

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Eighteenth Legislature
State of Maine

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

In Senate Chamber
Wednesday
December 4, 1996

Pursuant to the Provisions of the Constitution and the laws of the State of Maine, the Senators-elect of the One Hundred and Eighteenth Legislature convened in the Senate Chamber and were called to order by MAY M. ROSS, Secretary of the Senate of the One Hundred and Seventeenth Legislature.

Prayer by Reverend Jill E.S. Vogt, First Congregational Church, Kittery Point.

REVEREND JILL E.S. VOGT: Creator and creating God, spirit of wisdom, justice and truth, we pause in this moment to ask for your blessing upon this body gathered here. We ask for your blessing upon our great State with all of its natural wonders and beauties. We pray that we may protect and preserve the integrity of your creation.

We ask blessings also on the people of this great State with all of their skills and attributes, gifts and abilities, hopes dreams and anxieties. May we love them, honor and respect them and work hard to live up to the promises we have made.

Bless also, O God, the leaders of this State, and the meeting of the One Hundred and Eighteenth Legislature. Bless the Governor, the members of the House, the staff members who work so hard to keep it all going. Bless especially, O God, the members of the Senate, that they may work in the spirit of wisdom, justice and trust. May they lead with vision and develop creative solutions to the challenges we face. And may the aisle never be so wide that a hand cannot be stretched across in friendship, truth and respect. God bless us all. Amen.

Pledge of Allegiance was led by Senator-elect Jill Goldthwait of Hancock.

COMMUNICATIONS

The Following Communication: S.C. 1

**STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE**

To May M. Ross, Secretary of the Senate, in the One Hundred and Seventeenth Legislature:

I, BILL DIAMOND, Secretary of State, pursuant to the provisions of Title 3 MRSA, Section 1, hereby certify that the following are the names and residences of the Senators-elect to the One Hundred and Eighteenth Legislature, in accordance with the tabulation submitted to the Governor on the twenty-fifth day of November in the year One Thousand Nine Hundred and Ninety-Six:

- DISTRICT 1 JUDY PARADIS, Frenchville
- DISTRICT 2 R. LEO KIEFFER, Caribou
- DISTRICT 3 MICHAEL H. MICHAUD, East Millinocket
- DISTRICT 4 VINTON E. CASSIDY, Calais
- DISTRICT 5 JILL M. GOLDTHWAIT, Bar Harbor
- DISTRICT 6 RICHARD P. RUHLIN, Brewer
- DISTRICT 7 MARY R. CATHCART, Orono
- DISTRICT 8 STEPHEN E. HALL, Guilford
- DISTRICT 9 ROBERT E. MURRAY, JR., Bangor
- DISTRICT 10 BETTY LOU MITCHELL, Etna
- DISTRICT 11 SUSAN W. LONGLEY, Liberty
- DISTRICT 12 ROCHELLE PINGREE, North Haven
- DISTRICT 13 S. PETER MILLS, Cornville
- DISTRICT 14 RICHARD J. CAREY, Belgrade
- DISTRICT 15 BEVERLY C. DAGGETT, Augusta
- DISTRICT 16 MARJORIE L. KILKELLY, Wiscasset
- DISTRICT 17 JOHN W. BENOIT, Sandy River Plantation
- DISTRICT 18 SHARON TREAT, Gardiner
- DISTRICT 19 MARY E. SMALL, Bath
- DISTRICT 20 JOHN M. NUTTING, Leeds
- DISTRICT 21 JOHN T. JENKINS, Lewiston
- DISTRICT 22 JOHN J. CLEVELAND, Auburn
- DISTRICT 23 PHILIP E. HARRIMAN, Yarmouth
- DISTRICT 24 NORMAN K. FERGUSON, JR., Hanover
- DISTRICT 25 RICHARD A. BENNETT, Norway
- DISTRICT 26 JEFFREY H. BUTLAND, Cumberland
- DISTRICT 27 I. JOEL ABROMSON, Portland
- DISTRICT 28 ANNE M. RAND, Portland
- DISTRICT 29 WILLIAM B. O'GARA, Westbrook
- DISTRICT 30 JANE A. AMERO, Cape Elizabeth
- DISTRICT 31 PEGGY A. PENDLETON, Scarborough
- DISTRICT 32 LLOYD P. LAFOUNTAIN, III, Biddeford
- DISTRICT 33 BRUCE W. MACKINNON, Sanford
- DISTRICT 34 JAMES D. LIBBY, Buxton
- DISTRICT 35 MARK W. LAWRENCE, Kittery

IN TESTIMONY WHEREOF I have caused the Great Seal of the State to be affixed, given under my hand at Augusta this fourth day of December in the year One Thousand Nine Hundred and Ninety-Six.

S/Bill Diamond
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: ABROMSON, AMERO, BENNET, BUTLAND, CAREY, CASSIDY, CATHCART, CLEVELAND, DAGGETT, FERGUSON, GOLDTHWAIT, HALL, HARRIMAN, JENKINS, KIEFFER, KILKELLY, LAFOUNTAIN, LAWRENCE, LIBBY, LONGLEY, MAKINNON, MICHAUD, MILLS, MITCHELL, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, SMALL, TREAT

ABSENT: Senator-elect BENOIT

34 Senators-elect having answered to the Roll, the Secretary declared a quorum present.

Out of order and under suspension of the Rules, on motion by Senator-elect PINGREE of Knox, the following Senate Order: S.O. 1

ORDERED, that a message be sent to Governor Angus S. King, Jr., 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 Secretary appointed the Senator from Knox, Senator PINGREE to deliver the message to the Governor.

Senate-elect at Ease

Senate-elect called to order by the Secretary

Subsequently, the Senator from Knox, Senator-elect PINGREE reported that she had delivered the message with which she was charged and the Honorable Angus S. King, Jr. would attend forthwith.

ORGANIZATION OF THE SENATE

At this time, the HONORABLE ANGUS S. KING, JR., GOVERNOR of the State of Maine, entered the Senate Chamber and was escorted by the Sergeant-At-Arms to the rostrum. (Amid applause, the Members rising.)

GOVERNOR KING: In a few moments I will administer the oaths to the Senators-elect and make them Senators in the 118th Legislature. Before doing so, I want to welcome the new Members of this Chamber, their families, their friends to what is in reality, a celebration of democracy. We don't think about it in this country because we take it so much for granted that the peaceful transfer between power, between individuals, between parties, between interest groups is one of the miracles of America and we are standing here today at a moment of celebration of the democratic principle. It represents hard work on behalf of all of you, campaigns, effort, the hard work and sacrifice of the members of your family. But I think, as I get older, that too often we don't adequately celebrate our victories. We always worry about the next issue, about the next problem that we're going to have to think about, about the joint order this afternoon, or the bill next January, or the budget in February and March. But, for a moment today, let's just enjoy it. Let's revel in this moment. Let's celebrate our victory, not our victory in a political sense, but our victory in a personal sense of coming here to do the peoples business.

What an honor this is for all of us, to have this opportunity, for you to sit in this room under the watchful gaze of Abraham Lincoln. What an honor it is for us to be entrusted by our fellow citizens with the guidance of this great State. And it's my job to administer the oaths and also to welcome you to

this body and to this place and to this building, where we will be doing the peoples business over the next six months.

I want to welcome particularly, the families who have made sacrifices to bring your spouse or your loved one here and who, I'm afraid I hate to tell you, will make sacrifices additionally over the next several months. Because this is hard work, and it's demanding work, and the hours are lousy. It sometimes seems we can only make decisions after midnight, I don't know why that is. But, to the families, I know what you have gone through to bring these people here today and I want to thank you. And, as a personal thanks, Mary and I are inviting all of you, families, children, parents, grand-parents, spouses and you won't be Members-elect in a few more minutes, to the Blaine House this afternoon at 4:00; providing you get your work done in time. This afternoon at 4:00, you're invited to join us for a reception again, to celebrate this wonderful day.

I think the only thing I want to say of a governmental nature is, that we're here to do the peoples business. Those of you who have been through campaigns, I'm sure have heard, people told me last night, "What you hear from people at home is, we don't care who wins and loses, we just want the problem solved. We want you to get together and do the peoples business in a way that's civil and productive", and that's certainly my orientation. And I want to tell you that my door is always open, as I told one of your new Senators last night, the standing orders in my office is that legislators and kids always get in. And you're always welcome to come down to talk, to raise issues, to ask questions. If you hear a rumor, come down and check it out. Those of you who are new Members, know that this building is heated entirely by rumors. It's a little-known energy source. But, it's so easy in this atmosphere to have things be confusing, to get misstatements, to get controversies generated where really none exist. And, I would urge you to simply come downstairs, knock on the door and say, "I heard so-and-so. Is it true?" Or, "let's talk about this bill. How do we manage to work this out?" Many of you have found it very easy to avail yourselves of that opportunity. Others have been more reticent, and I want to hereby re-invigorate that invitation. I, myself, will come up and join you. Two years ago, when I first came to the third floor, it was quite a stir and they were taking pictures and all kinds of things were going on around me that I couldn't quite understand. Until finally, one of the Sergeant-At-Arms came and said, "Governor, you're the first Governor to come to the third floor since Ken Curtis in 1973". And I said, "Well gee, I didn't see any signs on the stairs that said 'No Governors Allowed.'" So, I'll continue to do that and the whole point is that we're here to do the peoples work. As my father used to say, "To the public, it's all the 'govment". They don't distinguish between the Senate and the House, the Republicans and the Democrats, the Town and the County and the State, they just want the problem solved and we have it in our power to do that.

Now again to the new Members, if you're confused about an issue, if you don't know how to vote, ask me, I'll advise you. It will certainly be unbiased. You know that it will be nonpartisan.

But I look forward to working with all of you, and I think we can have some fun, we can do the work of the people. Maine is poised for greatness. We are poised to move into the twenty-first century as one of the most prosperous and exciting places to live, work, and raise a family. And I welcome you to join me and the Members of the other Body toward that end. Now if all of the Senators would rise, it is my honor and duty now to

administer the oath of office. Please rise and raise your right hand now. For some reason in Maine, we have two oaths, so don't give up on me we've got to do this twice.

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

The Sergeant-At-Arms escorted Governor Angus S. King, Jr. from the Senate Chamber. (Amid applause, the Members rising.)

Off Record Remarks

THE SECRETARY: Nominations are now in order for the office of President of the Senate of the 118th Legislature. The Chair recognizes the Senator from Androscoggin, Senator Cleveland.

Senator **CLEVELAND:** Madam Secretary, I nominate Senator Mark W. Lawrence from York for the office of President of the Senate of the 118th Legislature.

THE SECRETARY: The Senator from Androscoggin, Senator Cleveland has nominated Senator Mark W. Lawrence of York, for President of the 118th Legislature. The Senator may proceed.

Senator **CLEVELAND:** Thank you Madam Secretary. It is indeed a great honor and personal pleasure for me to put Mark Lawrence's, Senator Mark Lawrence's name into nomination. In doing so, I thought about what were the essential standards and characteristics we all should consider in the election of a Senator to the Maine State Senate. And it seems to me that there are four. We must look at their experience, the character and integrity of the individual, their exercise of power and fairness and for justice, and the respect for this Body and for the office of the President of the Senate.

Mark Lawrence has that experience. He's a graduate of Bowdoin College, of the University of Maine School of Law. He's a skilled and respected attorney within this State and he has the legislative experience to understand the Institution and its operation and its successful function for the benefit of the people of this State. Having served with distinction for two terms in the other Body, and two terms in this Body as well. He also has the character and integrity which we look for in our leaders. He has demonstrated we can have trust in his word and in his actions, so we know what he says and will do will be followed through.

We also know that it's a demanding job, that at many times decisions have to be made quickly without much opportunity for reflection. So therefore, an individual with great character and a steady sense of integrity on what is right and just needs to be selected. And we need to select an individual who sets a standard for all of us as Senators and for the State of Maine. We also need an individual who will be fair and just in the execution of the powers of the Senate President. That person needs to respect all Members equally, regardless of their party or background. He needs to work to build consensus among the group, and to do so in a constructive and positive environment so that it will be conducive for the successful completion of the work for the people of this State.

And finally, I think it's important that the person have respect for this institution as a Senate and for the office of the Senate.

All of us have come here only temporarily as stewards of this job being given the privilege to serve by our constituents. None of us own these positions, including the Presidency of the Senate. We serve at the pleasure of others and in so doing, we must remember that this Institution has existed since 1820 with great respect and honor and that it will exist after we leave. Therefore, the way in which we conduct ourselves has to be in a way that leaves the office with as much respect and dignity in which we received it, so that we can pass it on to our heirs, hopefully in even better condition in which we received it. I believe Mark Lawrence meets or exceeds everyone of these standards. He will be an outstanding President of the Senate and someone who we will be extremely proud of. I recommend his election to you without reservation.

THE SECRETARY: The Chair recognizes the Senator from Lincoln, Senator Kilkelly.

Senator **KILKELLY:** Men and women; To paraphrase a statement by Champ Clark, who served as speaker of the U.S. House from 1911 to 1919, "A person must learn to be a Representative or Senator just as they learn to be a farmer, carpenter, blacksmith, merchant, engineer, lawyer, doctor, preacher, teacher, or anything else. Of course some learn quicker than others, some of exceptional ability and powers of observation, very speedily. The best plan for a constituency to pursue, is to select a person of good sense, good habits and perfect integrity, young enough to learn, and re-elect them, so long as they are faithful to that trust. No person should be sent to gratify their own ambitions but because they have qualifications for the position for which they seek. Such a person grows into power and high position as surely as sparks fly upward".

It is my honor and privilege today to take those words to heart and second the nomination of Senator Mark Lawrence of York to be the 107th President of the Maine Senate in this 118th Legislature. I have known Mark since he was elected to the other Body in the 114th Legislature where I was serving as a Member. He has learned well to be a Senator and even in the beginning of his career, was someone who others turned to for information, assistance and advice, the sign of a true leader. Mark has truly grown into power and high position because of his good sense, good habits, and perfect integrity as surely as sparks fly upward. I urge you to join me in supporting the Honorable Mark W. Lawrence of York for the position of President of the Senate. Thank you.

THE SECRETARY: The Chair recognizes the Senator from Cumberland, Senator Amero.

Senator **AMERO:** Thank you Madam Secretary, Ladies and Gentlemen of the Senate. I move that the Senator from Knox, Senator Pingree be authorized to cast one ballot, on the part of the Senate, in favor of Senator Mark W. Lawrence of York, for President of the Senate of the 118th Legislature.

THE SECRETARY: The Senator from Cumberland, Senator Amero, has moved the Senator from Knox, Senator Pingree be authorized to cast one ballot on the part of the Senate in favor of the Senator from York, Senator Mark W. Lawrence for the President Senate of the 118th Legislature. Is

it the pleasure of the Senate that this motion receive passage? It is a vote. Sergeant-At-Arms will carry the ballot box to the Senator from Knox, Senator Pingree.

This being done, Senator **MARK W. LAWRENCE** of York, was duly elected President of the Senate of the 118th Legislature.

The Chair would request that the Senator from Androscoggin, Senator **CLEVELAND**, escort the President-elect to the Governor's Office for the purpose of taking and subscribing to the necessary oath of office required by the Constitution to qualify him to enter upon the discharge of duties of the Office of President.

The Sergeant-At-Arms escorted the Senator from Androscoggin, Senator **CLEVELAND** and the President-elect to the Governor's Office.

Senate at Ease

Senate called to order by the Secretary

Subsequently, the Senator from Androscoggin, Senator **CLEVELAND**, reported that he had attended to the duties to which he was assigned and was pleased to report that Senator **MARK W. LAWRENCE** of York, 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 the Office of President of the Senate of the 118th Legislature.

Thereupon, Senator **LAWRENCE** of York was escorted to the Rostrum by the Sergeant-At-Arms. (Amid prolonged applause, the Members rising.)

THE PRESIDENT: Thank you very much. Thank you very much. I don't know if you've ever looked out at a group of people and been at a loss for words, for what to say. Thankfully, in this Chamber, that has never happened to me. I got up this morning, and staying over at a motel up here last night, I woke up at 5:30 a.m., because that's usually the time our two cats come in and walk across the tops of our heads, somewhere during the night they have a feeling that somehow we're going to forget that we have pets and they just want to let us know every morning that we still have pets.

If you see me a little blurry-eyed, I just put in my contacts this morning and I didn't have a chance to clean them. In fact, a couple of years ago I got stopped by the State Police for having a plate light out, and the State Trooper looked at my driver's license, which then used to have a picture of me wearing eyeglasses, and looked at my license plate, flipped over the license and looked at the back and walked up to my window and said, "Your license says you're restricted to corrective lenses." I kind of laughed and I said, "Well Officer, I have contacts now." He leaned down and he said, "Senator, I don't care who you know in Augusta."

I'm truly honored and frankly, quite humbled to be chosen as your Senate President for the 118th Legislature. I sincerely appreciate your trust and confidence, and I know that sounds like one of the many things we have all written at the end of one of our many letters we send out to people asking for their

support. But, my true hope is that my action in this position will match the honesty, the integrity, and the leadership that you all have shown in earning a seat in this Chamber.

I want to say a special thank you to Jeffrey Butland, the outgoing Senate President from the 117th. I sincerely appreciate his service, his commitment to the people of Maine and this Body.

I want to extend a very special thanks to the people who are here today, who are not Senators. You are the partners, the family, the parents, the friends and the supporters without whom this Senate would not function, and in fact, government would not function. You know we're all driven by an insane passion that thinks we can make a difference, but you all are driven by a devotion to us and our cause that is far more noble than our own personal ambitions. To each of you I extend my sincerest appreciation on behalf of the Maine Senate. That is a debt we owe you that we will never be able to repay.

To my wife, Tina, I want to say a special thanks, you will never know the importance your support has meant to me. I promised I wouldn't embarrass her, but I'm going to go ahead anyway. To my parents, a special thank you. You know my parents had a belief that the four sons of a shipyard worker in Kittery, had been offered any opportunity that they could imagine and I sincerely appreciate that and what they've done for myself and my brothers.

Now that the campaign season is behind us, the work of governing the State of Maine begins. And believe me, it's not going to be easy. We all know what we have read in the papers, seen about the crises here in the state. I'll never forget, when I was going door-to-door this year, I talked with a man, at his doorstep, who emphatically told me that government must live within its means. And in the very same conversation, he also emphatically told me how the government had failed to meet the needs of the mentally disabled, like his son. At a time when government is asked to do so much with so little, we cannot hide behind our political rhetoric. Just this past weekend I came across this newspaper headline that read, "The 118th Legislature to Face Mind-numbing Challenges." The 118th is steeped with difficult challenges, and it would be cliché for me to simply say these challenges are only opportunities waiting for us to take advantage of them. We all know it's much more difficult than that. For us, there are only two choices here in this Legislature. Either we can choose our separate courses of action and fight the battles we have fought in the past, or we could choose a new course to restore faith in government and respect for public service.

I am asking you to join with me today in forging a new majority in the Maine Senate, not a Democratic majority, not a Republican majority, not even an Independent majority, not a conservative majority, nor a liberal majority, but a governing majority. A majority less worried about which political party ends up in the headlines and is in a better position for the next election, and more committed to being straightforward with the people of Maine and finding solutions to the challenges we face. Andrew Jackson once said, "One man with courage makes a majority." I challenge all of you, in this chamber, to bring with you each day into this chamber, the courage to forge that new majority. We will certainly disagree, we always have, we always will. But, we must always remember that no opinion is ever irrelevant. The challenge is to find, within our disagreements, the foundation for a solution. Government can no longer be seen as the enemy, nor can it be seen as a panacea for each and every one of our problems. With the

courage from each and every one of you, that business can and will begin here today. With a new majority we can work together to pay the states bills, to reduce its debts, to pass a budget without the gimmicks that simply passes our burdens onto future generations. With a new majority we can work together to reduce the burden of property taxes which saps the resources of Maine's citizens. And with a new majority we can work together to insure that Maine children have the very same opportunity to rise to the best of their abilities as we have had. And with a new majority we can work together to ensure that our parents are cared for as well as they cared for their parents. With a new majority we can put the people of Maine first. Today, I stand before you ready to build that majority. Long ago Sophocles wrote, "Our ship of state, which recent storms have threatened to destroy, has come safely home to harbor at last." Today we face what seems more severe storms and more foreboding storms than we could ever imagine possible. Together, we can bring that ship of state home. It is time for us to forge that new majority.

Thank you very much.

At this point, the President noted the presence in the Senate Chamber of Senator-elect **BENOIT** of Franklin. In accordance with a long-standing and unique tradition of the Maine Senate, the Senator-elect from Franklin has been absent to attend to the furnace and make sure they are well stoked. The President requested that the Senator from Cumberland, Senator **ABROMSON** escort the Senator-elect from Franklin, Senator **BENOIT**, to the Governor's Office for the purpose of subscribing to the oaths of office required by the constitution.

The Sergeant-At-Arms escorted the Senator from Cumberland, Senator **ABROMSON**, and the Senator-elect from Franklin, Senator **BENOIT**, to the Governor's Office.

Senate at Ease

Senate called to order by the President

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

THE PRESIDENT: Nominations are now in order for the Office of Secretary of the Senate of the 118th Legislature. The Chair recognizes the Senator from Knox, Senator Pingree.

Senator **PINGREE:** Mr. President, I nominate Joy J. O'Brien of Cumberland County for Secretary of the Senate of the 118th Legislature.

THE PRESIDENT: The Senator from Knox, Senator **PINGREE** has nominated Joy J. O'Brien from Cumberland

County for Secretary of the Senate of the 118th Legislature. The Senator may proceed.

Senator **PINGREE:** Thank you Mr. President. Four years ago when I came to the Senate, Joy was here to welcome me and I am proud today to nominate her to the office of the Secretary of the Senate.

I think that Joy, perhaps, was born to work in the Legislature, her father served in the House and back in 1972, her mother was running for Congress. In fact, Joy's entire professional life has been serving Legislatures, almost twenty years. Joy likes to tell us she started as a very young child. We don't hold this against her, but Joy actually got her start in the New Hampshire Legislature. She was the first nonpartisan staff member to the Republican Speaker. In the 110th Legislature, she came in as a special assistant in the Democratic Minority Office and by the 111th, she was the Secretary in the Senate. She then served for twelve years, and in those twelve years she's seen a lot and she's done a lot for the Senate of Maine. She was involved in the first major remodeling of the Senate in twenty years, the time when the balcony was opened again so that we may use it. She brought computers to the offices and has upgraded those computers into the Senate Chamber. She's been through four Senate Presidents, three Speakers of the House, two of our Members in the Senate have been elected to Congress while Joy has been here, and she has been here while over a thousand Members of the Legislature have come and gone through this building. We think that perhaps Joy has, in her twelve years, the longest consecutive service of anyone serving as Secretary of the Senate.

The fact is, that Joy works well with all Legislators on both sides of the aisle. She respects the work that Legislators do, she knows that all of us Senators work very hard and she is always looking for ways to serve everybody in this Body to make their work easier. She is constantly trying to improve the process. One of things I think is most important about Joy is what she says about this process. Joy says, "I am in awe of the Legislature and all that is done here". In fact, she loves and deeply respects this Institution. And in a time when people are always losing faith in the work that we do, and losing faith in government, the most important thing we can ask for is people to love and care for this Institution as it needs to be. The fact is, we all love Joy. We need Joy. We need someone who respects the Institution and we need her to be elected to this position. I am very happy to nominate her for this job.

THE PRESIDENT: The Senator from Knox, Senator Pingree nominates **JOY J. O'BRIEN** for Secretary of the Senate of the 118th Legislature. The Chair recognizes the Senator from Aroostook, Senator Paradis.

Senator **PARADIS:** Thank you Mr. President. It is an honor and a privilege for me to second the nomination of Joy O'Brien for Secretary of the Senate. Her devotion to this institution is second to none. She's a very knowledgeable and positive individual who will help us through the process. She is a natural born teacher and negotiating the maze that we're about to this year, necessitates a strong hand to guide us and Joy does this very well. She respects the process and the people involved in doing the peoples work. Her many years of experience and keen intelligence will ensure a smooth, flawless transition to the technical process of the Legislature here, in

this Chamber. Joy's a true professional, fair, nonpartisan, honest, efficient and effective as a Secretary of the Senate, and she is a wonderful public servant. So, it is with much enthusiasm that I second her nomination. Thank you Mr. President.

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

Senator **AMERO:** Thank you Mr. President. Mr. President, I move that the Senator from Knox, Senator Pingree, be authorized to cast one ballot, on the part of the Senate, in favor of Joy J. O'Brien of Cumberland, for Secretary of the Senate of the 118th Legislature.

This being done, **JOY J. O'BRIEN** was duly elected Secretary of the Senate of the 118th Legislature. (Applause, the Members rising.)

The Senator from Knox, Senator **PINGREE**, escorted 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.

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

Senator **BUTLAND:** Thank you Mr. President, Ladies and Gentlemen of the Senate. First let me begin by offering my congratulations and best wishes to you, and my support over the next two years. We do indeed have a full plate in front of us. For those of you who are here today as friends and family members of the new Senators, you need to know that this is truly a momentous occasion. You're about to witness not only the passing of the torch, but the passing of an era in State Legislative politics.

While I'm sure that May Ross would have preferred that her retirement go unnoticed, matter of fact, when I went in to speak to her the other day and tell her that the Senator from Kennebec, Senator Carey and myself wish to address the Senate in regards to her retirement, she said no and I ruled that she was out of order, that it was a non-debatable motion.

I would be remiss if I would allow this remarkable woman to leave this chamber and the building today and to go into retirement without the just recognition that she so richly deserves. She has made my life in the institution and the people of the State of Maine much, much richer over the last thirty-two years. She has spent the majority of her professional life in service to the State of Maine. In fact, for thirty-two years all of Senator Rick Bennett's life, I might add; just to put it in prospective. May Ross has been employed in some capacity by the Maine Senate. She has many firsts to her credit also. She was the first woman to serve as the Assistant Secretary of the Senate, which she did for five years and she served for a total of eight years as the Secretary of the Senate, again, the first woman elected to that position. May has earned a reputation for fairness and decency, her work ethic is beyond reproach, but one of the qualities that I have come to appreciate the most, is her kind and compassionate manner, regardless of the situation. May Ross is always methodical and thoughtful, she is calm in crisis and thorough in her analysis. May began her current stint, as Secretary of the Senate, two

years ago with mixed emotions. In fact, it was a very bittersweet occasion for her. After twelve years hiatus she was sworn in as Secretary of the Senate in the midst of a tremendous personal tragedy. Testimony to her strength was the fact that through it all, she demonstrated the demeanor of a true professional.

I am pleased that her children are here today and would like to recognize Heather, Rick, Anita and Julie. Julie being the newest member of the Ross family to undertake legislative service, as a newly sworn Member of the House of Representatives.

Over the past two years, May and I have worked very closely and I have said many times, that the high point of my day was time spent with her during pre-session planning meetings in the morning. Her office and her calm demeanor was a safe haven, a respite from business as usual, here in Augusta. A poem that May kept on her wall, characterizes our relationship most appropriately. It is entitled "Loyalty", and reads in part; "and I have to preface this by saying that it was probably written years ago and is not gender neutral and I apologize, "If you work for a man, in heavens name, work for him, speak well of him and stand by the institution he represents. Remember, an ounce of loyalty is worth a pound of cleverness. As long as you are part of the institution, do not condemn it, if you do, the first high wind that comes along will blow you away and probably you will never know why".

May, we will miss you, we certainly all love you and I speak for all of the Senators when I say, we hope that you enjoy your retirement, but please, don't be a stranger, come back and see us soon. All of our best, thank you very much.

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

Senator **CAREY:** Thank you Mr. President. Mr. President, ladies and gentlemen of the Senate and guests here today. I believe I've known our outgoing Secretary longer than anyone else here. I started in the other Body thirty years ago and two very short years later, May Ross showed up on the scene starting in the Senate as an Index Secretary. Nice things have been said about her by the preceding speaker and I have the dirty job of trying to tear her down. That's the loyal opposition part.

I will try to do it session by session. In the 104th, in 1969, Mrs. May M. Ross became, as I said, the Senate Index Secretary. In 1971, in the 105th, for some reason, she was able to keep that position. In 1973, in the 106th, she rose, apparently fooling someone, she rose to the position of Assistant Secretary of the Senate. And in keeping with her elevating stature, she moved from Greenwood Court to School Street. In 1975, in the 107th Legislature, she was able to hang on to that position. She stayed in the same house that was on Greenwood Court. But she saw the Democrats gain control of the House, and she saw John Martin become the Speaker of the House. I would say too, that Senator Mary Small and Speaker Libby Mitchell were both inducted into their first term in the Legislature, and they started in the House. Senator Small obviously had great wisdom and moved over to the Senate. In 1977, during the 108th Legislature, May M. Ross became the Secretary of the Senate and as Senator Butland pointed out, the first woman to hold the position. Again, in keeping with that position, obviously, she moved to the upper-crust level of Willow Street. She now had the position of power, as she now

was sitting at the right hand of the President. In 1979, in the 109th, she had the same job, same house on Willow Street, but now she had her own, Jackie Calgagni as a page and she had two new House Members at the other end who were bugging her, one of them was Dan Gwadosky and the other one was Paul Jacques. In 1981, in the 110th, same job, same street, same Jackie C. giving her trouble as a page. And in '83 in the 111th, Democrats gained control of the Legislature. Unfortunately, May Ross became Administrative Aide to the Minority Leader. And in '85 in the 112th Session, May Ross named Administrative Assistant to the Minority Leader and she sensed a long reign by the Democrats and she moved again, this time to Riverside Drive, giving up her plush Willow Street Apartment. In '87, in the 113th, her title now changed to Special Assistant to the Minority Leader, whatever that was. But, she didn't move. In the 114th, same job, same house. In 1991, the 115th, same job, same house. In 1993, in the 116th, same job, same house, but, now she's sensing a political change in the air. And in 1995, her senses paid off. Hooray, the Republicans regained control of the Senate. May Ross, after twelve years as Assistant to the Minority Leader, once again becomes the powerful Secretary of the Senate. But, this time she has the feeling that the Democrats would be right back in power. We Democrats knew that. And how did we know that? She didn't move. In 1997, in the 118th, obviously she was right, the Democrats are in power and we recaptured the Senate. We got the indication that we will be in the majority for a long time to come. Again, how did we know that? She's not going back to the Minority Office, she decides to retire.

As I've said, I've known her since she started as a Senate Index Secretary, in the 104th. She's been very loyal to the Republican Party throughout her entire political career. Truly the loyal opposition Madam Secretary. But I've always found her to be fair with all members of this Body throughout her entire twenty-eight year career. Her absence from these chambers will be felt by all, but, I will miss her most of all. Good-bye, my friend, enjoy retirement, it's not that bad. Come back to visit, and yes, I still owe you that lunch.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Goldthwait.

Senator **GOLDTHWAIT:** Mr. President, on behalf of my entire caucus, I wish to extend a very special thanks to May for her service to this body and for her many, many kindness' to me as I hung suspended for two years over the crack we call the aisle, and had it not been for May, chances are that I would have fallen into that crack many more times than I did. But, thanks to her good officers and her constant attention to the 'square peg in a round hole', I found that the flow of information and the work of the Chamber, as far as my role in it, was not impeded by my somewhat different status and I owe a great debt of gratitude to May for taking such good care of me, and I hope you enjoy every minute of the retirement you so richly deserve.

THE PRESIDENT: I would like to also, extend my sincere thanks for the many kindness' and generousities that you've extended to me, May, you will be sorely missed.

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

Senator **BUTLAND:** Thank you Mr. President. Request permission to approach the rostrum for the purpose of presenting a gift to May Ross from all of the Senators, present and past.

THE PRESIDENT: The Senator may approach the rostrum.

Senate at Ease

Senate called to order by the President

Subsequently, the Senator from Knox, Senator **PINGREE**, reported to the Senate that she had attended to the duty assigned to her 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 118th Legislature.

Thereupon, the Secretary of the Senate was escorted to the rostrum by the Sergeant-At-Arms.

THE PRESIDENT: Nominations are now in order for the Office of the Assistant Secretary of the Senate of the 118th Legislature. The Chair recognizes the Senator from Kennebec, Senator Carey.

Senator **CAREY:** Thank you Mr. President. Hopefully, having retained some degree of composure, I would like to place in nomination the name of a person who has worked with us before. We're extremely fortunate to have Judi Delfranco available to serve us in the upcoming two years. Her knowledge of computers is without limit. As we come out of the dark ages and get into the area of computers, finally, her expertise will be sorely needed. Her experience in the Senate Secretary's Office which dates back to the 112th Legislature, will be a tremendous help to the Secretary, and it will be invaluable, having a continuance of the excellence we have come to enjoy and expect from the Secretary's Office. It is my extreme pleasure to nominate **JUDITH M. DELFRANCO** for Assistant Secretary of the Senate. Thank you Mr. President.

THE PRESIDENT: The name of **JUDITH M. DELFRANCO**, of Somerset, has been placed in nomination for the Assistant Secretary of the Senate for the 118th Legislature. The Chair recognizes the Senator from Penobscot, Senator Michaud.

Senator **MICHAUD:** Thank you Mr. President, Ladies and Gentlemen of the Senate. I am honored to rise before you today to second the nomination of Judith M. Delfranco to the position of Assistant Secretary of the Senate. Judi has previously served the State of Maine, in this Chamber, with the kind of integrity, professionalism, and hard work that so many of us expect from State Government. To be sure, Judi will not be flashy, nor in search of public praise or headlines, but will work instead, behind the scenes to maintain the decorum and the effective operation of the legislative process in this Chamber. Judi brings with her, the knack for details, highly-sensed organizational skills and an understanding of the

Legislative process that we will, undoubtedly, come to rely on. I will never forget the assistance and friendship that Judi has shown to me in my time here in the Maine Legislature and it is with great honor and without reservation that I second the nomination of Judith M. Delfranco for the position of Assistant Secretary of the Senate. Thank you.

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

Senator **AMERO:** Thank you Mr. President. Mr. President I move the Senator from Knox, Senator Pingree be authorized to cast one ballot on the part of the Senate in favor of **JUDITH M. DELFRANCO** of Somerset County for Assistant Secretary of the Senate of the 118th Legislature.

This being done, **JUDITH M. DELFRANCO** was duly elected Assistant Secretary of the Senate of the 118th Legislature. (Applause, the Members rising.)

The Senator from Kennebec, Senator **CAREY**, escorted 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.

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

Senate at Ease

Senate called to order by the President

Subsequently, the Senator from Kennebec, Senator **CAREY**, reported to the Senate that he had attended to the duty assigned to him and that **JUDITH M. DELFRANCO** 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 Assistant Secretary of the Senate of the 118th Legislature.

Off Record Remarks

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

Senator **HARRIMAN:** Thank you Mr. President. Ladies and Gentlemen of the Maine Senate, on behalf of the citizens of Senate District 23, I'd like to extend my hardy congratulations to you on becoming a Member of the 118th Maine Senate. I also want to extend my personal congratulations to you, Mr. President, and to you Madam Secretary, and especially to my good friends, Senator Pingree, from Knox and Senator Rand, from Cumberland.

You indeed have the high honor and privilege of leading this honorable Body in the months ahead. To be sure, the responsibilities you have been entrusted with will perhaps be

the most rewarding, yet challenging experience of your life and I promise to do my part to help you do those duties. And as we move forward from this day, to carry out the peoples business, my wish is that the sense of pride and enthusiasm that fills this Chamber today, surrounds us each and every day as we move forward. For it is our duty to assure the family and friends who have gathered here today to witness this historic occasion, that we prove we are worthy of their support and confidence.

For me, the measure of our success at the end of this Session will be the progress we make as communities, as neighbors and families. It is not the difference between young and old, rich and poor, labor and management, nor the difference between Democrats and Republicans that will decide the direction of our future. Rather, I believe, it is the common thread of hope, honesty, hard work and the personal commitment that we all make to the things that are truly important. And I believe, working together, we can continue to make progress where it matters most.

Again, my hardy congratulations to you Mr. President, I extend my helping hand to you so that together we can prove to the people of Maine that we are indeed making progress that assures that Maine is a great place to live, work and raise a family. Thank you Mr. President.

On motion by Senator **PINGREE** of Knox, the following Senate Order: S.O. 2

ORDERED, that a message be sent to the House of Representatives informing that Body that the Senate has organized by the choice of **MARK W. LAWRENCE** of York as President, **JOY J. O'BRIEN** of Cumberland County as Secretary, and **JUDITH M. DELFRANCO** of Somerset County as Assistant Secretary of the 118th Legislature.

Which was **READ** and **PASSED**.

The President appointed the Senator from Knox, Senator **PINGREE** to deliver the message to the House of Representatives.

Subsequently, the Senator from Knox, Senator **PINGREE** reported that she had delivered the message with which she was charged.

On motion by Senator **RAND** of Cumberland, the following Senate Order: S.O. 4

ORDERED, that a committee of seven be appointed by the President to whom the returns of votes for Senators for the political years of 1997 and 1998 shall be referred for examination and report.

Which was **READ** and **PASSED**.

Senate at Ease

Senate called to order by the President

On motion by Senator **RAND** of Cumberland, the following Senate Order: S.O. 3

ORDERED, that the Senate Rules of the 118th Legislature are as follows:

**RULES OF THE SENATE
118TH LEGISLATURE**

1. The President shall take the chair at the time to which the Senate stands adjourned; but in case of the President's 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 the President's 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.

1-A. Beginning with the 117th Legislature, the President, the majority leader, the assistant majority leader, the minority leader and the assistant minority leader may not serve more than 2 consecutive terms.

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 speaking, the President shall address the Senate; when a Senator speaks the Senator shall stand in the Senator's place and address the President.

4. The President, when speaking 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 the Senator resides.

5. The President has the right to appoint a temporary Secretary of the Senate and a temporary Assistant Secretary of the Senate to fill any vacancy that may occur in the office while the Legislature is not in session, to serve until the Senate elects a Secretary or Assistant Secretary, which must occur within 60 days of the vacancy.

The President has 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 the Senator 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 the 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 that Senator 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 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 within 7 legislative days; 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 pass 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 pass 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. Business may not be transacted after the hour of 9:00 p.m. without the affirmative vote of 2/3 of the members present and voting.

26. Once the Secretary of the Senate commences with the roll call, all Senators shall remain seated until the vote has been announced. A roll call must close no more than 30 minutes after such call was commenced. 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.

28-A. There may be no pairing of votes in the Senate.

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. Members or members-elect who shall present a bill, resolve or a petition shall place their signatures 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. Notwithstanding this rule, after the convening of the First Regular Session and before the 3rd Monday in January, any amendment to the Senate Rules proposed by a Senate Order may be adopted by a majority vote of the members present, except that if the amendment has already failed to be adopted during that session, it may be adopted only if, upon reconsideration, it receives the approval of 2/3 of the members present.

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

35. No member shall be absent 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 and chamber staff 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 and a Committee on Engrossed Bills, each committee to consist of 4 members. Any one member of either committee shall constitute a quorum of that committee and the Revisor of Statutes shall serve as clerk of the Committee on Bills in the Second Reading.

38. The President of the Senate shall appoint the Committee on Conduct and Ethics which shall be comprised of 5 members and which shall represent the 2 major political parties.

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

40. 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 under the direction of the Secretary or the Assistant Secretary.

41. 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.

42. The rules of parliamentary practice comprised in Mason's Manual of Legislative Procedure 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.

43. 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.

44. 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.

45. At no time may a registered lobbyist be at the desk of any member. A registered lobbyist may not directly communicate with any member in the Senate chamber while the Senate is in order, but may send a note to a member through the Senate chamber staff requesting that the member meet with the lobbyist outside the chamber.

Which was **READ**.

On motion by Senator **PINGREE** of Knox, **TABLED** until Later in Today's Session, pending **PASSAGE**.

COMMUNICATIONS

The Following Communication:

S.C. 2

STATE OF MAINE OFFICE OF THE SECRETARY OF STATE

December 4, 1996

To the President of the Senate in the One Hundred and Eighteenth Legislature:

I, **BILL DIAMOND**, Secretary of State, in accordance with the Constitution and laws of the State of Maine, having tabulated the returns of the votes cast for State Senators at the General Election held on the fifth day of November in the year one thousand nine hundred and ninety-six;

LEGISLATIVE RECORD - SENATE, DECEMBER 4, 1996

REPORT AS FOLLOWS; that the following named persons having received a plurality of the votes cast, appear to have been elected:

District 1

CONNORS-CARLSON, SHIRLEE, 3193
 St. John Plantation
 PARADIS, JUDY, Frenchville 12527
 Others 43

District 2

KIEFFER, R. LEO, Caribou 6400
 MCLAUGHLIN, EUGENE J., JR., Presque Isle 4563
 Others 3

District 3

MICHAUD, MICHAEL H., East Millinocket 10062
 RUSSELL, CHERYL H., Chester 5736
 District 4

CASSIDY, VINTON E., Calais 7958
 COLE, DONALD E., JR., Calais 6663
 Others 2

District 5

GOLDTHWAIT, JILL M., Bar Harbor 12561
 PINKHAM, RALPH E., Lamoine 6545
 Others 7

District 6

BAXTER, SCOTT W., Brewer 7561
 RUHLIN, RICHARD P., Brewer 9993
 Others 6

District 7

CARR, RODERICK W., Lincoln 6685
 CATHCART, MARY R., Orono 9581
 Others 3

District 8

GOULD, RICHARD A., Greenville 6707
 HALL, STEPHEN E., Guilford 9274
 Others 5

District 9

MURRAY, ROBERT E. JR., Bangor 8114
 SAWYER, W. TOM, JR., Bangor 6528
 Others 7

District 10

MITCHELL, BETTY LOU., Etna 8918
 TARDY, ROBERT J., Palmyra 8201
 Others 2

District 11

LONGLEY, SUSAN W., Liberty 12147
 WESER, LESTER R., Northport 5121
 Others 4

District 12

GARNETT, ROY D., Washington 5129
 PINGREE, ROCHELLE, North Haven 12519
 Others 1

District 13

MILLS, S. PETER, Cornville 9331
 YORK, GERALD A., Fairfield 5967
 Others 2

District 14

CAREY, RICHARD J., Belgrade 13232
 Others 19
 District 15

DAGGETT, BEVERLY C., Augusta 8447
 EDWARDS, JEFFREY C., Augusta 1523
 MOSS, WAYNE S., Augusta 5522
 Others 1

District 16

HARRIS, JOHN C., Newcastle 8263
 KILKELLY, MARJORIE L., Wiscasset 11558
 Others 2

District 17

BENOIT, JOHN W., Sandy River Plantation 10148
 BURRILL, JAMES R., Strong 6717
 Others 2

District 18

RHEAUME, PAUL, Winthrop 7520
 TREAT, SHARON, Gardiner 10507
 Others 3

District 19

DIONNE, JOHN H., Harpswell 6142
 SMALL, MARY E., Bath 11690
 Others 2

District 20

NUTTING JOHN M., Leeds 10499
 STEVENS, ALBERT G., JR., Sabattus 6690
 Others 4

District 21

JENKINS, JOHN T., Lewiston 9511
 MADORE, PAUL B., Lewiston 4507
 Others 4

LEGISLATIVE RECORD - SENATE, DECEMBER 4, 1996

District 22	
CLEVELAND, JOHN J., Auburn	9932
STRICKER, SUE K., Auburn	6360
Other	113
District 23	
HARRIMAN, PHILIP E., Yarmouth	10546
PORTELA, JOHN P., Brunswick	7330
District 24	
FERGUSON, NORMAN K., JR., Hanover	9511
LOTHROP, DOUGLAS A., JR., Rumford	7731
Others	5
District 25	
BENNETT, RICHARD A., Norway	11000
SESSIONS, BRIAN W., Norway	6141
Others	4
District 26	
BUTLAND, JEFFREY H., Cumberland	11711
WILLIAMS, FREDERICK D., Windham	8334
Others	2
District 27	
ABROMSON, I. JOEL, Portland	10746
MARLEY, BOYD P., Portland	8880
Others	3
District 28	
RAND, ANNE M., Portland	13009
Others	12
District 29	
HILLOCK, KEITH E., Westbrook	6993
O'GARA, WILLIAM B., Westbrook	9917
Others	3
District 30	
AMERO, JANE A., Cape Elizabeth	11910
KOSINSKI, ANDREW, Cape Elizabeth	6442
District 31	
PENDEXTER, JOAN M., Scarborough	7229
PENDLETON, PEGGY A., Scarborough	9432
TRUMAN, PLATO, Saco	2123
Others	2
District 32	
LAFOUNTAIN, LLOYD P. III, Biddeford	9584
MARTIN, LEO G., Kennebunkport	7803

Others	8
District 33	
MACKINNON, BRUCE W., Sanford	7748
PAUL, GORDON N., Sanford	7165
Others	1
District 34	
BAKER, ELBRIDGE N., Lyman	1493
HOLT, BARBARA S., Alfred	7366
LIBBY, JAMES D., Buxton	9074
Others	1
District 35	
LAWRENCE, MARK W., Kittery	11533
MURPHY, ELEANOR M., Berwick	6580
Others	2

I, BILL DIAMOND, Secretary of State, hereby certify that the foregoing report is a true tabulation of the votes cast for State Senators at the General Election, as reported to me on the returns from the cities, towns and plantations of the State.

S/ Bill Diamond
Secretary of State

Which was READ and REFERRED to the COMMITTEE ON SENATORIAL VOTE.

The Following Communication: S.C. 3

MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333

November 15, 1996

Members of the 118th Maine Legislature
State House
Augusta, ME 04333

Dear Members of the 118th Legislature:

We are pleased to forward to you the enclosed report of the Commission to Study Poverty Among Working Parents. The Commission was established by Public Law 1995, Chapter 418, Part B to investigate the extent to which poverty exists among families, how poverty among working or underemployed parents contributes to the need for greater public assistance, and how economic development efforts and other public and private sector initiatives could reduce poverty.

The Commission has worked diligently and is proud to forward the report and the fourteen recommendations. Legislation will be prepared for the 118th Legislature to accomplish the actions contained in the recommendations.

The Commission has enjoyed the able assistance of the Department of Human Services, the State Planning Office, the Bureau of Taxation, the Office of Fiscal and Program Review

and the Maine Economic Growth Council. We extend our thanks to all who participated.

Sincerely,

S/Edward J. Povich
Co-chair

S/Marc R. Mutty
Co-chair

Which was **READ** and **ORDERED PLACED ON FILE**.

ORDERS

Joint Orders

On motion by Senator **CLEVELAND** of Androscoggin, the following Joint Order: S.P. 1

ORDERED, the House concurring, that a sufficient number of Legislative Record for the 118th Legislature be printed, one copy for each of the members of the Senate and the House of Representatives who so desires, the Secretary of the Senate and Clerk of the House. The remainder is 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 Secretary of the Senate and the Clerk of the House.

Which was **READ** and **PASSED**.

Sent down for concurrence.

On motion by Senator **CAREY** of Kennebec, the following Joint Order: S.P. 2

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

Which was **READ** and **PASSED**.

Sent down for concurrence.

On motion by Senator **GOLDTHWAIT** of Hancock, the following Joint Order: S.P. 3

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**.

Sent down for concurrence.

On motion by Senator **RUHLIN** of Penobscot, the following Joint Order: S.P. 4

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 of 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 NYNEX 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**.

Sent down for concurrence.

On motion by Senator **ABROMSON** of Cumberland, the following Joint Order: S.P. 5

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**.

Sent down for concurrence.

On motion by Senator **LONGLEY** of Waldo, the following Joint Order: S.P. 6

ORDERED, the House concurring, that there be paid to the members of the Senate and the House of Representatives as advances on account of compensation established by statute, 10 payments on a biweekly basis commencing January 8, 1997, 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**.

Sent down for concurrence.

On motion by Senator **CAREY** of Kennebec, the following Joint Order: S.P. 7

Ordered, the House concurring, that the Joint Rules of the 117th Legislature shall be the Joint Rules of the 118th Legislature except as follows:

That Joint Rule 203 shall be amended to read:

Rule 203. Cloture for Legislators at the Second Regular Session.

The Legislative Council shall set a cloture date and establish procedures for submission of legislation by Legislators to the Revisor of Statutes at a second regular session. Procedures established for each second regular session must ensure compliance with the requirements of the Constitution of Maine, 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 must be taken by the yeas and nays, and that vote must be recorded and made available for public inspection.

That Joint Rule 207, Section 1 shall be amended to read:

Rule 207. Disclosure of Titles of Bills and Resolves.

1. Legislator and Department Bills. The names of sponsors and the titles of requests for bills and resolves submitted by legislators or by departments, agencies or commissions become public information on the cloture date, and a list of titles and sponsors must be published as soon as practicable after cloture. The names of sponsors and the titles of requests for bills and resolves submitted after cloture are public information when transmitted to the Legislative Council pursuant to Joint Rule 205. The names of sponsors and the titles of requests for bills and resolves submitted for a special session are public information when transmitted to the Legislative Council.

That Joint Rule 208 shall be amended to read:

Rule 208. Requirements for Drafting.

A request for a bill or resolve filed with the Revisor of Statutes is considered complete when the request is properly titled and accompanied by sufficient instructions, information and data required for its preparation. Drafts prepared by an outside source must be filed in final form by the appropriate cloture date.

When directed by the sponsor, the Revisor of Statutes shall prepare a bill or resolve in concept form. The bill or resolve shall contain only an enacting clause and a summary of the proposed legislation and shall not be fully drafted by the Revisor. The bill or resolve prepared in this form shall be printed and referred to a committee in the same manner as other legislation and may be reported by that committee in the same manner as other legislation. This method of drafting legislation is not allowed for legislation submitted by the Governor by agencies or departments of state government by study commissions, or pursuant to statute. Any request for a bill or resolve submitted after cloture must state if it is a request for a concept draft. Any committee amendment must be germane to the detailed summary of the concept draft. This paragraph of Joint Rule 208 shall have a sunset date of March 1, 1997. This sunset date may be extended by a majority vote of both branches of the Legislature.

That Joint Rule 308 shall be amended by the addition of a new Section 3 to read:

Rule 308. Reference of Bills to Committee.

3. Reference to More Than One Committee. When a bill or resolve has a subject matter that falls within the jurisdiction of more than one committee, suggested references may be made and the full Legislature may vote to refer a bill or resolve to more than one committee. When references are made to more than one committee, the first named committee is responsible for the scheduling and conduct of all public hearings and work sessions. Committees to whom a bill or resolve is referred pursuant to this rule shall participate equally in all public hearings and work sessions and shall make a joint report or joint reports. If a member serves on more than one committee to whom a bill or resolve is referred, that member may cast only one vote.

That Joint Rule 310, Sections 2 and 4 shall be amended to read:

Rule 310. Reports of Bills from Committee.

2. Committee Reports. The report of the committee must include a recommendation. Recommendations that may be made are:
Ought to Pass
Ought to Pass as Amended
Ought to Pass in New Draft
Ought Not to Pass
Refer to Another Committee

The committee shall vote on all recommendations to be included in reports on a bill during a work session on that bill. When the committee recommendation is not unanimous, a minority report or reports are required. All reports on any legislative document must be submitted to the Legislature at the same time.

4. Ought to Pass in New Draft Report. When the changes voted by the committee are major, the committee may elect to report the bill out "Ought to Pass in New Draft," with authorization of the presiding officers. When a plurality of the committee recommends this report, the chairs shall submit a request for authority to report the bill out in this fashion. New drafts printed pursuant to these rules must include the

legislative document number that the new bill replaces and the names of the original sponsor and cosponsors. The Secretary of the Senate and the Clerk of the House shall determine the number of copies that must be printed of each new draft.

That Joint Rule 314, Section 4 shall be amended to read:

Rule 314. Participation in Budget Hearings and Work Sessions.

4. Policy Committee Recommendations. Each policy committee shall provide the Joint Standing Committee on Appropriations and Financial Affairs with the policy committee's recommendations regarding the relevant part of the Governor's budget. These recommendations must be delivered within a time period set by the chairs of the Joint Standing Committee on Appropriations and Financial Affairs after consultation with the chairs of the policy committee. The recommendations must be made within the budgetary constraints set by the Joint Standing Committee on Appropriations and Financial Affairs.

That Joint Rule 405 shall be amended to read:

Rule 405. Engrossing of Bills.

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 must be committed to the Committee on Engrossed Bills, whose duties are to examine the engrossed bills and resolves and to see that the engrossed bills and resolves have been truly engrossed. Before any bill is passed to be enacted, or any resolve finally passed, it must be reported by that committee to be truly and strictly engrossed.

Which was **READ**.

On motion by Senator **PINGREE** of Knox **TABLED** until Later in Today's Session, pending **PASSAGE**.

Senate Orders

On motion by Senator **RAND** of Cumberland, the following Senate Order: S.O. 5

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 1997 and 1998, a State Treasurer for the political years 1997 and 1998, an Attorney General for the political years 1997 and 1998, and a State Auditor for the political years 1997, 1998, 1999 and 2000, at 2:00 in the afternoon.

Which was **READ** and **PASSED**.

The President appointed the Senator from Cumberland, Senator **RAND** to deliver the message to the House of Representatives.

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

On motion by Senator **PARADIS** of Aroostook, the following Senate Order: S.O. 6

ORDERED, that the Secretary of the Senate appoint sufficient staff to attend to the duties of the Office of the Secretary.

Which was **READ** and **PASSED**.

On motion by Senator **MICHAUD** of Penobscot, the following Senate Order: S.O. 7

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 **KIEFFER** of Aroostook, the following Senate Order: S.O. 8

ORDERED, that the Secretary of the Senate be authorized to invite the clergy to officiate as Chaplains of the Senate as requested by any member of the Senate; and be it further

ORDERED, that all clergy 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 **CASSIDY** of Washington, the following Senate Order: S.O. 9

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 the Committee.

Which was **READ** and **PASSED**.

On motion by Senator **AMERO** of Cumberland, the following Senate Order: S.O. 10

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 the Committee.

Which was **READ** and **PASSED**.

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

Senator **CAREY:** Thank you Mr. President. On behalf of the people who are here, who are trying to figure out what transpired in the last few minutes, would the Chair please explain to the people exactly what we were doing with the housekeeping measures.

THE PRESIDENT: For the explanation for the visitors; We have a number of housekeeping measures, orders that we need to pass to set up the Senate and you'll often hear the Secretary and the President talking at the same time. The reason for that is, in order to get to lunch. If we sat around and waited for each order to be read, we would have lunch about 4:00 this afternoon. So, every Member has, on their desk, a copy of the orders and at any time if they want to stand up and object, they can during the Session, otherwise we consider it to be unanimous.

Off Record Remarks

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

At this point, a message was received from the House of Representatives borne by Representative **KONTOS** of Windham, informing the Senate that a quorum was present for the consideration of such business as might come before the House.

Off the Record Remarks

On motion by President **LAWRENCE**, **RECESSED** until 1:50 in the afternoon.

After Recess

Senate called to order by the President.

At this point, a message was received from the House of Representatives borne by Representative **SAXL**, of Portland, informing the Senate that the House had organized by the choice of **ELIZABETH H. MITCHELL**, of Vassalboro, as Speaker of the House, **JOSEPH W. MAYO**, of Augusta, as Clerk of the House, and **MILLICENT M. MCFARLAND**, of Augusta, as Assistant Clerk of the House of the 118th

Legislature and was ready to transact such business as might come before the House.

Senate at Ease

Senate called to order by the President.

Off the Record Remarks

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

After Convention

In Senate Chamber

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 of Senator **PINGREE** of Knox, the following Joint Order
S.P. 8

ORDERED, the House concurring, that the Revisor of Statutes shall deliver by March 1, 1997, to the Clerk of the House or Secretary of the Senate all bills or resolves filed prior to the closure date. Said bills or resolves shall be fully drafted as of that date. The Revisor of Statutes is authorized to hire such temporary staff as necessary to carry out this order.

Which was **READ** and **PASSED**.

Sent down for concurrence.

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

PAPERS FROM THE HOUSE
Joint Order

The following Joint Order
H.P. 1

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:

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order H.P. 2

ORDERED, the Senate 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.

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:

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order H.P. 3

ORDERED, the Senate concurring, that the rooms in the State House and State Office Building used by the One Hundred and Seventeenth Legislature as hearing rooms be reserved for hearing rooms for the One Hundred and Eighteenth and succeeding Legislatures and be released for other purposes only upon approval by the Chair of the Legislative Council.

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:

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order H.P. 4

ORDERED, the Senate concurring, that there be prepared, after adjournment of the present session, 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 sufficient copies to meet the needs of the Legislature. A copy shall be mailed to each member and officer of the Legislature and the State Law and Legislative Reference Library.

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:

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order H.P. 6

ORDERED, the Senate concurring, that when the House and Senate adjourn, they do so until Tuesday, January 7, 1997, at 3:00 in the afternoon.

Comes from the House **READ** and **PASSED**.

Which was **READ** and **PASSED**, in concurrence.

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

Senate at Ease

Senate called to order by the President

Off Record Remarks

On motion by the President, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

JOINT ORDER - Relative to the Joint Rules of the 118th Legislature. S.P. 7

Tabled - December 4, 1997, by Senator **PINGREE** of Knox.

Pending - **PASSAGE**

(In Senate, December 4, 1996, **READ**.)

On motion by Senator **PINGREE** of Knox, Senate Amendment "A" (S-1) **READ**.

THE PRESIDENT: The Chair recognizes the Senator of Kennebec, Senator Carey.

Senator **CAREY:** Thank you Mr. President. I serve as Chair of the Rules Committee under the TQM Committee and there can be much clearer language in Section 208 and it was brought to our attention by Senator Mills of Somerset, who is also on the committee, as well as Senator Benoit and Senator Ruhlin, and so we will get back to work on that particular thing and make sure that that language is very clear. That paragraph really deals with concept drafting and it would appear that as the language reads; you could do concept drafting in the House or the Senate, when really the intent of the Committee was that concept drafting would be done in the particular policy Committee. And so, we will try to work that language out and get back to you before the deadline on Rules.

Senate Amendment "A" (S-1), **ADOPTED**.

Which was **PASSED, as Amended**.

Sent down for concurrence.

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

Off Record Remarks

Senate at Ease

Senate called to order by the President

Off Record Remarks

On motion by Senator **PINGREE** of Knox, **ADJOURNED** pursuant to the Joint Order until Tuesday, January 7, 1997, at 3:00 in the afternoon.