

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**One Hundred And Thirteenth Legislature**  
OF THE  
**State Of Maine**

**VOLUME I**  
**FIRST REGULAR SESSION**  
December 3, 1986 to May 22, 1987

STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION  
JOURNAL OF THE SENATE

On motion of Representative BROWN of Gorham.  
Adjourned until January 8, 1987 at eleven o'clock  
in the morning pursuant to Joint Order (S.P. 14) in  
memory of Marion Gowan of Standish, a former member  
of the House of Representatives.

In Senate Chamber  
Wednesday  
December 3, 1986

Pursuant to the Provisions of the Constitution  
and the laws of the State of Maine, the  
Senators-elect of the One Hundred and Thirteenth  
Legislature convene in the Senate Chamber and are  
called to order by CHARLES P. PRAY, President of the  
Senate of the One Hundred and Twelfth Legislature.

Prayer by Father Jean Paul Labrie of St. Andre's  
Catholic Church in Biddeford.

FATHER LABRIE: Let us bow our heads in prayer.  
Almighty God, we thank You and praise You for this  
day and we ask Your blessings on these men and women  
gathered here. Fill them with Your wisdom, Your  
courage and Your love. Guide them into deliberations  
and decisions, so as to ensure the good of the  
citizens of our State. Instill in all the desire to  
do good. To establish peace and justice and honestly  
reflect the blessings we have received from You. We  
make this plea in trust and faith for the glory of  
Your Name. Amen.

COMMUNICATIONS

The Following Communication:

STATE OF MAINE

OFFICE OF THE SECRETARY OF STATE

To Joy J. O'Brien, Secretary of the Senate of the One  
Hundred and Twelfth Legislature:

In compliance with 3 M.R.S.A., Section 1, I hereby  
certify that the following are the names and  
residences of the Senators-elect to the One Hundred  
and Thirteenth Legislature, as appears by the report  
submitted to the Governor under date of November 24,  
1986.

District 1	Raynold Theriault, Fort Kent
District 2	Donald F. Collins, Caribou
District 3	Margaret G. Ludwig, Houlton
District 4	Charles M. Webster, Farmington
District 5	Charles P. Pray, Millinocket
District 6	Michael D. Pearson, Old Town
District 7	Edwin C. Randall, East Machias
District 8	Edgar E. Erwin, Rumford
District 9	Jerome A. Emerson, Corinna
District 10	John E. Baldacci, Bangor
District 11	Mary-Ellen Maybury, Brewer
District 12	Thomas R. Perkins, Blue Hill
District 13	Zachary Matthews, Winslow
District 14	Robert R. Gould, Belfast
District 15	R. Donald Twitchell, Norway
District 16	Georgette B. Berube, Lewiston
District 17	Judy C. Kany, Waterville
District 18	Charles G. Dow, West Gardiner
District 19	Beverly Miner Bustin, Augusta
District 20	Charlotte Z. Sewall, Bremen
District 21	Linda Curtis Brawn, Camden
District 22	R. Peter Whitmore, Auburn
District 23	N. Paul Gauvreau, Lewiston
District 24	Pamela Lee Cahill, Woolwich
District 25	Henry W. Black, Baldwin
District 26	Nancy Randall Clark, Freeport
District 27	Robert G. Dillenback, Cumberland
District 28	Ronald E. Usher, Westbrook
District 29	Joseph C. Brannigan, Portland
District 30	Thomas H. Andrews, Portland
District 31	John M. Kerry, Saco
District 32	Barbara A. Gill, South Portland

District 33 John L. Tuttle, Jr., Sanford  
District 34 Dennis L. Dutremble, Biddeford  
District 35 Stephen C. Estes, Kittery  
IN TESTIMONY WHEREOF I Have caused the Seal of the State to be herewith affixed at Augusta this first day of December, 1986.

S/RODNEY S. QUINN  
Secretary of State

Which was READ and ORDERED PLACED ON FILE.

The Roll being called, the following Senators-elect answered to their name:

ROLL CALL

Senators-elect, ANDREWS, BALDACCI, BERUBE, BLACK, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CLARK, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KERRY, LUDWIG, MATTHEWS, MAYBURY, PEARSON, PERKINS, PRAY, RANDALL, SEWALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WHITMORE

33 Senators-elect having answered to the Roll, the Chair declared that a quorum was present.

Out of Order and under suspension of the Rules, on Motion by Senator-elect CLARK of Cumberland, the following Senate Order:

ORDERED, that a message be sent to His Excellency, the Governor, informing him that a quorum of Senators-elect is present in the Senate Chamber, ready to take and subscribe to the oaths of office required by the Constitution to qualify them to enter upon the discharge of their official duties.

Which was READ and PASSED.

The Chair appointed the Senator from Cumberland, Senator-elect CLARK to deliver the message to the Governor. The Sergeant-At-Arms escorted the Senator-elect to the Governor's Office.

Senate at Ease

Senate called to order by the Chair.

Subsequently, Senator-elect CLARK of Cumberland reported that she had delivered the message with which she was charged and Governor JOSEPH E. BRENNAN was pleased to reply that he would attend upon the Senators-elect forthwith for the purpose of administering to them the oaths of office required by the Constitution.

Senate at Ease

Senate called to order by the Chair.

Off Record Remarks

Thereupon, the Governor, the Honorable JOSEPH E. BRENNAN, entered and addressed the Senate. (Amid applause, the Members rising.)

Thereupon, the Senators-elect took and subscribed to the oaths of office required by the Constitution of Maine.

GOVERNOR BRENNAN: Mr. President and Members of the 113th Maine Senate. One hundred and sixty seven years ago, 274 delegates, prerepresenting all the towns of a remote district of Massachusetts, assembled at the First Parish Church, in Portland, to form a new constitution and to form a new state. You are the

heirs, the successors, the trustees of that small band who set Maine on its way in 1819.

For the 113th time in our State's history, the work of the Maine Legislature begins again. You carry on the work of our great State in the honored political tradition of the men and women whose pictures grace the walls of this capitol. In fact you sit in the very seats once occupied by such people as James G. Blaine, William Pitt Fessenden, Hannibal Hamlin, Thomas Brackett Reed, Percival Baxter, Edmund S. Muskie, and our Governor-elect, John McKernan.

It is a great responsibility, it is a great privilege, it is a great honor and it is a great public trust. For me, this day also is a personal landmark. It was just about 22 years ago that I was first sworn in as a Member of this Legislature by the then Governor John Reed, the last Republican Governor of this State. In fact, that was before one Member of this Legislature, Chris Gurney, of Portland was even born.

Over the succeeding years, I have been privileged to serve as a Member of this Maine Senate, as Attorney General and as Governor of this State. Today's swearing-in marks one of my last official acts as Governor and as a Member of State Government.

The 22 years I have spent here have been profoundly enriching and rewarding. There is no other place I can think of where you can do more to improve the lives of your fellow citizens than here in this Body. The 113th Maine Legislature of which you are a part, begins its work at a critical point in our history. Maine enjoys a progress and prosperity, I believe, that is unparalleled since the earliest days of our Statehood. Yes, today, Maine is on the move. There is a momentum all across our State with the sweeping school reforms, with the compassionate human service programs, with the historic level of economic growth and with our renewed University of Maine.

You face the challenge of continuing that momentum and of building a State of Maine for our children, even more full of promise and of opportunity. I wish all of you the very best in facing this challenge.

Yes, I think that today Maine is as sensitive, as caring and as progressive a State as ever before in our history. You can make it even better. I say to you, good luck and thank you very much.

The Governor then withdrew from the Senate Chamber. (Amid prolonged applause, the Members rising.)

Off Record Remarks

At this point, the Chair noted the presence in the Senate Chamber of Senator-elect WEBSTER of Franklin County. In accordance with a long standing and unique tradition of the Maine Senate, the Senator-elect from Franklin had been absent to attend to the furnace and make sure that they were well stoked. The Chair requested that the Senator from Hancock, Senator PERKINS escort the Senator-elect from Franklin, Senator WEBSTER to the Governor's Office for the purpose of subscribing to the oaths of office required by the Constitution.

Senate at Ease

Senate called to order by the Chair.

Subsequently, the Senator from Hancock Senator PERKINS reported that he had attended to the duties to which he was assigned and was pleased to report that the Senator from Franklin, Senator WEBSTER had, before the Governor, taken and subscribed to the oaths of the office as required by the Constitution. Thereupon, Senator WEBSTER of Franklin was escorted to his seat in the Senate Chamber by the Senator from Hancock, Senator PERKINS.

THE CHAIR: The floor is open for nominations for the Office of President of the Senate.

The Chair recognizes the Senator from Cumberland, Senator Clark.

Senator CLARK: Thank you Mr. President. I have the honor of submitting to the Senators of the 113th Maine Legislature the name of CHARLES PATRICK PRAY from Millinocket, County of Penobscot, as President of the Maine Senate.

THE CHAIR: The Chair recognizes the Senator from Hancock, Senator Perkins.

Senator PERKINS: Mr. President, speaking for myself and my caucus, I would be pleased to second the nomination of CHARLES P. PRAY as President of the Maine Senate and move that nominations cease.

THE CHAIR: The Chair recognizes the Senator from York, Senator Dutremble.

Senator DUTREMBLE: Mr. President, I move that the Secretary be authorized to cast one ballot, on the part of the Senate, in favor of CHARLES P. PRAY of Penobscot for President of the Senate.

This being done, Senator CHARLES P. PRAY of Penobscot was duly elected President of the Senate of the 113th Legislature.

The Senator from Cumberland, Senator USHER, the Senator from Penobscot, Senator PEARSON and the Senator from Kennebec, Senator BUSTIN escorted the President-elect to the Governor's office for the purpose of taking and subscribing to the necessary oaths of office to qualify him to enter upon the discharge of the duties of President of the Senate.

The Chair requested the Sergeant-At-Arms to escort the Senator from Cumberland, Senator CLARK to the Rostrum where she assumed the duties of President Pro-Tem.

The Sergeant-At-Arms then escorted the Senators to the Governor's Office.

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Senate at Ease

Senate called to order by the President Pro-Tem.

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Subsequently, Senator USHER of Cumberland, Senator PEARSON of Penobscot and Senator BUSTIN of Kennebec reported to the Senate that they had attended to the duties assigned to them and that CHARLES P. PRAY had, before the Governor, taken and subscribed to the necessary oaths of office to qualify him to enter upon the discharge of the duties of President of the Senate.

Thereupon, Senator PRAY of Penobscot was escorted to the Rostrum by the Sergeant-At-Arms who then escorted the Senator from Cumberland, Senator CLARK to her seat on the floor of the Senate.

THE PRESIDENT: Thank you very much. First of all would like to apologize for the length of time, but when you have a family the size of mine, it takes

awhile. I do have a few words that I would like to share with the Members of this Body.

It is with great humility that I accept the position of Presiding Officer in this most honorable and distinguished Chamber. I thank you for the confidence and the trust that you have again placed in me. Two years ago, I stood before you and then too, I accepted the honor of serving as this Chambers' Presiding Officer. At that time, I pledged to provide careful leadership. I made a commitment to fairness and most importantly I asked for your assistance, and asked that we work together.

Two years ago the challenges we faced were great. The challenges of today are even greater. We will face a wide range of extremely important decisions in the next 2 years. Decisions that will affect every man, woman and child in our great State. As we begin to adjust into a new era of State responsibility, our tasks as Legislators have been multiplied. Multiplied not only in our role as representatives of our districts, but as leaders of our State.

From Eliot to Madawaska, from Bethel to Calais and all between. In the 112th Legislature, this Body met those challenges. We will need to meet them again, and I am sure that we will. To create good public policy, and to meet the needs of the residents of this State, we must work together, united in our desire for the common good. As President, my role will be to provide the fair and open leadership for this Senate. I pledge to do that. To keep my door open to you, my mind open to your input, and I will rely, as I have done before, on the Committee process and in each of you who serve on those Committees.

Let me close by thanking each of you for placing the confidence that you have in my candidacy and by promising to serve you and our State to the best of my ability. Thank you. (Applause, the Members rising)

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THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Twitchell.

Senator TWITCHELL: Mr. President, I move that one ballot be cast on the part of the Senate for JOY J. O'BRIEN of Portland for the Office of Secretary of Senate of the 113th Legislature.

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

Senator USHER: Mr. President, I second the motion and move nominations cease.

This being done, JOY J. O'BRIEN of Portland was duly elected Secretary of the Senate of the 113th Legislature.

The President requested that Senator TWITCHELL of Oxford and Senator USHER of Cumberland escort the Secretary-elect to the Governor's Office for the purpose of taking and subscribing to the necessary oaths of office to qualify her to enter upon the discharge of the duties of the Secretary of the Senate of the One Hundred and Thirteenth Legislature.

The Sergeant-At-Arms escorted the Senators and the Secretary-elect to the Governor's Office.

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Senate at Ease

Senate called to order by the President.

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Subsequently, Senator TWITCHELL of Oxford and Senator USHER of Cumberland reported to the Senate that they had attended to the duty assigned to them and that JOY J. O'BRIEN had, before the Governor, taken and subscribed to the necessary oaths of office

to qualify her to enter upon the discharge of the duties of Secretary of the Senate of the One Hundred and Thirteenth Legislature.

Off Record Remarks

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

Senator BRANNIGAN: Mr. President, I move that one ballot be cast on the part of the Senate for PAMELA E. LOVLEY of Portland for the Office of Assistant Secretary of the Senate.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Dow.

Senator DOW: Mr. President, it is with great pleasure that I second the motion and move nominations cease.

This being done, PAMELA E. LOVLEY of Portland was duly elected Assistant Secretary of the Senate of the 113th Legislature.

The President requested that Senator BRANNIGAN of Portland and Senator DOW of Kennebec escort the Assistant Secretary-elect to the Governor's office for the purpose of taking and subscribing to the necessary oaths of office to qualify her to enter upon the discharge of the duties of the Assistant Secretary of the Senate of the One Hundred and Thirteenth Legislature.

The Sergeant-At-Arms escorted the Senators and the Assistant Secretary-elect to the Governor's Office.

Senate at Ease

Senate called to order by the President.

Subsequently, Senator BRANNIGAN of Cumberland and Senator DOW of Kennebec reported to the Senate that they had attended to the duty assigned to them and that PAMELA E. LOVLEY had, before the Governor, taken and subscribed to the necessary oaths of office to qualify her to enter upon the discharge of the duties of the Assistant Secretary of the Senate of the One Hundred and Thirteenth Legislature.

On motion by Senator DUTREMBLE of York a message was sent to the House of Representatives informing that Body that the Senate had organized by the choice of CHARLES P. PRAY of Penobscot as President, JOY J. O'BRIEN of Portland as Secretary, and PAMELA E. LOVLEY of Portland as Assistant Secretary.

The President requested that the Senator from York, Senator DUTREMBLE deliver the message.

The Sergeant-At-Arms escorted the Senator to the Hall of the House.

Senate at Ease

Senate called to order by the President.

Subsequently, Senator DUTREMBLE of York 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 CLARK of Cumberland, the following Senate Order:

ORDERED, that a Committee of Seven be appointed by the President to whom the returns of votes for Senators for the political years of 1987 and 1988 shall be referred for examination and report.

Which was READ and PASSED.

The President Appointed the following:

Senator: USHER of Cumberland  
PEARSON of Penobscot  
TWITCHELL of Oxford  
DOW of Kennebec  
GILL of Cumberland  
EMERSON of Penobscot  
SEWALL of Lincoln

COMMUNICATIONS

The Following Communication:

STATE OF MAINE  
OFFICE OF THE SECRETARY OF STATE  
AUGUSTA, MAINE  
December 1, 1986

To the President of the Senate:

In compliance with the Constitution and laws of the State of Maine, I have the honor to herewith transmit the returns of votes cast for Senators to the Legislature in the several cities, towns and plantations in the State of Maine at the General Election held on November 4, 1986.

Respectfully,  
S/Rodney S. Quinn  
Secretary of State

District 1

Raynold Theriault, Fort Kent 5,804  
Others 5

District 2

Donald F. Collins, Caribou 5,628  
James Patrick Dunleavy, Presque Isle 3,283

District 3

Margaret G. Ludwig, Houlton 5,544  
Joyce Roach, Merrill 4,505

District 4

Robert J. Garland, Anson 4,277  
Charles M. Webster, Farmington 7,332

District 5

Malcolm V. Buchanan, Brownville 5,377  
Charles P. Pray, Millinocket 6,896

District 6

Michael D. Pearson, Old Town 7,647  
Herman E. Roberts, Jr., Exeter 3,688

District 7

Albion D. Goodwin, Pembroke 1,658  
Edwin C. Randall, East Machias 4,981  
William E. Yerxa II, Cooper 3,540

District 8

Russell J. Black, Wilton 5,081  
Edgar E. Erwin, Rumford 6,443

District 9

Dennis A. Braley, Hermon 3,516  
Jerome A. Emerson, Corinna 7,434

District 10

John E. Baldacci, Bangor 5,281  
William L. England, Bangor 4,447

District 11

Mary-Ellen Maybury, Brewer 7,697  
James B. Wagner, Orono 4,034

District 12

Carroll T. Brown, Brooklin 3,404  
Thomas R. Perkins, Blue Hill 10,206  
Others 2

District 13

Zachary Matthews, Winslow 6,222  
Richard C. Poland, Skowhegan 5,057  
Others 2

District 14

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Robert R. Gould, Belfast	7,224
Robert Sezak, Troy	4,467
Others	2
<u>District 15</u>	
R. Donald Twitchell, Norway	10,705
Others	2
<u>District 16</u>	
Georgette B. Berube, Lewiston	9,329
<u>District 17</u>	
Judy C. Kany, Waterville	8,180
Orville H. Olsson, Waterville	2,626
<u>District 18</u>	
Charles G. Dow, West Gardiner	7,466
Clifford H. West, Winthrop	5,893
Others	1
<u>District 19</u>	
Leroy W. Austin, China	4,354
Beverly Miner Bustin, Augusta	7,870
Others	1
<u>District 20</u>	
Charlotte Z. Sewall, Bremen	9,485
Raymond Shadis, Edgcomb	5,870
<u>District 21</u>	
Linda Curtis Brawn, Camden	6,087
Jean B. Chalmers, Rockland	5,153
Clayton L. Fowlie, Jr., Rockland	1,926
Others	4
<u>District 22</u>	
John Michael, Auburn	6,091
R. Peter Whitmore, Auburn	6,334
<u>District 23</u>	
N. Paul Gauvreau, Lewiston	8,753
Others	5
<u>District 24</u>	
Pamela Lee Cahill, Woolwich	7,348
James W. Dow, Bowdoinham	6,135
<u>District 25</u>	
Philip B. Atkinson, Jr., Hollis	5,679
Henry W. Black, Baldwin	7,279
Others	3
<u>District 26</u>	
Brian P. Bicknell, Yarmouth	4,721
Nancy Randall Clark, Freeport	9,181
<u>District 27</u>	
Gary Cooper, Windham	7,083
Robert G. Dillenback, Cumberland	7,924
Others	1
<u>District 28</u>	
Linwood E. Graffam, Gorham	4,816
Ronald E. Usher, Westbrook	7,603
<u>District 29</u>	
Joseph C. Brannigan, Portland	9,774
<u>District 30</u>	
Thomas H. Andrews, Portland	8,221
<u>District 31</u>	
John M. Kerry, Saco	9,002
Robert J. McNally, Old Orchard Beach	4,226
<u>District 32</u>	
Barbara A. Gill, South Portland	11,224
Others	1
<u>District 33</u>	
Howard A. Chick, Lebanon	3,664
John L. Tuttle, Jr., Sanford	6,634
<u>District 34</u>	
Dennis L. Dutremble, Biddeford	8,069
Margueritte C. Pendergast, Kennebunkport	4,480
Others	3
<u>District 35</u>	
Stephen C. Estes, Kittery	6,939
JoAnne O. Lancaster, Kittery	4,600
Which was READ and REFERRED TO THE SENATE	
COMMITTEE ON SENATORIAL VOTE.	

The Following Communication:  
 FINANCE AUTHORITY OF MAINE  
 83 WESTERN AVENUE  
 P.O. BOX 949  
 AUGUSTA, MAINE 04330

TO: Governor Joseph E. Brennan  
 Senator Michael D. Pearson  
 Representative Donald V. Carter  
 Members of the Joint Standing Committee on  
 Appropriations and Financial Affairs  
 Other Interested Parties

FROM: S/Stanley O. Provus, Chief Executive Officer

SUBJECT: Maine Job Start Program Annual Report

DATE: November 5, 1986

It is my pleasure to convey to you herewith the Second Annual Report of the Maine Job Start Program. As required by P.L. 1984, Chapter 856, our First Annual Report was presented to the first regular session of the 112th Legislature addressing both the experience of the program in its first year, and a recommendation for future program funding.

Due to the reauthorization of funding for the pilot program through June 30, 1987, the Authority has prepared an assessment of Job Start's second fiscal year, and recommendations for the program's future. Report highlights include the fact that Job Start is filling a niche by making capital available to low-income businesses, and at a cost of just over \$3,000 per job created or retained.

Which was READ and with Accompanying Papers ORDERED PLACED ON FILE.

The Following Communication:  
 STATE OF MAINE  
 DEPARTMENT OF  
 EDUCATIONAL AND CULTURAL SERVICES  
 STATE HOUSE STATION 23  
 AUGUSTA, MAINE 04333

December 1, 1986

TO: Members of the 113th Legislature  
 Bureau of the Budget

FROM: S/Richard W. Redmond, Commissioner

SUBJECT: Actual Education Costs for Base Year 1985-86

Pursuant to the provisions of 20-A MRSA §15604, I forward herewith notification of the "actual education costs" as defined in subsection 1 of 20-A MRSA §15604 for the base year 1985-86.

A. Operating costs		
(1) Elementary		\$271,985,475
(2) Secondary		170,578,097
B. Special education costs for programs operated by administrative units		37,641,780
C. Special education tuition and board, excluding medical costs		11,192,753
(1) Tuition and board for pupils placed by administrative units	\$8,693,325	
(2) Tuition and board for State wards and direct State placements		1,999,428
(3) Adjustments under section 15612, subsection 6		500,000
D. Vocational education costs		14,229,370
E. Transportation operating costs		36,902,144
F. Purchase of buses		4,000,000
G. Debt service costs		
(1) Principal and interest		29,713,432
(2) Insured Value Factor		711,884
(3) Leases		830,599
(4) Construction - Current Year Const. Funding		749,707
Other major capital costs		1,371,486

H. Cost of reimbursement for private school services 303,181  
 I. Cost of state exp. for teacher retirement benefits 66,701,261  
 J. Early childhood educational programs 499,775  
 Teacher Recognition Grants per 20-A MRSA Ch. 506 14,300,000

The above figures include all adjustments in expenditure reports through December 1, 1986. These expenditures are from state and local monies only, except that Federal P.L. 874 funds are included.

Which was READ and with Accompanying Papers ORDERED PLACED ON FILE.

SENATE PAPERS

Bill "An Act Establishing an Immunity from Civil Liability for Certain Shelters for the Homeless" (Emergency)

S.P. 3 L.D. 2

Presented by Senator KANY of Kennebec  
 Cosponsored by: Representative JACQUES of Waterville, Representative JOSEPH of Waterville, Representative LACROIX of Oakland  
 Committee on JUDICIARY suggested and ORDERED PRINTED.

Which was referred to the Committee on JUDICIARY and ORDERED PRINTED.

Sent down for concurrence.

Senate at Ease

Senate called to order by the President.

ORDERS

Out of Order, on Motion by Senator CLARK of Cumberland, the following Senate Order:

ORDERED, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature in the Hall of the House, for the purpose of electing a Secretary of State for the Political Years 1987 & 1988, a State Treasurer for the Political Years 1987 & 1988, and an Attorney General for the Political Years 1987 & 1988 at 1:30 in the afternoon.

Which was READ and PASSED.

The President appointed the Senator from Cumberland, Senator CLARK to deliver the message. The Sergeant-at-Arms escorted the Senator to the Hall of the House.

Senate at Ease

Senate called to order by the President.

Subsequently, the Senator from Cumberland, Senator CLARK reported that she had delivered the message with which she was charged.

Joint Orders

On motion by Senator CLARK of Cumberland, the following Joint Order: S.P. 1

ORDERED, the House concurring, that the Joint Rules of the 113th Legislature shall be as follows:

JOINT RULES - 113th LEGISLATURE  
 GENERAL PROVISIONS

1. Printing. Whenever a document shall be printed under the Joint Rules governing the procedure following a favorable committee report, a sufficient number of copies shall be delivered to the Sergeant-at-Arms of each house for the members and officers thereof and the balance shall be delivered

to the Document Clerk, who shall reserve sufficient copies for the departments and binding, twenty copies for the committee having the same under consideration, and shall be responsible for the equitable distribution of the remainder.

2. Consideration of Legislation. Every bill or resolve reported in either house by a committee shall be printed and distributed in both houses before having its first reading. Bills not already printed and new drafts shall be printed immediately after the reports are deposited in the office of the Secretary of the Senate or the Clerk of the House. The printed copies shall show by what committee the bill or resolve was reported.

When a bill, resolve, order or memorial shall pass one house, if rejected in the other house, it shall be returned by the Secretary or Clerk, as the case may be, for further consideration.

3. Debate and Amendment. No debate or amendment shall be permitted on any bill or resolve until such bill or resolve is before the Senate in the second reading or before the House in the second reading, provided the favorable report of the committee to which the bill or resolve has been referred has been accepted.

4. Rejection of Bills. No bill or resolve, constitutional resolution, resolution, memorial or order that is finally rejected shall be recalled from the legislative files except by joint order approved by a vote of two-thirds of both houses.

4A. Notwithstanding Senate Rule 23 and House Rule 48, the President of the Senate or the Speaker of the House may order any bill or resolve to be engrossed upon its introduction to either the Senate or the House. Any bill or resolve engrossed pursuant to this rule shall be committed to the Committee on Engrossed Bills whose duties shall be to examine the same and to see that the same have been truly engrossed. Before any bill shall pass to be enacted, or any resolve finally passed, it shall be reported by that committee to be truly and strictly engrossed, and the title thereof read by the President or the Speaker.

5. Enactment of Bills. Every bill that shall have passed both houses to be enacted and all resolutions having the force of law, that shall have finally passed both houses, shall be presented by the Secretary of the Senate to the Governor for his approval; and the Secretary of the Senate shall enter on the journal of the Senate the day on which such bills or resolutions are so presented to the Governor.

6. Responsibility for Legislative Papers. All endorsements on papers while on their passage between the two houses shall be under the signature of the Secretary of the Senate or the Clerk of the House, respectively; but after the final passage of bills and resolves they shall be signed by the presiding officer of each house.

Where one House has passed upon a legislative paper and forwarded it to the other, the receiving House shall promptly, upon receipt, place that paper on its calendar.

7. Conventions. No business shall be transacted in convention of the two houses unless by unanimous consent, except such as may be agreed upon before the convention is formed.

8. Communications. Whenever a message shall be sent from the Senate to the House, it shall be announced at the door by the Sergeant-at-Arms of the Senate, and it shall be communicated respectfully to the Chair by the bearer of it. In like manner messages from the House shall be communicated to the Senate, the Sergeant-at-Arms of the House announcing them at the door of the Senate.



9. Rules. No joint rule or order shall be suspended without the consent of two-thirds of the members present in each house.

10. Members. No member shall be permitted to vote on any question in either branch of the Legislature or in committee whose private right, distinct from public interest, is immediately involved.

11. Employees. The salaries of all officers and employees of the Senate and House of Representatives shall be established by the President of the Senate, the Speaker of the House and the Majority Floor Leaders of both the House and Senate. The Secretary of the Senate is authorized and directed to certify vouchers of the officers and employees of the Senate and the Clerk of the House is authorized and directed to certify vouchers of the officers and employees of the House in conformance with this Rule to the Executive Director of the Legislative Council and said salaries shall be paid at such intervals as the President of the Senate, the Speaker of the House and the Majority Floor Leaders of both the House and the Senate may determine.

12. Special Sessions. The President of the Senate and the Speaker of the House, during a recess of the Legislature, if they deem it necessary that the Legislature be convened in special session pursuant to Article IV, Part Third, Section 1 of the Constitution of Maine, shall first poll all members of the Legislature in order to determine whether their call should be issued.

In such event, they shall notify all members of the respective branches, in writing or by the most efficient means necessary, that in their judgment it is necessary for the Legislature to convene, stating the necessity for such convention and direct the members of the respective branches to assemble at the State House in Augusta at an hour and on a date to be specified by them in said notice. The notice shall bear the signature of the President of the Senate and the Speaker of the House.

When members of the respective branches are so assembled pursuant to said notice, they shall first take up the question of the necessity of convening in special session and shall vote upon the question of whether to give their consent to the issuance of a call by the President of the Senate and Speaker of the House for the convention of the Legislature in special session.

If any member of the respective branches of the Legislature shall not appear pursuant to the notice of the President of the Senate and Speaker of the House for reasons of physical inability to attend or otherwise, the President of the Senate and the Speaker of the House shall direct the Secretary of the Senate or the Clerk of the House as appropriate to poll the member by the most efficient means possible or shall accept the member's proxy on the question.

If the member cannot be polled or does not respond, he shall be deemed not to have consented to the convening of the Legislature.

If a majority of the members of the Legislature of each political party consent to convene and it appears that all members of the Legislature have been polled on the question, the President of the Senate and the Speaker of the House shall issue their call for the convening of the Legislature in special session, directing the Secretary of the Senate and the Clerk of the House to give notice of the call to members of the respective branches by the most efficient means necessary. The call shall bear the signature of the President of the Senate and the

Speaker of the House and state the date and time of such convening.

When the Legislature is assembled pursuant to the call of the President of the Senate and Speaker of the House, the Legislature shall complete its organization as a special session and proceed to the consideration of matters properly before it.

#### LEGISLATIVE COMMITTEES

13. Joint Standing Committees. There shall be no more than 19 Joint Standing Committees which shall be appointed as follows at the commencement of the first regular session, viz:

- On Aging, Retirement and Veterans
- On Agriculture
- On Appropriations and Financial Affairs
- On Audit and Program Review
- On Banking and Insurance
- On Business Legislation
- On Economic Development
- On Education
- On Energy and Natural Resources
- On Fisheries and Wildlife
- On Human Resources
- On Judiciary
- On Labor
- On Legal Affairs
- On Marine Resources
- On State and Local Government
- On Taxation
- On Transportation
- On Utilities

Membership. Each of these committees shall consist of no more than three on the part of the Senate and no more than 10 on the part of the House. The first named Senate member shall be the Senate chairman. The first named House member shall be the House chairman. The Senate chairman shall preside and in his absence, the House chairman shall preside and, thereafter, as the need may arise, the chairmanship shall alternate between the members from each House in the order of their appointment to the committee. Standard committee procedure shall be read to the committee at its first meeting and adhered to. These committees may report by bill or otherwise.

Committee clerk. The hiring of all committee clerks is to be mutually agreeable to both the Senate and House chairs; if not agreeable, it shall be decided by the President of the Senate and Speaker of the House. The salaries of each committee clerk shall be established by the President of the Senate and the Speaker of the House and shall terminate when all bills have been reported out by the committee. The Executive Director of the Legislative Council is authorized and directed to certify vouchers of the committee clerks.

Scheduling of bills to be heard and bills to be considered in public and working sessions shall be arranged by the Senate chairman with the agreement of the House chairman; if agreement is not reached, the committee, by majority vote, shall decide.

The presiding chairman shall decide all questions of order, subject to appeal to the committee. The chairman's ruling shall stand unless overruled by a majority vote of the committee membership.

Each Joint Standing Committee, except the Committee on Appropriations and Financial Affairs, shall appoint a subcommittee of three of its members to attend and participate in Appropriations Committee budget hearings and to attend and advise at working sessions dealing with that portion of the budget within their committee's area of interest. One member of the subcommittee shall be appointed by the Senate Chairman and the remaining 2 members shall be

appointed by the House Chairman. This subcommittee may advise the Committee on Appropriations and Financial Affairs of their respective committee's recommendations on these portions of the budget.

Each committee to which is referred bills, resolves or orders involving appropriations or revenues shall within five legislative days after reporting out all these bills, submit to the Committee on Appropriations and Financial Affairs a list indicating the committee's priority for final passage of these bills.

A joint standing committee to which a bill or resolve has been referred shall, within 3 legislative days after receiving notice from the President of the Senate and the Speaker of the House, report that bill out of Committee to the floor for consideration.

13-A. Joint select committee. There shall be a Joint Select Committee on Indian Affairs to review all legislation relating to Indians and Indian land claims after its submission to a joint standing committee but before a public hearing is held on that legislation. The committee shall consist of the representatives from House Districts 131, 137, 139 and 141, the Senators from Senate Districts 3, 6 and 7, the member of the Penobscot Indian Tribe and the member of the Passamaquoddy Indian Tribe elected to represent the tribes at the Legislature and the executive secretary of the Tribal State Commission. The President of the Senate and the Speaker of the House of Representatives shall serve as ex officio members of the committee. The Joint Select Committee on Indian Affairs may make recommendations to the joint standing committee to which the legislation is referred.

14. Reference of Bills to Committee. The Secretary of the Senate and the Clerk of the House shall, after conferring together, suggest an appropriate committee reference for every bill, resolve and petition offered in either House. Upon their agreement, the suggested reference shall be placed upon the calendar of each House. If, however, they are unable to agree, the question of reference shall be referred to a conference of the President of the Senate and the Speaker of the House. Upon their agreement, the suggested reference shall be placed upon the calendar of each House. If, however, they are unable to agree, the question of suggested reference shall be referred to the Legislative Council for resolution. Upon the decision of the Legislative Council, the suggested reference shall be placed upon the Calendar of each House.

When the Legislature is in recess the Clerk of the House and Secretary of the Senate shall refer the bills to the appropriate joint standing committee for public hearing and order printing, subject to the approval of the Speaker of the House and the President of the Senate.

Each suggested reference appearing upon the calendar of each House shall contain a recommendation for the printing of the document being referred and may contain a recommendation on the number of copies of that document to be printed.

Any member may move for reconsideration of a committee reference on the floor. Notwithstanding House Rule 53, Senate Rule 33 and Joint Rule 9, a majority vote shall be necessary to overturn the original committee of reference.

15. Reports of Bills from Committee.

1. The Joint Standing Committees shall report out every bill which has been referred to them before the end of the session in the manner prescribed herein.

2. The report of the committee shall include a recommendation of one of the following: Ought to

Pass, Ought to Pass in New Draft, Ought to Pass as Amended, Ought Not to Pass, Unanimous Ought Not to Pass, Leave to Withdraw, Unanimous Leave to Withdraw.

3. An Ought to Pass. An Ought to Pass report may be carried by a plurality of the Joint Standing Committee. When the vote is not unanimous, a minority report or reports are required.

4. Ought to Pass in New Draft. When a plurality of a Joint Standing Committee moves to report a bill out with changes, the bill shall be reported out Ought to Pass in New Draft. When the vote is not unanimous, a minority report is required.

5. Ought to Pass as Amended. When the changes voted by the committee are minor and not substantive the Revisor of Statutes, with the approval of the President of the Senate and the Speaker of the House, may prepare a committee amendment to the original bill and the committee report shall be Ought to Pass as Amended.

6. Ought Not to Pass Report. An Ought Not to Pass Report may be carried by a plurality of the Joint Standing Committee. A minority report or reports is required.

7. Unanimous Ought Not to Pass Report. When all 13 members of a Joint Standing Committee vote to report a bill, Ought Not to Pass, the bill shall, upon notification of both Houses, be placed in the legislative file and disposed of as provided in subsection 10 as prescribed herein.

8. Leave to Withdraw. When the sponsor and all cosponsors request that the committee report a bill "Leave to Withdraw" and a majority of 7 or more of the committee concur with the request the Committee report shall be Leave to Withdraw, a minority report or reports shall be filed.

9. Unanimous Leave to Withdraw. When the sponsor and all cosponsors request that the committee report a bill "Leave to Withdraw" and all 13 members of the Committee concur, the bill shall be reported "Unanimous Leave to Withdraw" and the bill shall be placed in the legislative file and disposed of as provided in subsection 10 as prescribed herein.

10. Two-thirds Required. When a bill or resolve is placed in the legislative file pursuant to subsections 7 or 9, no further action shall be taken following such disposition unless the bill or resolve is recalled for reconsideration by a vote of two-thirds of both Houses.

11. Minority Reports. Accepted minority reports are: Ought to Pass, Ought to Pass in New Draft, Ought to Pass as Amended or Ought Not to Pass.

12. New Drafts. New drafts printed pursuant to these rules shall include the legislative document number that the new bill replaces with the names of the original sponsor and cosponsors. The Secretary of the Senate and Clerk of the House shall determine the number of copies which shall be printed of each new draft.

16. Joint Select Committees. Joint Select Committees shall consist of three on the part of the Senate and seven on the part of the House, unless the order creating the same shall provide a different number.

Whenever a select committee shall be appointed by either House and be joined by the other, it shall be the duty of the Secretary of the Senate, or the Clerk of the House, as the case may be, to transmit one to the other the names of the members so joined, in order that they may be entered upon the journal of each House.

17. Conference Committees. Committees of conference shall consist of three members on the part of each House, representing its vote, and their report, agreed to by a majority of each committee or unable to agree, shall be made within 10 legislative days to the branch asking the conference, and may be either accepted or rejected, but no other action shall be had except through another committee of conference. If after 10 legislative days no report is made by the Conference Committee, the President of the Senate and the Speaker of the House may appoint a new committee.

18. Committee Inquiries and Reports. Orders directing inquiry in relation to an existing statute shall state the subject matter of such statute and also the title and section to which the inquiry is directed.

In presenting a report upon any matter referred to a committee, such report shall set forth the subject referred, and the substance shall also be briefly endorsed on the back of the same.

If a committee responds to an order directing inquiry upon any matter by presenting a report recommending legislation, such legislation shall be introduced when the report is transmitted to the Legislature. This legislation shall bear the designation of the committee reporting.

Any legislation filed pursuant to law or resolve shall, at the time of its introduction, bear the designation of the joint standing committee having jurisdiction over the subject matter of that legislation, and shall be introduced in the House of origin of the law or resolve.

19. Committee Study Order Reports.

1. Final action on committee studies and their reports shall be made prior to the convening date of each session of the Legislature.

2. Committee study order reports shall be submitted to the Legislature within 14 days after the convening or reconvening in January of the session to which the report is required and any legislation accompanying the study order requests shall at the same time be submitted to the Revisor of Statutes.

3. Any committee which finds that it is unable to comply with the foregoing dates shall submit a written request for an extension to the Legislative Council at its regularly scheduled meeting next prior to those dates.

20. Reporting out Errors and Inconsistencies Legislation.

Prior to reporting out any bill entitled "AN ACT to Correct Errors and Inconsistencies in the Laws of Maine," the Joint Standing Committee on Judiciary shall, after giving notice and an opportunity to be heard, hear proposed amendments and determine which amendments shall be included in the bill reported out. No floor amendment shall be entertained in either House unless the amendment is printed and distributed at least 24 hours prior to introduction.

21. Committee Fiscal Impact Statements. Every bill or resolve affecting revenue or appropriations which has a committee recommendation other than "Ought Not to Pass" shall include a fiscal impact statement. This statement shall be incorporated in the bill before it is reported out of committee. The Office of Fiscal and Program Review shall have sole responsibility for preparing those fiscal notes.

22. Reports of Committees. All bills and resolves referred to committee during any first regular session shall be reported from committees by 1 p.m. on the last Friday of March or by such later time as may be fixed by the Legislative Council.

LEGISLATION

23. Prefiling. Any member-elect may present bills and resolves to the Clerk of the House or Secretary of the Senate for introduction prior to the convening of any first regular session after which they become the property of the Legislature and may not be withdrawn by the sponsor. The Clerk or Secretary shall number and print such measures in advance of convening.

24. Cloture for State Department, Agency or Commission Bills or Resolves.

1. No request for a bill or resolve may be submitted to the Revisor of Statutes on behalf of any state department, agency or commission after the first Wednesday in December. If the Governor has been newly elected in November preceding the convening of the first regular session, any bill or resolve introduced on behalf of a state department, agency or commission shall be submitted within 30 days after the Governor is administered the oath of office.

2. Each bill or resolve submitted for preparation under this rule shall clearly designate, under the title, the department, agency or commission upon whose behalf the bill or resolve is submitted.

3. Any request for a bill or resolve submitted under this rule after the first Wednesday in December in either the first or second regular session shall be considered an after cloture request and shall be transmitted to the Legislative Council by the Revisor of Statutes. The Legislative Council shall consider the facts supporting introduction notwithstanding cloture. If two-thirds of the Legislative Council approve the request for the bill or resolve, it shall be accepted for introduction. Notice of that action shall appear on the calendar of the appropriate House.

25. Cloture at the First Regular Session.

During any first regular session all other requests for bills and resolves shall be submitted to the Revisor of Statutes not later than 1:00 p.m. of the last Friday in December following the convening of the session in December and such measures in complete final form shall be introduced into the appropriate house not later than 1:00 p.m. of the last Friday in January.

Exception. This rule shall not apply to bills or resolves reported by any joint committee in the regular course of business, nor to such bills and resolves as are intended only to facilitate the business of the Legislature.

26. Cloture at the Second Regular or Special Sessions. The Legislative Council shall establish procedures for submission of legislation to the Revisor of Statutes at any second regular or special session. Procedures established for any second regular session shall ensure compliance with the requirements of the Maine Constitution, Article IV, Part third, section 1.

Any vote of the Legislative Council to accept or reject a bill or resolve proposed for introduction under the procedures established under this Joint Rule shall be taken by the yeas and nays, and that vote shall be recorded and made available for public inspection.

27. Filing after Cloture. Any request for a bill or resolve submitted to the Revisor of Statutes by a Legislator after the cloture date shall be transmitted to the Legislative Council. The Council shall ascertain from the presenter the facts supporting the request notwithstanding cloture. If a majority of the Council approves, notice of that

approval shall appear on the calendar of the appropriate House.

28. Cosponsorship. A presenter of legislation may authorize up to three additional members of either House to cosponsor a bill or resolve. Orders, resolutions and memorials may be cosponsored in the same manner as bills and resolves. A bill, resolve, order, resolution or memorial having cosponsors shall originate in the House of the presenter.

29. Requirements for Drafting. All requests for bills and resolves filed with the Revisor of Statutes shall be considered as received for drafting, provided such bills and resolves shall be properly titled and accompanied by sufficient information and data required for their preparation.

30. Use of Copies. The Revisor of Statutes shall not accept any request for drafting of bills or resolves from material submitted in any generation or reproduction or other than the original, unless in his discretion it is not practicable to obtain such material in any other manner.

31. Statement of Fact. All bills and resolves shall, upon introduction and later amendment thereof, be accompanied by a written statement of fact indicating intent.

32. Form. All bills and resolves, including initiated bills, shall be corrected as to matters of form and allocation to the Revised Statutes by the Revisor of Statutes before printing.

32-A. Removal of Signed Bills or Resolves. The presenter and any cosponsor of a bill or resolve shall sign the complete and final form of the bill or resolve in the Office of Legislative Research. The presenter and any cosponsor shall not remove that signed bill or resolve from the Office of Legislative Research. The Revisor of Statutes shall transmit the signed bill or resolve to the Clerk of the House or Secretary of the Senate for introduction.

33. Errors. Mistakes in bills and resolves, merely clerical, may be corrected upon suggestion without motion to amend.

34. Expressions of Legislative Sentiment. All requests for expressions of legislative sentiment shall be presented in such manner as standardized by the Legislature.

The expressions of legislative sentiment shall not be part of the permanent journal or the legislative record but shall appear on the printed calendar or advance journal of each body. The Clerk of the House and Secretary of the Senate shall cause said expressions to appear in an appendix to the legislative record. When the Legislature is not in session the Speaker of the House and the President of the Senate may authorize expressions of legislative sentiment at the request of legislative members.

35. Memorials. No memorial shall be in order for introduction unless approved by a majority of the Legislative Council.

35-A. Actions Relating to the United States Constitution.

Commencing with the second regular session of the 109th Legislature, all memorials, resolutions, applications and petitions which relate to the Legislature's functions under the United States Constitution, Article V, shall be in order for introduction without approval from the Legislative Council. Passage of these items shall be accomplished as follows:

1. Any item requesting the calling of a United States Constitutional Convention shall require a two-thirds vote of the members present in each House;
2. Any item requesting ratification of an amendment to the United States Constitution shall

require a majority vote of the members present in each House; and

3. Any item requesting any other action under the United States Constitution, Article V, shall require a majority vote of the members present in each House.

36. Claims Against the State. A claim of an amount of \$2,000 or less shall be in order for introduction only after the claim has been first disapproved or partially approved for payment under the Revised Statutes, Title 5, Section 1510-A. A claim of an amount greater than \$2,000 shall be in order for introduction only in the form of a bill or resolve authorizing a suit against the State.

36-A. Amendments to "AN ACT to Implement the Maine Indian Claims

Settlement." A bill amending "AN ACT to Implement the Maine Indian Claims Settlement," Revised Statutes, Title 30, chapter 601, of which approval by an Indian tribe or Indian nation is required by the United States Code, Title 25, Section 1725 (e), shall contain a section stating that the Legislature has received and accepted a statement of that approval or a section containing a provision that the bill shall not take effect until that approval is received.

A bill amending the Revised Statutes, Title 30, section 6205, subsection 1, paragraph B or subsection 2, paragraph B, and adding lands to or including lands within Indian territory, shall contain a section stating the recommendation of the Maine Indian Tribal-State Commission.

37. Measures Rejected at any First Regular Session. No measure which has been introduced and finally rejected in any first regular session shall be introduced at any second regular or any special session of the same Legislature except by vote of two-thirds of both Houses.

#### LEGISLATIVE CONFIRMATIONS

38. Legislative Confirmation of Gubernatorial Appointments.

Upon receipt by the President of the Senate and the Speaker of the House of notification from the Governor of the name of a nominee and of the office to which that person is nominated, the President of the Senate and Speaker of the House shall, without delay, forward that notice to the Chairmen of the Joint Standing Committee which is charged by law with reviewing nominations to that office and to the 2 partisan staff assistants for nominations.

The joint standing committee shall hold a public hearing on the nomination in Augusta at a time convenient to the public, within 20 days from the date of the Governor's notice of the nomination to the President of the Senate and Speaker of the House. The Chairmen of the committee shall cause to be published in the state paper at least 7 days before the hearing a notice of that hearing, which shall contain the time and place of the hearing, the name of the nominee, the office to which that person has been nominated and a general description of the duties of that office.

At the hearing, the committee shall take written or oral testimony which shall be limited to relevant comments and questions regarding the qualifications of the nominee. All testimony taken at the hearing shall be transcribed by mechanical means, and shall be preserved, together with any other relevant data provided the committee at the public hearing, by the committee for at least 6 months after the date of the public hearing. The 2 partisan assistants for nominations shall provide the committee with a written report of their investigations before the committee votes to recommend or deny confirmation.

Within 20 days from the date of the Governor's notice of the nomination to the President of the Senate and Speaker of the House, the committee shall recommend confirmation or denial by majority vote of the committee members present and voting. The vote of the committee shall be taken only upon an affirmative motion to recommend confirmation of the nominee, and a tie vote of the committee shall be considered a recommendation of denial. The committee vote shall be by the yeas and nays. The chairmen of the committee shall send written notices of the committee's recommendation to the President of the Senate. Within 45 days from the date of the Governor's notification of the nomination to the President of the Senate and the Speaker of the House, the Senate shall review the recommendation of the committee on the nomination, and, after review, shall vote by the yeas and nays on that recommendation.

After vote by the Senate, the committee's recommendation shall become final action of confirmation or denial unless the Senate by a vote of 2/3 of those members present and voting overrides the committee's recommendation. If the committee recommends to deny confirmation and the Senate votes, by a vote of 2/3 or greater of those members present and voting, to override the committee's recommendation, the nomination shall be deemed confirmed. Following Senate confirmation or denial, notice of the action taken shall be given to the Speaker of the House.

Once the Governor withdraws a nomination at any time prior to the Senate vote, by sending a written notice of withdrawal to the President of the Senate, the Legislature shall take no further action on that nomination.

39. Partisan Staff Assistants for Nominations.

The members of the Legislative Council representing the party with the largest number of members in the Legislature shall, within 7 legislative days after the convening of the first regular session, appoint a partisan staff assistant for nominations. The members of the Legislative Council representing the party with the next largest number of members in the Legislature shall also, within 7 legislative days after the convening of the first regular session, appoint a partisan staff assistant for the nominations. Each of these assistants shall serve at the pleasure of the appointing authority during the biennium for which he is chosen. A vacancy in either of these positions shall be filled for the remainder of the biennium in the same manner as the original appointment. Partisan staff assistants for nominations shall provide all necessary assistance to each Joint Standing Committee required by law to recommend action on a gubernatorial nominee.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

On motion by Senator DUTREMBLE of York, the following Joint Order: S.P. 2

ORDERED, the House concurring, that two hundred seventy-five copies of the Legislative Record for the 113th Legislature be printed, one copy for each of the members of the Senate, the House of Representatives, the Secretary of the Senate and Clerk of the House, and the remainder to be deposited with the State Law Librarian for exchange and library use; and be it further

ORDERED, that suitable index be prepared for such Legislative Record, under the direction of the Revisor of Statutes.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

On motion by Senator USHER of Cumberland, the following Joint Order: S.P. 4

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House, respectfully, purchase such services, supplies and equipment as may be needed to carry on the business of the Senate and the House, respectfully.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

At this point a message was received from the House of Representatives, borne by Representative DIAMOND of Bangor, informing the Senate that the House of Representatives concurs with the proposition for a Joint Convention, to be held in the Hall of the House, at 1:30 p.m., for the purpose of electing an Attorney General, a Secretary of State and the State Treasurer.

At this point a message was received from the House of Representatives, borne by Representative CARTER, informing the Senate that the House of Representatives had organized by the choice of JOHN L. MARTIN of Eagle Lake as Speaker of the House, EDWIN H. PERT of Georgetown as Clerk of the House and DEBORAH BEDARD WOOD of Springvale as Assistant Clerk, and is ready to transact such business as might come before the House.

On motion by Senator MATTHEWS of Kennebec, the following Joint Order: S.P. 5

ORDERED, the House concurring, that there be prepared, after adjournment of the present session, by the Legislative Information Coordinator, a Register of all the Bills and Resolves considered by both branches of the Legislature, showing the history and final disposition of each Bill and Resolve and that there be printed 400 copies of the same. The Legislative Information Coordinator shall mail a copy of the Register to each member and officer of the Legislature and the State Law and Legislative Reference Library shall receive such number of copies as may be required.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

On motion by Senator BERUBE of Androscoggin, the following Joint Order: S.P. 6

ORDERED, the House concurring, that the Secretary of the Senate and Clerk of the House jointly prepare the Senate and House Register and that 40,000 copies be printed for the use of the Legislature.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

On motion by Senator ANDREWS of Cumberland, the following Joint Order: S.P. 7

ORDERED, the House concurring, that any Town or City Clerk or Board of County Commissioners may, upon written request to the Clerk of the House, receive without charge, copies of all printed bills, so that there may be available to the public during the

legislative session a complete and convenient file of all printed bills, and be it further

ORDERED, that any tax supported public library may upon written request to the Clerk of the House receive without charge copies of all printed bills, so that there may be available to the public during the legislative session a complete and convenient file of all printed bills.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

On motion by Senator ERWIN of Oxford, the following Joint Order: S.P. 8

ORDERED, the House concurring, that the rooms in the State House and State Office Building used by the One Hundred and Twelfth Legislature as hearing rooms be reserved for hearing rooms for the One Hundred and Thirteenth and succeeding Legislatures and be released for other purposes only upon approval by the President of the Senate and Speaker of the House.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

On motion by Senator BUSTIN of Kennebec, the following Joint Order: S.P. 9

ORDERED, the House concurring, that all printing and binding authorized by the Legislature shall be under the direction of the Secretary of the Senate and Clerk of the House.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

On motion by Senator PERKINS of Hancock, the following Joint Order: S.P. 10

ORDERED, the House concurring, that the Secretary of the Senate and Clerk of the House be authorized to furnish 100-22 cent stamps for each member of the House and Senate for the purpose of distributing various reports of the Departments of State and other public documents such as they may desire to mail to the citizens of the State.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

On motion by Senator TUTTLE of York, the following Joint Order: S.P. 11

ORDERED, the House concurring, that telephone service may be provided for each member of the Senate and House, and each Representative from the Indian Tribes at the Legislature for a reasonable number of calls, of reasonable duration, as determined by the President of the Senate as to members of the Senate and the Speaker of the House as to members of the House and the Representatives from the Indian Tribes, to points within the limits of the State of Maine. The privilege granted to be a personal privilege not to be exercised by other than the members or representatives, that each member of the Senate and House, and each Representative from the Indian Tribes at the Legislature, may be provided with a credit card under the direction of the Secretary of the Senate and Clerk of the House, respectively, the cost of this service to be paid to the New England Telephone Company at regular tariff rates; and be it further

ORDERED, that the President of the Senate or Speaker of the House may, upon a finding of abuse of the privilege of telephone service by a member of the Senate or a member of the House, respectively, temporarily suspend or terminate the privilege of said telephone service to that number.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

On motion by Senator ANDREWS of Cumberland, the following Joint Order: S.P. 12

ORDERED, the House concurring, that the Executive Director of the Legislative Council be authorized and directed to prepare weekly, from expense accounts to be submitted to her by the members of the Senate and House, expense rosters showing the entitlement of each member for meals allowance and lodging reimbursement and to obtain approval thereof by the President of the Senate and the Speaker of the House, respectively, and deliver the same to the State Controller for processing and payment, in the manner and form recommended by the Joint Interim Committee of the 101st Legislature created to study and report on a method of implementing the administration of the provision of law relating to the mileage and expenses for members of the Legislature; and be it further

ORDERED, that the Executive Director of the Legislative Council be authorized and directed to provide the forms necessary for such purpose and provide suitable space in her office for the filing and safekeeping of all such expense accounts and other papers and records pertaining thereto.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

On motion by Senator TWITCHELL of Oxford, the following Joint Order: S.P. 13

ORDERED, the House concurring, that there be paid to the members of the Senate and the House as advances on account of compensation established by statute, the amount of Seven Hundred and Fifty dollars (\$750) bi-weekly, the first payment to be made on December 17, 1986 according to lists certified to the State Controller by the President of the Senate and Speaker of the House, respectively.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

On motion by Senator CLARK of Cumberland, the following Senate Order:

ORDERED, that the Senate Rules of the 113th Legislature shall be as follows:

RULES OF THE SENATE  
113th LEGISLATURE

1. The President shall take the chair at the time to which the Senate stands adjourned; but in case of his absence the President pro tempore shall preside. The President shall have the right to name a Senator to perform the duties of the Chair during his absence. In case of the absence of the President pro tempore, the Secretary shall preside until a President pro tempore is chosen.

When, between the first Wednesday in December following the general election in which a gubernatorial election is held and the first Wednesday after the first Tuesday in January following the election, the President, pursuant to Article 5, Part 1, Section 14 of the Constitution of

Maine, assumes the office of Governor, the President pro tempore shall exercise the powers and duties of the office of President until the vacancy in the Senate created by the President's succession to the office of Governor is filled, the Senator so elected is seated and a President is elected.

2. At the first session of each day, on the appearance of a quorum, the journal of the preceding day shall be read; and the President shall ascertain whether a quorum is present before such reading.

3. When the President speaks he shall address the Senate; when a Senator speaks he shall stand in his place and address the President.

4. The President, when he speaks to any member of the Senate, and the members, when referring to each other in debate, shall use in their addresses the title of Senator, and by way of distinction name the county in which he resides.

5. The President shall have the right to appoint a Secretary of the Senate and an Assistant Secretary of the Senate to fill any vacancy that may occur in said office while the Legislature is not in session, to serve until the Senate in session shall elect a Secretary or Assistant Secretary.

The President shall have the authority to appoint legal counsel while the Legislature is in session.

6. The President shall rise to put a question, and shall declare all votes, but if any Senator doubt the vote, all those voting in the affirmative, when called upon by the President, shall rise and stand until they are counted, and also those in the negative, in like manner, to make the vote certain. The President may vote in all cases.

7. The President shall consider a motion to adjourn as always first in order, and it shall be decided without debate.

8. When a question is under debate, no motion shall be received but - (1) to adjourn, (2) to reconsider, (3) to lay on the table, (4) to postpone to a day certain, (5) to commit, (6) to amend, (7) to postpone indefinitely; which several motions shall have precedence in the order in which they stand arranged.

Questions of concurrence or otherwise with the House shall have precedence of each other in the following order:

- 1st. To recede.
- 2nd. To concur.
- 3rd. To insist.
- 4th. To adhere.

A motion to adjourn shall always be first in order, and shall be decided without debate.

9. A motion shall be reduced to writing, if desired by the President or any Senator, and shall then be deemed to be in possession of the Senate, to be disposed of by the Senate; but the mover may withdraw it at any time before a decision, or any amendment be made to it.

10. No Senator shall address the Senate until recognized by the President, nor more than once to the exclusion of any other Senator, without leave of the Senate, if objection is made, unless he be the mover of the matter under debate, and not then more than three times without leave.

11. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; nor shall an amendment proposing to ingraft a general provision of law upon a private bill be in order; nor any amendment beyond the second degree.

12. No amendment to a bill or resolve shall be acted upon by the Senate until the same has been printed or reproduced and distributed to the members under the direction of the Secretary of the Senate,

unless the same shall bear the recommendation of the Committee on Bills in the Second Reading that such printing or reproduction be dispensed with; and any amendment not so printed or reproduced or bearing such recommendation, shall lie on the table until printed or reproduced or until said Committee has recommended that such printing or reproduction be dispensed with. All amendments presented or filed with the Secretary for printing or reproduction shall bear their signature of the member presenting or filing the same.

13. An amendment proposed may be amended before it is adopted, but not afterwards; unless the vote adopting it be first reconsidered, and no Senator shall be competent to move any reconsideration unless he voted with the majority and upon the same or a succeeding day; and a motion to reconsider any vote shall not be laid upon the table unless a time shall be specially assigned for its consideration.

14. When a motion has once been made and carried in the affirmative or negative, it shall not be in order for any member of the Senate who voted in the minority to move a reconsideration thereof; but any Senator who voted with the majority, or in the negative on a tie vote, may move to reconsider on the same or succeeding day. A motion to reconsider shall not be postponed or laid on the table without a certain time assigned for its further consideration. When a motion for reconsideration has been decided the vote shall not be reconsidered. A motion to reconsider shall not be in order more than once on the same question.

15. When a member of the Senate shall move, or give notice of his intention to move, a reconsideration of any vote, the papers to which the motion relates shall remain in possession of the Secretary until the question of reconsideration shall have been decided, or the right to move such a question is lost.

16. A motion to reconsider shall take precedence of all other questions except a motion to adjourn, but if made while another question is pending, it shall not be put until the other question is disposed of, but simply entered.

17. Questions of order shall be decided by the President without debate; but if an appeal is taken, the same may be debated like other questions, and the decision thereon shall be entered upon the journal.

18. A question containing two or more propositions capable of division shall be divided whenever desired by any member.

19. In filling up blanks, the largest sum and longest time shall be put first.

20. Every paper shall be once read at the table before any Senator shall be obliged to vote on it, but when the reading of a paper is called for, that has been before read to the Senate, if any Senator object, the question shall be determined by the Senate.

21. All bills and resolves in the second reading shall be committed to the Committee on Bills in the Second Reading, to be by them examined, corrected, and so reported to the Senate.

22. Upon a second reading of a bill or resolve, after the same shall be read through and before the question is put on its passage, it shall be read and considered by paragraphs, at the request of any member of the Senate; and no bill or resolve shall have a second reading unless a time (not less than one hour after the first reading) be assigned therefor.

23. No bill or resolve shall be passed to be engrossed without being twice read; and all bills and resolves, immediately after the same shall have been



engrossed, shall be committed to the Committee on Engrossed Bills, whose duties shall be to examine the same, and to see that the same have been truly engrossed; and before any bill shall be passed to be enacted, or any resolve be finally passed, it shall be reported by the committee for the examination of engrossed bills to be truly and strictly engrossed, and the title thereof be read by the President.

24. No resolve of any kind, or order making any grant of money, lands, or other public property shall be passed without being read on two several days; the time for the second reading shall be assigned by the Senate.

25. After the reading of the journal, the following shall be the order of business:

- 1st. House papers not acted upon; and if accompanied by a bill or resolve, the first reading of such bill or resolve.
- 2nd. Messages and documents from the executive and heads of departments.
- 3rd. The reception and reference of petitions and such other papers as require action by a committee.
- 4th. Orders.
- 5th. Reports of committees.
- 6th. Bills and resolves reported by the Committee on Bills in the Second Reading.
- 7th. Bills on their passage to be enacted, and resolves on their final passage.
- 8th. Orders of the day.

It shall be the duty of the Secretary to number bills and resolves in the order in which they shall be reported by said Committee on Bills in the Second Reading, and enter them upon the calendar in such order. They shall be taken up for their second reading and passage to be engrossed, or other disposition, in the order in which they stand upon the calendar. When a bill or resolve, after it is put on the calendar, is laid on the table, and no time assigned for its further consideration, it shall go to the foot of the calendar as it then stands. Papers from the House, concerning which there has been a disagreeing vote of the two houses, shall be disposed of before commencing with the calendar. This rule shall not apply to or interfere with motions to reconsider, or special assignments or other privileged questions.

26. Once the Secretary of the Senate commences with the roll call, all Senators shall remain seated until the vote has been announced. When the yeas and nays are taken, the names of the Senators shall be called alphabetically.

27. A roll call may be requested while the result of a division is being announced.

28. After a question is put to vote, no Senator shall speak on it. Every Senator who may be present shall vote unless excused by the Senate, or excluded by interest.

29. The unfinished business, in which the Senate was engaged at the time of the last adjournment, shall have precedence in the orders of the day.

30. No engrossed bill or resolve shall be sent to the House without notice thereof being given to the Senate by the President.

31. Every member or member-elect who shall present a bill, resolve or a petition shall place his signature thereon and a brief descriptive title of its contents.

32. All confidential communications made by the Governor to the Senate, shall be by the members thereof kept inviolably sacred until the Senate shall by their resolution take off the injunction of secrecy.

33. No rule shall be dispensed with, except by the consent of two-thirds of the members present.

34. Members of the Senate may exchange seats on consulting the President and obtaining his permission.

35. No member shall absent himself from the Senate without leave, unless there be a quorum left present.

36. All Committees, a Sergeant-at-Arms, an Assistant Sergeant-at-Arms, a Postmaster, Doorkeepers and pages shall be appointed by the President, unless the Senate otherwise directs. Such appointments may be rescinded at any time by the President.

37. At the commencement of the session, the President shall appoint a committee on bills in the second reading to consist of four members and a committee on engrossed bills to consist of twelve members. The Revisor of Statutes shall serve as clerk of the committee on bills in the second reading.

Any one of the first and any two of the second shall constitute a quorum.

38. No member of the Senate shall act as counsel for any party before any committee of the Legislature.

39. All messages from the Senate to the House, and to the Governor shall be carried by the Secretary, unless the Senate shall direct some other mode of transmission, and all papers shall be transmitted to the Governor and the House by the Secretary or the assistant.

40. The Senate may at any time, upon motion, by a vote of a majority of the members present, resolve itself into a committee of the whole for the purpose of considering any subject named in the motion; and a chairman shall be appointed by the President. If a message is announced while the Senate is in such committee, the President shall resume the chair for the purpose of receiving it; immediately after which the committee shall proceed, until dissolved in the usual manner.

41. The rules of parliamentary practice comprised in Reed's Rules, or any other standard authority, shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the standing rules of the Senate, or of the joint rules of the two houses.

42. A copy of each Senate order requiring action by any department, bureau, commission, board or agency of the state which is passed by both branches of the legislature shall be forwarded to such department, bureau, commission, board or agency by the Secretary of the Senate immediately after the adjournment of the legislative day in which the order was passed by the concurring branch of the legislature.

43. Prior to final action by the Senate on any paper initiating any impeachment proceeding under the Constitution of Maine, Article IV, Part First, Section 8; Article IV, Part Second, Section 7; and Article IX, Section 5, and prior to final action by the Senate on any paper initiating any address proceeding under the Constitution of Maine, Article IX, Section 5, the Secretary of State shall furnish members of the Senate with copies of the 1986 report to the 112th Legislature on impeachment and address.

Which was READ and PASSED.

On motion by Senator DUTREMBLE of York, the following Senate Order:

ORDERED, that the subordinate officers of the Senate be appointed as follows:

by the President: an Executive Secretary, an Executive Assistant, a Legislative Assistant, an Assistant Postmaster and a Senate Courier.



by the Secretary: Senate Reporters, a Supply Clerk, four Stenographers, one of whom shall be a member of the minority party, and sufficient staff to attend to the duties of the Office of the Secretary.  
Which was READ and PASSED.

Senate at Ease  
Senate called to order by the President.

On motion by Senator BALDACCI of Penobscot, the following Senate Order:

ORDERED, that the Secretary of the Senate be directed to furnish each member of the Senate, during the present session with two daily newspapers printed in the State, as each member may direct.  
Which was READ and PASSED.

On motion by Senator WEBSTER of Franklin, the following Senate Order:

ORDERED, that the President of the Senate is authorized, at his discretion, to permit radio or sound television film or live television, or any two or three of these communication media, on the floor of the Senate while the Senate is in session.  
Which was READ and PASSED.

On motion by Senator BLACK of Cumberland, the following Senate Order:

ORDERED, that the Secretary of the Senate be authorized to invite the clergymen of Augusta, Hallowell and Gardiner to officiate as Chaplains of the Senate, or to invite clergymen from other areas of the State as requested by any member of the Senate; and be it further

ORDERED, that all clergymen acting as Chaplains of the Senate shall receive \$25 for each officiation. The same is to be approved by the Secretary of the Senate.  
Which was READ and PASSED.

On motion by Senator GAUVREAU of Androscoggin, the following Senate Order:

ORDERED, that the Secretary of the Senate be directed to secure uniforms for the subordinate officers of the Senate.  
Which was READ and PASSED.

On motion by Senator DUTREMBLE of York, the following Senate Order:

ORDERED, that the Senate Majority Floorleader and the Senate Minority Floorleader be authorized to hire one secretary each.  
Which was READ and PASSED.

On motion by Senator DOW of Kennebec, the following Senate Order:

ORDERED, that all Bills and Resolves carrying or requiring an appropriation of highway revenue or involving a loss of highway revenue that are in order to be passed, to be enacted, or finally passed, shall, at the request of a member of the Committee on Transportation, be placed on a special calendar to be called up for consideration only by a member of that Committee.  
Which was READ and PASSED.

On motion by Senator PEARSON of Penobscot, the following Senate Order:

ORDERED, that all Bills and Resolves carrying or requiring an appropriation or involving a loss of revenue that are in order to be passed to be enacted, or finally passed, shall, at the request of a member of the Committee on Appropriations and Financial Affairs, be placed on a special calendar to be called up for consideration only by a member of that committee.  
Which was READ and PASSED.

Out of order and under suspension of the Rules, the Senate considered the following:

SENATE PAPERS  
Bill "An Act to Protect Undersea Cables"  
(Emergency)

S.P. 15 L.D. 3

Presented by Senator PERKINS of Hancock  
Cosponsored by: Representative ZIRNKILTON of Mount Desert  
Committee on MARINE RESOURCES suggested and ORDERED PRINTED.

Which was, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

COMMUNICATIONS  
The Following Communication:  
MAINE STATE LEGISLATURE  
AUGUSTA, MAINE 04333  
STATE COMPENSATION COMMISSION  
November 15, 1986

Honorable Charles P. Pray  
President, Maine Senate  
Honorable John L. Martin  
Speaker, House of Representatives  
Dear President Pray and Speaker Martin:

Title 3, section 2-A requires, among other things, that the State Compensation Commission submit its final report to the Legislature by November 15th of every even-numbered year. The report is to contain a description of the Commission's activities, along with any recommendations and draft legislation to implement those recommendations. On behalf of the Commission, I am submitting this letter in fulfillment of that requirement.

The Commission's interim report, submitted to the Second Regular Session of the 112th Legislature, included recommendations concerning the compensation of the Governor, the Legislature and the commissioners of the Public Utilities Commission and Workers Compensation Commission. In addition, the report included technical amendments to the Maine Judicial Retirement System and the State Compensation Commission's statute. The Commission's recommendations were enacted last spring as Public Law, Chapter 693.

Over the past three years, the 111th and 112th Legislatures have addressed a variety of compensation issues based on the recommendations of the Commission. In addition to those issues delineated above, this included undertaking a comprehensive review of compensation levels and policies for both non-partisan and leadership staff. We have reviewed our work to date and the legislative actions and

concluded that no further recommendations are needed at this time.

We would like to take this opportunity to commend these significant legislative accomplishments and to express our appreciation for having the opportunity to serve as members of the Commission.

Finally, we would encourage the presiding officers to appoint the next Commission as soon as possible after the 113th Legislature convenes. Please do not hesitate to contact me if you have any questions or require additional information.

Sincerely,  
S/Stephen Crockett  
Chairman, State  
Compensation

Commission

Which was READ and ORDERED PLACED ON FILE.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Joint Orders

The following Joint Order: H.P. 10

ORDERED, the Senate concurring, that a Joint Select Committee on Taxation shall be established. The select committee shall consist of 3 members from the Senate, to be appointed by the President of the Senate, and 10 members from the House of Representatives to be appointed by the Speaker of the House. The select committee shall study L.D. 1, H.P. 1, "AN ACT Providing Conformity with the United States Internal Revenue Code under the Maine Income Tax Law for 1986," and may make recommendations to the Legislature.

Comes from the House READ and PASSED.

Which was READ and PASSED, in concurrence.

The Chair appointed on the part of the Senate:

Senator TWITCHELL of Oxford  
Senator DOW of Kennebec  
Senator EMERSON of Penobscot

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Providing Conformity with the United States Internal Revenue Code under the Maine Income Tax Law for 1986" (Emergency)

H.P. 1 L.D. 1

Comes from the House referred to the JOINT SELECT COMMITTEE ON TAXATION and ORDERED PRINTED.

Which was referred to the JOINT SELECT COMMITTEE ON TAXATION and ORDERED PRINTED, in concurrence.

Senate at Ease

Senate called to order by the President.

Off Record Remarks

On motion by Senator DUTREMBLE of York RECESSED until 1:15 p.m.

After Recess

Senate called to order by the President.

Off Record Remarks

At this point the Senate retired to the Hall of the House, where the Joint Convention was formed.

AFTER JOINT CONVENTION

IN SENATE

Senate called to order by the President.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Designate the Maine State Housing Authority as the Housing Credit Agency for Low-income Housing Credits" (Emergency)

H.P. 4 L.D. 4

Committee on ECONOMIC DEVELOPMENT suggested and ORDERED PRINTED.

Comes from the House, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee.

Which was, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee and ORDERED PRINTED, in concurrence.

Under suspension of the Rules, ordered sent forthwith to the Engrossing Department.

Bill "An Act to Provide for Emergency Allocations of a Portion of the State Ceiling on Private Activity Bonds" (Emergency)

H.P. 5 L.D. 5

Committee on ECONOMIC DEVELOPMENT suggested and ORDERED PRINTED.

Comes from the House, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee.

Which was, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee and ORDERED PRINTED, in concurrence.

Under suspension of the Rules, ordered sent forthwith to the Engrossing Department.

Resolve, Authorizing a Continuation of the Study of the Utilization of Vacant Buildings at Pineland (Emergency)

H.P. 6 L.D. 6

Committee on STATE AND LOCAL GOVERNMENT suggested and ORDERED PRINTED.

Comes from the House, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee.

Which was, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee and ORDERED PRINTED, in concurrence.

Under suspension of the Rules, ordered sent forthwith to the Engrossing Department.

Resolve, Authorizing Kennebec County to Pay Deficits from Unappropriated Surplus (Emergency)

H.P. 8 L.D. 8

Committee on STATE AND LOCAL GOVERNMENT suggested and ORDERED PRINTED.

Comes from the House, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee.

Which was, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee and ORDERED PRINTED, in concurrence.

Under suspension of the Rules, ordered sent forthwith to the Engrossing Department.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE  
House Papers

Bill "An Act Relating to the Legislative Task Force on Railroads" (Emergency)

H.P. 7 L.D. 7

Committee on TRANSPORTATION suggested and ORDERED PRINTED.

Comes from the House, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee.

Which was, under suspension of the Rules READ TWICE.

On motion by Senator DOW of Kennebec, Senate Amendment "A" (S-1) READ and ADOPTED.

Which was PASSED TO BE ENGROSSED, as Amended, without reference to a Committee in NON-CONCURRENCE.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Joint Orders

The following Joint Order: H.P. 2

ORDERED, the Senate concurring, that the Executive Director of the Legislative Council be authorized and directed to pay each member of the Legislature prior to January 1, 1987, a \$500 allowance for constituent services as authorized in the Maine Revised Statutes, Title 3, section 2.

Comes from the House READ and PASSED.

Which was READ and PASSED, in concurrence.

The following Joint Order: H.P. 3

ORDERED, the Senate concurring, that the Speaker of the House is authorized, at his discretion, to permit radio or television, in the Hall of the House of Representatives while the House is in session, or during joint conventions of the Legislature.

Comes from the House READ and PASSED.

Which was READ and PASSED, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

ORDERS

Joint Order

On motion by Senator CLARK of Cumberland the following Joint Order: S.P. 16

ORDERED, the House concurring, that a Joint Select Committee on Corrections shall be established. The select committee shall consist of 3 members from the Senate, to be appointed by the President of the Senate, and 10 members from the House of Representatives to be appointed by the Speaker of the House. The select committee shall review all legislation relating to corrections and report its findings and recommendations to the Legislature.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

COMMUNICATIONS

The Following Communication:

STATE OF MAINE  
HOUSE OF REPRESENTATIVES

AUGUSTA, MAINE 04333

December 3, 1986

Honorable Joy J. O'Brien  
Secretary of the Senate  
113th Legislature  
Augusta, Maine 04333

Dear Madam Secretary:

Please be advised that pursuant to Joint Order H.P. 10, the Speaker today appointed the following members to the Joint Select Committee on Taxation on the part of the House:

Representative CASHMAN of Old Town  
Representative MAYO of Thomaston  
Representative TARDY of Palmyra  
Representative SWAZEY of Bucksport  
Representative LISNIK of Presque Isle  
Representative CARROLL of Gray  
Representative INGRAHAM of Houlton  
Representative JACKSON of Harrison  
Representative ZIRNKILTON of Mount Desert  
Representative WEBSTER of Cape Elizabeth  
Sincerely,  
S/Edwin H. Pert  
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.

Off Record Remarks

On motion by Senator DUTREMBLE of York RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

Out of order and under suspension of the Rules, the Senate considered the following:

ORDERS

Joint Order

On motion by Senator CLARK of Cumberland the following Joint Order: S.P. 14

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Thursday, January 8, 1987, at 11:00 o'clock in the morning, unless called earlier by mutual agreement of the President of the Senate and Speaker of the House.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

COMMITTEE REPORTS

House

Ought to Pass

The JOINT SELECT COMMITTEE ON TAXATION on Bill "An Act Providing Conformity with the United States Internal Revenue Code under the Maine Income Tax Law for 1986" (Emergency)

H.P. 1 L.D. 1

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.

The Bill READ ONCE.

Under suspension of the Rules, the Bill READ A SECOND TIME and PASSED TO BE ENGROSSED, in concurrence.

Under suspension of the Rules, ordered sent forthwith to the Engrossing Department.

Out of order and under suspension of the Rules, the Senate considered the following:

ENACTORS

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

Emergency

An Act to Protect Undersea Cables

S.P. 15 L.D. 3

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Out of order and under suspension of the Rules, the Senate considered the following:

ENACTORS

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

Emergency

An Act to Designate the Maine State Housing Authority as the Housing Credit Agency for Low Income Housing Credits

H.P. 4 L.D. 4

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Provide for Emergency Allocations of a Portion of the State Ceiling on Private Activity Bonds

H.P. 5 L.D. 5

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with No Senators having voted in negative, and 29 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Off Record Remarks

Emergency Resolve

Resolve, Authorizing a Continuation of the Study of the Utilization of Vacant Buildings at Pineland

H.P. 6 L.D. 6

Senate at Ease

Senate called to order by the President.

Off Record Remarks

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in negative, and 27 being more than two-thirds of the entire

elected Membership of the Senate, was FINALLY PASSED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

On motion by Senator GILL of Cumberland RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

Out of order and under suspension of the Rules, the Senate considered the following:

ENACTORS

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

Emergency

An Act Relating to the Legislative Task Force on Railroads

H.P. 7 L.D. 7

(S "A" S-1)

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with No Senators having voted in negative, and 26 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, Authorizing Kennebec County to Pay Deficits from Unappropriated Surplus

H.P. 8 L.D. 8

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with No Senators having voted in negative, and 25 being more than two-thirds of the entire elected Membership of the Senate, was FINALLY PASSED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Out of order and under suspension of the Rules, the Senate considered the following:

ENACTORS

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

Emergency

An Act Providing Conformity with the United States Internal Revenue Code under the Maine Income Tax Law for 1986

H.P. 1 L.D. 1

(H "A" H-1)

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with No Senators having voted in negative, and 26 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

The ADJOURNMENT ORDER having been returned from the House READ and PASSED in concurrence, on motion by Senator DUTREMBLE of York, ADJOURNED until 11:00 in the morning, January 8, 1987.