is a bad idea, the idea that I just advanced to you about Charleston.

I hope that others will concur with me not

only here but in the other Body, and that those people who make the final decisions will take it into account.

The Bill was Passed to be Engrossed in concurrence.

Sent forthwith to the Engrossing Department.

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

Senate Papers

BILL, "An Act to Make Corrections of Errors and Inconsistencies in the Laws of Maine." (Approved for introduction by the Legislative Council pursuant to Joint Rule 26) (Emergency) (S. P. 638) (L. D. 1802) (Presented by Senator Trafton of Androscoggin) (Cosponsor: Representative Hobbins of Saco)

Reference to the Committee on Judiciary suggested.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, L. D. 1802 be given its First Reading at this time without Reference to a Committee?

It is a vote.

Under Suspension of the Rules, the Bill Read Twice.

On motion by Senator Pray of Penobscot, Tabled until later in today's session, pending Passage to be Engrossed.

BILL, "An Act Relating to the School Year for School Administrative District Number 57." (Approved for introduction by the Legislative Council pursuant to Joint Rule 26.) (Emergency) (S. P. 642) (L. D. 1805) (Presented by Senator Wood of York)

Reference to the Committee on Education suggested.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, that L. D. 1805 be given its First Reading at this time without Reference to a 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.

Sent down forthwith for concurrence.

BILL, "An Act to Ease Municipal Obligations under the Forest Fire Suppression Tax." (Approved for introduction by the Legislative Council pursuant to Joint Rule 26) (Emergency) (S. P. 641) (L. D. 1804) (Presented by Senator Wood of York)

Reference to the Committee on Taxation suggested.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, that L. D. 1804 be given its First Reading at this time without Reference to a 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.

Sent down forthwith 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.

Orders of the Day

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

BILL, "An Act to Make Corrections of Errors and Inconsistencies in the Laws of Maine." (S. P. 638) (L. D. 1802)

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

Pending—Passage to be Engrossed.

(In Senate, September 6, 1983, Read Twice without reference to a Committee)

On motion by Senator Trafton of Androscoggin, the Senate voted to Suspend its Rules.

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

Senator TRAFTON: I offer Senate Amendment "A" (S-271) and move its Adoption.

The PRESIDENT: The Senator from Androscoggin, Senator Trafton, offers Senate Amendment "A" (S-271) and moves its Adoption.

Senate Amendment "A" (S-271) was Read and Adopted.

The PRESIDENT: The Senator has the floor.

Senator TRAFTON: I offer Senate Amendment "B" (S-272) and move its Adoption.

The PRESIDENT: The Senator from Androscoggin, Senator Trafton, Under further Suspension of the Rules, offers Senate Amendment "B" (S-272) and moves its Adoption.

Senate Amendment "B" (S-272) was Read and Adopted.

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

Sent down forthwith for concurrence.

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:

Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$720,000 for County Courthouse Handicapped Accessibility. (H. P. 1366) (L. D. 1799)

This being a Bond Authorization Act, and having received the affirmative votes of 27 Senators, with No Senators voting in the negative, and 27 being more than two-thirds of the membership present and voting, was Passed to be Enacted, and having been signed by the President was by the Secretary presented to the Governor for his approval.

Bond Issue

An Act to Authorize a Bond Issue in the Amount of \$21,094,000 for State Facilities Construction, Renovations and Improvements and Construction and Improvements of Municipal Facilities and to Deauthorize Unused Portions of Previous Bond Issues. (H. P. 1367) (L. D. 1800)

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

Senator VIOLETTE: Mr. President, and Ladies and Gentlemen of the Senate, just very briefly, there is one item that I would like to highlight, which is section 13 of this L. D. and that is 1.5 million which has been set aside for restoration and preservation of historic buildings and various sites, statewide, through the Educational and Cultural Services Department. I would guess that the Arts and Humanities Commission would probably be making the recommendations as to which site, that are on the National Register will receive the benefits of this money. I as a Senator coming from a particular area of this State, of a particular cultural heritage, only want to go on Record in expressing that I certainly hope, when I look at the makeup of that present commission and the very few sites that are listed there that are in Northern Maine that they will see to it that they are equitable in their funding of sites throughout the State of Maine. I have a great concern there, because I have always been of the feeling that the Arts and Humanities Commission has been negligent in its responsibility to the other cultural heritages in this State; other than those that were involved with the revolution and the like and that there are others that are just as great

a concern to this great State of ours.

I only wish to emphasize to that commission and to the Department that I trust that they will be fair and equitable in their dispersal of these funds throughout this State in their deliberations. Thank you.

This being a Bond Authorization Act, and having received the affirmative votes of 28 Senators, with 1 Senator voting in the negative, and 28 being more than two-thirds of the membership present and voting, was Passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$11,875,000 for the Purpose of Making Air and Sea Transportation Improvements. (S. P. 640) (L. D. 1801)

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

Senator COLLINS: Mr. President, as we're nearing the completion of our bond issues, I'd like to express appreciation to the Committee on Appropriations for the good work they've done on a very difficult issue.

Since they resolved their bond package and presented that report, there has been much talk from the Administration and from Legislative sources to the affect that next January we shall have to pass a large bond issue for the VTI's and for the State Prison at Thomaston.

The reason that I just say a word, as I express my intention of supporting this issue, is that if we look at our present schedule of dollars we can look ahead and see that the issues that are being talked about for the VTI's and for the State Prison would push the level of new bonding for the biennium into a figure in excess of those bonds being retired.

I would like to suggest to the Administration that in this interim as they look ahead, that there may be a preferable way to go. I would suggest that that preferable way might include one further deauthorization of older authorized but unissued bonds. Second, the deauthorization of one of the items in this very bill before us the extra pier for the Port of Portland. Third, the deauthorization of the new Community Development Block Grants. Thank you, Mr. President.

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, for sometime now I, myself, as an individual and as a Senator from Penobscot have been concerned about the bonding package and the procedure that was taking place. Earlier on I had issued several statements stating that the Legislative process was being impeded by the negotiations between the Minority Party of this Chamber or as a matter of fact that this Legislature, and the Chief Executive in trying to attempt, at that level, to decrease the amount of bonds that would be considered by the Legislature. After those negotiations failed to some degree, the Governor finally introduced what was his package, the Legislative process then took place, and will complete itself tonight on the bond issues.

The words of the Senator from Knox, Senator Collins, here this evening in suggesting to the Chief Executive a number of proposals for future consideration come January, is something that is open to each and everyone of us. When the January session convenes, those of us who have particular ideas or issues that we would like to submit for consideration have that opportunity and the Senator from Knox, Senator Collins is well aware of that. I think that if he wishes to have the people of this State consider deauthorizing some of the bonds that they are going to approve this November in January of the following year flies

in the face of a little bit of true faith or belief in this package or this concept that has been put forth at this time.

I as one individual a couple years ago or a year ago, along with several other members of the Legislature, presented a Constitutional Amendment to require a review of all the bond issues that had been approved by the voters and after a five year period have yet been unissued, and that required an annual review at that point on those issues for consideration. That was to allow the Legislature to take a more active role in bond issues once they've been approved but not spent. I think that is a small step in giving the Legislature a greater role in the bond indebtedness.

I want to share with the Members of this Chamber just a little bit of information and my own personal belief. First of all, in the nine years that I have been here the average indebtedness of every man, woman and child in this State has almost been loped off by one-third. I think we've gone from somewhere in the mid-eighties down to about the mid-fifties in what each person in this State owes in bond indebtedness. I think that is a positive step. I think that in 1975 when the idea was conceived that we retire 90% of what's being issued was a good idea. We came in with an eighteen million dollar deficit due to L. D. 1994, better known as the school finance law. We had just lost our triple A rating and an Independent was elected Governor. Although I was not a member of leadership at that time, I cannot remember much debate or opposition to the 90% factor. It was something that went through the Legislature without a great deal of opposition by any particular political party. Over that time period things have changed. To attempt today to apply that 90% rule while it was generally a good rule of thumb, I don't think it is applicable in every situation. I think the fact that we know that there are a number of issues that are still out there, and will still have to be considered this coming January, will put before this entire Legislature that entire issue again as to whether or not we're going to address it. I think that there will be a number of members of this Legislature and the Chief Executive that will be looking at alternatives and answers to the problem. The problems are not going to go away in reference to the State Prison situation. It isn't going away in this State or any other State in this country. The mood of the people in the 1970's was to incarcerate, was to punish the criminal, and today, we're paying for it.

There was also great effort to put forth the vocational institutes, and there is a demand out there that is not being met by the constituency, the citizens of this State, there is a greater need than what is available out there. We've attempted to address the change in times, the change in technologies. I think the vocational institutions have been a worthwhile investment for the State of Maine, and they're going to be come January, and no matter how much money we put forth, the question will still go unsolved for many people of this State who will apply to that educational system and be turned away because at that time we don't have the money to do it. These are the people who are the future generations and those who will be paying back the bond issues in the future.

I welcome the comments from the Senator from Knox, Senator Collins, and his suggestion in here on the Record that we evaluate some of these bond issues that have been out there. Clearly there are some that have been approved by the people of this State that I, as a citizen when I'm in a voting booth have voted against, and I'm sure that there are a number of issues that have been approved that everybody here at one time or another have not supported, but there are many others that have been approved by the people of this State. These issues here that we today

pass will go out for approval of the people of this State, no matter if it's 90% or 110%, the final voice is that of the people of this State come this November. Thank you, Mr. President.

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

Senator KANY: Mr. President and Members of the Senate, I can't help but rise after the comments of Senator Collins of Knox, regarding the deauthorization of authorized but unissued bonds. I would just admonish you that not to count too heavily upon being able to deauthorize a great deal primarily because when we authorized them originally, when the voters approved of such bonds, often there is a planning process, let us say in the development of ports or whatever, that is a fairly time consuming process, and naturally, you don't immediately rush out and issue the bond because you do not need that cash immediately, but you certainly will need it and you certainly cannot proceed with that project without continuing the authorization of that particular bond issue.

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

Senator NAJARIAN: Mr. President and Members of the Senate, I guess I would just like an opportunity to make a brief response to Senator Collins remarks about the VTI's in the next session, and having reached our limit practically in this session of 90% of what retired. Almost thirty-three million bonds will be retired this year and almost thirty-two million next year for a total of 64.7 and this bond authorization, plus the highway bill will come to 56.1 million which still leaves almost ten million leeway before we reach our 90%, plus the fact, if we have the VTI's on the ballot next November, I assume that we will be retiring the same amount of bonds in 1986 and 1987, and so the bonds we pass in 1985 can be applied into the next biennium.

Secondly, one thing that I did not fail to mention to my caucus and perhaps you're unaware of in L. D. 1980 there's a provision to automatically deauthorize bonds. It's under section B and I have the draft, so I don't have the exact page number, but; "any bonds authorized but not issued or for which bond anticipation notes have not been issued within five years of the ratification of this act shall be deauthorized and may not be issued provided that the Legislature may within two years after the expiration of that five year period extend the period for issuing any remaining unissued bonds, or bond anticipation notes for an additional amount of time not to exceed five years." So now we have an automatic provision for deauthorizing unissued bonds after five years.

Secondly, I'd just like to comment on Senator Collins last remark about deauthorizing the Port of Portland which I would consider dastardly if that were raised to take out after we've had this great compromise. Thank you very much.

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

Senator VIOLETTE: Mr. President, Ladies and Gentlemen of the Senate, I know it is late, but I have some comments that I would like to make about this particular Legislative Document.

The other bond issue before us this evening was an amalgamation of a number of expenditures for State buildings and the like, prisons, repairs to State buildings, virtually covered the total twenty-one million dollars.

This eleven million dollar package here is what I consider to be the sort of the "economic development" bond package. This is where the State of Maine decides to take some money that's going to cost a lot of money and invest it in the future of our State. Once again, the State of Maine is investing the bulk of this money in the section of the

State that has the highest per capita income, the lowest unemployment, into the Cumberland County area. I am about at my end with this. Sections of the State that are in dire need of economic development, highest rates of unemployment, that these people cannot even comprehend, 15, 16, 18% in rural sections of this State. Nothing here, basically for those sections, for those areas of this State. No help!

You know, we have an area in the State of Maine that it seems every, every time we have a bond issue, it has to have something. Other areas of the State have to make decisions do they get one or two or three different things. Half of the money in this bond package basically, is once again going to the area of this State that really is in the best position to take care of these problems on its own. It comes again to the State of Maine to fork over the dollars, to build them another wharf or another pier. We gave them something last year; they decided on their own that they would rather get rid of their cargo pier and put in a ship building facility. We gave them fifteen million dollars for that. Now, we are building them a fish pier. Now they're going to get a cargo pier.

You know, I think that this bond issue has, quite frankly, been given little consideration. Where's the end to this? When is some kind of foresight going to be given for some kind of program that's going to look at the areas of the State of Maine that really need State dollars? You know these are expensive dollars. They cost twice as much as what's on this paper here. Where is this money going? Is it going to help places that really need this, that really can't afford to raise these kinds of monies on its own? I'm glad to see one-tenth of it going to Washington County, one million dollars. I'm glad to see that, but 45% of it going to an area of the State of Maine that has less than one-thirtieth of the population of this State! There's got to be an end to this!

I represent an area of this State that is dying and there doesn't seem to be any interest in that area of the State by this Administration. This is the economic development package of this Administration and its bond. This is what it's looking forward to the future of this State and there's nothing here for Aroostook. There's nothing in here for Northern Penobscot, or Piscataquis County, or Somerset County. There has to be an end to this! I'm very displeased with this.

You know, I'm just another Senator, just another Democratic Senator, but by God, I wish once in awhile my own Governor would ask me what I think about these things because I'm getting darn right displeased. We're the ones that are counted on to vote for these bond packages, and my people come to me and they say, "Paul, are we going to be here in another ten years? Is there going to be anything left up here?" Well, there isn't going to be anything left up there. Twenty years ago there were one hundred and ten thousand people in Aroostook County; today, there's ninety thousand people in Aroostook County, twenty thousand people left, and the rest of the State of Maine has gained population.

Does this represent a concern for those people? Maybe we have to go out on a limb for those people, and invest some dollars. Maybe we'll lose, maybe we'll lose some more money. Everybody talks about the Maine sugar industry up in Aroostook County. Well, at least some people tried to do something. They had some foresight; they tried and it didn't go; it didn't pan out. Everything doesn't always pan out, but they said, well by God, we're going to try something. Well, there's nothing in here trying for anybody.

Oh, there's some money in here for Searsport. I'm glad to see that as well.

As I talk in the halls to people and they know my concern; they know my real con-

cern for the area that I represent, but this package reflects none of the concerns that I have. None of the concerns that I have! It's reaching a point, quite frankly, where you know, it's almost an insult to vote for these things. It's an insult for my people to vote for these things, because I know what the people of Aroostook County are going to do. They're going to vote for it. They voting for everything, in the hopes that they might get one the next time, just one.

I think my fellow Senators of Aroostook will agree to that. People from Aroostook County will give and give and give, just in the hopes that there will be something for them, but nothing comes. Something had better start coming. There's nobody on that committee evidently with an interest in these people. I've spoken on this floor about my concern for my people and the people of Northern Maine, and Northern Maine just isn't Aroostook County.

I was in caucus today on another matter. I had to remind a Senator that you know that there are other areas of this State. Evidently, I don't see that in this package. Those people up there pay taxes too, but they deserve to have something; they deserve a commitment to that end of the State because if they don't have it, it's just not going to exist. Thank you.

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

Senator NAJARIAN: Mr. President and Members of the Senate, I can appreciate the good Senator Violette's from Aroostook County concern for his area of the State, but I think his prejudice against Portland or the Southern part of the State has blinded his objectivity to these bond issues.

True, there's 4.5 million for a cargo port in Portland. The Legislature had previously approved ten million for Portland, but with the cooperation of Central Maine Railroad now, its new ownership we're able to accomplish the same purpose for 4.5 million. We didn't give it up when we voted to substitute the Bath Iron Works for the Port of Portland, we simply postponed that in order to keep the level of the bond issue down, but nobody said we were sacrificing that forever.

There's a 4.5 million for Searsport, combined with 12.5 million which we already given to Searsport. That's not in Cumberland County. The million for Eastport is not in Cumberland County. The crime lab will not be in Cumberland County. The court in Skowhegan is not in Cumberland County.

We did a lot for Aroostook County in the Part I Budget, in the Part II Budget for the potato industry; in fact, the Commissioner of Agriculture was extremely pleased with how much we had given. You have two strong advocates from Aroostook County on the Appropriations Committee, and I remind you that this State spent 11.5 million dollars bailing out the sugar beet industry when we were trying to help Aroostook County. So it's not that this Legislature has forgotten it; we've tried to help; we're doing all that we can. I understand you're losing people, that they're flocking to Bangor in droves. We're trying to help that, but you've got to realize that most of the people do live South of Aroostook and most of the taxes do come from those people.

Just take an objective look at these bond issues and you'll find that of the million dollar for airports, Portland gets about forty thousand dollars of that million dollars. The rest goes to other parts of the State. Be objective.

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

Senator VIOLETTE: Thank you, Mr. President and Ladies and Gentlemen of the Senate: I think the Senator from Cumberland, Senator Najarian, is just another example of completely missing what I'm trying to say.

I voted for everyone of those bond bills. I'm

going to vote for this one. All that I'm saying is when you're down there just give some consideration. I'm not necessarily pointing the finger at you, Senator Najarian, the good Senator from Cumberland, you're not the one. These bills don't originate in your committee, they originate on the second floor. That's where the statewide perspective comes from, and there should be a statewide perspective. I'm going to vote for this. I voted for the Bath Iron Works thing. You know, I just want to make a point, and I know I'm just talking about Aroostook County, that's the other point that's missed all the time. I'm talking about the rest of the State of Maine. You know there is Aroostook, and Penobscot, and Washington, and Somerset, and Piscataquis, and Oxford up there; it's not just Aroostook County. There's a lot of people up there. There are a lot of counties. It's for those counties that I'm trying to make this point this evening. Thank you.

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

Senator HAYES: Members of the Maine Senate, The good Senator from Aroostook, Senator Violette, is correct, this is an economic package. You know the roads that we build will need to be repaired and will have potholes, and the bridges that we construct with these monies will need to be rebuilt, and the prisons will need new facilities, and the airports are going to need their runways patched and repaired.

Let me suggest to you that the best investment in Maine's future lies in its young people and their education for the twenty-first century, and these educational opportunities must be extended to all those who have need. In this sense, we've chosen to fill potholes and not the minds of our young. In my judgment, we've chosen not to invest in the future of the people of Maine.

This being a Bond Authorization Act, and having received the affirmative votes of 28 Senators, with 1 Senator voting in the negative, and 28 being more than two-thirds of the membership present and voting, 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 Empower the Legislative Council to Establish Benefit Schedules for Legislative Employees. (H. P. 1363) (L. D. 1796)

This being an emergency measure and having received the affirmative votes of 29 Members of the Senate, with No Senators having voted the 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:

Papers from the House House Papers

BILL, "An Act to Correct and Clarify the Motor Vehicle and Workers' Compensation Laws." (Approved for introduction by the Legislative Council pursuant to Joint Rule 26) (H. P. 1369) (L. D. 1803)

Reference to the Committee on Transportation suggested.

Comes from the House, Passed to be Enacted without reference to a Committee.

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

Senator DANTON: Mr. President and Members of the Senate, As the Chairman of the Transportation Committee, there's been some inquiries as to this Legislative Document 1803.

I would hope that before we take any further action on this Bill that the Majority Leader or some other member of leadership

from either party could get up and please explain this Bill because it was never brought to our attention before our committee.

The PRESIDENT: The Senator from York, Senator Danton, has posed a question through the Chair to any member of the Senate who may respond if they so desire.

The Chair recognizes the Senator from Penobscot, Senator Pray.

Senator PRAY: Mr. President, Ladies and Gentlemen of the Senate, as the Chairman of the Legislative Council which met earlier today to allow several selected requests for this Special Session to come in, this is one proposal that was presented by the Speaker of the House which stated that he had been notified that there was some errors and clarifications that were needed in the Motor Vehicle Law. Basically in reference to: with the law becoming effective in September that there would need to be some language dealing with agents to collect the fees from the non-residents applying for the semi-trailer and trailer plates. Having spoken to the Senate Chairman just a few moments ago, I had at that time suggested for the speed of the process that we hopefully could put this bill up pending Second Reading where it could be amended and at that time Table it until we see if he's satisfied with actually what the Bill does do.

So I would hope that we could give the Bill its First Reading at this time and then Table it pending Seconding Reading.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, L. D. 1803 be given its First Reading at this time without Reference to a Committee?

It is a vote.

Under Suspension of the Rules, the Bill Read Once and Assigned for Second Reading later in today's session.

Order

The following Joint Order: (H. P. 1371)

ORDERED, the Senate concurring, that the following specified matters be held over to the Second Regular Session of the 111th Legislature:

Committee	Bill
Appropriations and Financial Affairs	H. P. 1103 L. D. 1457
	S. P. 582 L. D. 1690
	Comes from the House, Read and Passed.
	Which was Read and Passed, in concurrence.

(Senate at Ease)

The Senate called to Order by the President.

On motion by Senator Collins of Knox, 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:

Emergency

AN ACT Relating to the School Year for School Administrative District Number 57. (S. P. 642) (L. D. 1805)

Emergency

AN ACT to Ease Municipal Obligations under the Forest Fire Suppression Tax. (S. P. 641) (L. D. 1804)

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:

Second Reader

The Committee on Bills in the Second Reading reported the following:

House

BILL, "An Act to Correct and Clarify the Motor Vehicle and Workers' Compensation Laws." (H. P. 1369) (L. D. 1803)

Which was Read a Second Time.

On motion by Senator Pray of Penobscot, Tabled for 1 Legislative Day, pending Passage to be Engrossed.

(Senate at Ease)

The Senate Called to Order by the President.

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

On motion by Senator Pray of Penobscot, Adjourned until 10 o'clock tomorrow morning.