

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eleventh  
Legislature***

OF THE

**STATE OF MAINE**

**SECOND REGULAR SESSION**

**January 4, 1984 to April 25, 1984**

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STATE OF MAINE  
One Hundred and Eleventh Legislature  
Second Regular Session  
JOURNAL OF THE SENATE  
Augusta, Maine  
January 10, 1984  
Senate called to Order by the President.

Prayer by Reverend Reland P. Clark, of the North Windsor Baptist Church.

REVEREND CLARK: Let us bow together for prayer. Our Heavenly Father, we thank You this morning for the privilege that we have to see the light of this new day, and for the opportunities of it. We pray Thy blessing upon us. We thank you for Your love to us. We thank, Our Father, for the privilege to live in a great nation such as this. We pray Thy blessing upon these lawmakers today.

May they continue to be men and women of courage and conviction. May, our Father, they stand for right and righteousness, realizing that the nation that honors God is indeed blessed. Lead, guide and direct them today for we pray in Christ's Name, Amen.

Reading of the Journal of Thursday, January 5, 1984.

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

JOINT ORDER (S. P. 646) Relative to 275 copies of the Legislative Record.

(In Senate January 4, 1984 Read and Passed)

(Comes from the House READ and PASSED as AMENDED by House Amendment "A" (H-447) in non-concurrence)

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

**House Papers**

BILL, "An Act to Provide for the Licensing of Commercial Fishing Boats for Purposes of Improving Law Enforcement and to Protect Underwater Electric Cables not Shown on Nautical Charts" H. P. 1414 L. D. 1860

Comes from the House referred to the Committee on Marine Resources and ORDERED PRINTED.

Which was referred to the Committee on Marine Resources and ORDERED PRINTED, in concurrence.

BILL, "An Act to Amend the Charter of the Jackman Sewer District to Provide Adequate Compensation for Trustees" (Emergency) H. P. 1415 L. D. 1861

Comes from the House referred to the Committee on Public Utilities and ORDERED PRINTED.

Which was referred to the Committee on Public Utilities and ORDERED PRINTED, in concurrence.

**Communications**

The Following Communication:

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

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 today nominating James S. Bowers of Washington for appointment as the Student Member of the University of Maine Board of Trustees.

Pursuant to Title 20 MRSA Section 2251, this nomination will require review by the Joint Standing Committee on Education 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: (S. P. 690)  
January 6, 1984

The Honorable Kenneth P. Hayes  
The Honorable Stephanie Locke  
Chairpersons, Committee on Education  
111th Legislature  
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated James S. Bowers of Washington for appointment as the Student member of the University of Maine Board of Trustees.

Pursuant to Title 20 MRSA Section 2251, this nomination will require review by the Joint Standing Committee on Education and confirmation by the Senate.

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

Which was Read and referred to the Committee on Education.  
Sent down for concurrence.

The Following Communication:

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

TO: The Honorable Members of the House of Representatives and Senate of the 111th Legislature

I am returning without my signature or approval, (S. P. 439) (L. D. 1318), AN ACT Pertaining to the Political Rights of State Employees.

Maine has a well deserved reputation for clean and honest politics.

Our state employees have a reputation for dedicated and unbiased service to the public.

I believe it is in the best interests of the State, its citizens and its public employees that we do all we can to maintain these reputations.

I believe that plunging our classified employees directly into the arena of partisan politics will not serve these goals.

Instead, I am concerned that there would arise among the public the perception that State employees were using the power and authority of their government positions to further their own special political interests at the expense of the public interest.

And I am concerned that there would be created the impression that public employees were exploiting their positions to extract contributions from the public.

I see nothing in this bill to protect against these potential abuses. The very exemption in the bill itself for law enforcement officers underscores this concern.

For it certainly is not only uniformed officers who are in a position to affect the lives and livelihoods of the public—drivers license examiners, environmental specialists, agricultural marketing assistants, human services grant providers, all these and hundreds of other State employees are in an excellent position to make their request for a contribution more persuasive because of the offices they hold.

I believe that to permit this possibility to become a legal course of conduct would be a grave disservice to the public and to Maine's civil servants, that would soon be nearly universally regretted.

In addition to this fundamental objection I must point out, as well, another difficulty with the bill: it does not affect all classified State employees equally.

As the Attorney General noted in his opinion of April 15, 1983, a substantial number of State employees would continue to be governed by the Federal Hatch Act because of their source of funding.

If some of the employees operating under the federal constraints are misled into political

fundraising, the State will become liable for a penalty of up to two years' salary to be paid to the federal government and possibly loss of the Federal funding of the programs for which the employees work.

If it were to become law, L. D. 1318 could be an uncalculably expensive bill for this State.

Expensive in terms of dollars for inadvertent violations of the Hatch Act.

But far, far more expensive in terms of the loss of trust between public employees and the citizens they serve.

I cannot believe either employees or taxpayers want to risk so fundamental a change in the political values of our society.

I, therefore, respectfully request that you sustain my veto of L. D. 1318.

Sincerely,  
S/JOSEPH E. BRENNAN  
Governor

Which was Read and Ordered Placed on File.

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.

THE PRESIDENT: The question now before the Senate is: Shall this Bill become a law notwithstanding the objections of the Governor? According to the Constitution the vote will be taken by the Yeas and Nays.

A vote of "Yes" will be in favor of the Bill.

A vote of "No" will be in favor of sustaining the veto of the Governor.

Is the Senate ready for the question?

The Chair recognizes the Senator from Knox, Senator Collins.

SENATOR COLLINS: Mr. President, I have read the message from our Chief Executive, on this matter, very carefully and it seems to me that the Governor has spoken in the public interest and that the Senate should sustain his veto.

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

SENATOR MINKOWSKY: Mr. President and Members of the Senate, the first thought that crossed my mind this morning was the fact that I felt very strongly that this Bill should have been recalled with the rest of them, instead of being presented to us as a veto message. I think it is a very drastic and a very serious mistake on the part of the Administration.

It is not a matter of loyalty to the Governor, or to my party the Democratic Party, which I have been a member of for the past thirty years or more, but a matter of conscience. I have not received any telephone calls this weekend from State Employees, but I have received some comments from the general populace in my Senatorial District. Apparently, there has been indications that some of the concerns raised by the Governor were genuine. One that the Governor brings out very clearly I believe, that plunging or plunging our Classified employees directly into the arena of partisan politics will not serve their goals, I think it is really on target. It does not serve their goals.

The other point instead, I am concerned that there would arise among the public the perception that State employees were using their power and authority of their government positions to further their own special political interests at the expense of public interest. I think this is a critical point. Critical because most times the general public that would try to relate with the various departments in State Government are not given the genuine consid-

eration that they deserve on questions regardless of how important or how infinitesimal they may be. And the general public perceives State Government or it's people as not really being interested in their concerns. You add this particular thing on to it as the Governor has very clearly stated, and I think it will encompass and reinforce the peoples' idea that now they will have political clout in addition to the complacency and the "superiority attitudes" some have displayed in the past.

The point of loyalty was brought up earlier this morning and it was made very clear that loyalty is a two-way street: Loyalty to our Governor, loyalty to my party, loyalty to my constituency. As you know in the past there has been different feelings I have expressed against the Administration which I felt was not in the interest of the people, my constituency. I was not complacent in articulating those particular points-of-view, but when I think the Administration is right and proper in their course of action in behalf of the people of the State of Maine then I feel compelled to support the Governor, and that is what I intend to do this morning, Mr. President.

The President requested the Sergeant-at-Arms escort the Senator from Aroostook, Senator Carpenter to the rostrum to assume the duties of President Pro-Tem.

The Sergeant-at-Arms escorted the Senator from Aroostook, Senator Carpenter to the rostrum, where he served as President Pro-Tem.

The President took a seat on the floor of the Senate.

THE PRESIDENT PRO-TEM: The Chair recognizes the Senator from Cumberland, Senator Conley.

SENATOR CONLEY: Mr. President, Members of the Senate, I hesitate to come down from the podium today, but because of the fact there is such strong philosophical feelings on this particular Bill, and because of the fact that the Majority Floor Leader, himself, has stated in caucus that he intends to vote to override the Governor's veto, I feel that someone must come down and speak in behalf of the Governor.

I can't recall how many years this Bill has been before the Senate, but Gerry Conley has voted for this Bill each year or each session it has been before us. And I would have assumed sometime ago once this Bill had been Passed to be Enacted that the Governor would have signed this Bill into law. And I think that many of us here today would feel much more comfortable had he followed that pursuit. Unfortunately, he decided against this Bill, and he decided against it, obviously, because of very strong feelings that he has with respect to public employees who are paid by taxpayers' dollars to become involved in the political process: Raising money, questions in his mind harassing other public employees within State Government. Because of these serious objections, along side of the fact that he feels that those employees who are funded with federal tax dollars, also, puts the State in great jeopardy with respect to fines by the federal government, of having to compensate the Feds over a period of two years, if that were the case.

People ask today what's the difference between political parties? That there aren't any differences. One supports whatever is good for them politically. The Democrats feel that the Maine State Employees Association can be of more benefit to them, then we will support their perspectives or their points-of-view. The Minority Party for years has always voted against this particular Bill because of the fact that they thought it was disadvantageous, not only probably to them, but to the general public as a whole.

We only have one Governor, and that is my point today. One who can sign a bill into law, allow the bill to become law without his signa-

ture, or express disapproval by vetoing that measure and sending it back to the Legislature.

I am the Presiding Officer of the Democratic Party in this Chamber and I was chosen so, by my peers here in this Chamber. A position that I haven't taken lightly and certainly one that I was highly honored with sometime ago. But, I do believe as the President Officer that I do have allegiance to the Chief Executive of this State, namely the Governor. Now I don't always agree with him and I am a little less vocal because of the fact of what my position is I suppose. If I have a disagreement I generally go down and speak with him, but it is more than that today because he's exercising his Constitutional authority of a veto. And the Constitution is so strong that in order to override it, it takes a two-thirds vote of this Chamber for it to become law over the objections of a Chief Executive.

It is amazing to me that every time we have a Joint Convention down in the other Body, the reception that Governor Brennan receives, that he is praised to the ultimate, and yet I find today that apparently we can walk a different road because we are up here in this Chamber and we totally ignore his objections. If we are the Democratic Party of this State, and if we do have the faith in our Chief Executive, then I would ask each of you here this morning to show him a vote of confidence and to sustain this veto. Thank you.

THE PRESIDENT PRO-TEM: The Chair recognizes the Senator from Penobscot, Senator Pray.

SENATOR PRAY: Thank you, Mr. President. Mr. President and Ladies and Gentlemen of the State, I had no intentions of speaking this morning on this veto. It is my belief that others would carry the debate on both political sides and philosophical sides of this issue, but the Presiding Officer in his decision to take the floor and address this issue, and then make reference to my position as Majority Floor Leader, I believe, demands a response now.

I believe in many of the things that the President has stated. I believe that there is an allegiance within the political party, and within the political process. That is the reason there is an advantage to being in a Majority Party, a disadvantage of being in a Minority Party. That allegiance does not automatically exclude us from a responsibility which we have as elected members of the public. That is to evaluate each piece of legislation as it goes through the process and our founding fathers set up that process to guarantee a check and balance: after one Body passed a bill it would go to the other Body, it would require the other Body to pass it, and when the two passed it in agreement, it would then go to the Governor for his consideration. The Governor had two options: either to let the bill become law, or to veto it, expressing his rejection. Then it falls back upon the Legislature again to exercise its authority as representatives of the people, as well as the Governor is a representative of the people, to make a conscious decision as to whether or not that Governor's veto should be sustained or overridden.

That is the decision that we are being faced with today. Once we understand our role in the political process, and that it is not just a blind allegiance, but an allegiance which is weighed and valued based upon the issue that is before us, and at times we will come down on different sides of different issues, because of that. I believe because of that Constitutional authority that is granted to us, that we have a right to exercise our interpretation of the will of the people back in our district.

If we want to talk about philosophical and ideal beliefs, I am not as old as the Presiding Officer thus not as long a member of the Democratic Party or this Chamber have a basic belief as an individual Senator from Penobscot County representing Penobscot and Piscata-

quis, and as a Democrat that there is a right of everybody in this State to partake in the political process. We have an opportunity today to address that right. An opportunity to give to those who have been denied access to the political process that choice as to whether or not if they want to become involved in the political process. We cannot address every employee because there is some question about those who are funded by federal funds, federal law pre-empts us in that example. I believe, as the Democratic Majority Floor Leader, and I am not speaking as such at this time but just as the Senator from Penobscot, I believe that we have a responsibility as Democrats to grant that right whenever we can. To provide to every citizen of this State an opportunity to take part in the political process.

That is the question that we are faced with today, not as to whether or not if we follow the Governor's reasoning that he is our Governor, thus we automatically follow him because we are of the same political parties. I have a great deal of respect and admiration for Governor Brennan, but I believe that I have a responsibility that I have to address here today in this chamber that separates my respect for him and I do not vote the way I do today in disrespect for him, but in a different belief on this proposal that is before us today. I would hope that each and everyone of us would weigh in our minds the legislation and not whom is Governor, but the legislation and its merits, and make our decision based upon that. Thank you.

(Off Record Remarks)

The President Pro-Tem requested the Sergeant-at-Arms to escort the Senator from Cumberland, Senator Conley to the rostrum to resume his duties as President.

The Sergeant-at-Arms escorted the Senator from Cumberland, Senator Conley to the rostrum where he resumed his duties as President.

The Sergeant-at-Arms escorted the Senator from Aroostook, Senator Carpenter to his seat on the floor of the Senate.

THE PRESIDENT: The Chair wishes to commend the Senator from Aroostook, Senator Carpenter for a job well done.

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

SENATOR CLARK: Thank you, Mr. President. Mr. President, Men and Women of the Senate, it was about a year ago and then two years before that, and even four years before that, that I addressed the Members of this Chamber and supported a bill similar to the form of the Bill that is contained and addressed in the Governor's veto before us this morning.

It is difficult, because you know that I am the prime sponsor of the Bill that the Governor has chosen to veto in good conscience and I also chose to sponsor that measure and have supported it consistently for all of my legislative years, also, in good conscience, this morning I am going to vote to override the Governor's veto and that is a new experience for me.

That override vote that I shall cast this morning is not a reflection of dishonor on our Chief Executive for whom I have strong affection and loyalty, nor is it a vote in dishonor of the Presiding Officer of this Chamber, my leader, also for whom I have strong affection and loyalty. My vote this morning represents public employees of which I am one, and working people of which I am one, who have every right granted under the Constitution of this County and of this State to exercise political freedom. Political freedom without barriers. It would be inconsistent of me to do otherwise. So my vote this morning to override our Chief Executive's veto is a vote in honor of the working people, who are paid with taxpayers' money and should be invited and encouraged,

and "Yes" welcomed to the political process whether it be non-partisan or partisan, it really is that simple.

**THE PRESIDENT:** The question before the Senate is shall this Bill become a law notwithstanding the objections of the Governor? According to the Constitution the vote will be taken by the Yeas and Nays.

A vote of "Yes" will be in favor of the Bill.

A vote of "No" will be in favor of sustaining the veto of the Governor.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the roll.

#### ROLL CALL

**YEAS**—Baldacci, Brown, Bustin, Carpenter, Clark, Diamond, Dow, Dutremble, Hayes, Kany, McBreairty, Pearson, Pray, Shute, Trafton, Twitchell, Usher.

**NAYS**—Charette, Collins, Danton, Erwin, Gill, Minkowsky, Najarian, Perkins, Redmond, Sewall, Teague, Wood, The President — Gerard P. Conley.

**ABSENT**—Emerson, Hichens, Violette.

A Roll Call was had.

17 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 3 Senators being absent, and 17 being less than two-thirds of the members present and voting, the veto was sustained.

#### Senate Papers

**BILL, "An Act to Establish the Cost of the 1984 Spruce Budworm Suppression Project." (Emergency) (S. P. 683) (L. D. 1890) (Presented by Senator TWITCHELL of Oxford.) (Cosponsors: Representative ARMSTRONG of Wilton, MICHAUD of E. Millinocket, McCOLLISTER of Canton.) Submitted by the Department of Conservation pursuant to Joint Rule 24.**

Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS suggested.

On motion by Senator Carpenter of Aroostook, Tabled for 1 Legislative Day, pending Reference.

**BILL, "An Act to Set Conditions for Timber Harvesting in Certain State Parks." (S. P. 685) (L. D. 1892) (Presented by Senator PEARSON of Penobscot.) (Cosponsors: Representatives RIDLEY of Shapleigh, McGOWAN of Pittsfield, DEXTER of Kingfield.)**

Submitted by the Department of Conservation pursuant to Joint Rule 24.

Committee on ENERGY AND NATURAL RESOURCES suggested.

Which was referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED.

Sent down for concurrence.

**BILL, "An Act to Identify Polychlorinated Biphenyls as Hazardous Waste." (S. P. 684) (L. D. 1891) (Presented by Senator PEARSON of Penobscot.) (Cosponsors Representatives HALL of Sangerville, McGOWAN of Pittsfield, BOST of Orono.)**

Submitted by the Department of Environmental Protection pursuant to Joint Rule 24.

Committee on ENERGY AND NATURAL RESOURCES suggested.

On motion by Senator Pearson of Penobscot, Tabled for 1 Legislative Day, pending Reference.

**BILL, "An Act Concerning Repeal of Commercial Fishing for Atlantic Salmon in the St. Croix River." (S. P. 686) (L. D. 1893) (Presented by Senator MINKOWSKY of Androscoggin.) (Cosponsors: Representatives AINSWORTH of Yarmouth, HOLLOWAY of Edgcomb.)**

Submitted by the Department of Marine Resources pursuant to Joint Rule 24.

(See action later today.)

**BILL, "An Act Concerning Municipal Snowmobile Registration." (S. P. 687) (L. D. 1894) (Presented by Senator DOW of Kennebec**

(Cosponsor: Representative E. MITCHELL of Vassalboro.) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26.)

Committee on FISHERIES AND WILDLIFE suggested.

Which were referred to the Committee on FISHERIES AND WILDLIFE and ORDERED PRINTED.

Sent down for concurrence.

On motion by Senator MINKOWSKY of Androscoggin, the Senate voted to reconsider its action of earlier in today's session whereby it referred:

**BILL, "An Act Concerning Repeal of Commercial Fishing for Atlantic Salmon in the St. Croix River." (S. P. 686) (L. D. 1893)**

To the Committee on ENERGY AND NATURAL RESOURCES.

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

**SENATOR MINKOWSKY:** Mr. President in talking to others concerned with this Legislation it has historically been before the Marine Resources Committee and in speaking to the Chairman of the Fisheries and Wildlife Committee, I think he had made an inquiry relevant to it and I am correct in my assessment that Marine Resources should have it, so, I so move that it be referred to the Committee on Marine Resources.

On motion by Senator MINKOWSKY of Androscoggin referred to the Committee on MARINE RESOURCES and ORDERED PRINTED.

Sent down for concurrence.

**BILL, "An Act to Limit the Prohibition on Prescriptive Pole and Wire Easements to Public Ways." (S. P. 688) (L. D. 1895) (Presented by Senator BALDACCI of Penobscot.) (Cosponsors: Representatives VOSE of Eastport, WEYMOUTH of West Gardiner, E. PARADIS of Old Town.)**

Submitted by the Public Utilities Commission pursuant to Joint Rule 24.

**BILL, "An Act to Include Proceedings of the Public Utilities Commission in the Statutory Method for Calculation of Statutory time Periods." (S. P. 689) (L. D. 1896) (Presented by Senator BALDACCI of Penobscot.) (Cosponsors: Representatives Z. MATTHEWS of Winslow, E. PARADIS of Old Town, RODERICK of Oxford.)**

Submitted by the Public Utilities Commission pursuant to Joint Rule 24.

Committee on Public Utilities suggested.

Which were referred to the Committee on PUBLIC UTILITIES and ORDERED PRINTED.

Sent down for concurrence.

#### Senate at Ease

The Senate called to order by the President

#### Orders

##### Recall from the Governor's Desk

**AN ACT to Provide Equal Access to Justice.** (S. P. 570) (L. D. 1646) (H "A" H-344)

Recalled pursuant to Joint Order H. P. 1417 (In House June 10, 1983, PASSED TO BE ENACTED.)

(In Senate June 23, 1983, PASSED TO BE ENACTED.)

Which was Read.

On motion by Senator CARPENTER of Aroostook, Tabled for 1 Legislative Day, pending Further Consideration.

**AN ACT to Remove the Bureau of Alcoholic Beverages from Under the Department of Finance and Administration" (S. P. 539) (L. D. 1574) (S "A" S-121)**

Recalled pursuant to Joint Order H. P. 1417 (In House May 23, 1983, Passed To Be Enacted.)

(In Senate June 23, 1983, Passed To Be Enacted.)

Which was Read.

On motion by Senator CARPENTER of Aroostook, Tabled for 1 Legislative Day, pending Further Consideration.

**AN ACT to Establish a Commission to Review and Evaluate the University of Maine System. (S. P. 537) (L. D. 1566) (S "A" S-244 to H "A" H-355)**

Recalled pursuant to Joint Order H. P. 1417 (In House June 23, 1983, PASSED TO BE ENACTED.)

(In Senate June 24, 1983, PASSED TO BE ENACTED.)

Which was Read.

On motion by Senator Carpenter of Aroostook, Tabled for 1 Legislative Day, pending Further Consideration.

#### Emergency

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

Recalled pursuant to Joint Order H. P. 1417 (In House September 6, 1983, PASSED TO BE ENACTED.)

(In Senate September 6, 1983, PASSED TO BE ENACTED.)

Which was Read.

On motion by Senator PRAY of Penobscot the Senate voted to Suspend the Rules.

On further motion by the same Senator the Senate voted to Reconsider its action whereby L. D. 1805 was Passed to be Enacted.

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

**SENATOR PRAY:** I now move the Indefinite Postponement of Senate Paper 642, Legislative Document 1805.

**THE PRESIDENT:** The Senator from Penobscot, Senator Pray now moves this Bill, Senate Paper 642, Legislative Document 1805 be Indefinitely Postponed.

Is this the pleasure of the Senate?

The Chair recognizes the Senator from York, Senator Wood.

**SENATOR WOOD:** Mr. President and Men and Women of the Senate, this was my Bill and I agree with the pending motion. I would point out that this Bill was the result of the failure of the Department of Education, in the first place, to act in a responsive manner. They suggested that Legislation would be necessary, I told them I would gladly draft it. Once the Legislation was necessary they decided that they could do it without it.

On motion by Senator PRAY of Penobscot, the Bill and accompanying papers, Indefinitely Postponed, in non-concurrence.

Sent down for concurrence.

#### Orders of the Day

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

Resolve, Authorizing the Commissioner of Marine Resources to Lease Land and Buildings in West Boothbay Harbor (Emergency) H. P. 1405 L. D. 1827

Tabled—January 5, 1984, by Senator PRAY of Penobscot.

Pending—REFERENCE

(In House January 4, 1984, Referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS)

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

**SENATOR MINKOWSKY:** Mr. President regarding this particular Bill there has been suggested in the other Branch a change of reference to Appropriations and Financial Affairs.

The Committee on Marine Resources met last Thursday and we had a discussion relevant to this issue and we further asked the Commissioner of the Department to send a letter or to meet with Senator Pray about this particular reference going to the Appropriations Committee. The letter in part basically

states: "This resolve that we have before you today is not a new concept, it simply modifies the existing resolve adopted by the Legislature in June of 1977. That resolve directed the Commissioner of Marine Resources to enter into a lease of facilities in West Boothbay Harbor to give the Bigelow Laboratory For Ocean Sciences for a twenty (20) year term."

Now the Bill before us this morning all it simply does is extends the term of the lease for fifty (50) years. Now there were no State funds involved in this Resolve no appropriations necessary or called for to implement the intent of this Resolve, therefore, Mr. President I would move that this particular Resolve be re-referred back to the Committee on Marine Resources in non-concurrence.

On motion by Senator MINKOWSKY of Androscoggin referred to the Committee on MARINE RESOURCES and ORDERED PRINTED, in non-concurrence.

Sent down for concurrence.

(Off Record Remarks)

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

Joint Resolution (H. P. 1390) Encouraging the Establishment of Day Care Services for State Employees.

Tabled—January 5, 1984, by Senator PRAY of Penobscot

Pending—ADOPTION

(In House January 4, 1984, READ AND ADOPTED.)

On motion by Senator PRAY of Penobscot, Retabled for 1 Legislative Day, pending Adoption.

(Off Record Remarks)

On motion by Senator CARPENTER of Aroostook, Adjourned until Thursday, January 12, 1984 at 10 o'clock in the morning.