

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eighth
Legislature***

OF THE

STATE OF MAINE

Volume I

January 5, 1977 to May 25, 1977

KJ PRINTING
AUGUSTA, MAINE

SENATE

STATE OF MAINE

One Hundred and Eighth Legislature
Journal of the Senate

Pursuant to the provisions of the Constitution and the laws of the State of Maine, the Senators-elect to the One Hundred and Eighth Legislature convene in the Senate Chamber and are called to order by May M. Ross, Secretary of the Senate of the One Hundred and Seventh Legislature.

Prayer by Rev. Howard E. Benson, District Superintendent of the Northern District of the Maine Conference of the United Methodist Church of Bangor.

Communication

STATE OF MAINE

OFFICE OF THE SECRETARY OF STATE
To May M. Ross, Secretary of the Senate of the One Hundred and Seventh Legislature:

In compliance with 3 M.R.S.A., Section 1, I hereby certify that the following are the names and residences of the Senators-elect to the One Hundred and Eighth Legislature, as appears by the report submitted to the Governor and Council under date of November 16, 1976:

- District 1 — Walter W. Hichens of Eliot.
- District 2 — Robert M. Farley of Biddeford
- District 3 — Ralph M. Lovell of Sanford
- District 4 — Peter W. Danton of Saco
- District 5 — Phillip C. Jackson of Harrison
- District 6 — David G. Huber of Falmouth
- District 7 — Ronald E. Usher of Westbrook
- District 8 — Richard D. Hewes of Cape Elizabeth
- District 9 — Gerard P. Conley of Portland
- District 10 — Philip L. Merrill of Portland
- District 11 — Richard Morrell of Brunswick
- District 12 — Olympia J. Snowe of Auburn
- District 13 — Thomas M. Mangan of Lewiston
- District 14 — Carroll E. Minkowsky of Lewiston
- District 15 — Jerrold B. Speers of Winthrop
- District 16 — Donald R. O'Leary of Mexico
- District 17 — Andrew Redmond of Anson
- District 18 — Richard H. Pierce of Waterville
- District 19 — Bennett D. Katz of Augusta
- District 20 — John D. Chapman of Woolwich
- District 21 — Samuel W. Collins Jr. of Rockland
- District 22 — Edwin H. Greeley of Morrill
- District 23 — Matthew C. Levine of Winslow
- District 24 — Minnette H. Cummings of Newport
- District 25 — Howard M. Trotzky of Bangor
- District 26 — Theodore S. Curtis Jr. of Orono
- District 27 — Joseph Sewall of Old Town
- District 28 — Cecil H. McNally of Ellsworth
- District 29 — J. Hollis Wyman of Milbridge
- District 30 — Charles P. Pray of Millinocket
- District 31 — Donald F. Collins of Caribou
- District 32 — Ronald Daniel Martin of Saint Agatha
- District 33 — Michael E. Carpenter of Houlton

IN TESTIMONY WHEREOF I have caused the Seal of the State to be herewith affixed at Augusta this fifth day of January, A. D., 1977 and of the Independence of the United States of America the Two Hundred and First.

Signed:

MARKHAM L. GARTLEY
Secretary of State

Which was Read and Ordered Placed on File.

The roll being called, the following Senators-elect responded to their names:

Carpenter, Chapman, Collins, Donald F., Collins, Samuel W., Jr.; Conley, Cummings, Curtis, Danton, Farley, Greeley, Hichens, Huber, Jackson, Katz, Levine, Lovell, Mangan, McNally, Merrill, Minkowsky, Morrell, O'Leary, Pierce, Pray, Snowe, Speers, Trotzky, Usher, Wyman, Sewall.

Absent: Senators Hewes, Martin and Redmond.

30 Senators-elect having answered to the roll call, the Secretary declared that a quorum was present.

On motion by Mr. Speers of Kennebec, that Senator-elect was charged with a message to the Governor informing him that a quorum of the Senators-elect was 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.

Subsequently, Mr. Speers reported that he had delivered the message with which he was charged and the Governor was pleased to reply that he would attend upon the Senators-elect forthwith for the purpose of administering to them the oaths of office required of the Constitution.

Thereupon, the Governor, the Honorable James B. Longley, came in and the Governor addressed the Senate:

GOVERNOR LONGLEY: While preparing for the opening of this Legislative Session, I was reminded of the words of Thomas Paine, said something that I thought very appropriate for today. He said, "Those who expect to reap the blessings of freedom must like men and undergo the fatigue of supporting it," and each of you have been elected to a position of great public trust, and your friends and neighbors in your communities have bestowed upon you one of the highest honors available to you in our American democratic system, and that is to be selected by one's contemporaries to make laws and decisions which will impact on all of society. And you are to be commended for offering your services and time and your energy because, as Thomas Paine suggested, at the time this great Republic was being formed, you are willing to undergo the fatigue of supporting the freedom we all enjoy.

You are indeed, as demonstrated by your presence here today, willing to pay the price of public service, and, as Governor, on behalf of all the people of Maine, I congratulate you and thank you.

Now if you would stand please and raise your right hand, it will be an honor for me to administer your oath of office.

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

The Governor withdrew from the Senate Chamber.

The SECRETARY: The Secretary recognizes Senator Conley.

Mr. CONLEY: Mrs. Secretary, I place in nomination for the position of President of the Maine State Senate the name of Joseph Sewall.

The SECRETARY: The name of Joseph Sewall is entered as a nominee for the office of President of the Senate.

The Chair recognizes Mr. Conley.

Mr. CONLEY: Mrs. Secretary, I move that nominations be closed and that the Senator from Kennebec, Mr. Speers, be authorized to cast one ballot on the part of the Senate in favor of Senator Joseph Sewall for President of the Senate.

The SECRETARY: Is this the pleasure of the Senate? It is a vote.

Senator Speers has cast one vote for Joseph Sewall as President of the Senate. The Chair declares Joseph Sewall as President of the One Hundred and Eighth Legislature.

Will Senator Conley please escort Senator Sewall to the rostrum.

Thereupon, President Sewall was escorted to the rostrum by Senator Conley, amid the applause of the Senate Chamber, the members rising.

The PRESIDENT: Thank you, Senator Conley, for your gracious gesture and thank you, my fellow Senators, for placing in me your trust and confidence to serve for a second term as President of this distinguished body. I accept this responsibility with a sense of pride... but with a greater sense of humility.

I would also like to take this opportunity to express my heartfelt appreciation, and I am certain the appreciation of my fellow Senators, to Mrs. Ross and her outstanding staff for the fine job they have done in preparing us for our opening session.

As members of the 108th Legislature, we shall face many trying challenges.

We face the challenge of working to restore additional faith in the Legislature's ability to solve problems... and in State government's ability to perform its duties with reason and efficiency.

We face the challenge of working to solve a number of problems and to deal effectively with a number of complex and important issues, such as Public School Finance, tax reform, and government regulation.

And we face the challenge of performing our duties in a manner which is in keeping with the fine tradition of this Senate, and I trust that these traditions will be maintained as they have in the past, and that those of you who sit here for the first time will hold the same affinity for this body as past Senators have held and still hold.

How we perform in the next two years will determine how we are viewed today, and how we are remembered tomorrow. I want this Senate to be Maine's best Senate ever and I am sure it has every potential for doing that. The Senate is comprised of men and women who put the public interest ahead of personal interest, who placed the merits of the issues ahead of the partisanship of politics, and of course respect the rights of others to hold differing views from their own.

I pledge that my door will always be open to every one of you regardless of party. Let us all work together during the next two years toward building a better Maine, for only together can we do what we all want done.

I thank you all very much for your confidence in me, and I assure you I will do my utmost to see that this Senate carries out its mission to a successful conclusion.

The President then noted the presence of the Senator from Somerset, Mr. Redmond, and requested Senator Speers of Kennebec to escort Mr. Redmond to the Governor's office for the purpose of subscribing to the oath of office required by the Constitution.

Mr. Speers subsequently announced that he had performed the duty with which he was charged, and escorted Mr. Redmond to his seat in the Senate Chamber.

The President then noted the presence of the Senator from Aroostook, Mr. Martin, and requested Senator Conley of Cumberland to escort Mr. Martin to the Governor's office for the purpose of subscribing to the oath of office required by the Constitution.

Mr. Conley subsequently announced that he had performed the duty with which he was charged, and escorted Mr. Martin to his seat in the Senate Chamber.

At this point a message was received from the House of Representatives, through Edwin H. Pert, announcing the organization of the House by the election of John L. Martin as Speaker, Edwin H. Pert as Clerk, and Deborah Bedard as Assistant Clerk.

On motion by Mr. Katz of Kennebec, Mr. Pierce of Kennebec was authorized to cast one ballot on the part of the Senate in favor of May

M. Ross for Secretary of the Senate. This was done, and May M. Ross of Augusta was declared duly elected Secretary of the Senate for the political years 1973 and 1974.

At the request of the President, Mr. Greeley 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.

Subsequently Mr. Greeley reported to the Senate that he had attended to the duty assigned to him and that May M. Ross had, before the Governor taken and subscribed to the necessary oaths of office to qualify her to enter upon the discharge of the duties of the Secretary of the Senate.

On motion by Mrs. Cummings of Penobscot, Mr. McNally of Hancock was authorized to cast one ballot on the part of the Senate in favor of Mary S. Porter for Assistant Secretary of the Senate. This was done, and Mary S. Porter of Belgrade was declared duly elected Assistant Secretary of the Senate for the political years 1977 and 1978.

Mrs. Porter subsequently appeared before the Governor and took and subscribed the oaths of office.

On motion by Mr. Trozky of Penobscot, a message was sent to the House of Representatives informing that body that the Senate had organized by the choice of Joseph Sewall as President, May M. Ross as Secretary, and Mary S. Porter as Assistant Secretary.

The President requested that Mr. Speers carry the message, and Mr. Speers retired to the House of Representatives and subsequently reported that he had delivered the message with which he was charged.

Order

On motion of Mr. Greeley of Waldo, ORDERED, that a committee of seven be appointed by the President, to whom the returns of votes for Senators for the political years of 1977 and 1978 shall be referred for examination and report.

Which was Read and Passed.

The President appointed:

Senators:

COLLINS of Knox
KATZ of Kennebec
JACKSON of Cumberland
REDMOND of Somerset
DANTON of York
PRAY of Penobscot
CARPENTER of Aroostook

Communication STATE OF MAINE

Office of the Secretary of State
Augusta, Maine

January 5, 1977

To the President of the Senate:

In compliance with the Constitution and laws of the State of Maine, I have the honor to herewith transmit the returns of the votes cast for Senators to the Legislature in the several cities, towns and plantations in the State of Maine at the General Election held on November 2, 1976.

Respectfully,

Signed:

MARKHAM L. GARTLEY
Secretary of State

DISTRICT 1

Roland A. Cole, Wells 6,305
Walter W. Hichens, Eliot 9,009

DISTRICT 2

Robert M. Farley, Biddeford 12,791

DISTRICT 3

Peter Kellman, Sanford 4,781
Ralph M. Lovell, Sanford 10,346

DISTRICT 4

Berton K. Braley, Saco 7,600
Peter W. Danton, Saco 9,318

DISTRICT 5

Phillip C. Jackson, Harrison 9,344
David Scott McKenney, Brownfield 5,659

DISTRICT 6

David G. Huber, Falmouth 14,915

DISTRICT 7

Linwood E. Graffam, Westbrook 7,352
Ronald E. Usher, Westbrook 8,746

DISTRICT 8

Marietta E. Burrowes, South Portland 7,235
Richard D. Hewes, Cape Elizabeth 7,486

DISTRICT 9

Gerard P. Conley, Portland 5,166
James A. Ward, Portland 4,008

DISTRICT 10

Phillip L. Merrill, Portland 10,452

DISTRICT 11

Richard Morrell, Brunswick 7,713
David A. Williams, Freeport 6,474

DISTRICT 12

Elmer F. Berry Jr., Auburn 5,349
Olympia J. Snowe, Auburn 8,324

DISTRICT 13

Natalie D. Dunlap, Lewiston 2,131
Thomas M. Mangan, Lewiston 6,665
Constance L. Roux, Lewiston 4,681

DISTRICT 14

Carroll E. Minkowsky, Lewiston 11,575

DISTRICT 15

James A. Demers, Gardiner 6,737
Jerrold B. Speers, Winthrop 8,397

DISTRICT 16

J. Austin Daigle, Andover 1,899
Norman K. Ferguson, Hanover 4,898
Donald R. O'Leary, Mexico 6,483

DISTRICT 17

Robert C. Chassie, Farmington 6,356
Andrew Redmond, Anson 7,539

DISTRICT 18

Aaron Levine, Waterville 5,237
Richard H. Pierce, Waterville 8,850

DISTRICT 19

Bennett D. Katz, Augusta 10,213

DISTRICT 20

William A. Bell Jr., Whitefield 7,227
John D. Chapman, Woolwich 8,657

DISTRICT 21

Samuel W. Collins Jr., Rockland 11,799

DISTRICT 22

John W. Bullard, Camden 5,625
Edwin H. Greeley, Morrill 9,592

DISTRICT 23

Matthew C. Levine, Winslow 8,614
Nancy J. Mosser, Winslow 4,873

DISTRICT 24

Minnette H. Cummings, Newport 9,251
David R. Downing, Orland 4,039

DISTRICT 25

Harold I. Hill, Bangor 4,097

Howard M. Trozky, Bangor 6,568

DISTRICT 26

Thomas M. Caruso, Bangor 4,359
Theodore S. Curtis Jr., Orono 8,681

DISTRICT 27

Richard P. Needham, Old Town 4,162
Joseph Sewall, Old Town 8,008
Earl A. White, Old Town 1,081

DISTRICT 28

Harvey E. DeVane, Ellsworth 4,814
Virgil Don Mohoney, Brooksville 1,225
James J. McCaffrey, Castine 4,387
Cecil H. McNally, Ellsworth 5,862

DISTRICT 29

Alton L. Bell, Edmunds Township 1,559
Julian V. Rier, Lubec 1,565
J. Hollis Wyman, Milbridge 6,601
Richard A. Young, Eastport 4,316

DISTRICT 30

Charles P. Pray, Millinocket 7,454
Wakine G. Tanous, East Millinocket 6,309

DISTRICT 31

Donald F. Collins, Caribou 5,976
Thomas C. Pooler, Caribou 4,174

DISTRICT 32

Roland Daniel Martin, Saint Agatha 7,294

DISTRICT 33

Michael E. Carpenter, Houlton 9,761
Which was Read and with accompanying papers referred to Committee on Senatorial Vote.

Communication

Commission on Governmental Ethics
and Election Practices.
c/o Election Division
Office of The Secretary of State
Augusta, Maine 04333

January 4, 1977

Honorable May M. Ross, Secretary
Maine State Senate
State House
Augusta, Maine 04333

Dear Mrs. Ross:

In accordance with 21 MRSA Section 1423-3-A, the Commission on Governmental Ethics and Election Practices herewith submits the enclosed copy of findings of fact and opinion relating to the November 2, 1976 election for Senate District 8.

Sincerely,
MADELEINE R. FREEMAN
Chairman

Commission on Governmental Ethics
and Election Practices

In Re: Appeal of Marietta E. Burrowes
General Election, Senate District #8

The Commission met on December 17, 1976 to hear the appeal of Marietta E. Burrowes brought before the Commission pursuant to the provisions of 21 M.R.S.A. §1422 and 1 M.R.S.A. §1008. Mrs. Burrowes appeared represented by Daniel W. Mooers, Esq. Mrs. Burrowes's opponent, Richard D. Hewes, appeared represented by Charles L. Cragin III, Esq.

The Commission considered this matter further on December 30, 1976. Mrs. Burrowes appeared represented by Daniel W. Mooers, Esq. Mrs. Burrowes also spoke for herself. Mr. Hewes spoke for himself.

FACTS:

Mrs. Burrowes and Mr. Hewes were the Democratic and Republican candidates, respectively, for election to the Senate from District 8. A total of 71 ballots were subject to challenge and were presented to the Commission for consideration.

At the recount prior to the hearing, the challenged ballots were numbered consecutive-

ly 1 through 71. At the hearing, counsel for both candidates agreed that ballots numbered 10, 16, 18, 56, and 65 should be counted for Mr. Hewes and that ballots numbered 20, 27, 40, and 69 should be counted for Mrs. Burrowes.

COMMISSION DETERMINATIONS:

On December 17, 1976, The Commission reached determinations on 57 of the 62 ballots it reviewed. These determinations are as follows: Contested Ballot Appeal #76-CB-8

In Re: Appeal of Marietta E. Burrowes General Election, Senate Dist. #8

The Commission finds ballots numbered 2, 3, 4, 5, 6, 7, 21, 22, 23, 24, 25, 26, 35, 37, 39, 41, 42, 47, 48, 52, 53, 54, 58, 60, 61, 63, 68, and 70 to be valid and cast for Mrs. Burrowes.

The Commission finds ballots numbered 9, 13, 14, 15, 17, 19, 28, 30, 31, 32, 33, 43, 45, 57, and 64 to be valid and cast for Mr. Hewes.

The Commission finds ballots numbered 1, 8, 11, 12, 29, 36, 38, 44, 46, 50, 51, 55, 59, and 67 should not be counted for either candidate.

The Commission is unable to make any determination as to the validity of the 5 ballots numbered 34, 49, 62, 66, and 71.

Subsequent to the review of disputed ballots, the Commission allowed counsel for both candidates until the hearing's continuance on December 30, 1976 to submit proposed findings in this matter. At that time, the two parties submitted the two joint statements attached hereto as part of this report. With these statements, both parties indicated that findings of fact and determinations of law relating to individual ballots were not necessary.

The Commission also received and considered from counsel for Mrs. Burrowes a request for an investigation of alleged irregularities in the handling of ballots in the Town of Cape Elizabeth. At the second session of the Commission's proceedings, Mrs. Burrowes indicated that independently she had obtained sufficient explanation of these alleged irregularities and withdrew her request.

Dated: January 4, 1977

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES
Commissioner Robert B. Williamson
did not participate in consideration

of this matter.
By: **MADELEINE R. FREEMAN**
Chairman

South Portland, Maine
Cape Elizabeth, Maine
December 28, 1976

Madeline Freeman, Chairman
Commission on Governmental
Ethics and Election Practices
c/o Office of Secretary of State
Augusta, Maine 04330

Dear Mrs. Freeman:
The Commission has previously received from Secretary of State Gartley a memorandum dated December 21, 1976, in which he formally requested that the Commission continue its review of the 71 disputed ballots. As we stated publicly on Thursday, we do not agree with Mr. Gartley's position.

As you can see from the enclosed copy of our joint public statement, we have both accepted the fact that this election has resulted in a tie. Further proceedings, whether before the Commission, the Senate or the Supreme Court, would serve no useful purpose. The Commission has already voted on each ballot in dispute, and the result of those votes is known. Any attempt at this point to reconsider any of those votes, including those in which a majority of members was unable to agree, would appear ludicrous, at best.

We both feel very strongly that no further action, except its report to the Senate, should be taken by the Commission with respect to this contest. The report should simply state, as suggested by the Secretary of State, that a ma-

majority of the Commission was unable to agree on the appropriate disposition of five disputed ballots. We also request that our December 23 public statement be made part of the Commission's record of these proceedings and that when your report is forwarded to the Senate, that statement as well as this letter be attached to your report.

We wish to thank the Commission for its conscientious attention to this matter.

Sincerely,
MARIETTA E. BURROWES
RICHARD D. HEWES

December 23, 1976.

Joint Statement

of

Marietta E. Burrowes and
Richard D. Hewes

At the outset, everyone should be aware that both of us have a strong desire to be the State Senator from District 8. This fact was amply demonstrated by our vigorous campaigns and our activities since that time to obtain an accurate count of the ballots.

The recount of ballots, which took three days, reached an inconclusive result because of the questionable validity of 71 ballots. An analysis of those 71 ballots at that time clearly indicated that if they were added to the totals of the candidate for whom they were apparently cast, the election was essentially a tie. Nonetheless, the appropriate procedure was followed and the Commission on Governmental Ethics and Election Practices was asked to determine the validity of those 71 ballots.

Last Friday, we appeared before the Commission with our attorneys and during the day-long session, each ballot was reviewed individually. Anyone who was present during the entire proceeding is fully aware that our attorneys argued forcefully to the Commission over each ballot. By the end of the day, the Commission had awarded 32 ballots to Mrs. Burrowes and 20 ballots to Mr. Hewes. Seven ballots of each candidate were declared void. Based upon the ballots which the Commission declared should be counted, the election had resulted in a tie with each of us receiving 7,215 votes.

A majority of the Commission members were unable to agree upon the five remaining ballots. A decision on those ballots requires highly subjective judgments and the application of technical, legal rules. Recognizing this, the Commission suggested that we attempt to resolve the situation in the most expeditious manner possible. For that reason, both of us felt that the proceedings should go no further and we should accept the fact that the election had resulted in a tie.

It was therefore announced on Saturday that we would execute the necessary official documents in order that the Secretary of State could certify to the Governor that a tie had resulted and that the electorate had therefore failed to elect a person to office. We felt that this was the most expeditious means of calling a new election.

The Secretary of State has informed us, however, that he will not recertify the result of the election. In his opinion, we should continue with further hearings and arguments before the Commission and that we should then take the dispute to the State Senate and the Supreme Judicial Court.

We simply cannot accept the Secretary of State's position. Further proceedings would merely delay the eventual new election and would result in the citizens of South Portland and Cape Elizabeth being unrepresented in the State Senate while the time-consuming process is carried out. It would also mean that the expenses incurred by us would be in excess of the biennial salary paid to members of the Maine

Senate. We do not feel that further proceedings will alter the result.

Neither of us wish to sit in the Maine Senate if the ultimate result of the election is based on legal technicalities and subjective judgments over five ballots. When one of us eventually takes the seat representing Senate District 8 it will be solely because a clear majority of the voters in South Portland and Cape Elizabeth have indicated that one of us is entitled to that seat.

Because of the Secretary of State's refusal to certify a tie vote, we must now wait for the convening of the 108th Legislature. On January 5th, we will jointly indicate to the Senate that, in our opinion, a tie vote has resulted and that a new election should be scheduled as soon as possible.

Both of us will decline to take the seat until the new election is held and the results known. If this means that one of us must, in effect, resign the seat in order to create a vacancy and thereby require a new election, then the resignation will be immediately filed.

It is regrettable that this election is now enmeshed in these procedural difficulties. We seek only to carry out the desires of the voters of South Portland and Cape Elizabeth, free from legal entanglements. In our opinion, that can only be done if a new election is held.

Signed:

MARIETTA E. BURROWES
RICHARD D. HEWES

Which was Read and referred to Committee on Senatorial Vote.

Order

Out of Order and Under Suspension of the Rules:

On motion by Mr. Huber of Cumberland,
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, State Treasurer, Attorney General and State Auditor at 4:30 o'clock in the afternoon.

Which was Read and Passed.
The President requested that the Sergeant-at-Arms carry the message, and the Sergeant-at-Arms retired to the House of Representatives and subsequently reported that she had delivered the message with which she was charged.

Communications

State of Maine
Department of Conservation
Augusta, Maine 04333
Tel. 207-289-2212

December 30, 1976

To the Senators of the 108th Legislature:

The 1976 Budworm Suppression Act requires the Commissioner of the Department of Conservation to submit to the Legislature, by January 1st of each year, a recommendation as to the percentage of the nonfederal portion of budworm program cost to be borne by the General Fund.

Pursuant to this provision, we have studied the matter and on December 14th held the required public hearing. The basis for discussion at the hearing was a staff report, attached for your convenience. Following the hearing, our staff summarized the major points made (memo attached).

On the basis of the staff report, testimony presented at the hearing, and my own careful consideration, I hereby recommend that the General Fund share of nonfederal program cost in 1977 be 7%. This figure represents approximately 4% of total program cost.

Sincerely,
RICHARD E. BARRINGER
Commissioner

Which was Read and with Accompanying Papers, Ordered placed on File.

Senate Papers

Mr. Curtis of Penobscot presented, Bill, An Act Appropriating Funds for the Purchase of Copies of "The Penobscot Expedition." (S. P. 7) (L. D. 12)

Mr. Collins of Knox (Cosponsor: Mr. Merrill of Cumberland) presented, Bill, An Act Appropriating Funds for Replacement Volumes of the Maine Revised Statutes Annotated. (S. P. 11) (L. D. 28)

Which were referred to the Committee on Appropriations and Financial Affairs.

Sent down forthwith for concurrence.

Mr. Curtis of Penobscot presented, Bill, An Act to Permit Savings Institutions to Offer Mortgages for Periods of up to 40 Years. (S. P. 10) (L. D. 15)

Which was referred to the Committee on Business Legislation.

Sent down forthwith for concurrence.

Mr. Hichens of York presented, Bill, An Act to Prohibit a Nominee for Public Office from Withdrawing his Candidacy unless he is Physically or Mentally Incapacitated. (S. P. 2) (L. D. 5)

Which was referred to the Committee on Election Laws.

Sent down forthwith for concurrence.

Mr. Hichens of York presented, Bill, An Act to Provide a Mandatory Rehabilitation Program for Minors who Violate the Motor Vehicle Laws while under the Influence of Intoxicating Liquor. (S. P. 3) (L. D. 6)

Mr. Collins of Knox presented, Bill, An Act to Revise the Board of Bar Examiners Law. (S. P. 5) (L. D. 10)

Which were referred to the Committee on Judiciary.

Sent down forthwith for concurrence.

Mr. Hichens of York (Cosponsors: Mrs. Cummings of Penobscot and Mr. Conley of Cumberland) presented, Bill, An Act Raising the Age of Persons who may Purchase Alcoholic Beverages or Sell as Licensees. (S. P. 1) (L. D. 4)

Which was referred to the Committee on Liquor Control.

Sent down forthwith for concurrence.

Mr. Curtis of Penobscot presented, Bill, An Act Relating to Transfer of Unexpected Appropriations of State Funds. (S. P. 6) (L. D. 11)

Mr. Curtis of Penobscot presented, Resolution, Proposing an Amendment to the Constitution Reducing the Size of the House of Representatives to 99 Members and Establishing the Size of the Senate at 33 Members. (S. P. 8) (L. D. 13)

Which were referred to the Committee on State Government.

Sent down forthwith for concurrence.

Mr. Trotzky of Penobscot presented, Bill, An Act to Exempt Turbojet Fuel used for International Flights from Sales Tax. (S. P. 9) (L. D. 14)

Which was referred to the Committee on Taxation.

Sent down forthwith for concurrence.

Mr. O'Leary of Oxford presented, Bill, An Act Repealing the Requirement for Wearing Motorcycle Helmets. (S. P. 4) (L. D. 9)

Which was referred to the Committee on Transportation.

Sent down forthwith for concurrence.

Joint Order

On motion of Mr. Speers of Kennebec

ORDERED, the House concurring, that the following be adopted as the Joint Rules of the 108th Legislature.

Joint Rules

General Provisions

1. **Printing.** Whenever a document shall be printed under the Joint Rules governing the procedure following a favorable committee report, a sufficient number of copies shall be delivered to the Sergeant-at-Arms of each

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

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

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

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

4. **Rejection of Bills.** When any measure shall be finally rejected, it shall not be revived except by reconsideration; and no measure containing the same subject matter shall be introduced during the session unless three days' notice is given to the house of which the mover is a member. No measure shall be recalled from the legislative files except by joint order approved by a vote of two-thirds of both houses.

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

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

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

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

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

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

11. **Employees.** The salaries of all officers and employees of the Legislature shall be established by the President of the Senate, the Speaker of the House and the Majority Floor Leaders of both the House and Senate. The Secretary of the Senate is authorized and directed to certify vouchers of said officers and employees of the Senate and committee clerks and the Clerk of the House is authorized and directed to certify vouchers of said officers and employees of the House, in conformance with

this Rule, to the State Controller and said salaries shall be paid at such intervals as the President of the Senate, the Speaker of the House and the Majority Floor Leaders of both the House and the Senate may determine.

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

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

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

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

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

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

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

Legislative Committees

13. **Joint Standing Committees.** There shall be no more than 22 Joint Standing Committees which shall be appointed as follows at the commencement of the first regular session, viz:

- On Agriculture
- On Appropriations and Financial Affairs
- On Business Legislation
- On Education
- On Election Laws
- On Energy
- On Fisheries and Wildlife
- On Health and Institutional Services
- On Human Resources
- On Judiciary
- On Labor
- On Legal Affairs
- On Liquor Control
- On Local and County Government
- On Marine Resources
- On Natural Resources

On Performance Audit
 On Public Utilities
 On State Government
 On Taxation
 On Transportation
 On Veterans and Retirement

Membership. Each of said committees shall consist of three on the part of the Senate and ten on the part of the House. The first named Senate member shall be the Senate chairman. The first named House member shall be the House chairman. The Senate chairman shall preside and in his absence, the House chairman shall preside and, thereafter, as the need may arise, the chairmanship shall alternate between the members from each house in the order of their appointment to the committee. These committees may report by bill or otherwise.

Committee Procedure. The hiring of all committee staff is to be mutually agreeable to both the Senate and House chairmen; if not agreeable, it shall be decided by the President of the Senate and Speaker of the House.

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

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

Appropriations and Financial Affairs. The Senate chairman of the Committee on Appropriations and Financial Affairs shall appoint from said committee such subcommittees as the said committee shall direct, such subcommittees to consist of not less than three members. Such subcommittees shall report their findings and recommendations to the full committee.

Each Joint Standing Committee, except the Committee on Appropriations and Financial Affairs, shall appoint a subcommittee of three of its members to attend and participate in Appropriations Committee budget hearings and to attend and advise at working sessions dealing with that portion of the budget within their committee's area of interest. This subcommittee may advise the Committee on Appropriations and Financial Affairs of their respective committee's recommendations on these portions of the budget.

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

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

Each suggested reference appearing upon the calendar of each House shall contain a recommendation for the printing of the document being referred and may contain a recommenda-

tion on the number of that document to be printed.

Any member may move for reconsideration of a committee reference on the floor. Notwithstanding House Rule 53, Senate Rule 29 and Joint Rule 25, a majority vote shall be necessary to overturn the original committee of reference.

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

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

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

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

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

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

18. Reference of Fiscal Matters to Committees. The several clerks of the committees to which are referred bills, resolves or orders involving the appropriation or expenditure of money shall forthwith upon receipt of such bills, transmit a copy thereof carrying endorsement of reference, to the Committee on Appropriations and Financial Affairs for its information.

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

20. Ought Not to Pass reports. Any bill or resolve, which bears a unanimous ought not to pass notation by the committee to which it has been referred, shall upon notification of such action to both houses be placed in the legislative files. No further action shall be taken following such disposition unless such bill or resolve is recalled for reconsideration by a vote of two-thirds of both houses.

Legislation

21. Pre-filing. Any member-elect may file bills and resolves with the Clerk of the House or Secretary of the Senate for introduction within forty-five days prior to the convening of any first regular session. The Clerk or Secretary shall number and print such measures in advance after which they become the property of the Legislature and may not be withdrawn by the sponsor.

22. Departmental bills. No bill or resolve

shall be introduced on behalf of any state department, agency, or commission, except the Governor, after the sixth legislative day of any first regular session. Bills or resolves pre-filed or filed on behalf of such executive officers may bear the designation of the title "President of the Senate" or "Speaker of the House" if not presented by a member-elect or member.

23. Cloture. First Regular Session. During any first regular session all other requests for bills and resolves shall be submitted to the Director of Legislative Research not later than 1 p.m. of the fourth Friday following the convening of the session and such measures, in complete final form, shall be introduced in the appropriate house not later than 1 p.m. of the sixth Tuesday following.

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

24. Cloture. Second regular or special sessions. The Legislative Council shall establish procedures for submission of legislation to the Director of Legislative Research at any second regular or special session. Procedures established for any second regular session shall ensure compliance with the requirements of the Maine Constitution, Article IV, Part 3rd, §1.

25. Filing after cloture. Any bill or resolve to be introduced after the cloture date must be presented to the Clerk of the House, or the Secretary of the Senate, who shall transmit the same to the Legislative Council. The Council shall ascertain from the sponsor the facts supporting introduction notwithstanding cloture and, if a majority of the Council approves, the bill or resolve shall appear on the calendar of the appropriate House, duly noted as having been approved by a majority of the Council and the document shall be received.

26. Cosponsorship. With the approval of a majority of the Legislative Council, a presenter of legislation may authorize up to three additional members of the same House to cosponsor a bill or resolve. Orders, resolutions and memorials may be cosponsored in the same manner as bills and resolves.

27. Requirements for Drafting. All requests for bills and resolves filed with the Director of Legislative Research shall be considered as received for drafting provided such bills and resolves shall be properly titled and accompanied by sufficient information and data required for their preparation.

28. Fiscal Notes. Every bill or resolve affecting revenue or appropriation shall be accompanied by a written statement as to the amount involved.

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

30. Form. All bills and resolves shall be corrected as to matters of form by the Director of Legislative Research before printing.

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

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

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

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

35. Claims against the State. A claim of an

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

36. Measures rejected at any first regular session. No measure which has been introduced and finally rejected in any first regular session shall be introduced at any second regular or any special session of the same Legislature except by vote of two-thirds of both houses. (S. P. 28) Which was read.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Mr. Speers.

Mr. SPEERS: Mr. President and Members of the Senate, the joint rules that are being presented at this time are not intended to be all inclusive of the joint rules to be adopted by this Legislature. There will be further joint rules presented to this body, and to the other body, very soon in the future, but we do feel that at this point, because of the organization that is necessary, that the joint rules, copies of which you have before you, should be adopted at this time.

Mr. PRESIDENT: Is it the pleasure of the Senate that this Order receive passage and be sent forthwith for concurrence.

Mr. KATZ: Mr. President.

Mr. PRESIDENT: The Chair recognizes the Senator from Kennebec, Mr. Katz.

Mr. KATZ: Might I ask the Senator from Kennebec, Mr. Speers, to highlight the changes in the proposed joint rules.

Mr. PRESIDENT: The Senator from Kennebec, Mr. Katz, has posed a question to the Senator from Kennebec, Mr. Speers, who may answer, if he so desires.

Mr. SPEERS: Mr. President and Members of the Senate, the first joint rule that is complete obliterated provides for the publication of pre-filing notices by the Legislative Research Office, and it was the feeling of the leadership that this was an unnecessary expense to go through. But the primary change that is made in this presentation of the joint rules from the joint rules of the last session, which can be found in Joint Rule No. 14, in which the Committee on Reference of Bills is abolished, and a procedure established for making recommendations to this body and to the other body as to the reference of a particular bill. Very briefly the procedure would be that the Senate Secretary and the Clerk of the House would make the suggestions on each bill. If they are unable to agree, then the bill would be taken to the President of the Senate and the Speaker of the House for their consideration. If they are unable to agree, then the full leadership would meet on the particular bill and make the suggested reference. In all cases, the final determination will be up to the Senate and to the House, as it always has been in the past. That is the major change.

There is one further change that should be noted, and that is that the size of all of the joint standing committees is set at three members of the Senate and seven members of the House of Representatives.

Mr. KATZ: Mr. President.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Mr. Katz.

Mr. KATZ: One further inquiry with respect to Page — I am having trouble locating it. There is one section of the proposed joint rules that pertains to appropriation measures and the establishment of sub-committees within the appropriate policy committee. Can I ask whether or not the adoption of this rule would probably also include a more liberal assignment of appropriation measures to policy making committees where policy is involved?

Mr. PRESIDENT: The Chair will interrupt the debate for a moment to recognize the delegation from the House of Representatives. The Chair recognizes the Senator from Bangor, Mr. Kelleher.

Mr. KELLEHER: I am pleased to inform this Honorable Body that the House voted to join in your proposal for a joint convention in the Hall of the House at 4:30 for the purpose of electing a Secretary of State, State Treasurer and Attorney General, and a State Auditor. The Members of the House look forward to your arrival forthwith.

Mr. PRESIDENT: The Chair hears the message and thanks the messenger, and will endeavor to comply.

The Senator from Kennebec, Mr. Katz, has posed a question through the chair to Mr. Speers. He may answer if he so desires.

Mr. SPEERS: Mr. President, I would like to correct, first of all, a statement I made just a moment ago. I meant to say that the size of the committees were set at three members of the Senate and ten members of the House of Representatives, rather than seven as I mentioned.

I am very happy that the good Senator from Kennebec, Senator Katz, pointed out the change in the appropriations procedure, because I am very embarrassed I did not mention that as it is one of the most important changes that is being made in the joint rules. To answer his question directly I must say it is the intent of the leadership that there be more consideration given to refer substantive matters primarily to the committees dealing with those particular matters other than the committee on appropriations and financial affairs for the initial determination of those committees. The change in the appropriations procedure would, I believe, insure a greater degree of participation on the part of all of the members of the Legislature in the appropriations determination and that is the main purpose for the change in procedure and for involving in a more direct, completely direct manner the substantive committees with the committee on appropriations as it decides the various priorities for the budget bill.

The PRESIDENT: Is it the pleasure of the Senate that this Order receive passage and be sent down forthwith for concurrence?

Which was passed. Sent down forthwith for concurrence.

The PRESIDENT: Chair will interrupt debate to recognize in the rear a former member of this body and the father of one of our Senators, former Senator Ted Curtis Sr. from Orono. I would like to have former Senator Curtis rise and accept the greetings of the Senate. Very pleased to see you here.

Orders

On motion by Mr. Morrell of Cumberland, ORDERED, that the subordinate officers of the Senate be appointed as follows: by the President, a Secretary to the President and the official Reporter of the Senate; by the Secretary, a Postal Clerk, three secretaries, and two stenographers, one of whom will operate the Public Address System.

On motion by Mr. Conley of Cumberland, ORDERED, the House concurring, that three hundred twenty-five (325) copies of the Legislative Record for the session of 1977 be printed, one copy for each of the members of the Senate, House of Representatives, the Secretary of the Senate and Clerk of the House, and the remainder to be deposited with the State Law Librarian for exchange and library use; and be it further

ORDERED, that suitable index be prepared for such Legislative Record, under the direction of the Director of Legislative Research. (S. P. 12)

Which was Read and Passed.
Sent down forthwith for concurrence.

Which was Read and Passed.

On motion by Mr. Mangan of Androscoggin, ORDERED, that the Secretary of the Senate be directed to secure uniforms for the subordinate officers of the Senate.

Which was Read and Passed.

On motion by Mr. Collins of Knox,

ORDERED, the House concurring, that there be paid to the members of the Senate and House as advances on account of compensation established by statute, the amount of Three Hundred and Sixty Dollars (\$360) bi-weekly, according to lists certified to the State Controller by the President of the Senate and Speaker of the House, respectively. (S. P. 13)

Which was Read and Passed.

Sent down forthwith for concurrence.

On motion by Mr. O'Leary of Oxford,

ORDERED, the House concurring, that the Legislative Finance Officer be authorized and directed to prepare weekly, from expense accounts to be submitted to him 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 Legislative Finance Officer be authorized and directed to provide the forms necessary for such purpose and provide suitable space in his office for the filing and safekeeping of all such expense accounts and other papers and records pertaining thereto. (S. P. 14)

Which was Read and Passed.

Sent down forthwith for concurrence.

On motion by Mrs. SNOWE of Androscoggin,

ORDERED, the House concurring, that the Clerk of the House and the Secretary of the Senate be authorized to furnish 100 13c postage stamps for each member of the House and Senate for the purpose of distributing various reports of the Departments of State and other public documents such as they may desire to mail to the citizens of the State.

Which was Read and Passed.

Sent down forthwith for concurrence.

On motion by Mr. KATZ of Kennebec,

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House, respectively, be authorized to furnish to the Superintendent of Public Printing, postage on all correspondence relative to advertising committee hearings during the present session, same to be charged to legislative expense.

Which was Read and Passed

Sent down forthwith for concurrence.

On motion by Mr. Greeley of Knox,

ORDERED, the House concurring, that any Town or City Clerk or Board of County Commissioners may, upon written request to the Document Clerk receive without charge, copies of all printed bills, so that there may be available to the public during the legislative session a complete and convenient file of all printed bills.

Which was Read and Passed

Sent down forthwith for concurrence.

On motion by Mr. TROTZKY of Penobscot,

ORDERED, the House concurring, that telephone service may be provided for each member of the Senate and House, and each representative from the Indian Tribes at the Legislature for a reasonable number of calls, of reasonable duration, as determined by the President of the Senate as to members of the Senate and the Speaker of the House as to members of the House and the representatives

from the Indian Tribes, to points within the limits of the State of Maine, the privilege granted to be a personal privilege, not to be exercised by other than the members or representatives, that each member of the Senate and House, and each representative from the Indian Tribes at the Legislature, may be provided with a credit card under the direction of the Secretary of the Senate and Clerk of the House, respectively, the cost of this service to be paid to the New England Telephone Company at regular tariff rates; and be it further

ORDERED, that the President of the Senate or the Speaker of the House may, upon a find 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 member.

Which was Read and Passed

Sent down forthwith for concurrence.

On motion by Mrs. CUMMINGS of Penobscot, ORDERED, the House concurring, that the rooms in the State House and State Office Building used by the One Hundred and Seventh Legislature as hearing rooms be reserved as hearing rooms for the One Hundred and Eighth and succeeding Legislatures and be released for other purposes only upon approval by the President of the Senate and Speaker of the House.

Which was Read and Passed

Sent down forthwith for concurrence.

On motion by Mr. MERRILL of Cumberland, 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 forthwith for concurrence.

On motion by Mr. CARPENTER of Aroostook,

ORDERED, the House, concurring, that the Secretary of the Senate and the Clerk of the House, respectively, with the approval of the Legislative Administrative Director, 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 forthwith for concurrence.

On motion by Mr. COLLINS of Aroostook, ORDERED, the House, concurring, that the Secretary of the Senate and Clerk of the House jointly prepare the Senate and House Register and that 20,000 copies be printed for the use of the Legislature.

Which was Read and Passed

Sent down forthwith for concurrence.

On motion by Mr. Speers of Kennebec, ORDERED, that the rules of the Senate of the One Hundred and Seventh Legislature, as amended, be the rules of this Senate.

Which was Read and Passed

On motion by Mr. PRAY of Penobscot, ORDERED, that the Senate hold one session a day commencing at 10 o'clock in the forenoon until otherwise ordered.

Which was Read and Passed

On motion by MR. MINKOWSKY of Androscoggin,

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

Which was Read and Passed

On motion by Mr. CURTIS of Penobscot, ORDERED, that the Secretary of the Senate prepare and have printed five hundred diagrams of the Senate Chamber for the use of the Senate.

Which was Read and Passed

On motion by Mr. DANTON of York, ORDERED, that the Secretary of the Senate be authorized to invite the clergymen of

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

ORDERED, that all clergymen acting as Chaplains of the Senate shall receive \$10.00 for each officiation. The same is to be approved by the Secretary of the Senate.

Which was Read and Passed

On motion by Mr. McNally of Hancock, ORDERED, that the Senate Majority Floorleader and the Senate Minority Floorleader be authorized to hire one secretary each.

Which was Read and Passed

On motion by Mr. LOVELL of York, ORDERED, that the Official Reporter of the Senate be authorized to procure the services of an assistant reporter during the present session.

Which was Read and Passed

On motion by Mr. SPEERS of Kennebec, Recessed to 4:25 in the afternoon.

Recess

The PRESIDENT: The Chair would ask the Senators to form in the rear of the Senate Chamber to proceed down to the Hall of the House for the Joint Convention.

Thereupon, the Senate then retired to the Hall of the House of Representatives where a Joint Convention was formed.

(For proceedings of Joint Convention, see House Report.)

In Senate

Called to order by the President

Out of order and suspension of the rules, the Senate voted to consider the following:

Paper from the House
Joint Resolution
STATE OF MAINE

IN THE YEAR OF OUR
LORD ONE THOUSAND NINE
HUNDRED AND SEVENTY-SEVEN

IN MEMORIAM

Whereas, the Legislature has learned with deep regret of the death of HON. HARVEY R. PEASE OF WISCASSET; and

Whereas, the Senate and House of Representatives are joined in understanding and prayer with all others who share this great loss; and

Whereas, when the Legislature adjourns this date, it will do so in honor and in lasting tribute to the deceased; now, therefore, be it

Resolved: That we, the members of the 108th Legislature of the State of Maine, while duly assembled at the State Capitol under the Constitution and laws of this State, pause in our deliberations to inscribe this expression of sadness and to extend our heartfelt condolences and sympathy to the bereaved family and friends of the deceased; and be it further

Resolved: That a suitable copy of this joint resolution be sent forthwith to the immediate family on behalf of the Legislature and the people of the State of Maine.

Comes from the House, Read and adopted.

Which was read and adopted.

On motion by Mr. Huber of Cumberland, Adjourned until 10:00 tomorrow morning.