

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

one that hints to us how bright our future can be if we are but willing to raise our sights and aspire to greatness.

As we look to our future, let us make a commitment to excellence.

Let us vow to work together.

Let us vow to break down geographic, economic, and educational barriers.

Let us vow to keep Maine special.

Let us vow to make Maine the opportunity state.

Only history will judge whether or not we are successful, but I know, that with your help, we will not fail.

Thank you. (prolonged applause, the audience rising)

At the conclusion of the address, benediction was offered by Father Richard Harvey of St. Joseph's Church of Brewer.

The Governor and his suite then withdrew amid the applause of the Convention, while the Portland Symphony Orchestra Brass Quintet performed "Fanfare for the Common Man." (Prolonged applause, the audience rising)

The purpose for which the Convention was assembled having been accomplished, the Chairman declared the same dissolved.

The House then retired to its Chamber at the State House.

In the House

The House was called to order by the Speaker.

On motion of Representative Mahany of Easton. Adjourned until Tuesday, January 13th at 10 o'clock in the morning pursuant to Joint Order.

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

In Senate Chamber
Thursday
January 8, 1987

Senate called to Order by the President.

Prayer by Father Renald Labarre of St. Philip's Catholic Church in Auburn.

FATHER LABARRE: Almighty and everlasting God, who alone works great wonders, pour down upon us and upon the Members of this Senate and upon all committed to their care, the spirit of Your saving grace, that we may truly please You and grow under the continual grace of Your blessing.

May we be the recipients of Your choicest favor as we strive to use the time allocated to us for the growth and welfare of Your people.

Look favorably, O Lord, upon the prayers we offer, for You are the giver of peace and the lover of charity. May no plan of our leaders ever go astray, nor dream of civic improvement not come to fruition, nor prayer be in vain.

May our government leaders be ever faithful in the execution of their duty and responsibility and be an inspiration in improving the quality of life of our citizenry. Ever loving Father, stretch forth Your hand and bless them and us that as one we may glorify Your name and in justice and peace build Your kingdom on earth. We ask this through Christ, our Lord. Amen.

Reading of the Journal of Wednesday, December 3, 1986.

Out of Order and Under Suspension of the Rules, on motion by Senator CLARK of Cumberland, the following Joint Order:

S.P. 17

ORDERED, the House concurring, that the returns of votes for the Governor, given in the several cities, towns and plantations of the State for political years 1987, 1988, 1989 and 1990, be referred to a Joint Select Committee of seven on the part of the Senate, with such as the House may join.

Which was READ and PASSED.

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

The Chair would appoint to the Joint Select Committee on Gubernatorial Vote the following on the part of the Senate:

- Senator GAUVREAU of Androscoggin
- Senator ANDREWS of Cumberland
- Senator ESTES of York
- Senator BRANNIGAN of Cumberland
- Senator BRAUN of Knox
- Senator WHITMORE of Androscoggin
- Senator GOULD of Waldo

COMMUNICATIONS

The Following Communication:
STATE OF MAINE
DEPARTMENT OF STATE
AUGUSTA, MAINE

January 7, 1987

To the President of the Senate and the Speaker of the House of Representatives of the One Hundred and Thirteenth Legislature of the State of Maine:

In compliance with the Constitution and laws of the State of Maine, I have the honor to herewith transmit the returns of the votes cast for Governor in the several cities, towns and plantations in the State of Maine at the General Election held on November 4, 1986, as submitted by the appropriate officials of the municipalities involved immediately following said election.

Respectfully,
S/Rodney S. Quinn
Secretary of State

STATE OF MAINE
GENERAL ELECTION
NOVEMBER 4, 1986
GOVERNOR

SHERRY F. HUBER, Falmouth: Androscoggin, 3,753; Aroostook, 2,868; Cumberland, 15,374; Franklin, 1,610; Hancock, 2,998; Kennebec, 5,612; Knox, 2,361; Lincoln, 2,257; Oxford, 2,708; Penobscot, 6,709; Piscataquis, 1,183; Sagadahoc, 1,708; Somerset, 2,425; Waldo, 1,956; Washington, 1,617; York, 9,178. Total 64,317.

Republican JOHN R. MCKERNAN, Cumberland: Androscoggin, 11,201; Aroostook, 11,273; Cumberland, 30,410; Franklin, 4,391; Hancock, 8,373; Kennebec, 17,810; Knox, 6,736; Lincoln, 6,021; Oxford, 6,683; Penobscot, 21,175; Piscataquis, 3,244; Sagadahoc, 4,328; Somerset, 6,294; Waldo, 4,888; Washington, 5,273; York, 22,212. Total 170,312.

JOHN E. MENARIO, Portland: Androscoggin, 6,587; Aroostook, 2,938; Cumberland, 18,813; Franklin, 1,433; Hancock, 1,933; Kennebec, 6,426; Knox, 1,705; Lincoln, 1,535; Oxford, 2,950; Penobscot, 5,903; Piscataquis, 750; Sagadahoc, 1,676; Somerset, 2,236; Waldo, 1,213; Washington, 913; York, 6,463. Total 63,474.

Democrat JAMES TIERNEY, Lisbon: Androscoggin, 14,203; Aroostook, 8,183; Cumberland, 27,603; Franklin, 2,859; Hancock, 4,346; Kennebec, 12,154; Knox, 3,505; Lincoln, 3,021; Oxford, 5,847; Penobscot, 14,034; Piscataquis, 2,005; Sagadahoc, 3,963; Somerset, 4,427; Waldo, 2,843; Washington, 3,253; York, 16,498. Total 128,744.

OTHERS: Androscoggin, 1; Aroostook, 5; Cumberland, 0; Franklin, 0; Hancock, 2; Kennebec, 1; Knox, 0; Lincoln, 0; Oxford, 1; Penobscot, 0; Piscataquis, 0; Sagadahoc, 3; Somerset, 1; Waldo, 0; Washington, 0; York, 0. Total 14.

Which was READ and REFERRED TO THE JOINT SELECT COMMITTEE ON GUBERNATORIAL VOTE.

The Following Communication:
BUREAU OF TAXATION
STATE OF MAINE
STATE OFFICE BUILDING
AUGUSTA, MAINE 04333

December 4, 1986

The Honorable Charles P. Pray
President of the Senate
Maine State Senate
State House Station 3
Augusta, Maine 04333
Dear President Pray:

The accompanying report of State-owned real estate is submitted in accordance with the provisions of Title 36, MRSA, §1283.

This report includes ten properties or interests acquired through liens maturing since the last Regular Session of the Legislature.

Part A (the Resolve) includes a legal description of each property, the entire amount of outstanding tax, interest and costs which have accrued, and

recommendation for disposition. Part B includes a narrative description of each property.

Respectfully submitted,
S/Anthony J. Neves
State Tax Assessor

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

The Following Communication:
BUREAU OF CIVIL EMERGENCY PREPAREDNESS
DEPARTMENT OF DEFENSE AND VETERANS SERVICES
STATE HOUSE STATION 72
AUGUSTA, MAINE 04333

December 8, 1986

State Senator Charles P. Pray
President of the Senate
State House Station 3
Augusta, Maine 04333

Dear Senator Pray:

In accordance with P.L. 1985, c. 494 a Hazardous Materials Incident Response Capability Study mandated by the 112th Legislature is forwarded.

Sincerely,
S/Kenneth C. Young, Jr., Commissioner
Department of Environmental Protection
S/Philip Haines, Acting Director
Bureau of Health
S/Richard D. Dutremble, Director
Bureau of Civil Emergency Preparedness

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

The Following Communication:
STATE OF MAINE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE 04333

December 9, 1986

Honorable Joy J. O'Brien
Secretary of the Senate
State House
Augusta, ME 04333

Dear Madam Secretary:

Pursuant to my authority under Senate Rule 5, I have appointed Joseph R. Mackey to serve as my Legal Counsel for the 113th Legislature.

Please let me know if you have any questions about this appointment.

Sincerely,
S/Charles P. Pray
President of the Senate

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS
December 17, 1986

Honorable Charles P. Pray
President, Maine Senate
Honorable John L. Martin
Speaker, House of Representatives
State House
Augusta, ME 04333

Dear President Pray and Speaker Martin:

Please find enclosed the final report of the Joint Standing Committee on Appropriations and Financial Affairs studying the relationship between the Judicial, Executive and Legislative branches of government with respect to financial and administrative practices and procedures. Included in the report is draft legislation that the Committee

DEPARTMENT OF PERSONNEL
STATE OFFICE BUILDING
AUGUSTA, MAINE 04333

December 19, 1986

would like to have considered by the 113th Legislature's First Regular Session.

The Appropriations Committee has fulfilled its obligation as directed by Public Law 1985, Chapter 733, Sections 3 and 4.

Respectfully submitted,

S/Michael D. Pearson S/Donald V. Carter
Senate Chair House Chair

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

The Following Communication:

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE HOUSE STATION 17
AUGUSTA, MAINE 04333

December 18, 1986

Senator Charles P. Pray
President of the Senate
Senate of Maine
State House Station 3
Augusta, Maine 04333

Dear Senator Pray:

With the passage last session of P.L. 698 (An Act to Amend the Classification System for Maine Waters), a number of requirements were made of this Department. Specifically Section 464/3/A requires a report to the Legislature on the quality of Maine's water. Enclosed is our recently completed evaluation of the State's waters entitled "State of Maine 1986 Water Quality Assessment." This report provides a comprehensive evaluation of the quality of the State's water, management programs and trends. The appendices include a water by water assessment of identified problems and solutions. Section 484/3/C requires a report on the status of licensed discharges. Enclosed is a report entitled Municipal, Industrial, and Commercial Discharges in Maine-1986 which lists all licensed discharges in the State excluding single family dwellings. This report provides the licensee's name, receiving water, discharge volume and expiration date of the license.

As provided in Section 464/5 the Department will present to the Legislature a package of draft rules for administration of this Act by the end of December. Since passage of the Act we have consulted with all the parties who had taken a role in drafting the law to determine which portions of the law required additional clarification through rulemaking. We have created a number of small committees within the Department which included individuals from outside the Department to develop draft regulations.

While we do not expect to have all regulations in draft form by the end of December, we have focused attention on items which were determined to have the highest priority. Regulations concerning criteria for biological evaluation will be completed when the data set for all Maine waters is available. EPA has asked to comment on the antidegradation regulations. A meeting is scheduled for January 6, 1987 and draft regulations will come out shortly thereafter.

Thank you for your interest. Please call at 289-2811 if I can be of help.

Sincerely,
S/Kenneth C. Young, Jr.
Commissioner

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

The Following Communication:

The Honorable Charles P. Pray
President of the Senate
State House Station 3
Augusta, ME 04333

Dear President Pray:

I am pleased to submit to the Legislature and in particular to the Joint Standing Committee on State Government this first annual report of the Civil Service Policy Review Board pursuant to the provisions of Chapter 785 of Public Law 1986.

We are enthusiastic about the work we have begun and believe that we will be able to contribute to finding solutions to the matters directed to us by the Legislature.

If you have questions about our work, I would be pleased to meet with you.

Sincerely,
S/Harold L. Gosselin,
Chair
Policy Review Board

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

The Following Communication:

STATE OF MAINE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE 04333

December 22, 1986

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

Dear Secretary O'Brien:

Pursuant to my authority under MRSA 5, Section 7021, I am pleased to reappoint Ms. Gwen Gatcomb of Winthrop to the Maine Commission for Women.

Pursuant to my authority under MRSA 34, Section 2163, I am pleased to reappoint Senator Beverly Miner Bustin to serve on the Maine Committee on the Problems of the Mentally Retarded.

Pursuant to my authority under MRSA 5, Section 7021, I am pleased to reappoint Ms. Joanne D'Arcangelo of Portland to the Maine Commission for Women.

If there are any questions regarding these appointments, please contact me.

Sincerely,
S/Charles P. Pray
President of the Senate

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
DEPARTMENT OF CONSERVATION
STATE HOUSE STATION 22
AUGUSTA, MAINE 04333

December 24, 1986

Honorable Charles P. Pray
President of the Senate
113th Maine Legislature
State House
Augusta, Maine 04333

Dear President Pray:

I have enclosed a copy of a Report to the 113th Maine Legislature on the 1986 Spruce Budworm Management Program, as mandated by the Spruce Budworm Management Act (12 MRSA Section 8428).

No operational spray project was carried out in 1986. However, we continued to survey spruce budworm populations throughout the state and maintained the budworm research effort. If budworm populations continue to decline, I anticipate that FY '1987 will be the last year in which we need to support a separate Spruce Budworm Management Program. We plan to incorporate a general statewide budworm population survey, at a reduced level, as part of our ongoing forest insect and disease management program, funded through our General Fund appropriation.

If you have any questions about the program, don't hesitate to call.

Sincerely,
S/ Kenneth G. Stratton
Director
Maine Forest Service

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

The Following Communication:
MAINE STATE LEGISLATURE
JOINT SELECT COMMITTEE ON ECONOMIC DEVELOPMENT
STATE HOUSE STATION 5
AUGUSTA, MAINE 04333

December 29, 1986

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

The Joint Select Committee on Economic Development, pursuant to Resolves 1985 c.45 as amended by c.53, is required to make its final report including recommended legislation to the First Regular Session of the 113th Legislature. The Committee fully expects to be able to submit its final report and accompanying legislation prior to March 1, 1987.

In light of the broad and important charge of this committee, efforts were divided among four subcommittees who worked diligently throughout this past summer and fall to submit recommendations earlier this month. These recommendations are presently being reviewed by the full committee which will draft some preliminary proposals. These preliminary recommendations will be distributed prior to the two public hearings tentatively scheduled for late January in Bangor and Portland. After reviewing comments and reactions to these preliminary proposals, we will draft and submit our final report and legislation as soon as possible.

On behalf of the committee, I would like to personally thank you for the opportunity to be involved with such a timely and important issue. We hope the Legislature and the new Governor will find our report to be a very valuable tool to guide policy and funding decisions for this and future bienniums.

Sincerely,
S/Rep. Gregory C. Nadeau
Chair

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
STATE OF MAINE
DEPARTMENT OF CONSERVATION
STATE HOUSE STATION 22
AUGUSTA, MAINE 04333

December 22, 1986

Honorable Charles P. Pray
President of the Senate
State House Station 3

Augusta, Maine 04333
Dear President Pray:

In accordance with Public Law 1986, Chapter 692, section 3 the Department of Conservation, Bureau of Public Lands, has conducted a study concerning all local and statewide issues concerning the authority of harbor masters.

The due date for this report, as established in section 3, is January 1, 1987. The Bureau has consulted with the organizations and parties named in the study order, and they are currently reviewing a draft report. In order to provide adequate time to review comments of participating organizations and finalize this document an additional two week period is necessary. The additional time will allow the Bureau to submit a more complete and informative report to the Legislature for their consideration of the issues involved.

Hopefully, this short delay will not inconvenience the Legislature and there will be ample time to consider the issues and recommendations and take appropriate action.

If you would like to discuss this situation, please contact me, otherwise the report in question will be submitted no later than January 15, 1987.

Sincerely,
S/Robert Gardiner
Director
Bureau of Public Lands

Which was READ and ORDERED PLACED ON FILE.

The Following Communication: S.P. 18
113th MAINE LEGISLATURE
December 30, 1986

Honorable Vincent McKusick
Chief Justice
142 Federal Street
Portland, Maine 04101
Dear Chief Justice:

We would like to invite you to deliver your annual report to a Joint Convention of the Legislature on Wednesday, January 28th, at 10:30 A.M. Please let us know if this is convenient for you.

Sincerely,
S/Charles P. Pray S/John L. Martin
President of the Senate Speaker of the House
Which was READ and ORDERED PLACED ON FILE.

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

The Following Communication:
WORKERS' COMPENSATION COMMISSION
STATE HOUSE STATION 27
AUGUSTA, MAINE 04333

December 31, 1986

Honorable Charles P. Pray
President of the Senate
State House
Augusta, Maine 04333
RE: Workers' Compensation Delay Study

Dear Senator Pray:
Enclosed please find the Study of Delay in Workers' Compensation requested by the Joint Committee on Labor.

Sincerely,
S/Ralph L. Tucker
Chairman

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

The Following Communication: S.P. 22

DEPARTMENT OF MARINE RESOURCES
STATE HOUSE STATION 21
AUGUSTA, MAINE 04333

December 31, 1986

Senator Charles P. Pray, Chairman
Legislative Council
113th Legislature
State House Station 3
Augusta, Maine 04333

Dear Senator Pray:

I am enclosing a Study of Leasing of Submerged Public Lands for Aquaculture Operations, as provided for by LD 2067 enacted by the 112th Legislature.

The Director of the Bureau of Public Lands has been consulted throughout the preparation of this report, and agrees with the report and its recommendations.

The department would be pleased to discuss any aspect of the report with the Legislature.

Yours sincerely,
S/Spencer Apollonio
Commissioner

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

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

The Following Communication:
SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

January 6, 1987

The Honorable Charles P. Pray
President of the Senate
State House Station 3
Augusta, Maine 04333
Dear President Pray:

Pursuant to the Senate Order relative to appointment of subordinate officers of the Senate, this is to inform you that I have appointed the following individuals:

- Connie Holmes, Reporter
- June Twitchell, Reporter
- Harriet Morris, Stenographer
- Helen Wing, Stenographer
- Judi DeFranco, Administrative Aide to the Secretary
- Linda Besaw, Senate Index Clerk
- Debbie Vashon, Office Secretary

Thank you.

Sincerely,
S/Joy J. O'Brien
Secretary of the Senate

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
REPORT OF THE COMMITTEE ON
SENATORIAL VOTE
STATE OF MAINE

January 6, 1987
The Honorable Charles P. Pray
President of the Senate
State House Station 3
Augusta, Maine 04333
Dear President Pray:

In compliance with the Senate Order of December 3, 1986 the Committee appointed by you to examine the returns of votes for Senators for the political years 1987 and 1988, has attended to its duty and asks leave to report that the returns of votes cast, as submitted by the Secretary of State to the President

of the Senate, meets with the approval of the Committee.

Sincerely,
S/Ronald E. Usher
Chairman
Senatorial Vote Committee

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
STATE OF MAINE
SUPREME JUDICIAL COURT
PORTLAND, MAINE 04112

January 6, 1987

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

I am very pleased to accept the invitation jointly extended to me by yourself and Speaker Martin to address a Joint Convention of the Legislature on Wednesday, January 28, at 10:30 a.m.

I very much appreciate your courtesy in again giving me this opportunity to report on the "State of the Judiciary."

With all best wishes to you for a successful 1987 in the service of the State of Maine.

Sincerely,
S/Vincent L. McKusick
Chief Justice

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
STATE OF MAINE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE 04333

January 6, 1987

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

Dear Madam Secretary:

Pursuant to Senate Rule 36, I have appointed the following Senate Staff:

- Molly Pitcher, Sergeant-at-Arms;
- Marcia Hallett, Assistant Sergeant-at-Arms;
- James Gormley, Postmaster
- Thomas Hickey, Doorkeeper
- Jim Hendry, Doorkeeper
- Scott Lancaster, Doorkeeper
- Peggy Tapley, Page
- Susan Cyr, Page
- Ron Gagnier, Page

Sincerely,
S/Charles P. Pray
President of the Senate

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
STATE OF MAINE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE 04333

January 6, 1987

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

Dear Madam Secretary:

Pursuant to the Senate Order relative to the appointment of subordinate officers of the Senate, I have appointed the following individuals:

Carol Carothers, Executive Assistant
Edmund McCann, Special Assistant
Frank Wood, Special Assistant
Judi Brown, Senior Executive Secretary
Henry Lydon, Assistant Postmaster
Timothy Plumer, Senate Courier

Sincerely,

S/Charles P. Pray
President of the Senate

Which was READ and ORDERED PLACED ON FILE.

ORDERS

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

ORDERED, that a message be sent to the House of Representatives proposing a Joint Convention of both branches of the Legislature to be held at 6:30 p.m. at the Augusta Civic Center for the purpose of administering to the Honorable JOHN R. MCKERNAN, Jr., Governor-elect, the oath required by the Constitution to qualify him to enter upon the discharge of his official duties.

Which was READ and PASSED.

The President appointed Senator CLARK of Cumberland to deliver the message. The Sergeant-at-Arms escorted Senator CLARK to the Governor's Office.

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

Joint Orders

On motion by Senator DUTREMBLE of York the following Joint Order:

S.P. 19

ORDERED, the House concurring, that a Joint Select Committee of three on the part of the Senate, with such as the House may join, be appointed to consider the Governor's Message and report a reference of its several subjects to appropriate committees.

Which was READ and PASSED.

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

The President appointed to the Joint Select Committee to consider the Governor's Message the following on the part of the Senate:

Senator DOW of Kennebec
Senator TWITCHELL of Oxford
Senator BLACK of Cumberland

At this point, the President recognized and welcomed the former Senator from Aroostook, the Honorable James McBreairty.

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 at the Augusta Civic Center, at 6:30 p.m., for the purpose of administering to the Honorable JOHN R. MCKERNAN, JR., Governor-elect, the oath required by the Constitution to qualify him to enter upon the discharge of his official duties.

Senate at Ease

Senate called to order by the President.

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

ORDERS

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

ORDERED, that the Senate Rules be amended by striking out all of Senate Rule 37 and inserting in its place the following:

37. At the commencement of the session the President shall appoint a committee on bills in the second reading and a committee on engrossed bills, each committee to consist of 4 members. Any one member of either committee shall constitute a quorum and the Revisor of Statutes shall serve as clerk of the committee on bills in the second reading.

Which was READ and PASSED.

Off Record Remarks

On motion by Senator ERWIN of Oxford, 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:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Relating to Statutory Dates for Certain Reports to the Legislature" (Emergency)

H.P. 12 L.D. 10

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:

ORDERS

Joint Order

On motion by Senator DUTREMBLE of York the following Joint Order: S.P. 23

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 13, 1987 until 10 o'clock in the morning.

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:

January 8, 1987

Hon. Joy J. O'Brien
Secretary of the Senate
State House
Augusta, ME 04333
Dear Madam Secretary:

The Speaker appointed the following members on the part of the House to the Joint Select Committee on Gubernatorial Vote:

Representative ERWIN of Rumford
Representative BOST of Orono
Representative SWAZEY of Bucksport
Representative HALE of Sanford
Representative HIGGINS of Scarborough
Representative STEVENSON of Unity
Representative LEBOWITZ of Bangor

Sincerely,
S/Edwin H. Pert
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.

Off Record Remarks

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

COMMUNICATIONS

The Following Communication:

January 8, 1987
Hon. Joy J. O'Brien
Secretary of the Senate
State House
Augusta, ME 04333

Dear Madam Secretary:

The Speaker appointed the following members on
the part of the House to the Joint Select Committee
to consider the Governor's message:

Representative CLARK of Millinocket
Representative MARTIN of Van Buren
Representative CLARK of Brunswick
Representative RICHARD of Madison
Representative DAVIS of Monmouth
Representative WEBSTER of Cape Elizabeth
Representative FOSTER of Ellsworth

Sincerely,
S/Edwin H. Pert
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.

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

COMMUNICATIONS

The Following Communication: S.P. 20
REPORT OF JOINT SELECT COMMITTEE ON
GUBERNATORIAL VOTE
STATE OF MAINE

January 8, 1987

The Honorable Charles P. Pray
President of the Senate
The Honorable John L. Martin
Speaker of the House of Representatives
State House
Augusta, Maine 04333
Dear President Pray and Speaker Martin:

The Joint Select Committee of the One Hundred and
Thirteenth Legislature on returns of votes for
Governor given in at the several cities, towns and
plantations of this State for the political years
1987, 1988, 1989 and 1990, has attended to its duty
and asks leave to report that the whole number of
votes returned for Governor was 426,863; and that
John R. McKernan of Cumberland had 170,312 votes;
James Tierney of Lisbon had 128,744 votes; Sherry F.
Huber of Falmouth had 64,317 votes; John E. Menario
of Portland had 63,474 votes; and Others had 14 votes.

Sincerely,
S/N. Paul Gauvreau
Senate Chair
S/Phyllis R. Erwin
House Chair

Which was READ and ORDERED PLACED ON FILE.

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:

ORDERS

Joint Orders

On motion by Senator CLARK of Cumberland the
following Joint Order:

S.P. 21

ORDERED, the House concurring, that a Committee
of three on the part of the Senate, with such as the
House may join, be appointed to wait upon the
Honorable JOHN R. MCKERNAN, JR., and inform him that
he has been duly elected Governor of the State of
Maine for the political years 1987, 1988, 1989 and
1990.

Which was READ and PASSED.

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

Senate at Ease

Senate called to order by the President.

The President appointed to the Committee to
inform the Honorable JOHN R. MCKERNAN, JR. that he
has been duly elected Governor the following on the
part of the Senate:

Senator BUSTIN of Kennebec
Senator BERUBE of Androscoggin
Senator GILL of Cumberland

Off Record Remarks

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

COMMUNICATIONS

The Following Communication:

STATE OF MAINE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE 04333

January 8, 1987

Hon. Joy J. O'Brien
Secretary of the Senate
State House
Augusta, ME 04333

Dear Madam Secretary:

Pursuant to my authority under Senate Rule 37, I have
appointed the following:

To the Committee on Bills in the Second Reading:
Senator Ronald E. Usher, Chair, Senator N. Paul
Gauvreau, Senator Beverly Miner Bustin, and
Senator Barbara A. Gill.

To the Committee on Engrossed Bills:

Senator Charles G. Dow, Chair, Senator Georgette
B. Berube, Senator Judy C. Kany, Senator Henry W.
Black.

Sincerely,
S/Charles P. Pray
President of the Senate

Which was READ and ORDERED PLACED ON FILE.

Off Record Remarks

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

After Recess
Senate called to order by the President.

by Senator CLARK of Cumberland, ADJOURNED until
Tuesday, January 13, 1987 at 10:00 in the morning.

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

COMMUNICATIONS

The Following Communication:

January 8, 1987

Hon. Joy J. O'Brien
Secretary of the Senate
State House
Augusta, ME 04333
Dear Madam Secretary:

The Speaker appointed the following members on
the part of the House to the Committee to wait upon
the Honorable John R. McKernan, Jr. and inform him he
has been duly elected Governor of the State of Maine
for the political years 1987, 1988, 1989, 1990:

Representative PRIEST of Brunswick
Representative ROTONDI of Athens
Representative TAMMARO of Baileyville
Representative O'GARA of Westbrook
Representative INGRAHAM of Houlton
Representative REED of Falmouth
Representative RICE of Stonington

Sincerely,
S/Edwin H. Pert
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.

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 Statutory Dates for Certain
Reports to the Legislature

H.P. 12 L.D. 10

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 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

On motion by Senator USHER of Cumberland,
RECESSED until 5:30 p.m.

After Recess

Senate called to order by the President.

At this point, the President appointed the
Senator from Penobscot, Senator PEARSON to preside as
President Pro Tem.

The Senate proceeded to the Joint Convention.

AFTER JOINT CONVENTION
IN SENATE

Senate called to order by the President Pro Tem

The Adjournment Order having been returned from
the House, READ and PASSED, in concurrence, on motion