

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eleventh  
Legislature***

OF THE

STATE OF MAINE

**Volume II**

**FIRST REGULAR SESSION**

**May 16, 1983 to June 24, 1983**

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**August 4, 1983**

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STATE OF MAINE  
One Hundred and Eleventh Legislature  
Second Special Session  
JOURNAL OF THE SENATE

Augusta, Maine  
November 18, 1983

In compliance with a proclamation of His Excellency, Governor JOSEPH E. BRENNAN, the Senators convene in the Senate Chamber at 10:00 o'clock in the morning.

Senate called to order by the President.

Prayer by Father Thomas J. Joyce of St. Mary's Catholic Church of Augusta.

FATHER JOYCE: Oh God as we come together this morning we again turn to you for your guidance and strength. And as all things begin and end with you, we begin our day with a humble prayer.

Never forgetting Your blessings of the past, we thank You for all of these. In-petition we pray for all here for the strength and courage to fulfill their duties.

In Your goodness watch over all of us that we may always enjoy freedom, security and peace.

We pray today with confidence and trust, and a realization of our dependence upon you.

Guide us as we work, teach us to live in the spirit that has made us brothers and sisters.

We ask this through Almighty God. Amen.

The Secretary read the Proclamation.

**State of Maine  
Proclamation**

WHEREAS, there exists in the State of Maine a need to make adjustments in the tax code of the State to bring it into closer conformity with the federal tax code; and

WHEREAS, these adjustments are necessary to simplify the process of filing income tax returns for Maine corporations and individuals; and

WHEREAS, these adjustments will enable Maine corporations and individuals to benefit from many of the recent changes in the federal tax code; and

WHEREAS, these adjustments must be made in a timely fashion to allow for the preparation of new income tax forms prior to the end of 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 Capitol at Augusta on Friday, the eighteenth day of November 1983 at ten o'clock in the morning, in order to receive communications and enact legislation improving the conformity of Maine tax law with the federal tax code.

Given at the Office of the Governor at Augusta, and sealed with the Great Seal of the State of Maine, this first day of November in the year of our Lord Nineteen Hundred and Eighty-three.

S/JOSEPH E. BRENNAN  
Governor

S JAMES S. HENDERSON

Deputy Secretary of State

A true copy. S/ELSIE I. BOWEN

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, Charette, Clark, Collins, Danton, Dow, Emerson, Erwin, Gill, Hayes, Hichens, Kany, McBreairty, Minkowsky, Najarian, Perkins, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Wood, The President—Gerard P. Conley.

29 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 deliver the message to His Excellency, the Governor.

At this point, a message was received from the House of Representatives, through Representative Mitchell of Vassalboro, informing the Senate that a quorum was present for the consideration of such business as might come before the House.

At this point, 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.

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

**Communications**

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

November 2, 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 Sidney W. Wernick of Portland for appointment as the Chairperson, Public Representative and Donald W. Webber for reappointment as the First Alternate Public Representative of the Maine Labor Relations Board.

Pursuant to Title 26 Section 968, these nominations will require review by the Joint Standing Committee on Labor 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**

November 2, 1983

The Honorable Dennis Dutremble  
The Honorable Edith Beaulieu  
Chairpersons, Labor Committee  
111th Legislature  
Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Sidney W. Wernick of Portland for appointment as the Chairperson, Public Representative, of the Maine Labor Relations Board.

Pursuant to Title 26, M.R.S.A., Section 968, this nomination will require review by the

Joint Standing Committee on Labor 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 Labor**  
November 15, 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 Maine Legislature, the Joint Standing Committee on Labor has had under consideration the nomination of Sidney W. Wernick of Portland as the Chairperson, Public Representative of the Maine Labor Relations Board.

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 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: Sen. Sewall of Lincoln, Rep. Norton of Biddeford, Rep. Zirnkilton of Mt. Desert.

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 Sidney W. Wernick as Chairperson, Public Representative of the Maine Labor Relations Board be confirmed.

Sincerely,  
S/DENNIS L. DUTREMBLE  
Senate Chairman  
S/EDITH BEAULIEU  
House Chairman  
Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Labor has recommended that the nomination of Sidney W. Wernick be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Labor 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, Hichens, Kany, McBreairty, Minkowsky, Najarian, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Dutremble, Pearson, Perkins.  
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 Sidney W. Wernick is confirmed.

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

The Following Communication:

**The Senate of Maine  
Augusta**

November 2, 1983

The Honorable Dennis Dutremble  
The Honorable Edith Beaulieu  
Chairpersons, Labor Committee  
111th Legislature  
Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Donald W. Webber of Auburn for reappointment as the First Alternate Public Representative of the Maine Labor Relations Board.

Pursuant to Title 26, M.R.S.A., Section 968, this nomination will require review by the Joint Standing Committee on Labor 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 Labor**

November 15, 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 Maine Legislature, the Joint Standing Committee on Labor has had under consideration the nomination of Donald W. Webber of Auburn as the First Alternate, Public Representative of the Maine Labor Relations Board.

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 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: Sen. Sewall of Lincoln, Rep. Norton of Biddeford, Rep. Zirkilton of Mt. Desert.

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 Donald W. Webber as First Alternate, Public Representative of the Maine Labor Relations Board be confirmed.

Sincerely,  
S. DENNIS L. DUTREMBLE  
Senate Chairman  
S/EDITH BEAULIEU  
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Labor has recommended that the nomination of Donald W. Webber be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Labor 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, Hichens, Kany, McBairty, Minkowsky, Najarian, Pray,

Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Dutremble, Pearson, Perkins.

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 Donald W. Webber 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**

November 4, 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 F. Paul Frinsko of Scarborough for appointment and Nathan Cohen of Eastport for reappointment to the Inland Fisheries and Wildlife Advisory Council.

Pursuant to Title 12 M.R.S.A., Section 7033, these nominations will require review by the Joint Standing Committee on Fisheries and Wildlife 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**

November 4, 1983

The Honorable Ronald E. Usher  
The Honorable Robert A. MacEachern  
Chairpersons, Fisheries and Wildlife  
111th Legislature  
Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated F. Paul Frinsko of Scarborough for appointment to the Inland Fisheries and Wildlife Advisory Council.

Pursuant to Title 12, M.R.S.A., Section 7033, this nomination will require review by the Joint Standing Committee on Fisheries and Wildlife 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 Fisheries and Wildlife**

November 17, 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 Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the appointment of F. Paul Frinsko of Scarborough to the Inland Fisheries and Wildlife Advisory Council.

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 vote was taken by the yeas and nays. The Committee clerk called the roll with the following result:

YEAS: Senators 2  
Representatives 9  
NAYS: Senators 0  
Representatives 0

ABSENT: Sen. Redmond of Somerset, Representative Conners of Franklin.

11 members of the Committee having voted in the affirmative and 0 in the negative, it was the vote of the Committee that the appointment of F. Paul Frinsko to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Sincerely,  
S/RONALD E. USHER  
Senate Chair  
S/ROBERT A. MAC EACHERN  
House Chair

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Fisheries and Wildlife has recommended that the nomination of F. Paul Frinsko be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Fisheries and Wildlife 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, Hichens, Kany, McBairty, Minkowsky, Najarian, Perkins, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Dutremble, Pearson.

No Senators having voted in the affirmative and 31 Senators in the negative, with 2 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 F. Paul Frinsko is confirmed.

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

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

November 4, 1983

The Honorable Ronald E. Usher  
The Honorable Robert A. MacEachern  
Chairpersons, Fisheries & Wildlife  
111th Legislature  
Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Nathan Cohen of Eastport for reappointment to the Inland Fisheries and Wildlife Advisory Council.

Pursuant to Title 12, M.R.S.A., Section 7033, this nomination will require review by the Joint Standing Committee on Fisheries and Wildlife 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 Fisheries and Wildlife**

November 17, 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 Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the reappointment of Nathan Cohen of Eastport to the Inland Fisheries and Wildlife Advisory Council.

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 vote was taken by the yeas and nays. The Committee clerk called the roll with the following result:

YEAS: Senators 2  
Representatives 6  
NAYS: Senators 0  
Representatives 3

ABSENT: Sen. Redmond of Somerset, Representative Connors of Franklin.

8 members of the Committee having voted in the affirmative and 3 in the negative, it was the vote of the Committee that the reappointment of Nathan Cohen to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Sincerely,  
S/ RONALD E. USHER  
Senate Chair  
S/ ROBERT A. MacEACHERN  
House Chair

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Fisheries and Wildlife has recommended that the nomination of Nathan Cohen be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Fisheries and Wildlife 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, Charette, Clark, Collins, Danton, Diamond, Dow, Emerson, Erwin, Gill, Hayes, Hichens, Kany, McBreairty, Minkowsky, Najarian, Perkins, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Carpenter, Dutremble, Pearson.

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 Nathan Cohen 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**

November 4, 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 Lawrence J. Hawkes of Lincoln for appointment to the Inland Fisheries and Wildlife Advisory Council.

Pursuant to Title 12 Section 7033, this nomination will require review by the Joint Stand-

ing Committee on Fisheries and Wildlife 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**

November 4, 1983

The Honorable Ronald E. Usher  
The Honorable Robert A. MacEachern  
Chairpersons, Fisheries and Wildlife  
111th Legislature  
Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Lawrence J. Hawkes of Lincoln for appointment to the Inland Fisheries and Wildlife Advisory Council.

Pursuant to Title 12, M.R.S.A., Section 7033, this nomination will require review by the Joint Standing Committee on Fisheries and Wildlife 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 Fisheries and Wildlife**

November 17, 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 Maine Legislature, the Joint Standing Committee on Labor has had under consideration the appointment of Lawrence J. Hawkes of Lincoln to the Inland Fisheries and Wildlife Advisory Council.

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 vote was taken by the yeas and nays. The Committee clerk called the roll with the following result:

YEAS: Senators 2  
Representatives 9  
NAYS: Senators 0  
Representatives 0

ABSENT: Senator Redmond of Somerset, Representative Connors of Franklin.

11 members of the Committee having voted in the affirmative and 0 in the negative, it was the vote of the Committee that the appointment of Lawrence J. Hawkes to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Sincerely,  
S/ RONALD E. USHER  
Senate Chair  
S/ ROBERT A. MacEACHERN  
House Chair

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Fisheries and Wildlife has recommended that the nomination of Lawrence J. Hawkes be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Fisheries and Wildlife 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, Charette, Clark, Collins, Danton, Diamond, Dow, Erwin, Gill, Hayes, Hichens, Kany, McBreairty, Minkowsky, Najarian, Perkins, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

ABSENT—Carpenter, Dutremble, Emerson, Pearson.

No Senators having voted in the affirmative and 29 Senators in the negative, with 4 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 Lawrence J. Hawkes is confirmed.

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

The Following Communication:  
**Maine Human Services Council**  
**Augusta, Maine**

November 14, 1983

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

Pursuant to Chapter 41 of the Resolves of 1983, I am pleased to inform you that I have appointed Ms. Corine Crossmon of Augusta and Rabbi Harry Z. Sky of Portland as the two Maine Human Services Council members of the Joint Select Committee on Interagency Information Processing.

Both individuals have accepted and qualified for each appointment.

The Maine Human Services Council compliments the members of the 111th for addressing the issue of how to streamline processing of information by income supplementation and social service programs. We look forward to the Committee's work encouraging more effective help to people with human problems. Computer subsystems can operate more effectively in a compatible/coordinated fashion, and clients' right to privacy must be properly protected.

Sincerely,  
S/ EDWARD C. KELLEHER  
Chairman

Which was Read and Ordered Placed on File.

The Following Communication:  
**111th Maine Legislature**

November 15, 1983

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

On September 8, 1983 pursuant to Chapter 41 of the Resolves of 1983 we appointed Senator Beverly M. Bustin of Kennebec to the Select Committee on Interagency Information Processing.

On September 16, 1983 pursuant to Chapter 41 of the Resolves of 1983 we appointed Representative Rita B. Melendy of Rockland to the Select Committee on Interagency Information Processing.

On September 29, 1983 we appointed Senator Judy C. Kany of Kennebec, Representative James Mitchell of Freeport and Representative Laurence L. Kiesman of Fryeburg as members to the Low-Level Waste Siting Commission Steering Committee.

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**

November 15, 1983

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

Dear Secretary O'Brien:

On September 29, 1983, I appointed Senator Richard Trafton of Androscoggin as a Senate Member of the Steering Committee to Oversee the Office of Energy Resources, pursuant to Chapter 54 of the Private and Special Laws of 1983;

On September 29, 1983, I appointed Senator Michael Pearson of Penobscot as a Senate Member of the Steering Committee to Oversee the Office of Energy Resources, pursuant to Chapter 54 of the Private and Special Laws of 1983;

On October 4, 1983, I appointed Mr. Charles D. Frizzle of Augusta to the Low-Level Radioactive Waste Siting Commission, pursuant to 10 M.R.S.A., Section 175;

On October 19, 1983, I appointed Mr. Raymond Dehetre of Lewiston to serve a one year term on the Maine-Canadian Legislative Advisory Commission pursuant to 3 M.R.S.A., § 227;

On October 19, 1983, I appointed Dr. Normand R. Beaupre of Biddeford to serve a one year term on the Maine-Canadian Legislative Advisory Commission, pursuant to 3 M.R.S.A., § 227;

On October 19, 1983, I appointed Senator Richard Charette of Androscoggin to serve a two year term on the Maine-Canadian Legislative Advisory Commission, pursuant to 3 M.R.S.A., § 227;

On October 24, 1983, I appointed Senator Frank Wood of York to serve as a Senate Member of the Commission to Study the Matter of Child Custody in Divorce Cases, pursuant to Chapter 564 of the Public Laws of 1983.

Sincerely,

GERARD P. CONLEY  
 President of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:

**State of Maine**  
**Department of Finance and Administration**  
**State House Station 78**  
**Augusta, Maine 04333**  
**207-289-3446**

October 4, 1983

Senator Gerard Conley  
 President of the Senate  
 State House Station #3  
 Augusta, Maine 04333

Dear Senator Conley:

Enclosed is a copy of Ernst & Whinney's report on the Statement of Appropriations and Expenditures for the Legislative and the Executive Department of the Governor for the two year period ending June 30, 1982.

This is the latest biennial audit required by 3 M.R.S.A. § 4. Although the report is dated December 17, 1982; the date the auditors completed their on-site work, it was received by my office late last week.

Sincerely,

RODNEY L. SCRIBNER  
 Commissioner

Which was Read and with accompanying papers Ordered Placed on File.

The Following Communications:

**State of Maine**  
**Department of Senate**

I, the Secretary of State of the State of Maine, do hereby Certify that the paper to which this is attached is a true copy from the records of this office.

IN TESTIMONY WHEREOF, I have caused the Great Seal of the State to be hereunto affixed. Given under my hand at Augusta, this twelfth day of September in the year of our

Lord one thousand nine hundred and eighty-three.

S/RODNEY S. QUINN  
 Secretary of State

**RESOLUTION**  
 Number 7-3-83-5  
 of the Governing Body,  
 The Tribal Council, of the  
 Penobscot Nation

A motion was made by Watie Akins and seconded by Ken Paul to accept Maine L.D. 1755 as read designating Lorraine Dana, Tribal Clerk of the Penobscot Nation as the officer authorized to execute the certificate of approval/disapproval of Legislation.

**CERTIFICATION**

I, the undersigned, as Governor of the Penobscot Nation, do hereby certify that the Penobscot Tribal Council is composed of twelve (12) Council members of whom nine (9) were present at a Special Council Meeting held on August 3, 1983 and that the foregoing resolution was duly adopted by the affirmative vote of unanimous.

S/TIMOTHY LOVE  
 Governor

**Council Members:**

MICHAEL FRANCIS  
 KEN PAUL  
 FRANCIS RANCO  
 DENNIS PEHRSON  
 BETH SOCKBESON  
 WATIE AKINS  
 IRVING RANCO  
 FRANCIS MITCHELL  
 GILBERT FRANCIS

Which was Read and Ordered Placed on File.

The Following Communication:

**Maine Human Rights Commission**  
**State House Station 57**  
**Augusta, Maine**

September 21, 1983

The Honorable Gerald P. Conley

President of the Senate

State House Station #2

Augusta, Maine 04333

Dear Mr. Conley:

Pursuant to 5 M.R.S.A. § 4566 (11), the Maine Human Rights Commission is pleased to forward to you its Annual Report for FY 82-83.

Sincerely yours,

S/PATRICIA E. RYAN  
 Executive Director

Which was Read and with accompanying papers Ordered Placed on File.

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

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

On motion by SENATOR PRAY of Penobscot, Recessed until 1 o'clock this afternoon.

**Recess**

**After Recess**

The Senate called to order by the President.

Under suspension of the rules, the Senate voted to consider the following:

**Communications**

The Following Communication: (H. P. 1375)  
 November 14, 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 November 14, 1983 one Bill was received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, this bill was referred to the Joint Standing

Committee on Taxation on November 14, 1983.

**Taxation**

BILL "An Act Providing Conformity with the United States Internal Revenue Code" (Emergency) (H. P. 1374) (L. D. 1806) ( Governor's Bill)

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.

The Following Communication: (H. P. 1377)  
 November 16, 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 November 16, 1983 one Bill was received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, this bill was referred to the Joint Standing Committee on State Government on November 16, 1983.

**State Government**

BILL "An Act to Clarify the Allocation of Maine's Qualified Mortgage Bond Limit Pursuant to Federal Law" (Emergency) (H. P. 1376) (L. D. 1807)

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.

The Following Communication: (H. P. 1378)  
**National Transportation Safety Board**  
**Washington, D.C.**

November 7, 1983

Forwarded to:

Honorable Joseph E. Brennan  
 Governor of Maine Safety Recommendations  
 Augusta, Maine 04333 M-83-78

Honorable Gerard P. Conley

President of the Senate

Augusta, Maine 04333

Honorable John L. Martin

Speaker of the House

Augusta, Maine 04333

The National Transportation Safety Board has long been concerned about the role of alcohol in the many recreational boating accidents, fatalities, and injuries that occur annually. As early as 1969, the Safety Board recommended that the Coast Guard and States use the same boating accident report and that it should include, as one important item, whether intoxication or other physical impairment was involved. 1/ Recent recreational boating accidents have heightened the Board's concern. Moreover, there is increased public awareness of the hazards of alcohol use in all modes of transportation. We know that your State shares the concern of the Safety Board for the protection of the recreational boating public and those involved in other water-related activities who are placed in life-threatening situations by those who dangerously operate boats while under the influence of alcohol. 2/

1/ Safety Recommendation M-69-47 was issued February 13, 1969, in the National Transportation Safety Board's "Study of Recreational Boat Accidents, Boating Safety Programs, and Preventive Recommendations."

2/ For more detailed information, read Safety Study—"Recreational Boating Safety

and Alcohol" (NTSB/SS-83/02).

Two recent accidents have highlighted the problem. On July 27, 1983, two recreational boats, one 17 feet long and one 30 feet long, collided on the Severn river near Annapolis, Maryland, killing four persons. The 30-foot boat went through the hull and then over the small vessel. All four persons killed were on the small vessel. There was evidence that considerable amounts of alcohol had been consumed by the persons in the 17-foot boat; the operator of the boat had a blood alcohol concentration (BAC) of 0.21 percent.

In a similar occurrence on August 31, 1983, a 26-foot recreational boat collided with the 95-foot dinner vessel DANDY on the Potomac River, Washington, D.C. The DANDY has a 200-passenger capacity. Fortunately, none of the dinner guests were injured when the recreational boat struck the bow of the DANDY. However, the operator of the small recreational boat was fatally injured. It was determined that the operator of the recreational boat had a BAC of 0.23 percent.

In both of these cases, the BAC was more than twice the generally accepted BAC of 0.10 percent established by the National Highway Traffic Safety Administration, the Congress, and most States, including the District of Columbia, as the level at which highway drivers are considered to be driving while intoxicated.

During its study of the role of alcohol in recreational boating accidents, fatalities, and injuries, the Safety Board found that the Coast Guard and State boating law authorities suspect alcohol use to be a major factor in the high number of recreational boating fatalities. However, representative and credible national statistics are not available. Several factors affect the national statistics issued by the Coast Guard, including:

- Not all accidents are reported to the States or to the Coast Guard.
- Only in the approximately 25 percent of the fatal accidents investigated by the Coast Guard is there any assurance of verification of injuries, property damage, or definitive primary and secondary causes.
- Compliance with reporting requirements varies from location to location and is influenced by Coast Guard and State enforcement practices and programs.
- Boating accident reports are usually completed by the person involved in the accident or next of kin, who may not provide accurate and objective information about the accident.

Nationally, there are no uniform reporting requirements or guidelines for collecting information on the use of alcohol in recreational boating accidents, fatalities, and injuries. For example, in 1982, the Coast Guard received reports on 5,377 recreational boating accidents which resulted in 1,178 fatalities, 2,682 injuries, and \$15.3 million in property damage. Based on data available to the Coast Guard, only 5 of these recreational boating accidents involved alcohol as a primary or secondary cause, resulting in 70 fatalities, 22 injuries, and property damage of \$46,700. This amounts to 1.8 percent of the accidents and 6 percent of the fatalities. However, based on some State data that have recently become available, the use of alcohol and its effects in recreational boating accidents, fatalities, and injuries appear to be grossly underreported. In two States, information received indicates that 35 to 38 percent of the fatalities in recreational boating accidents were "legally drunk" at the generally accepted BAC of 0.10 percent. Additionally, one State indicates that as high as 80 percent of the fatalities in 1 year were alcohol related, and in one State 75 percent of the accidents over a 3-year period were alcohol related.

Enforcement efforts for recreational boating are now primarily the responsibility of the States. However, a survey completed by the

State of California's Department of Boating and Waterways revealed that in most States (39) and the District of Columbia, there was no defined BAC for intoxication, yet it is unlawful to operate a vessel under the influence of alcohol in 49 of the 51 jurisdictions which responded to the survey. The Safety Board believes that all States and the District of Columbia should establish a defined level of intoxication to strengthen and improve the States' marine programs to handle alcohol-related incidents and accidents. Ideally, that level should be, based on research, set at 0.035 percent BAC. However, as a beginning, it would seem realistic that the level should be the same in each State as that set for driving a motor vehicle while intoxicated. Some States have levels as low as a 0.08 BAC, but most States have a level of 0.10 percent BAC. A 0.10 percent BAC has been generally accepted by the U.S. Congress, the States, and highway safety organizations, and is the level most generally accepted by the American public as "legally drunk." Moreover, the Safety Board believes that States should provide for chemical testing requirements to determine alcohol involvement in the event a recreational boat operator either is suspected of being intoxicated or is involved in an accident. Further, there are no Federal or uniform State requirements for toxicological tests in the event of a recreational boating fatality. Without these tests, it is very difficult for State boating law officials to obtain conclusive and objective information on the true impact of alcohol use in recreational boating accidents, fatalities, and injuries.

Therefore, the National Transportation Safety Board recommends that the Governor/Legislative Leaders of the State of Maine:

Require procedures for toxicological tests in the event of a recreational boating fatality to document the role of alcohol in recreational boating accidents and fatalities. (Class II, Priority Action) (M-83-78)

The National Transportation Safety Board is an independent Federal agency with the statutory responsibility... to promote transportation safety by conducting independent accident investigations and by formulating safety improvement recommendations (P. L. 93-633). The Safety Board is vitally interested in any actions taken as a result of our safety recommendations and would appreciate a response from you regarding action taken or contemplated with respect to the recommendation in this letter.

BURNETT, Chairman, and McADAMS, BURSLEY, and ENGEN, Members, concurred in this recommendation. GOLDMAN, Vice Chairman, did not participate.

S/JIM BURNETT  
Chairman

Comes from the House Read and Ordered Placed on File.

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

**Order**

**Joint Resolution**

On Motion of Senator CONLEY of Cumberland the following Joint Resolution: (S. P. 644) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 24.) (Cosponsors: Speaker MARTIN of Eagle Lake and Representative REEVES of Pittston)

**JOINT RESOLUTION MEMORIALIZING CONGRESS TO END IMMEDIATELY THE FUNDING OF UNITED STATES COVERT PARAMILITARY OPERATIONS IN CENTRAL AMERICA**

WE, your Memorialists, the Senate and the House of Representatives of the State of Maine in the Second Special Session of the One Hundred and Eleventh Legislature, now assembled, most respectfully present and petition the Congress of the United States, as follows:

WHEREAS, military action against recog-

nized governments of nations in Central America is in violation of American and international law, and this violation is now under court-ordered investigation by the United States Department of Justice; and

WHEREAS, covert paramilitary operations run a grave risk of provoking full scale war at a time when over 5,000 United States troops are in Honduras and United States warships are stationed off both coasts of Nicaragua; and

WHEREAS, these covert paramilitary operations do serious injury to the world reputation of the United States as a defender of peaceful democratic change; and

WHEREAS, funding of such covert paramilitary operations contradicts our own democratic process by denying the United States Congress and the American public any information or debate on this action; now, therefore, be it

RESOLVED: That We, your Memorialists, do hereby respectfully urge and request the United States Congress to vote to end immediately the funding for United States covert paramilitary operations in Central America; and be it further

RESOLVED: That a duly authenticated copy of this resolution be immediately submitted by the Secretary of State to the Honorable Ronald W. Reagan, President of the United States, the Honorable George Bush, President of the Senate and the Honorable Thomas P. O'Neill, Jr., Speaker of the House of Representatives of the United States Congress, and to the members of the United States Senate and the United States House of Representatives from the State of Maine.

Which was Read.

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

Senator COLLINS: Mr. President, I request a Division.

The PRESIDENT: A Division has been requested.

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

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

19 Senators having voted in the affirmative, and 9 Senators having voted in the negative, the Resolution was Adopted.

Sent down forthwith for concurrence.

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

**Communication**

The Following Communication:  
**State Planning Office**

November 18, 1983

The Honorable Gerard P. Conley  
State House Station 3  
Augusta, ME 04333  
Dear Senator Conley:

I enclose for your interest a copy of the State Planning Office's **Proposed Statement** for the 1984 Community Development Block Grant Program.

The **Proposed Statement** describes how the Planning Office would distribute the \$10.5 million in Federal Community Development funds available to Maine cities and towns in 1984. It has been drafted with the energetic assistance of our Community Development Advisory Committee, whose members are listed on page 67 of the document.

There will be public hearings on the **Proposed Statement** on **November 29th** at the following places and times across the State:

**Belfast**, City Hall — 3 p.m.

**Farmington**, Town Hall — 10 a.m.

**Augusta**, State House Room 135 — 1 p.m.

**Presque Isle**, 203 Folsom Hall, UMPI — 1:30 p.m.

**Brewer**, City Council Chambers — 10 a.m.

**Saco**, City Hall — 10 a.m.

Please consider this an invitation to attend one of these meetings, and to provide us with



any suggestions or comments you may have. I shall also be happy to hear from you by mail or phone.

Thank you for your support with the Community Development Block Grant Program in the past two years. With your thoughtful help, we have now distributed \$22,052,176 million in awards to 71 Maine cities and towns with many positive, often dramatic results.

Best wishes.

Sincerely,  
S/RICHARD E. BARRINGER  
Director

Which was Read and Ordered Placed on File.

(Off Record Remarks)

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

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

**Recess**

**After Recess**

The Senate called to order by the President.

Out of Order and under suspension of the rules, the Senate voted to consider the following:

**Papers From the House  
Joint Resolution**

The Following Joint Resolution: (H. P. 1379)  
WHEREAS, thousands of men and women are in prison throughout the world solely because of their political or religious beliefs and others are held because of their color or ethnic origin; and

WHEREAS, we in the United States are blessed with a form of government and a rule of law which greatly reduces the incidence of repressive and inhumane practices and therefore imposes an especial ability to work for humane practices throughout the world; and

WHEREAS, a worldwide public appeal has been initiated by Amnesty International for a Universal Amnesty for All Prisoners of Conscience who have neither used nor advocated violence to be presented to the United Nations and all governments for their support; now, therefore, be it

RESOLVED: That we, the members of the 111th Legislature now assembled, support the appeal for Universal Amnesty for All Prisoners of Conscience and urge the support of this appeal by all citizens in hopes of advancing respect for human rights everywhere, thereby securing the foundations for justice, freedom and peace; and be it further

RESOLVED: That suitable copies of this resolution be transmitted to Amnesty International as testimony of this support.

Comes from the House, Read and Adopted.

Which was Read and Adopted, in concurrence.

**House Paper**

BILL, "An Act to Amend Certain Provisions of the Sunday Closing Law" (Approved for introduction by the Legislative Council pursuant to Joint Rule 26) (Emergency) (H. P. 1380) (L. D. 1808)

Committee on Business Legislation suggested.

Comes from the House under suspension of the Rules, the Bill Read Twice and Failed of Passage to be Engrossed.

The PRESIDENT: Is it the pleasure of the Senate that under Suspension of the Rules that LD 1808 be given its First Reading without reference to a Committee?

It is a vote.

Under Suspension of the Rules, the Bill Read Once and Ordered Printed.

On motion by Senator Pray of Penobscot, Indefinitely Postponed.

**Committee Report  
House  
Ought to Pass**

The Committee on State Government on BILL, "An Act to Clarify the Allocation of Maine's Qualified Mortgage Bond Limit Pursuant to Federal Law" (Emergency) (H. P. 1376) (L. D. 1807) Reported that the same Ought to Pass.

Comes from the House, the Report Read and Accepted and the Bill Passed to be Engrossed.

Which Report was Read and Accepted, in concurrence.

The Bill Read Once.

The PRESIDENT: Is it the pleasure of the Senate that under Suspension of the Rules, that LD 1807 be given its Second Reading at this time 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.

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

**Paper From the House  
Joint Resolution**

The Following Joint Resolution: (H. P. 1381)  
JOINT RESOLUTION IN MEMORY OF

THE UNITED STATES MARINES WHO LOST THEIR LIVES IN LEBANON AND GRENADA

WHEREAS, in recent weeks several hundred United States citizens were killed while serving in the United States Marine Corps in Lebanon and Grenada; and

WHEREAS, these brave young people made the ultimate sacrifice which can be asked of any American by giving their lives in the service of their country; and

WHEREAS, the people of this country have every reason to be proud of these courageous individuals; and

WHEREAS, among these Marines were two young men from Maine, Corporal Bruce Howard of Strong and Major Andrew Davis of Raymond; and

WHEREAS, the people of Maine share in the sorrow of the loss of these two men; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Eleventh Maine Legislature, now assembled in special session, join in recognizing the bravery and in mourning the loss of these courageous Americans, including our two native sons.

Comes from the House, Read and Adopted.

Which was Read and Adopted, in concurrence.

**Order  
Joint Resolution**

On motion of Senator CONLEY of Cumberland the following Joint Resolution: (S. P. 645) (Cosponsors: Speaker MARTIN of Eagle Lake, Senator PRAY of Penobscot and Representative MITCHELL of Vassalboro)

JOINT RESOLUTION IN MEMORY OF THE LATE JOHN FITZGERALD KENNEDY

WHEREAS, John Fitzgerald Kennedy, the 35th President of the United States, was felled by an assassin's bullet in Dallas, Texas, on November 22, 1963; and

WHEREAS, President Kennedy was a man of highest physical and moral courage which was tested and proved in both war and peace; and

WHEREAS, in only 34 months in office he bore enormous responsibilities in a troubled world and met them with fortitude and hope; and

WHEREAS, he was an outspoken advocate as he strove to achieve full civil rights, the dignity of the individual and self-sufficiency, both for Americans and for the less fortunate peoples the world over; and

WHEREAS, he walked with dignity, upholding the faith of our fathers which is freedom for all; and brought life, color and, to use his favor-

ite word, vigor with him everywhere; and

WHEREAS, he was a man of wisdom, strength and peace who did not shrink from his responsibilities, but welcomed them; so he would not have us shrink from carrying on his work; now, therefore, be it

RESOLVED: That We, the Members of the 111th Legislature of the State of Maine, now assembled in special session, take this opportunity to inscribe this resolution in the memory of John Fitzgerald Kennedy, a great leader of this Nation and the world, whose name will long linger to nourish the faith of all who serve that same great land; and be it further

RESOLVED: That our profound sympathy be tendered to the members of the family of the late President in token of our continued bereavement.

Which was Read and Adopted.

Sent down for concurrence.

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

(Off Record Remarks)

On motion by Senator Pray of Penobscot, Recessed until the sound of the bell.

**Recess**

**After Recess**

The Senate called to order by the President.

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

**Committee Report  
House  
Divided Report**

The Majority of the Committee on Taxation on BILL, "An Act Providing Conformity with the United States Internal Revenue Code" (Emergency) (H. P. 1374) (L. D. 1806)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-440)

Signed:

Senators:

WOOD of York  
TWITCHELL of Oxford

Representatives:

HIGGINS of Portland  
KILCOYNE of Gardiner  
MCCOLLISTER of Canton  
CASHMAN of Old Town  
ANDREWS of Portland  
KANE of South Portland

The Minority of the same committee on the same subject matter Reported that the same Ought to Pass as Amended by Committee Amendment "B" (H-441)

Signed:

Senator:

TEAGUE of Somerset

Representatives:

INGRAHAM of Houlton  
MASTERMAN of Milo

Comes from the House with the Majority Report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-440) and House Amendment "B" (H-444).

Which Reports were Read.

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

Senator WOOD: Mr. President, I move that we accept Report "A" Ought to Pass.

The PRESIDENT: The Senator from York, Senator Wood moves that the Senate Accept Report "A", the Majority Ought to Pass, as Amended, Report.

The Chair recognizes the Senator from Somerset, Senator Teague.

Senator TEAGUE: Mr. President and Members of the Senate, I hope that the Senate would not accept the Majority Ought to Pass Report and accept the Minority Report of the



Taxation Committee.

This Report puts the State of Maine in full conformity with the Federal Internal Revenue Code for the year 1983. During our one hundred day session this year the Taxation Committee did not come up with an answer to the conformity bills, so they received permission to be held over. At that time we were worried about the Maine and National economy and thought that it would be better to wait and have a closer look at the revenues and conditions in the fall.

Falls is here and prospects look much brighter than they did last spring. Our General Fund Revenues are showing a 3.8 million dollar surplus at the end of October. Unemployment is dropping as the Maine economy is picking up. Inflation is holding at a 6% level.

I think that the State of Maine can afford the \$9,833,000. cost of full conformity with the Federal IRS Code for 1983.

Mr. President I would ask for a Roll Call.

The PRESIDENT: A Roll Call has been requested.

The Chair recognizes the Senator from York, Senator Wood.

Senator WOOD: Mr. President and Members of the Senate, the hour is late and I will try to be as brief as possible. This seems to be the annual debate that we have on conformity.

We debated this issue back in June of this year. At that time there were two proposals that were sent back to the Committee. There was a so-called Republican proposal and a so-called Democratic proposal. The Republican proposal called for full conformity with an add-back on ACRS, that is the same add-back that you find in 1806. In fact if you did an analysis of the Republican proposal and the bill that you currently have before you, you would find that there are very few changes.

At that time the good Senator from Knox, Senator Collins commended my decision to recommit the Bill to Taxation and further said, that when we have the funds available we will come in and do what is right and enact this proposal. We have those funds available, it is now time to come in and enact that proposal, and that is what we are doing today.

To do anything else, I think, would be foolhardy. We simply do not have the 9.8 million dollars available and when Members of the Committee asked the proponents of the Minority Report where the funds were coming from, suggestions were that we would tap into the \$5,000,000 that was set-aside for property tax relief. Well that \$5,000,000 does not become available this year in the budget. It is only available next year. So it seems to me to be foolhardy to run a business on the basis of something that you might be getting next year to spend on another program.

The other suggestion was to spend what surplus is available. Well at this point there is a small surplus, but last month revenue was below estimates. Are we willing to commit what small surplus there is to fund this program?

What comfort can the corporations of this State take in a Legislature that decides to fund programs by spending the cupboard dry, by spending it bare, by cutting programs that don't or haven't even taken into effect? Would we be as enthusiastic if it was a program for low-income people or the needy of this State to spend the surplus dry? I think not.

I think that the taxpayers of this State want us to do the prudent thing and the financially conservative thing by saying that at this point we can only afford this much and at a later date if we can afford more we can do it. We do not have the luxury that they have in Washington of deficit spending, and I find it ironic that the Republican Party is promoting deficit spending. Thank God that the constitution protects the taxpayers of the State from deficit spending.

I would hope that we would take this modest

approach the same approach that was embraced by the Republican Party back in June and warmly embraced by them and now embraced by our side too.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from York, Senator Hichens.

Senator HICHENS: Mr. President, when the vote is taken I would ask permission to Pair.

The PRESIDENT: The Chair would inform the Senator that a vote for a Roll Call has not been presented to the Senate at this time.

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

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

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

The Chair recognizes the Senator from York, Senator Hichens.

Senator HICHENS: Mr. President, I would ask permission to Pair my vote with the Senator from York, Senator Dutremble who if he were here would be voting for the Majority Report and I would be voting against it.

The PRESIDENT: The Senator from York, Senator Hichens requests permission to Pair his vote with the Senator from York, Senator Dutremble. If Senator Dutremble were present he would be voting Yes and the Senator from York, Senator Hichens would be voting No.

The Chair recognizes the Senator from Penobscot, Senator Pray.

Senator PRAY: Mr. President I request permission of the Senate to Pair my vote with the Senator from Cumberland Senator Gill. If she was here she would be voting No and I would be voting Yes.

The PRESIDENT: The Senator from Penobscot, Senator Pray requests permission to Pair his vote with the Senator from Cumberland, Senator Gill. If Senator Gill were present she would be voting Nay and the Senator from Penobscot, Senator Pray would be voting Yea.

Is it now the pleasure of the Senate to grant these leaves?

It is a vote.

The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Senator MINKOWSKY: Mr. President and Members of the Senate, I endorse full conformity so that the Maine Taxpayers will not face more complicated reporting requirements, and I think that there were 35 or 37 that had been brought out.

I believe in fair play for all the taxpayers whether individuals or corporations. I resent se Maine's system to vary from the Federal system which was adopted by a Democratic House in Washington, D.C.

I deplore an Administrative approach that wants to alter the Federal Cost Recovery provision not because it is bad tax policy, but because it will cost too much. I think the figures were projected at about 8.9 million dollars.

It is inconsistent that an Administration that promotes a healthy business climate in this State of Maine, endorses a bond issue such as the BIW's expansion with taxpayers money, can deny congressional approved legislation that corporate income taxpayers could use their Federal Accelerated Cost Recovery System and add the 18% of the depreciation deduction to their Maine taxable income. That 18%, Members of the Senate, could be used for loans that these businesses have taken out because of the high rate of interest, or even possibly to create new jobs.

If the Administration was not prudent enough to cut State spending or to be upfront to address a tax increase because of dwindling revenue sources why should there be this effort to put the onus on the so-called 4% of Maine's business community? It is much easier

to alter the offending provision of Federal Law and that is what the Administration advisors are proposing.

I think that it is appropriate to draw a correlation between a loss of revenue and what happened during the Indexing Law with the retroactivity provision where the people spoke in a positive manner (where we always felt that the majority ruled) and again the Legislature denied them their majority vote.

The fairest solution to an increasingly complex system of taxation that we face today is full conformity between the State and the Federal systems. That is why Mr. President on the Record, I will be voting against the Governor's proposal.

The PRESIDENT: Is the Senate ready for the question?

The pending question before the Senate is the motion by Senator Wood of York to Accept the Majority Ought to Pass Report.

A Yes vote will be in favor of Acceptance of the Majority Ought to Pass Report.

A Not vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

#### ROLL CALL

YEA—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Danton, Diamond, Dow, Erwin, Hayes, Najarian, Pearson, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.

NAY—Collins, Emerson, McBreairty, Minkowsky, Perkins, Redmond, Sewall, Shute, Teague.

ABSENT—Kany.

A Roll Call was had.

19 Senators having voted in the affirmative and 9 Senators having voted in the negative, with 4 Senators having Paired their votes, and 1 Senator being absent, the motion to Accept the Majority Ought to Pass, as Amended, Report, in concurrence, Prevailed.

The Bill Read Once.

Committee Amendment "A" (H-440) was Read and Adopted, in concurrence.

House Amendment "B" (H-444) was Read and Adopted, in concurrence.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, that L. D. 1806 be given its Second Reading at this time 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 Knox, Senator Collins.

Senator COLLINS: Mr. President, I present Senate Amendment "B" under filing number S-277 and move its adoption.

The PRESIDENT: The Senator from Knox, Senator Collins presents Senate Amendment "B" and moves its adoption.

Senate Amendment "B" (S-277) was Read.

The PRESIDENT: The Senator has the floor.

Senator COLLINS: Mr. President and Members of the Senate, when we pass a tax increase bill, or consider its passage, I think that it is important that we look both backwards and forwards with respect to the tax policy that is involved. From 1969 until 1981 it was the policy of the State of Maine in its income tax to piggyback or follow in full conformity the Federal Internal Revenue Code. When it came to 1982 for the first time we had a serious bind over how far we should go in that conformity.

Those of us who were here will remember that we debated it to a standstill were unable to agree and went home without a budget, but the Governor called us back into a special session and eventually we worked out a compromise.

The issue involved then as now was how to deal with the Federal policy of treating depreciation, "Accelerated Cost Recovery" being the modern term for that. For the year 1982 we said, "No" you have got to add-back 18% of depreciation, but we'll let you recover that 18% in

the 3 forward years at 6% per year. So you don't lost it altogether and there were some other features to that, that aren't important to this debate.

Well National policy, of course, was designed to encourage businesses to spend money for new plants, upgrade their equipment, machinery, expand and create jobs. It was a technique for helping this country through a difficult recessionary period. All the evidence that I see points to the idea that that policy is succeeding, that we are gradually having a recovery, that people are going back to work, that the businessmen are finding the courage because of that policy to put money into the plant which in turn provides jobs.

So we came to June 1983 and we had to deal with the question again, and Republicans had been talking about it for some time and when it came to the Part II Budget they looked and they saw that the money wasn't there to do all that they wished, and they took the position as the good Senator from York has pointed out that corporations should share in that problem at that time.

That approach was rejected by the Legislature and the approach adopted by the Legislature was to fund a great many other things in lieu of tax conformity and to pass a substantial corporate income tax increase. That substantial increase against corporations we felt was unnecessary, but it passed and because it passed Republican views of what to do next with respect to tax conformity have changed.

When we came over here in August to talk about bond issues we had a conference with some of our leadership people, Commissioner Scribner was there, and Commissioner Scribner said we have got to wait until after September 24, because that is the last date at which Congress can change the Internal Revenue Code in ways that would effect the State of Maine. So we waited until after September 24, and this is the date that we have waited for.

Now comes a tax conformity bill, but again this bill is asking a few corporations to bear the entire load of the cost.

Now this amendment that I present to you is designed to alleviate the worst impact of that cost in a way that follows our precedent from the 1982 tax year by rolling forward the recovery of that cost. This particular Bill stretches out that cost a good deal further than many of us would like from two to eight years, but it does that because of budgetary restraints.

It does my old heart good to hear a young Democratic Senator talking about prudence and conservatism, and balanced budgets and so forth. I don't often hear that, it sounds awfully good and I commend him for that kind of talk, but the real issue here that is posed through this Amendment is an issue of fairness. This idea that just a few corporations that make some money ought to be hit with the entire burden of tax conformity is one that we are not addressing squarely if we simply adopt tax conformity without an amendment of the type that I am proposing.

One of the things that impressed me from the public hearing this week, for example: an accountant came in and he told about his accounting firm is having profits of \$300,000,000, but it would not pay anything with respect to this particular problem because it is a partnership. Now is that fair? Is it fair if we are taxing income, which is taxing a type of wealth, is it fair to be letting out 96% of our population in the process and picking out 4%? Commissioner Scribner says, "Well the average businessman, the average businessman." That isn't the point.

If we look at where this tax falls and most of us know where it falls. We know that it falls against those corporations who produce the big number of jobs, the big payrolls, and who export products out of the State of Maine so that new money comes into the State of Maine. This isn't the small business that takes in the neighbors laundry. This is the big producer

which exports and brings dollars back into Maine that really stimulate our economy. So don't be deceived that you're only picking on 4%. I am not in favor of picking on 4% just because it is a small number anyway, but don't be deceived about the financial impact of what we are being asked to do here.

One of the other things that impressed me from the public hearing was the commentary of an executive of one of our medium sized, for Maine, manufacturing companies with plants at East Wilton, Mattawamkeag, Stratton, Strong, Wilton. I happen to know a little bit about this particular plant, this particular enterprise, and what it has been doing. It is in a very very tight competitive situation. The Japanese can do it more cheaply, and they have been competing in a way that could very well sink this industry, and put a lot of Maine people out of work. That corporation had the courage because in part of Federal tax policy and State of Maine tax policy piggybacking the Federal to spend some money for up-to-date machinery and procedures that would make it competitive, make it hang-in-there. This is a little bit of what that corporate executive said: I want to make it clear that when a corporation makes a significant capital investment there are years spent in planning, engineering, and costing the expenditure. This projected costing and benefits which are necessary to justify the project makes use of the tax rules that exist at that time. Now a change to those rules would upset all planned returns and justifications of projects just completed or in the execution stage.

It is absolutely incomprehensible to me that our own state government would turn its back on this National direction and move from positive encouragement to negative penalty.

If conformity with the Federal Tax Laws are broken this Maine Legislature is going to have to address the problems created. They include operating lost carrybacks and a situation in which a corporation should have a loss on the Federal tax basis and a profit on the State tax basis. Does the State have the necessary resources to cope with and monitor these additional areas, or will there be additions to the State's payroll to do so?

The corporations problems in this matter in addition to what has already been covered are those of greatly expanded recordkeeping and complications arising from separate sets of depreciation schedules, and gains and losses of fixed asset disposal. This could mean increased nonproductive overhead making us less competitive."

This particular businessman goes on to urge full conformity, but he says that if that is not possible, at the very least, retain the present depreciation system as it is whereby the State gets an interest free loan from its corporations repayable over 3 years. In other words the 1982 solution.

The 1982 solution, in my judgment, will not fit here the budgetary constraints to which the good Senator from York has given us elementary information.

This particular amendment will fit. We have available from the June 30 end of the fiscal year 2.1 million in surplus carryover, we have in the current fiscal year a 3.8 million surplus and the cost of the fiscal year 1985 in this amendment is three million to four and a half million that is as close as we can come in an estimate. To take three million to four and a half million out of nearly 5 million dollars is not an impossible situation, and if the trends continue, that we see here, of coming out of the recession it seems to us that next March when corporate tax returns come in with their checks that our surplus will go up even further.

The thing that we must remember in Maine, I am sure that you have heard this before, is that we must remember that an important restraint has to be predictability. We're asking business, important business in Maine here to

have to live with three separate concepts. We are saying that tax policy should be retrospective instead of prospective. The Federal government never does that, the Federal government when it changes the rules changes them prospectively. What we are doing here we are saying to these companies like Scott or Forester or others that went out in 1981, 1982, 1983 and put a lot of money into plants expecting that Federal policy would continue. We are saying to them that we are going to cut you off right in the middle of your cycle and we are going to make this asset that is already on your books that you have been depreciating under one system and change it, and you've got to throw some back in and you're going to have to pay more taxes because of it. Now if that isn't changing the rules in the middle of the game, then I don't know what is.

There have been a lot of changes in Federal tax policy in my time, but whenever a significant policy change is made it is made prospectively so that the businessman has a little chance to look ahead and plan and decide how much he can commit to a project.

Our own State Economist gave a paper to the Committee and he said, "that investment is based on expectations about the future and business perception that tax policy is reasonably stable. I would like to see the benefits of stability weighed more heavily in future tax policy debates."

So, I say to the Committee on Taxation I know that they struggled with a difficult problem, but I say to them that this move violates a very fundamental expectation of business, because it takes an asset that is already here that is partly paid for, that is set up under one system and says that you can no longer expect that from the State of Maine. You've got to put some of it back and you've got to pay taxes on it and you're going to lose it and the only glimmer is the promise of a study, a report, next winter and who knows what that means.

How can you do long-range planning on that basis? How can you commit important dollars to create jobs on that kind of performance?

Now we have the money right in our till right now to fund the amendment that I am proposing here. It is here. It is not being created by a deficit financing that horrible bummer suggested by our good Senator from York. We have a way to reassure business that at least in part we take account of their problems that we are trying to live up to their expectations as a State government. If we can't give that kind of assurance as State government how can business think that this is the place to expand and create new jobs?

I urge upon the Senate their thoughtful participation in the adoption of this Amendment.

Thank you Mr. President.

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

Senator WOOD: Mr. President I would move the Indefinite Postponement of this Amendment and would speak to that motion.

The PRESIDENT: The Senator from York, Senator Wood has moved the Indefinite Postponement of Senate Amendment "B".

The Senator has the floor.

Senator WOOD: Mr. President, Men and Women of the Senate, the Senator from Knox is correct when he says that from 1969 to 1981 we did conform to the Federal government. If you go back and look at those years you will see that there was never any major issues with conformity because the cost was modest, the changes were modest the Federal government had a concern for the States' ability to collect taxes so they proposed things that by and large were easy to administer. By 1981 though the game changed radically. The change out of Washington was probably one of the most radical tax changes that this Nation has ever seen.

I think that now we are realizing the full impact of that change, and I think that you will see in the coming years some turnarounds in

attitudes on it, because what makes good tax policy for Washington doesn't necessarily make good tax policy for Maine or other states.

It is interesting to note that if you look at the states and run through the list that most states automatically piggybacked in 1981 and a few of them even piggybacked in 1981 but most of them are getting off that back now. If you look at the states where ACRS makes a large portion of their budget, New York, New Jersey, California they have gotten off that train and they don't intend to get back on. Twenty-four states now do not conform to the Federal government. In their collective judgment it was putting an undue strain on their resources at a time when Washington was saying, we want you to have a new Federalism we want you to take more of our problems and find sources. So the issue of conformity is one in which you are seeing a lot more nonconformity in this world than ever before.

I think that Maine can be proud of the fact that we have to vote every year on this issue although it is difficult, because there are serious tax implications.

Now the good Senator talks about that we are changing the rules, well the rules if you'll read them are we are governed by the 1980 tax code and corporations that assumed otherwise I think were being a little presumptuous. They have seen us deal with this issue year after year, they have not seen us totally conform and to assume that we were going to change from the 1980 maybe a little presumptuous. So we have not changed; they acted on something that they were just assuming.

Now if you want to talk about the fairness argument. The initial Democratic proposal last June, the one that failed, the one that was re-committed, had everyone, individuals, partnerships, sub-chapter S corporations add-back. We felt that everyone should add-back, that we should not penalize anyone that they should all share in the add-back, but that position did not gain a lot of support and so we opted for the Republican proposal which was an add-back of 4%.

Now there are some that say times have changed, but I think that if you look at the Legislative Record the proposal put forth, endorsed warmly back last June came about after we had already enacted the corporate tax, after that. They knew fullwell that there was going to be a corporate tax, and yet they endorsed it. I would point out that even under that corporate tax that 80% of the corporations will be paying less. So I don't think that you can call it a terrible corporate tax.

So the proposal back then was simply to have this system where there would be some people, corporations that would have to add-back.

The Committee on Taxation would like to see full conformity, the Governor's Office has indicated that he would like to see full conformity, everyone that I have talked to in these halls have said that they would like to see full conformity, but at this point in time we just don't have the resources to do it. So it makes sense to wait to come up with a proposal that you have a slow phase out and for once and for all we can deal with this issue. That is why the Democrats on that Committee put that language in about formation of a Tax Conformity Committee and we are very serious about that. We are hopeful that the business community will respond in a like manner and that come January, February, and March we can debate this issue and that those corporations will see that they will get this refund.

Let's look at the amendment and see if this solves the problem. It seems to me that the good Senator from Knox was saying that the ultimate goal had to be predictability. Well does this amendment offer that kind of predictability to the corporations, keep in mind that there is already on the books an 18% add-back that they can recoup over three years at 6%. So

they already have that configuration and that costs the State between seven and nine million. Now we are going to have another configuration that this year that they will be able next year starting, be able to take 2.5% some of them, some of them 5% and so they will add their 6% in and then they will add their 2.5% or whatever, their 5%. Very simple it seems.

This issue still doesn't address conformity for 1984, that has a pricetag of \$13,000,000. So here we started out with \$7,000,000, with some kind of recouping this year it is 9.8 with some kind of recouping, next year it will be \$13,000,000, and we'll come up with some other kind of scheme. So it is possible that the taxpayer could be faced with adding back 6% in some cases, 2.5% in other cases and maybe 10% next year is that predictability? Is that simplicity? Is that ease of administration?

What we are simply doing is mortgaging our problems. We are simply saying, Oh well it's a good idea and we don't have the money right now but if we do this add-back system you know eventually you'll recoup it. With no consideration to future Legislatures that are going to be bound to that, that are going to find their budgets fooled with to the point where they will not be able to raise the necessary funds because we committed them to 6% this year and 2.5% or 10%. Would a business do business that way? Would a business plan for the future not knowing if the money was going to be there and having some kind of recoupment system? I don't think so! Our government is a business and I don't think that we can afford to hope that the surplus will be a surplus a year from now. I don't see how you can send money that you can't guarantee. You only have to look at last month we were below last month, next month we might be above, the next month we might be below. But we are committing today three million dollars that doesn't exist.

I would argue that in the business world that a good businessman or a good businesswoman would never do that and neither should we. The time has come to pass this bill to have conformity for 96% of the taxpayers to deal with marriage penalty and all those other things that we have been concerned about. Then to come in next year and to hopefully deal with the conformity issue not only for the 9.8 but the 13 as well.

So I would urge although this amendment is a good effort to solve the problem it indicates that the problem is complex it takes time and effort and frankly we don't have that time or effort at this point.

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

Senator COLLINS: Mr. President, I request a Roll Call.

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

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

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

The Chair recognizes the Senator from Penobscot, Senator Pray.

Senator PRAY: Mr. President, I wish to pair my vote with the Senator from Cumberland, Senator Gill. If she were here she would be voting No and since I am here I would have been voting Yes.

The PRESIDENT: The Senator from Penobscot, Senator Pray requests leave of the Senate to Pair his vote with the Senator from Cumberland, Senator Gill who if she were here would be voting No and the Senator from Penobscot, Senator Pray would be voting Yes.

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

It is a vote.

The Chair recognizes the Senator from York,

Senator Hichens.

Senator HICHENS: Mr. President, I would ask permission to Pair my vote with the Senator from York, Senator Dutremble, who if he were here would be voting Yes and I would be voting No.

The PRESIDENT: The Senator from York, Senator Hichens, requests leave of the Senate to Pair his vote with the Senator from York, Senator Dutremble who if he were here would be voting Yes and the Senator from York, Senator Hichens would be voting No.

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

It is a vote.

The pending question before the Senate is the motion by Senator Wood of York that Senate Amendment "B" be Indefinitely Postponed.

A Yes vote will be in favor of Indefinite Postponement.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the roll.

#### ROLL CALL

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

NAY—Collins, Emerson, McBreaarty, Perkins, Redmond, Sewall, Shute, Teague.

ABSENT—Kany.

A Roll Call was had.

20 Senators having voted in the affirmative and 8 Senators having voted in the negative, with 4 Senators having Paired their votes, and 1 Senator being absent, the motion to Indefinitely Postpone Senate Amendment "B" (S-277) prevailed.

The Bill was Passed to be Engrossed, as Amended, in concurrence.

Sent forthwith to the Engrossing Department.

#### Enactors

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

#### Emergency

An Act to Clarify the Allocation of Maine's Qualified Mortgage Bond Limit Pursuant to Federal Law. (H. P. 1376) (L. D. 1807)

This being an emergency measure and having received the affirmative votes of 30 Members of the Senate, with No Senators having voted in the negative, was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

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

#### Papers from the House

#### Joint Resolution

The Following Joint Resolution: (H. P. 1382)  
JOINT RESOLUTION URGING RESTORATION OF THE GREYHOUND PUBLIC TRANSPORTATION SYSTEM

WHEREAS, the people of Maine depend upon reliable and efficient means of public transportation; and

WHEREAS, the Greyhound Bus Company has for many years provided this necessary service, so vital to the numerous rural areas of the State; and

WHEREAS, there currently exists a situation of disagreement between the management and the employees' union of the Greyhound Bus Company; and

WHEREAS, the current differences between the union and the management have effectively curtailed the operations of the company and imposed hardships on the citizens of Maine; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Eleventh Legislature, now assembled, in special session, respectfully urge and request the management and the em-

ployees' union of the Greyhound Bus Company to negotiate in good faith, without resort to violence, in order that a rapid resolution be resolved and the system of public transportation be restored; and be it further

RESOLVED: That suitable copies of this resolution be sent forthwith to the management of the Greyhound Bus Company and to the officers of the employees' union.

Comes from the House, Read and Adopted.

Which was Read and Adopted, in concurrence.

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

On motion by Senator Pray of Penobscot, Recessed until the sound of the bell.

### Recess

### After Recess

The Senate called to order by the President.

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 the House had transacted all business before and was ready to Adjourn, Sine Die.

(Off Record Remarks)

### Senate At Ease

The Senate called to order by the President.

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

### Joint Resolution

The Following Joint Resolution: (H. P. 1383)  
JOINT RESOLUTION IN SUPPORT OF THE  
RESCUE MISSION IN GRENADA

WHEREAS, on October 19, 1983, a radical army junta seized power in the tiny island nation of Grenada after slaying Prime Minister Maurice Bishop and an undertermined member of his followers; and

WHEREAS, following this bloody coup, the lives of hundreds of Americans on Grenada and the civil rights of the people of Grenada were in jeopardy; and

WHEREAS, to insure the well-being of those Americans and to relieve the oppression of the citizens of Grenada, a rescue mission of United States Armed Forces and forces from other neighboring nations took control of Grenada; and

WHEREAS, this rescue mission uncovered irrefutable evidence of extensive Cuban activity in Grenada and huge stores of Cuban and Russian arms; and

WHEREAS, freedom and peace have been restored to the nation of Grenada as a result of this multi-national mission; now, therefore, be it

RESOLVED: That We, the Members of the 111th Maine Legislature, in special session now assembled, join in expressing our support of the successful mission to Grenada and our congratulations and gratitude to those who so bravely participated in that mission.

Comes from the House, Read and Adopted.

Which was Read and Adopted, in concurrence.

### Enactor

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

An Act Providing Conformity with the United States Internal Revenue Code. (H. P. 1374) (L. D. 1806)

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

Senator COLLINS: Mr. President, I request a Division.

The PRESIDENT: A Division has been requested.

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

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

19 Senators having voted in the affirmative and 8 Senators having voted in the negative, the Bill was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Out of order and under suspension of the rules,

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

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

Which was Read and Passed.

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

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

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

Which was Read and Passed.

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

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

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

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

Senator McBREAIRTY: Mr. President and Honorable Members of the Senate, in memory of my mother, Sarah McBreairty Mills, I move that the Senate Adjourn Without Day.

On motion by Senator McBreairty of Aroostook, at 7:23 p.m. on Friday, November 18, 1983, the Honorable Gerard P. Conley declared the Senate of the Second Special Session of the 111th Legislature Adjourned Sine Die in memory of Sarah McBreairty Mills, the beloved mother of Senator James McBreairty of Perham.