

# 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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**FOURTH CONFIRMATION SESSION**

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STATE OF MAINE  
 One Hundred and Eleventh Legislature  
 Second Regular Session  
 JOURNAL OF THE SENATE  
 In Senate Chamber  
 Friday  
 February 17, 1984

Senate called to Order by the President.  
 Prayer by Pastor Rick Stoops, of the United Pentecostal Church of Augusta.

PASTOR STOOPS: Lord Jesus, we thank You for the freedom that You have given to us. We thank You for all the blessings that You have bestowed upon us here in the State of Maine.

We ask You today that You would touch this Senate, that You would bless it, that You would help us to make the right decisions and the right choices, and we thank You today for all Your blessings and the benefits that You have given us. We thank you for our heritage.

In Jesus's Name, be with us today and help us to live lives that are pleasing in Your sight and we thank You for it all. In the Name of the Lord Jesus Christ, Amen.

Reading of the Journal of Yesterday.

Out of Order and Under Suspension of the Rules:

On Motion by Senator PRAY of Penobscot, the following Joint Order: (S. P. 774)

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, February 21, 1984 at 10 o'clock in the morning.

Which was READ and PASSED.

Sent down forthwith for concurrence.

(Off Record Remarks)

**PAPERS FROM THE HOUSE**  
**Study Report**

**Committee on BUSINESS LEGISLATION**

Report of the Committee on BUSINESS LEGISLATION to which was referred by the Legislative Council the Study Relative to Motor Vehicle Insurance have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill, "An Act to Require Maintenance of Financial Responsibility by All Motorists" (H. P. 1575) (L. D. 2085) be referred to this Committee for public hearing and printed pursuant to Joint Rule 19.

Comes from the House with the Report READ and ACCEPTED and the Bill referred to the Committee on BUSINESS LEGISLATION and ORDERED PRINTED pursuant to Joint Rule 19.

Which Report was READ and ACCEPTED in concurrence.

The Bill referred to the Committee on BUSINESS LEGISLATION and ORDERED PRINTED pursuant to Joint Rule 19, in concurrence.

**Study Report**  
**Committee on ENERGY AND NATURAL RESOURCES**

Report of the Committee on ENERGY AND NATURAL RESOURCES to which was referred by the Legislative Council the Study Relative to Identification of Areas Requiring Further Protection Within the Allagash Wilderness Waterway have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill, "An Act to Clarify the Timber-Harvesting Provisions of the Allagash Wilderness Waterway Statutes" (H. P. 1576) (L. D. 2086) be referred to this Committee for public hearing and printed pursuant to Joint Rule 19.

Comes from the House with the Report READ and ACCEPTED and the Bill referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED pursuant to Joint Rule 19.

Which Report was READ and ACCEPTED in concurrence.

The Bill referred to the Committee on

ENERGY AND NATURAL RESOURCES and ORDERED PRINTED pursuant to Joint Rule 19 in concurrence.

**Reported Pursuant to Statutes**  
**Unemployment Compensation Fund Study Commission**

The Unemployment Compensation Fund Study Commission, pursuant to Private and Special Laws 1983, Chapter 46 ask leave to submit its findings and to report that the accompanying Bill, "An Act to Provide for Financial Solvency in the Unemployment Compensation Fund" (H. P. 1577) (L. D. 2087) be referred to the Joint Standing Committee on LABOR for Public Hearing and printed pursuant to Joint Rule 18.

Comes from the House with the Report READ and ACCEPTED, and the Bill referred to the Committee on LABOR and ORDERED PRINTED pursuant to Joint Rule 19.

Which Report was READ and ACCEPTED, in concurrence.

The Bill referred to the Committee on LABOR and ORDERED PRINTED pursuant to Joint Rule 19 in concurrence.

**COMMUNICATIONS**

The Following Communication:  
 COMMITTEE ON LABOR  
 11th Legislature

February 15, 1984

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Labor has had under consideration the nomination of William M. Houston of Bangor, as a member of 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 Committee Clerk called the roll with the following result:

YEAS: Senators 1  
 Representatives 8

NAYS: 0

ABSENT: 4 (Sen. Hayes of Penobscot, Sen. Sewall of Lincoln, Rep. Bonney of Falmouth, and Rep. Zirnkilton of Mt. Desert.)

Nine members of the Committee having voted in the affirmative and None in the negative, it was the vote of the Committee that the nomination of William M. Houston of Bangor, as a member of the Maine Labor Relations Board be confirmed.

Sincerely,  
 S/ SEN. DUTREMBLE  
 Senate Chair  
 S/ REP. BEAULIEU  
 House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on LABOR has recommended that the nomination of William M. Houston 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**

YEAS—None.

NAYS—Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Dutremble, Emerson, Gill, Hayes, Hichens, Kany, Minkowsky, Najarian, Pearson, Perkins, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Usher, Wood, The President—Gerard P. Conley.

ABSENT—Baldacci, Erwin, McBreairey, Violette.

No Senators having voted in the affirmative and 29 Senators having voted 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 William M. Houston was CONFIRMED.

The Secretary has so informed the Speaker of the House.

**SENATE PAPER**

Bill, "An Act to Provide Funding from the Blueberry Industry Tax to Promote Market Development for the Blueberry Industry" S. P. 775

Presented by Senator PERKINS of Hancock. Cosponsored by Senator BROWN of Washington, Representative CONNORS of Franklin and Representative RANDALL of East Machias.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Committee on TAXATION suggested.

On motion by Senator PRAY of Penobscot, TABLED unassigned, pending Reference.

**COMMITTEE REPORTS**  
**House**

The Committee on ENERGY AND NATURAL RESOURCES on Bill, "An Act Concerning Income Derived from Public Reserved Lots" H. P. 1517 L. D. 1998

Reported that the same Ought to Pass.

Comes from the House with 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 Bill TOMORROW ASSIGNED FOR SECOND READING.

**Senate**

**Leave to Withdraw**

The following LEAVE TO WITHDRAW report shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill, "An Act to Provide Additional Agency Stores at Seasonal Locations" (Emergency) S. P. 743 L. D. 2046

**Ought to Pass**

Senator SHUTE for the Committee on MARINE RESOURCES on Bill, "An Act Concerning Repeal of Commercial Fishing for Atlantic Salmon in the St. Croix River" S. P. 686 L. D. 1893

Reported that the same Ought to Pass.

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

**Ought to Pass in New Draft under New Title**

Senator HICHENS for the Committee on STATE GOVERNMENT on Bill, "An Act to Clarify the Definition of Projects Eligible for Revenue Bond Financing under the Finance Authority of Maine Act" (Emergency) S. P. 725 L. D. 1997

Reported that the same Ought to Pass in New Draft Under New Title Bill, "An Act Defining Rehabilitation of Existing Building Projects under the Municipal Securities Approval Program" (Emergency) S. P. 776 L. D. 2094

Which Report was READ and ACCEPTED.

The Bill in NEW DRAFT under NEW TITLE READ ONCE.

The Bill in NEW DRAFT under NEW TITLE TOMORROW ASSIGNED FOR SECOND READING.

### SECOND READERS

The Committee on BILLS IN THE SECOND READING reported the following:

#### House — As Amended

Bill, "An Act to Enable Communities to Establish Town Forest Reserve Accounts" H. P. 1435 L. D. 1880 (C. "A" H-469)

Bill, "An Act to Include the Chief Executive Officer of the Finance Authority of Maine as an Ex Officio Corporator of the Maine Development Foundation" (Emergency) H. P. 1497 L. D. 1972 (H. "A" H-470)

Which were READ A SECOND TIME and PASSED TO BE ENGROSSED as AMENDED, in concurrence.

#### Senate — As Amended

Bill, "An Act to Clarify the Procedures to Appeal a Decision of the Workers' Compensation Division" S. P. 661 L. D. 1851 (C. "A" S-289)

Which was READ A SECOND TIME and PASSED TO BE ENGROSSED as AMENDED. Sent down for concurrence.

### ENACTORS

The Committee on ENGROSSED BILLS reported as truly and strictly engrossed the following:

AN ACT Prohibiting Release of Animals by State Humane Agents for Experimentation or Vivisection Purposes. S. P. 748 L. D. 2052

AN ACT to Allow Coordination of Services to Preschool Handicapped Children Below the Age of 3 Years. H. P. 1464 L. D. 1916

AN ACT to Amend the Probate Code to Provide for Temporary Guardianships Under Certain Emergency Conditions. H. P. 1430 L. D. 1875

Which were PASSED TO BE ENACTED and having been signed by the President, were presented by the Secretary to the Governor for his approval.

#### Emergency

AN ACT to Reenact a Provision for Protective Orders in Crimes Between Family Members. H. P. 1396 L. D. 1819

This being an emergency measure and having received the affirmative vote of 27 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 presented by the Secretary to the Governor for his approval.

#### Senate at Ease

The Senate called to order by the President.

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. 1583) JOINT RESOLUTION RECOGNIZING THE 100th ANNIVERSARY OF BATH IRON WORKS

WHEREAS, the expressing "Bath-built is best-built" is known and accepted as a standard of excellence in marine circles throughout the world; and

WHEREAS, Bath Iron Works has been building world class navy and commercial ships on the banks of the Kennebec River since 1884; and

WHEREAS, Bath-built Navy ships have dis-

tinguished themselves on the oceans of the world as fierce fighting ships and keepers of the peace; and

WHEREAS, the shipyard's construction of 82 destroyers during the 4 years of World War II will stand forever as one of the greatest industrial achievements in American history; and

WHEREAS, Bath Iron Works has provided thousands of well-paying jobs to the men and women of Maine over many decades; and

WHEREAS, Bath Iron Works has continued to demonstrate its faith and confidence in Maine and its working people by continually expanding and making major capital investments; and

WHEREAS, for the past 100 years, Bath Iron Works has served as an ambassador to tell the world of the unique Maine work ethic; now, therefore, be it

RESOLVED: That We, the Members of the Second Regular Session of the One Hundred and Eleventh Legislature assembled, recognize the one hundredth anniversary of Bath Iron Works and join in the celebration of its century of excellence in performance; and be it further

RESOLVED: That suitable copies of this resolution be sent forthwith to the officers of Bath Iron Works.

Comes from the House READ and ADOPTED, in concurrence.

Which was READ and ADOPTED, in concurrence.

### Joint Order

The following Joint Order: (H. P. 1586)

WHEREAS, the Legislature has been reviewing the programs, operation and funding of the Department of Inland Fisheries and Wildlife; and

WHEREAS, the Commissioner of Inland Fisheries and Wildlife has indicated an immediate need for increased funding to maintain the current level of services; and

WHEREAS, the commissioner has initiated action to resolve the financial need of the department by staff reductions, phase down of selected department operations, closing of certain department facilities, disposal of some state properties and reorganizing present service delivery; and

WHEREAS, the Legislature recognizes a need to address the immediate financial problems of the department as quickly and efficiently as possible; now, therefore, be it

ORDERED, the Senate concurring, that the Joint Standing Committee on Inland Fisheries and Wildlife report out a bill to the House addressing the financial needs of the Department of Inland Fisheries and Wildlife.

Comes from the House, READ and PASSED. Which was READ.

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

SENATOR MINKOWSKY: Mr. President and Members of the Senate, this Joint Order intrigues me, it seems to be a new viable approach according to what I've seen on this verses our position yesterday where we were going to have three committees involved in making this decision. Today, I received on my desk a Committee of Department Finances, a committee recommendation from the Inland Fisheries and Wildlife people, namely Mr. Trask, the Deputy Commissioner, Mr. Hurley, Mr. Merrill, Peter Brazier and Jean Bowman.

In looking this particular document over, it seems to be a very logical, sound, practical way of addressing the dilemma the Department is facing at the present time. My question to the drafters of this particular Order is: what are they going to produce any different than what's on these recommendations here before us today? Why are we procrastinating in trying to recognize what is already before us? These recommendations I have just read seem to be a very sound, logical management tool to address the dilemma of that particular depart-

ment and certainly before voting on this Joint Order, it would be quite beneficial if somebody would discuss it a little more fully.

THE PRESIDENT: The Senator from Androscoggin, Senator Minkowsky posed a question through the Chair to any member of this Senate who may respond if they so desire.

The Chair recognizes the Senator from Penobscot, Senator Pearson.

SENATOR PEARSON: Mr. President. I would like to make it clear to the Men and Women of the Senate that I'm speaking as the Senator from District 27, which includes one fish hatchery located in Enfield, Maine, a number of biologists, and a number of wardens, like most everybody else has in this Senate Chamber.

There has been a long amount of discussion over the finances of the Department of Inland Fisheries and Wildlife. I happen to have a different view than that Department has currently got now. That Department had my point of view originally, and has reversed itself in a couple of twists and turns. I think that it would serve this Senate, this Legislature well, to find out what the real story is to the satisfaction of the vast majority of the members of this Legislature. To that end, I would hope that this particular Order would be passed. I would, also, hope that the Committee on Fisheries and Wildlife will make the assumption when they begin this study that it is not necessarily true that these cuts are necessary.

If you start with the assumption that this is a fait accompli it seems to me that it would be a travesty. I think you have to look into it to find out whether you think these things ought to happen or not. I happen to have information, that to my satisfaction, indicates to me that if you bump or you remove some of these biologists, for example, one of them in Enfield, in my area, you will cause that person to be replaced by somebody who's bumped from somewhere else and regions where they have biologists from all over the State will have to move around. Some of those people who are Fisheries biologists have been in their area for twenty-thirty years and they know all of the idiosyncrasies that are involved in those lakes and streams and ponds in their area. They will now have to be transferred to another area with which they are totally unfamiliar, have to learn that area, it'll at least take them three or four years before they'll know it.

Washington County last year was recognized, as the Senator from Washington pointed out, as one of the most unique areas of Maine in its river systems. We set aside all kinds of rivers down there that said "these are truly worth preserving" and then you're going to take under this Order and close the Biological Station in Machias move it to Bangor, three hours away from a vast majority of those rivers down there, and on and on the story goes, all over the State.

I would hope that the Fisheries and Wildlife Committee will be giving you support and that they will look into this from one end to the other and that they will employ the use of the Office of Legislative Finance for an independent analysis of that Department to find out what the impacts are, not only financially, but ecologically on the resource of the Fisheries and Wildlife Department.

This, for many of us, is no joke. It's a very, very serious matter. I can tell you in my town that with that one person losing their job and with everybody else being bumped, that those biologists not only who know the area very well, but who have become an integral part of that community, will take their kids, their wives, their mortgages have to sell their houses. We have in Enfield one game warden who is a member of the school board, in Lowell we have one biologist who is a member of the Hospital Administrative District in Lincoln and all those people are going to be uprooted for what? Because there isn't enough money on a temporary basis until you can get a license increase,

and one thing and another.

I want everybody to be cognizant of the fact that Fisheries and Wildlife are just as important as any other program in this State. I'm sad to say that it seems to me that it's slowly, very slowly turning into an urban verses rural issue and it shouldn't be that way because there are programs in Washington County, Hancock County, Piscataquis County, Aroostook County, Penobscot, Somerset, Oxford, Waldo and all the rest of them, that are just as important as any others.

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

SENATOR MINKOWSKY: Mr. President and Members of the Senate, let me assure the good Senator from Penobscot that I haven't taken this issue very lightly nor do I personally look upon this as a joke either, it is a very serious matter.

The last session of the Legislature I was a little reluctant in going along with a fee increase because I feel the people of the State of Maine who are out there fishing and hunting, the rank and file person, not the professional person out there constantly utilizing that particular resource, deserves consideration. I had received many inquiries after I voted on that particular issue, saying you're making it that much tougher on senior citizens and younger people by increasing the fee, but I was somewhat convinced in talking to members of the Inland Fisheries and Wildlife Department, including the Commissioner (who was out back here during that segment of time) that it was essential, a necessity and it would pull the Department through to meet their obligations. Now this year we are told that it does not meet that particular need.

If we draw a quick analogy between the dilemma faced by this Department and the private sector of business, those people out there, also, are employees and taxpayers in the State of Maine, if they lose their jobs because companies do not have contracts fulfilled, whether for military purposes or anything else, then it's a curtailment and they end up on the unemployment list. We have many skilled people in certain areas that cannot matriculate into other areas, so there's nothing special about the people in the Department of Inland Fisheries and Wildlife compared to any other citizen in the State of Maine who needs a job to meet the same obligations of maintaining their home or their mortgage payments and everything else.

I'm not fully and totally opposed but I understand that the Committee on Inland Fisheries and Wildlife have discussed this issue very thoroughly last year and there had been recommendations made. If those recommendations were made, why have they not been implemented? What are we going to do, go through this one more time and waste more taxpayers' money to solve a problem which is right before us in this document here? I'll bet you nichols to anything, that this is not going to change one iota until they get down to the nitty-gritty, are we going to start funding some of this, some of these areas with General Fund Revenues.

Now, the way I feel about this particular Order this morning, as an individual, and concerned for the welfare of our many employees who fall in this particular trap, I don't think the Committee on Inland Fisheries and Wildlife is going to produce anything differently at the public hearing or anything else, any different than I think the dedicated people in this Department have produced on this document that is before us this morning. I think it's incumbent upon this Legislature to look at this particular problem which has been in existence for many, many years, it's nothing new that has just surfaced, to have resolved this previously and not wait until a crisis arrives. You may recall very clearly last year, that the Governor all of a sudden sent out pink slips to all our State em-

ployees in a lower echelon at Pineland Center, threatening to take away their jobs but did we not address that and solve that particular situation?

I can recall when the Turnpike Authority Bill was before us, about four or five years ago, we held in effigy the jobs of 77 toll-takers and what did the Legislature do in its wisdom? They conformed to a certain group and we then kept those jobs in place and my community lost a toll-free road along a hundred mile corridor and in addition to that, five million dollars was pilfered off to give to the Department of Transportation, and that was prior to the ten cent increase in the gasoline tax.

I certainly before voting on this issue, would like to hear more discussion on it.

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

SENATOR DIAMOND: Thank you Mr. President, I would like to, first off, state that I'm speaking as Senator from District 6, just to alleviate and clear up any misconceptions by anybody, and not as Chair of the Audit Committee, as a Senator like many of you who have people who are being affected directly by this. The issue, the Joint Order we have before us is simply do we want this looked at or don't we. The Order specifically says "Shall we address the financial need?"

Now you have the Committee on Fisheries and Wildlife a very competent Committee that can do this. For any of us to say that we don't need to look at this issue causes me some concern. This is a major issue. We're talking about twenty-five jobs. Now I was fortunate to be part of a meeting last night, as were other Legislators, we talked about this thing before us that explains the cuts and explains exactly what's going to happen, what the impact is. It appears there's several disagreements on what this thing is about and what's being said in this little computation of facts.

The issue before us is we have to look at this particular item of laying off these twenty-four people. We cannot ignore it. We had a caucus yesterday in my party and talked about it. The Fish and Game Committee met upstairs and they voted unanimously to do this. They know it's a serious matter. It's serious for two reasons, if we go with this cut, by the Commissioner's own admission, we have to go with more. Now no one is asking the Fisheries and Wildlife Committee to review again and assess again the entire Department. All they are saying is look at this one issue before us now. That's the question. Whether we agree or disagree with the stance as taken by the Administration, whether we agree or disagree with those people in the Administration, the Commissioner and his people, the fact remains we have a question before us.

Yes, we dealt with the Turnpike Issue, as my good friend, the Senator from Androscoggin, Senator Minkowsky said, we dealt with it. We didn't turn around and say let be what will be. There were seventy-seven jobs, there are twenty-five jobs. Another little point, the senior citizens, my word, the seventy year old, those who are seventy years old will get licenses free anyway, which is one of the points that my friend mentioned.

We have to proceed on as we would on any other issue. We have a committee that is ready to handle this, and we must let them do it. Whether we realize it or not, some of us, this is becoming quite a boiling-pot and for a lot of reasons. Mostly because of those folks who are being laidoff and those folks who are very concerned about the Department, and it's going to erupt someplace. Now we are the leaders of the State and it seems to me we can't ignore this one issue before us, nor will we be asked to ignore any other issue of this magnitude.

So I would hope that we would give the Committee on Inland Fisheries and Wildlife this Joint Order and this direction, this support and say we have a concern before us and

would like to have you address it because they can do it, they're very capable of doing it. Thank you Mr. President.

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

SENATOR DANTON: Mr. President, Members of the Senate, I've listened to this issue for the last two or three weeks. I've really listened to this issue for a number of years. This is not an issue that just came upon us, anyone that's been in these Halls for any amount of time knows that this issue has been around. The time has come for management to take and make some hard decisions.

The Committee on Fisheries and Wildlife had their chance, they had it this year, they had it last year and they had it many years ago. I have different thoughts completely about that Department. One, I don't think it should be dedicated any longer, I think we should do away with that. I think we should take and take some of the overlapping work that they do for other Departments and put them all under one umbrella and let them take their budget to the Appropriations Committee and make known to that Committee what they need and they'll be a lot better off.

Now, the Department of Transportation was punished for ten years by this Legislature, they wouldn't give them a dime. When I first came here there was about thirty-eight, thirty-nine hundred employees at D.O.T., and because we kept saying no and no and no, good management started taking place, and they are down about twenty-two, twenty-three hundred employees. Now you have a large Department at D.O.T., I know, but I'll tell you, I think it's time that there should be a little reorganization, just because we recognized ten years ago, it doesn't mean that that's the way it should be forever. As Legislators, we should look at Departments, we should reorganize them and now is the time to take a forward step in this area. Reorganize this Department, undedicate the funds, let it go to the General Fund, let the Commissioner come up with a budget, go to the Appropriations Committee and let's have a department the way it should be. They'll always be in trouble!

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

SENATOR USHER: Thank you Mr. President, first of all, I disagree with the comments from the Senator from York, which I have in the past on many things but in response to the good Senator from Androscoggin, I think this is the route to go. This is probably the most proper route that we've taken in the last few weeks. I think that our Committee who have had a good background within the Department are qualified to handle this matter.

Brush aside all the things that has happened in the past two weeks, I think after today's meeting, which we plan to have as soon as we get out of these Chambers, we are going to address this problem and immediately start on it, we have already taken different steps. The program that has been before you or given on your desk this morning is some of the immediate problems. We're concerned about what the future is, too. I think that we should start to address this right now because there's been some concern about now two months down the road that we're going to have another short-fall and I think that if we organize our Committee right now, which we plan to do, we will prevent what is going to happen in two months down the road. They're considering laying off again. So we'll have two big problems on our shoulders. This is the only way to go. It is a very serious problem and I think everybody agrees with that. Nobody thinks it's a joking matter and I think that we should have everybody encouraged by unanimously supporting this Resolution today.

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

SENATOR PEARSON: Mr. President, Men and

Women of the (House), the Senate. The Senator from York, Senator Danton, said that Fisheries and Wildlife Committee shouldn't have a chance to address this, they had their chance in the past and I don't think that's true. Fisheries and Wildlife Committee was never informed of what was going on in that Department by a Department that should have kept them informed all the time. They weren't informed about these cuts until they were made, they have not had the ability to have a line item budget as the Committee on Transportation has recently gotten and still don't and will not until this Session, I guess. So I don't think you can equate the two situations very well and the Commissioner that we had just previous in Transportation who was from Old Town, George Campbell and I have had a number of conversations and he told me that one of the reasons why the Department of Transportation has fewer employees today, one of the main reasons was because they have a lot of people when the interstate highway system was being built, engineers and one thing and another, and when that stopped they were laid-off. That's not the entire reason but that's one of the main reasons.

The reverse has happened in the Department of Inland Fisheries and Wildlife, or should have happened, anyway, and that is the pressure on the resource, Fisheries and Wildlife, has quadrupled in many areas. Anybody who lives around Sebago Lake knows what's happened down in that area. So at the time when your going to have more problems in that Department, more pressure, it seems to me it would naturally follow that you would have more employees, but no, they're going to cut them out, and if you think for a minute that this is the end of the story, this won't address the problems by his own admission, that he has in that Department. There are going to be more cuts and those cuts are probably going to occur after we've gone out of session and how will you feel then? You'll feel pretty powerless to address that issue, it should be done now, it should be done by the Committee on Fisheries and Wildlife, you should give them an opportunity to come up with a report and I ask them, I plead with them, to address these twenty-five cuts and ones that will come in the future.

THE PRESIDENT: Is it now the pleasure of the Senate that this Order receive Passage in concurrence?

The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

SENATOR MINKOWSKY: Mr. President, Members of the Senate, I guess everything has been said that has to be said and I think the only way that I've put myself on record as to my feelings about these employees.

I concur that I don't like to see anything cut, but nothing, there is no such thing as job security, no matter where you go. If it's in the interest of the people of the State of Maine that we have to make necessary changes and necessary cuts, then I think we should address it from that particular point of view. That was the whole rationale why the then original Performance Audit Committee, now referred to as Audit and Program Review, was created to address changes in government because a lot of these jobs were created with ninety to one hundred percent Federal funds, they were given two years lead time in which to curtail those particular activities and if you recall during the last session of the Legislature, we brought in many of these particular positions which were only there temporarily, but now are fulltime employees and their job description, believe me, is not that adequate to justify the position nor the salaries that some of these people are getting. Now, I'm not talking about that particular Department in particular, I'm talking about many other Departments in State Government. All I want to do is ask for a division and go on record as opposed to this Order for the reasons I have stated previously.

Which was Passed, in concurrence.

The following Joint Order: (H. P. 1587)

ORDERED, the Senate concurring, that H. P. 1573, L. D. 2083, "An Act Relating to Eligibility for Interscholastic Secondary School Athletics" be recalled from the Governor's desk to the House.

Comes from the House, READ and PASSED. Which was READ and PASSED, in concurrence.

The Adjournment Order having been returned from the House, READ and PASSED, in concurrence, on motion by Senator PRAY of Penobscot, Adjourned until Tuesday, February 21, 1984, at 10 o'clock in the morning.