

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Tenth

Legislature

OF THE

STATE OF MAINE

SECOND REGULAR SESSION

January 6, 1982 to April 13, 1982

INDEX

FOURTH SPECIAL SESSION

April 28, 1982 and April 29, 1982

INDEX

FIFTH SPECIAL SESSION

May 13, 1982

INDEX

SECOND CONFIRMATION SESSION

July 16, 1982

INDEX

HOUSE

Wednesday, April 28, 1982

This being the day designated in the proclamation of the Governor for meeting of the One Hundred and Tenth Legislature in extra session, the members of the House of Representatives assembled in their hall at 10:00 o'clock in the morning and were called to order by the Speaker.

Prayer by the Reverend John Eklund of the First Parish Church of Pownal.

The members stood for the Pledge of Allegiance.

A roll call was taken. 139 members answered to their names and accordingly a quorum was found to be present.

Those absent were: Representatives Brenerman of Portland, Fowle of Rockland, Hall of Sangerville, Hunter of Benton, Jackson of Harrison, Laverriere of Biddeford, Michaud of East Millinocket, Perry of Mexico, Pines of Presque Isle, Racine of Biddeford, Reeves of Pittston, Tuttle of Sanford.

On motion of Representative Mitchell of Vassalboro, it was

ORDERED, that a Committee of ten be appointed to wait upon His Excellency, the Governor, and inform him that a quorum of the House of Representatives was assembled in the Hall of the House for the consideration of such business as may come before the House.

The Chair appointed the following members: Representatives:

BRANNIGAN of Portland
GWADOSKY of Fairfield
FITZGERALD of Waterville
MARTIN of Van Buren
POULIOT of Lewiston
NORTON of Biddeford
JACKSON of Yarmouth
GAVETT of Orono
PERKINS of Brooksville
TELOW of Lewiston

Subsequently, Representative Brannigan of Portland reported for the Committee that they had delivered the message with which they were charged.

On motion of Mr. Diamond of Windham, it was

ORDERED, that a message be conveyed to the Senate that a quorum of the House of Representatives was present for the consideration of such business as may come before the House.

The Chair appointed Mrs. Mitchell of Vassalboro to convey the message, and she subsequently reported that she had delivered the message with which she was charged.

At this point, a message was received from the Senate, borne by the Senator Collins of that body, announcing a quorum present and that the Senate was ready to transact any business that might properly come before it.

Messages and Documents

The following Proclamation:

WHEREAS, there exists in the State of Maine an extraordinary occasion arising out of the failure of the Second Regular Session of the 110th Legislature to adopt a supplementary budget; and

WHEREAS, it is essential to the operation of State government that a supplementary budget be adopted before the conclusion of the current fiscal year; and

WHEREAS, it is essential to adopt an educational funding formula for the coming year on or before May 1, 1982, in accordance with statute; and

WHEREAS, the Legislature failed to enact measures to address critical needs of Maine citizens relating to housing, assistance to poor children, increasing retirement benefits, and

other essential matters; and

WHEREAS, failure to adopt a budget will impose serious hardship on many citizens of Maine,

NOW, THEREFORE, I, JOSEPH E. BRENNAN, Governor of Maine, by virtue of the constitutional power vested in me as Governor, convene the Legislature of this State, hereby requesting the Senators and Representatives to assemble in their respective chambers at the Capitol in Augusta on Wednesday, the twenty-eighth day of April, 1982 at ten o'clock in the morning, in order to receive communications, enact a budget bill, and conduct such other legislative business as may be appropriate.

Given at the Office of the Governor at Augusta, and sealed with the Great Seal of the State of Maine, this 21st day of April in the Year of Our Lord Nineteen Hundred and Eighty-two.

S/JOSEPH E. BRENNAN

Governor

S/RODNEY S. QUINN

Secretary of State

A true copy. Attest:

S/JAMES HENDERSON

Deputy Secretary of State

The Communication was read and ordered placed on file.

The following Communication:

State of Maine

Department of Marine Resources

State House — Station 21

Augusta, Maine 04333

April 23, 1982

The Honorable Joseph Sewall
President of the Maine Senate

and

The Honorable John L. Martin
Speaker of the Maine House of
Representatives
Augusta, Maine 04333

Dear President Sewall and Speaker Martin:

As requested in Legislative Resolves, Chapter 55 (1977), we the undersigned are pleased to submit the following as our annual report on the status of fish passage construction in the Augusta dam. Enclosed is correspondence from the U.S. Fish and Wildlife Service with an attached Conceptual Planning Report for the fish passage facilities at Augusta. We have also forwarded these plans to the dam owner (attached letter of October 13, 1981, from Marine Resources to Mr. Marc Isaacson) for his response.

We understand that there is not a great deal of interest in upgrading the generating capacity at this site. The enclosed fishway design and location is based on current water use at the site. Expension of hydropower generating capacity at this site will require reevaluation of the fishway location and design criteria. We plan to pursue the fishway requirement issue as soon as the hydropower expansion issue is resolved.

If additional information would be helpful, we would be pleased to meet with you or your staff at your convenience.

Respectfully submitted,
S/GLENN H. MANUEL, Chairman
Atlantic Sea Run Salmon
Commissioner, Department of
Inland Fisheries and Wildlife
S/SPENCER APOLLONIO,
Commissioner
Department of Marine Resources

and
Member, Atlantic Sea Run Salmon
Commission

The Communication was read and with accompanying Report ordered placed on file.

At this point, a message was received from the Senate, borne by Senator Collins of Knox of that body, proposing a Joint Convention to be held in the Hall of the House at 10:30 a.m. for the purpose of extending to His Excellency, Governor Joseph Brennan, an invitation to

attend and to make such communication as he may be pleased to make.

The gentlewoman from Vassalboro, Mrs. Mitchell, was charged with and conveyed a message to the Senate announcing that the House concurred in the proposition for a Joint Convention.

Order Out of Order

Mr. Davies of Orono presented the following Joint Order and moved its passage: (H. P. 2386)

ORDERED, the Senate concurring, that Bill "An Act to Provide for Improved Energy Policy Development and Electricity Demand Forecasts" House Paper 2273, L.D. 2120, be recalled from the Governor's Desk to the House.

The Order was received out of order by unanimous consent, read and passed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

At this point, the Senate entered the Hall of the House and a Joint Convention was formed.

In Convention

The President of the Senate, Joseph Sewall, in the Chair.

On motion of Senator Collins of Knox, it was **ORDERED**, that a Committee be appointed to wait upon His Excellency, Governor Joseph E. Brennan, and inform him that the two branches of the Legislature were in Convention assembled in the Hall of the House of Representatives, and extend to him an invitation to attend the Convention and present such communication as he may be pleased to make.

The Chairman appointed:

Senators:

COLLINS of Knox
PIERCE of Kennebec
CONLEY of Cumberland

Representatives:

MacEACHERN of Lincoln
PAUL of Sanford
JACQUES of Waterville
CLARK of Millinocket
ERWIN of Rumford
SMITH of Island Falls
PETERSON of Caribou
GILLIS of Calais
CONNERS of Franklin
DAMREN of Belgrade

Subsequently, Senator Collins for the Committee reported that the Committee has attended to the duty assigned to it, and the Governor was pleased to say that he would forthwith attend the Convention.

Governor Joseph E. Brennan entered the Convention Hall amid prolonged applause, the audience rising, and addressed the Convention as follows:

Mr. President, Mr. Speaker, Honorable Members of the 110th Maine Legislature:

Two weeks ago, this Legislature left Augusta after 51 days of deliberations without addressing in a responsible manner the major items on its agenda.

Since then, each of you has heard from your neighbors and your constituents and seen the editorials and letters to the editors, and they have given a report card that has almost unanimously expressed disappointment and dismay over what was left undone. But I know that most of you did not deserve that public criticism. You, more than anyone else, knew the frustration of the endless hours waiting around in hopes of a breakthrough that never came.

You knew in your hearts that the events of the 51st Legislative Day were not your crowning achievement. But today is not day 52; it is a new session. It is a new opportunity. And before us today is an agenda on which there is general, though not unanimous, agreement.

We must pass a budget.

We must do something for the housing indus-

try, for the young couples who want to buy a home, for the unemployed construction worker.

We must give our attention and our compassion to the poorest children of Maine, and we must take further steps to protect all of our children from abuse and neglect.

We must do something about retired state employees who need modest increases in their pension benefits.

We must enact tax relief for Maine citizens and businesses.

And I believe we are generally united in our concern for those problems and in our willingness to face up to them.

Well then, what divides us?

Tax conformity? Not really. Tax conformity has been the policy of this state for a number of years, and as recently as last December this Legislature reaffirmed its support for that policy.

No, the issue is not really tax conformity. The final roadblock is something called accelerated cost recovery systems, some of the fine print in tax conformity.

A few months ago, most of us had never heard of it, and certainly fewer really understood what it meant. It is the kind of technicality in the tax code that makes most people yawn and is of no concern whatsoever to anyone who does not benefit from it. Yet, it brought this Legislature to a halt. But that failure two weeks ago does not prove that this system doesn't work. It merely proves that in the heat of debate we are capable of losing perspective.

We have allowed that issue to cripple our progress toward responsible action on the truly pressing needs of our people, our communities and our state.

Today is the day to regain perspective.

Certainly, many felt two weeks ago, and for good reasons, that an agreement had been reached, one that would satisfy both sides. For whatever reasons, that agreement was not carried out.

Now for the inevitable recriminations:

One side believes we are going too far in giving tax breaks to business.

The other side believes we aren't going far enough.

One side says: 'The other party agreed and didn't honor their commitment.'

The other side asserts: 'They found more money than we expected. They found more for their programs; what about ours?'

And it continues:

'What guarantees do we have that your side will provide the vote if we agree now? And how do we know that this will not be just a new base to increase the demand of the other side?'

Certainly a climate of ugly mistrust had emerged, a climate, if it continues, that would make it virtually impossible to make the compromises and accommodations for the legislative process to work.

Well, all of us over the years have made mistakes; none of us is perfect. And reasonable people will conclude that a mistake has been made, or call it what you want.

But that is history. The issue is, what do we do now to meet the concerns of the Maine citizens whom we are sent here to represent.

I urge you to set aside past differences and to work with each other with mutual trust. I know that it is easier to say that than to do it, but if this Legislature is going to be effective, then do it we must. It may call for some of us to be a little humble, and it may call for some of us to be a little forgiving, but it calls for all of us to try to act in the public interest, to rise above our personal differences, to rise, indeed, to our public responsibilities.

The historical record this Legislature leaves behind will not rest on which party is stronger or which legislative leader was more effective in working his or her will, for that is rather unimportant to the young couple who might be able to buy a home because of what we do here,

and it is certainly very unimportant to the child from a poor family who might be helped by our action, or the abused or neglected child who we might protect.

Likewise, it is very unimportant to the state retirees on a modest pension or the prison guard who wonders how much longer the state can meet its payroll, or the school board members who cannot enact their budgets until you act here.

What is important is that we meet our responsibilities to those who sent us here to represent them. What is important is that we address their needs. What is important is that we rise above our personal differences.

There are some who believe that this Legislature cannot do that. I am not among them. I have no doubt that you can finish the job that you were sent here to do.

I believe that in the end you will rise to the challenge and the opportunity that this day presents for the good of all the people of Maine.

At the conclusion of the Governor's address, he withdrew amid applause, the audience arising.

The purpose for which the Convention was assembled having been accomplished, the Chairman declared the same dissolved and the Senate retired to its Chambers amid applause of the House, the members rising.

In the House

The House was called to order by the Speaker.

The following papers appearing on Supplement No. 1 were taken up out of order by unanimous consent:

Special Sentiment Calendar

The following items:

Recognizing:

Bryan Courtois, of Millinocket, who has attained the high rank of Eagle Scout; (H. P. 2374) by Representative Clark of Millinocket.

Mrs. Alice "Tena" Saunders, of Sebago Lake, who will be 101 years of age on May 9, 1982; (H. P. 2380) by Representative Pearson of Old Town (Cosponsor: Representative Diamond of Windham)

Ralph and Irene Griffin, of South Windham, on their 50th wedding anniversary; (H. P. 2381) by Representative Diamond of Windham.

There being no objections, the above items were considered passed and sent up for concurrence.

The following paper appearing on Supplement No. 2 was taken up out of order by unanimous consent:

The following Joint Order: (S. P. 1001)

ORDERED, the House concurring, that an emergency bill to provide funds and other necessary authority for operation of the Legislature be reported to the Senate by the Joint Standing Committee on Appropriations and Financial Affairs.

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

The following paper appearing on Supplement No. 3 was taken up out of order by unanimous consent:

Special Sentiment Calendar

The following item:

In Memory of:

Bernard F. Morrill, of Portland, recipient of 12 distinguished service awards, who died while in the service of his country in Vietnam on August 10, 1970; (H. P. 2388) by Representative Ketover of Portland.

There being no objections, the above item was adopted and sent up for concurrence.

By unanimous consent, all matters requiring Senate concurrence were ordered sent forthwith to the Senate.

(Off Record Remarks)

On motion of Mr. Macomber of South Portland, Recessed until the sound of the gong.

After Recess

2:55 p.m.

The House was called to order by the Speaker.

The following papers appearing on Supplement No. 5 were taken up out of order by unanimous consent:

Special Sentiment Calendar

The Following Items:

Recognizing:

David Pierpont, of Washburn, recipient of the 1982 Maine Teachers' Association's Medal of Honor for his "demonstration of outstanding courage in defending academic freedom;" (H. P. 2387) by Representative Peterson of Caribou. (Cosponsor: Senator McBreairey of Aroostook)

Ezra James Briggs, of Caribou, a 1982 recipient of the Sol Feinstone Environmental Award presented by the State University of New York's College of Environmental Science and forestry, for his outstanding lifelong contributions to environmentalism; (H. P. 2389) by Representative Peterson of Caribou. (Cosponsors: Senator McBreairey of Aroostook and Representative Matthews of Caribou)

That June 25 to July 4, 1982 will mark the 2nd annual Kennebec Water Whatever Race, to celebrate the return of the Kennebec River to the People of Maine and the pride that has been generated in the Kennebec Valley; (H. P. 2390) by Representative Lund of Augusta. (Cosponsors: Representatives Hickey of Augusta, Paradis of Augusta and Senator Bustin of Kennebec)

In Memory of:

Juliette Lohnes, of Waterville, who spent her life helping others; (H. P. 2391) by Representative Kany of Waterville. Cosponsors: Representatives Jacques of Waterville, Fitzgerald of Waterville and Senator Pierce of Kennebec

There being no objections, the above items were considered passed or adopted and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

(Off Record Remarks)

On motion of Mr. MacEachern of Lincoln, Recessed until the sound of the gong.

After Recess

The House was called to order by the Speaker.

Petitions, Bills and Resolves

Requiring Reference

Bill "An Act Making Appropriations and Allocations for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1982 and June 30, 1983" (Emergency) (H. P. 2382) (L. D. 2144) (Presented by Representative Pearson of Old Town) (Cosponsor: Senator Huber of Cumberland) (Governor's Bill)

Committee on Appropriations and Financial Affairs was suggested.

Under suspension of the rules, without reference to any Committee, the Bill was read once and assigned for second reading later in the day.

Bill "An Act Making Certain Appropriations and Allocations for Expenditures and Changing Certain Provisions of the Law Necessary to Carry Out Certain New, Expanded or Revised Programs of State Government for the Fiscal Years Ending June 30, 1982 and June 30, 1983"

(Emergency) (H. P. 2383) (L. D. 2145) (Presented by Representative Pearson of Old Town) (Cosponsor: Senator Huber of Cumberland) (Governor's Bill)

Committee on Appropriations and Financial Affairs was suggested.

Under suspension of the rules, without reference to any committee, the Bill was read twice.

Mrs. Martin of Brunswick offered House Amendment "C" and moved its adoption.

House Amendment "C" (H-776) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentlewoman from Brunswick, Mrs. Martin.

Mrs. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: This bill has been voted down at least three times on my recollection. The bill has been buried 18 feet under and still it pops up. It seems that some people can't understand the word 'no.'

Mr. Speaker, I request a division.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Pearson.

Mr. PEARSON: Mr. Speaker, this deals with the increase in the Public Utilities Commission pay.

Thereupon, House Amendment "C" was adopted.

The Bill was passed to be engrossed as amended by House Amendment "C" and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Bill "An Act Relating to Periodic Justification of Departments and Agencies of State Government under the Maine Sunset Law" (Emergency) (H. P. 2384) (L. D. 2146) (Presented by Representative Rolde of York) (Cosponsor: Senator McBreairty of Aroostook) (Governor's Bill)

Committee on Audit and Program Review was suggested.

Under suspension of the rules, without reference to any committee, the Bill was read twice.

Mrs. Berube of Lewiston offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-779) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentlewoman from Lewiston, Mrs. Berube.

Mrs. BERUBE: Mr. Speaker and Members of the House: The amendment was approved by the Audit and Program Review Committee this morning unanimously by those who were present, and we were a majority, I believe. What it does, it simply restores the sunset bill to the position it was when we passed it both houses by two-thirds.

Thereupon, House Amendment "A" was adopted.

The Bill was passed to be engrossed as amended by House Amendment "A" and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Bill "An Act Providing for Conformity with the Internal Revenue Code for Taxable Years Ending in 1982" (H. P. 2385) (L. D. 2147) (Presented by Representative Mitchell of Vassalboro) (Cosponsor: Senator Collins of Knox) (Governor's Bill)

Committee on Taxation was suggested.

Under suspension of the rules, the bill was read twice, passed to be engrossed without reference to any committee and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

On motion of Representative McSweeney of Old Orchard Beach, it was

ORDERED, that Representative Philip Jackson of Harrison be excused for the duration of the session for personal reasons;

AND BE IT FURTHER ORDERED, that Representative Norman O. Racine of Biddeford be excused for the duration of the session for personal reasons.

(Off Record Remarks)

Second Reader Later Today Assigned

Bill "An Act Making Appropriations and Allocations for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operation of State Government for the Fiscal Year Ending June 30, 1982 and June 30, 1983" (H. P. 2382) (L. D. 2144) (Emergency)

Thereupon, the Bill was read the second time.

Mr. Webster of Farmington offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-777) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Webster.

Mr. WEBSTER: Mr. Speaker, Ladies and Gentlemen of the House: First, I would like to commend leadership in both parties for their honest attempt to offer a package to this body. I am going to speak very briefly and ask for the adoption of my amendment.

I am personally willing to compromise and accept this package. I am willing to give an increase to people who receive aid to dependent children, even though I may not agree with some portions. I am willing to give some money to the highway fund from the general fund, although I don't agree with it, but I realize this is a body of compromise.

But there is one thing I won't compromise on and I feel very strongly about it, and that is compromising on principles. This is a principle issue with me. I feel very strongly that the State of Maine should not pass the housing bill because I don't feel that every time something goes wrong that we, the legislature of the State of Maine, should attempt to fix it, and that is what I feel we are doing.

So I would just ask you to support my amendment and would ask for a roll call.

The SPEAKER: The Chair recognizes the gentleman from Windham, Mr. Diamond.

Mr. DIAMOND: Mr. Speaker, I move the indefinite postponement of this amendment.

Whereupon, Mr. Webster of Farmington requested a roll call vote.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call vote will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one-fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Windham, Mr. Diamond, that House Amendment "B" be indefinitely postponed. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA—Aloupis, Baker, Beaulieu, Bell, Benoit, Berube, Boisvert, Boyce, Brannigan, Brodeur, Brown, A.; Cahill, Callahan, Carrier, Carroll, Carter, Chonko, Clark, Conary, Connolly, Cox, Crowley, Davies, Day, Diamond, G.W.; Diamond, J.N.; Dillenback, Drinkwater, Dudley, Erwin, Fitzgerald, Gillis, Gowen, Gwadosky, Hayden, Hickey, Higgins, H.C.; Higgins, L.M.; Hobbins, Huber, Ingraham, Jackson, P.T.; Jacques, Jalbert, Joyce, Kane, Kany, Kelleher, Ketover, Kilcoyne, Lancaster, LaPlante, Lisnik, Livesay, Locke, MacEachern, Macomber, Mahany, Manning, Martin, A.; Martin, H.C.; Masterton, Matthews, McCollister, McGowan, McHenry, McPherson, McSweeney, Michael, Mitchell, E.H.; Mitchell, J.; Moholland, Murphy, Nadeau, Nelson, M.; Norton, O'Rourke, Paradis, E.; Paradis,

P.; Paul, Pearson, Perkins, Post, Pouliot, Randall, Richard, Ridley, Roberts, Rolde, Small, Smith, C.B.; Soulas, Soule, Stover, Strout, Swazey, Tarbell, Telow, Theriault, Thompson, Twitchell, Vose, Wentworth, The Speaker.

NAY—Armstrong, Austin, Bordeaux, Brown, D.; Brown, K.L.; Connors, Curtis, Damren, Davis, Dexter, Foster, Gavett, Hanson, Holloway, Hutchings, Jordan, Kiesman, Lewis, MacBride, Masterman, Nelson, A.; Peterson, Reeves, J.; Salsbury, Sherburne, Smith, C.W.; Stevenson, Studley, Treadwell, Walker, Webster, Willey, Weymouth.

ABSENT—Brennerman, Cunningham, Fowlie, Hall, Hunter, Jackson, P.C.; Laverriere, Lund, Michaud, Perry, Pines, Racine, Reeves, P.; Tuttle.

Yes, 104; No, 33; Absent 14.

The SPEAKER: One hundred and four having voted in the affirmative and thirty-three in the negative, with fourteen being absent, the motion does prevail.

On motion of Mr. Higgins of Scarborough, tabled pending passage to be engrossed and later today assigned.

House at Ease

Called to order by the Speaker.

The following paper appearing on Supplement No. 4 was taken up out of order by unanimous consent:

Bill Recalled from the Governor Pursuant to Joint Order - H. P. 2386

An Act to Provide for Improved Energy Policy Development and Electricity Demand Forecasts (H. P. 2273) (L. D. 2120) (S. "A" S-450)

In House, Passed to be Enacted on April 5.

In Senate, Passed to be Enacted on April 5.

On motion of Mr. Davies of Orono, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be enacted.

On further motion of same gentleman, under suspension of the rules, the House reconsidered its action whereby Senate Amendment "A" was adopted, and on motion of the same gentleman, the Amendment was indefinitely postponed in non-concurrence.

The same gentleman offered House Amendment "A" (H-773) and moved its adoption.

House Amendment "A" (H-773) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Davies.

Mr. DAVIES: Mr. Speaker and Members of the House: After this bill, which the committee spent a great deal of time on during the current session, reached the Governor's desk, we discovered something we had not realized previously, that being that there was a potential of conflict between existing laws on the books dealing with the Office of Energy Resources' ability to request information for energy forecasting and the language in the bill that is currently being dealt with right now.

The Governor's Office felt it was significant enough matter that they wanted to get the program dealt with rather than leave the situation vague and possibly the subject of a law suit or a legal action in efforts to collect information for making an independent energy forecast separate from the utility. This amendment that I am offering now will accomplish that purpose, will eliminate any potential for conflict or vagueness and would resolve the problem that the Governor has identified in the bill, so I would move that it be adopted.

Thereupon, House Amendment "A" was adopted.

The Bill was passed to be engrossed as amended by House Amendment "A" (H-773) in non-concurrence and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Came from the Senate with the Report read

and accepted, under suspension of the rules the Bill read twice and passed to be engrossed.

In the House, the Report was read and accepted in concurrence and the bill read once. Under suspension of the rules, the Bill was read the second time and passed to be engrossed in concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

The following paper appearing on Supplement No. 9 was taken up out of order by unanimous consent:

Ought to Pass

Pursuant to Joint Order S. P. 1001

Report of the Committee on Appropriations and Financial Affairs pursuant to Joint Order S. P. 1001 reporting a Bill "An Act to Provide Emergency Funding and Other Necessary Authorization for the Operation of the Legislature During the Fiscal Year 1981-82" (Emergency) (S. P. 1002) (L. D. 2148) asking leave to report that the same "Ought to Pass"

Came from the Senate with the Report read and accepted, under suspension of the rules the Bill read twice and passed to be engrossed.

In the House, the Report was read and accepted in concurrence and the Bill read once. Under suspension of the rules, the Bill was read the second time and passed to be engrossed in concurrence.

By unanimous consent, ordered sent forthwith to Engrossing.

The following paper appearing on Supplement No. 11 was taken up out of order by unanimous consent:

Passed to be Engrossed Emergency Measure

An Act to Provide Emergency Funding and Other Necessary Authorization for the Operation of the Legislature During the Fiscal Year 1981-82 (S. P. 1002) (L. D. 2148)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 122 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith.

The following paper appearing on Supplement No. 7 was taken up out of order by unanimous consent:

Order

On motion of Representative Post of Owl's Head, the following Joint Order: (H. P. 2398) (Cosponsor: Senator Teague of Somerset)

Under suspension of the rules, the Order was read and passed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

The following papers appearing on Supplement No. 6 were taken up out of order by unanimous consent:

The following Joint Order: (S. P. 1004)

ORDERED, the House concurring, that the "Resolution, Proposing an Amendment to the Constitution of Maine to Limit the Life of Bond Issues" (S. P. 753, L. D. 1756, be recalled from the Legislative files to the Senate.

Came from the Senate read and passed.

In the House, the Order was read.

The SPEAKER: The Chair will order a vote. This requires an affirmative vote of two-thirds of the members present and voting. All those in favor of this Order receiving passage in concurrence will vote yes; those opposed will vote no.

A vote of the House was taken.

123 having voted in the affirmative and none in the negative, the Order received passage in concurrence.

Special Sentiment Calendar

The following items:

Recognizing:

The 125th anniversary of the founding of St. Joseph's Parish in Lewiston, Maine (S. P. 1003) Jo-Ann Hill, of Freeport, recipient of the first "Humane Award" given by the Maine Federation of Humane Societies; (H. P. 2392) by Representative Mitchell of Freeport (Cosponsor: Senator Clark of Cumberland)

There being no objections, the above items were considered passed in concurrence or sent up for concurrence.

The following paper appearing on Supplement No. 10 was taken up out of order by unanimous consent:

The Following Joint Order: (S. P. 1006)

ORDERED, the House concurring, that S. P. 920, L. D. 2061, RESOLUTION, Proposing an Amendment to the Constitution of Maine to Authorize the Credit of the State to be Loaned to Secure Funds for Loans to Parents of Maine Students Attending Institutions of Higher Education be recalled from the Legislative files to the Senate. (S. P. 1006)

Came from the Senate read and passed.

In the House, the Order was read.

The SPEAKER: The Chair will order a vote. This requires a two-thirds vote of all those present and voting. All those in favor of this Order receiving passage in concurrence will vote yes; those opposed will vote no.

A vote of the House was taken.

121 having voted in the affirmative and one in the negative, the Order received passage in concurrence.

The following papers appearing on Supplement No. A-2 was taken up out of order by unanimous consent:

Special Sentiment Calendar

The following items:

Recognizing:

Carl Nelson, of Colby College, a skilled and respected trainer and physical therapist who has served as Head Trainer for the 1972, 1976 and 1980 U.S. Winter Olympic Teams; (H. P. 2393) by Representative Tarbell of Bangor.

Christina Holt and Stanwood Walker, valedictorian and salutatorian, respectively, of Ellsworth High School for 1982; (H. P. 2394) by Representative Foster of Ellsworth. (Cosponsor: Senator Perkins of Hancock)

The Lawrence High School Key Club, which was named the Outstanding Key Club for 1981-82 in District 24; (H. P. 2395) by Representative Gwadosky of Fairfield. (Cosponsor: Senators Teague of Somerset)

Darrell Webber, Lawrence High School Key Club advisor, who received the 1982 Advisors Award for outstanding leadership and service among all New England Key Clubs; (H. P. 2396) by Representative Gwadosky of Fairfield. (Cosponsor: Senator Teague of Somerset)

In Memory of:

Paul E. Merrill, of Portland, President of Merrill Trucking, a leading New England industrialist and a person who made countless civic contributions to his community and the State; (H. P. 2397) by Representative Callahan of Mechanic Falls. (Cosponsors: Representatives Higgins of Scarborough, Huber of Falmouth and Dillenback of Cumberland)

There being no objections, the above items were passed or adopted and sent up for concurrence.

By unanimous consent, all matters acted upon requiring Senate concurrence were ordered sent forthwith.

The following paper appearing on Supplement No. 8 was taken up out of order by unanimous consent:

Non-Concurrent Matter

Bill "An Act Making Certain Appropriations

and Allocations for Expenditures and Changing Certain Provisions of the Law Necessary to Carry out Certain New, Expanded or revised Programs of State Government for the Fiscal Years Ending June 30, 1982 and June 30, 1983" (Emergency) (H. P. 2383) (L. D. 2145) which was passed to be engrossed as amended by House Amendment "C" (H-776) in the House on April 28, 1982.

Came from the Senate passed to be engrossed as amended by House Amendment "C" (H-776) and Senate Amendment "A" (S-478) in non-concurrence.

In the House: The House voted to recede and concur.

By unanimous consent, ordered sent forthwith to Engrossing.

The Chair laid before the House the following matter:

Bill "An Act Making Appropriations and Allocations for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operation of State Government for the Fiscal Year Ending June 30, 1982 and June 30, 1983" (Emergency) (H. P. 2383) (L. D. 2144) which was tabled and later today assigned pending passage to be engrossed.

Mr. Pearson of Old Town offered House Amendment "D" and moved its adoption.

By unanimous consent, printing of the amendment was dispensed with at this time.

Thereupon, House Amendment "D" (H-780) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Pearson.

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: This is simply the actions that we took today that was discussed in the Republican caucus by Senator Huber, and in the Democratic caucus by myself.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, I would like to pose a question through to the gentleman from Old Town, Mr. Pearson. Is the highway format in this bill?

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, has posed a question through the Chair to the gentleman from Old Town, Mr. Pearson, who may answer if he so desires.

The Chair recognizes the gentleman.

Mr. PEARSON: Mr. Speaker, the answer is yes.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalburt.

Mr. JALBERT: Mr. Speaker, to Mr. Kelleher's query, the answer is not on this sheet but it has been okayed by unanimous consent to present the amendment. We were distributed this white sheet and I know that we okayed this transportation budget request but it is not on this sheet that was distributed to us. I know that the gentleman from Old Town is correct.

The SPEAKER: The Chair would advise the gentleman and the members of the House that it is located in the amendment and is described as Part P which deals with the Department of Transportation budget request and recommendations.

Thereupon, House Amendment "D" (H-780) was adopted.

The Bill was passed to be engrossed as amended by House Amendment "D" and sent up for concurrence.

House at Ease

Called to order by the Speaker.

(Off Record Remarks)

On motion of Mr. Hickey of Augusta, Adjourned until ten o'clock tomorrow morning.