

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eleventh  
Legislature***

OF THE

**STATE OF MAINE**

**Volume I**

**FIRST REGULAR SESSION**

**December 1, 1982 to May 13, 1983**

**HOUSE**

Thursday, January 6, 1983

The House met according to adjournment and was called to order by the Speaker.

Prayer by Father John Bellefontaine of the Sacred Heart Catholic Church, Hallowell.

The journal of yesterday was read and approved.

State of Maine  
Department of State

Augusta, Maine  
December 17, 1982

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

In compliance with the Constitution and laws of the State of Maine, I have the honor to herewith transmit the returns of the votes cast for Governor in the several cities, towns and plantations in the State of Maine at the General Election held on November 2, 1982, as submitted by the appropriated officials of the municipalities involved immediately following said election.

Respectfully,  
S/RODNEY S. QUINN  
Secretary of State

Was read and with accompanying papers ordered placed on file.

**Papers from the Senate**

The following Communication:  
The Senate of Maine  
Augusta

January 5, 1983

Mr. Edwin H. Pert  
Clerk of the House  
State House  
Augusta, ME 04333  
Dear Clerk Pert:

The President today appointed the following Senators on the part of the Senate to the Joint Select Committee on Gubernatorial Vote:

Senators: Pearson of Penobscot  
Wood of York  
Carpenter of Arrostook  
Clark of Cumberland  
Gill of Cumberland  
Sewall of Lincoln  
Perkins of Hancock

Sincerely,  
S/JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file.

Bill, "An Act to Create a Revolving Fund for Publications of the Department of Agriculture, Food and Rural Resources" (S. P. 26) (L. D. 27) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 24)

Came from the Senate referred to the Committee on Agriculture.

In the House, on motion of Mr. Carter of Winslow, the Bill was referred to the Committee on Appropriations and Financial Affairs in non-concurrence and sent up for concurrence.

Bill "An Act Relating to Business, Travel or Recreation on Sunday" (S. P. 29) (L. D. 84)

Bill "An Act to Amend the Social Worker Registration Act with Respect to Employment by Nursing Homes and to Foster Coordination with State and Federal Regulations Governing Required Social Services in Nursing Homes" (S. P. 24) (L. D. 25)

Came from the Senate referred to the Committee on Business Legislation.

In the House, referred to the Committee on Business Legislation in concurrence.

Bill "An Act Relating to the Annual Observance of Saint Jean-Baptiste" (S. P. 21) (L. D. 22)

Bill "An Act Pertaining to Local Public Hearings on Liquor License Applications" (S. P. 32)

(L. D. 87)

Came from the Senate referred to the Committee on Legal Affairs and ordered printed.

In the House referred to the Committee on Legal Affairs in concurrence.

Bill "An Act to Provide that the Director of the Maine State Housing Authority shall be a Nonvoting Commissioner of the State Authority" (S. P. 22) (L. D. 23)

RESOLUTION, proposing an Amendment to the Consitution of Maine to Provide Equality of Rights under the Law" (S. P. 28) (L. D. 59) (Governor's Bill)

Came from the Senate referred to the Committee on State Government ordered printed.

In the House, referred to the Committee on State Government in concurrence.

Bill "An Act to Remove the Statutory Requirement for Payment of Fees by Baxter State Park to the Maine Forest Service for the Forest Fire Protection" (S. P. 27) (L. D. 28)

Bill "An Act to Permit a Trade-in Credit Under the Sales Tax Statutes for Utility Tractors" (S. P. 25) (L. D. 26)

Bill "An Act to Reduce the Amount Municipalities Outside the Maine Forestry District must pay for Controlling and Extinguishing Forest Fires" (S. P. 30) (L. D. 85)

Bill "An Act to Remove the Retroactive Provisions of the Income Tax Indexing Law" (Emergency) (S. P. 34) (L. D. 96)

Bill "An Act to Exempt Historical Societies and Museums from State Sales Tax" (S. P. 33) (L. D. 88)

Bill "An Act to Amend the Tree Growth Tax Law" (S. P. 20) (L. D. 21)

Came from the Senate referred to the Committee on Taxation and ordered printed.

In the House, referred to the Committee on Taxation in concurrence.

Bill "An Act Concerning Annual Automobile Inspections" (S. P. 19) (L. D. 20)

Bill "An Act to Require the Secretary of State to Give Notification when the Renewal of Motor Vehicle Registrations are Due" (S. P. 31) (L. D. 86)

Bill "An Act to Require Annual Automobile Inspections" (S. P. 23) (L. D. 24)

Came from the Senate referred to the Committee on Transportation and ordered printed.

In the House, referred to the Committee on Transportation in concurrence.

**Messages and Documents**

The following Communication: (S. P. 36)  
The Senate of Maine  
Augusta

December 29, 1982

Honorable Richard Trafton  
Honorable Barry Hobbins  
Chairmen  
Joint Standing Committee on Judiciary  
State House  
Augusta, ME 04333

Dear Chairmen Trafton and Hobbins:

Please be advised that Governor Joseph E. Brennan is nominating Jane S. Bradley of Freeport for appointment as a Commissioner of the Workers' Compensation Committee.

Pursuant to Title 39 MRSA Section 91, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,  
S/GERARD P. CONLEY  
President of the Senate  
S/JOHN L. MARTIN  
Speaker of the House

Came from the Senate read and referred to the Committee on Judiciary.

In the House, read and referred to the Committee on Judiciary in concurrence.

The following Communication: (S. P. 35)

The Senate of Maine  
Augusta

December 29, 1982

Honorable Richard Trafton  
Honorable Barry Hobbins  
Chairmen  
Joint Standing Committee on Judiciary  
State House

Augusta, ME 04333

Dear Chairmen Trafton and Hobbins:

Please be advised that Governor Joseph E. Brennan is nominating Clifford F. O'Rourke of Camden for appointment to the Maine District Court as Judge-at-Large.

Pursuant to Title 4 MRSA Section 157, this nomination will require review by the Joint Standing Committee on the Judiciary and confirmation by the Senate.

Sincerely,  
S/GERARD P. CONLEY  
President of the Senate  
S/JOHN L. MARTIN  
Speaker of the House

Came from the Senate read and referred to the Committee on Judiciary.

In the House, read and referred to the Committee on Judiciary in concurrence.

The following Communication: (S. P. 37)

State of Maine  
Office of the Governor  
Augusta, Maine

December 27, 1982

The Honorable Senate and  
House of Representatives  
of the 111th Legislature:

Enclosed please find two bonds for Samuel D. Shapiro, Treasurer of the State of Maine, as required by Article V, Part 4, Section 2 of the Maine Constitution. These bonds have been examined by me and are in the requisite amount of \$500,000.

Yours very truly,  
S/JOSEPH E. BRENNAN  
Governor

Came from the Senate read and ordered placed on file and the accompanying papers placed on file with the State Auditor.

In the House, read and ordered placed on file and the accompanying papers placed on file with the State Auditor in concurrence.

The following Communication: (S. P. 39)

State of Maine  
House of Representatives  
Speakers' Office  
Augusta, Maine 04333

December 2, 1982

Hon. Gerard P. Conley  
President of the Senate  
State House Station 3  
Augusta, Maine 04333  
Dear President Conley:

Pursuant to the Constitution of Maine, Article IV, Part Third, as amended (Section 1-A), I am appointing the following members of the Majority Party in the House of Representatives to the Commission on Reapportionment:

Rep. Edward Kelleher of Bangor  
Rep. Gregory Nadeau of Lewiston  
Rep. Patrick McGowan of Pittsfield

Sincerely,  
S/JOHN L. MARTIN  
Speaker of the House

Came from the Senate read and ordered placed on file.

In the House, was read and ordered placed on file in concurrence.

**Petitions, Bills and Resolves  
Requiring Reference**

The following Bills were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

**Agriculture**

Bill "An Act Concerning Fees and Costs under

the Dog Control Laws" (H. P. 112) (Presented by Representative Willey of Hampden)  
(Ordered Printed)  
Sent up for concurrence.

#### **Appropriations and Financial Affairs**

Bill "An Act Creating 15 Public Assistance Service Foresters Within the Forest Management Division, Maine Forest Service" (H. P. 105) (Presented by Representative Dexter of Kingfield) (Cosponsor: Senator Twitchell of Oxford)  
(Ordered Printed)  
Sent up for concurrence.

#### **Business Legislation**

Bill "An Act Concerning Qualifications for Appointment to the Board of Commissioners of the Profession of Pharmacy" (H. P. 111) (Presented by Representative Diamond of Bangor)  
(Ordered Printed)  
Sent up for concurrence.

#### **Election Laws**

Bill "An Act to Improve Voter Registration Access for Potential Absentee Voters" (H. P. 114) (Presented by Representative Baker of Portland)  
(Ordered Printed)  
Sent up for concurrence.

#### **Energy and Natural Resources**

Bill "An Act to Enable the Sale of Camp Lots to Owners under the Direction of the Bureau of Public Lands" (H. P. 98) (Presented by Representative Dexter of Kingfield) (Cosponsors: Representative Rolde of York and Senator McBreairty of Aroostook)  
(Ordered Printed)  
Sent up for concurrence.

#### **Fisheries and Wildlife**

Bill "An Act Concerning the Type of Hunter Orange Clothing which must be Worn While Hunting" (H. P. 116) (Presented by Representative Willey of Hampden)

Bill "An Act to Permit Nonresident Students attending Maine Colleges and Universities on a Full-time Basis to Purchase Resident Hunting and Fishing Licenses" (H. P. 109) (Presented by Representative Bott of Orono)  
(Ordered Printed)  
Sent up for concurrence.

#### **Judiciary**

Bill "An Act to Increase the Penalties for Littering" (H. P. 115) (Presented by Representative Webster of Farmington)

Bill "An Act Relating to Abortion by Saline Injection" (H. P. 108) (Presented by Representative Martin of Brunswick)  
(Ordered Printed)  
Sent up for concurrence.

#### **Business Legislation**

Bill "An Act Regarding Premium Discounts for Workers' Compensation Insurance of Small Businesses" (H. P. 110) (Presented by Representative Beaulieu of Portland) (Cosponsors: Representatives Perkins of Brooksville and Pouliot of Lewiston)

Committee on Labor was suggested.  
On motion of Representative Beaulieu of Portland, the Bill was referred to the Committee on Business Legislation, ordered printed and sent up for concurrence.

#### **Labor**

Bill "An Act to Repeal the Severance Pay Provision of Maine's Labor Laws" (H. P. 99) (Presented by Representative Sproul of Augusta)  
(Ordered Printed)  
Sent up for concurrence.

#### **Legal Affairs**

Bill "An Act Concerning Part-time Licenses under the Liquor Statutes" (H. P. 100) (Presented by Representative Brown of Bethel)

(Ordered Printed)  
Sent up for concurrence.

#### **Local and County Government**

Bill "An Act to Amend the Transit District Enabling Act" (H. P. 106) (Presented by Representative Carrier of Westbrook) (Cosponsor: Representative Joyce of Portland)

Bill "An Act to Deorganize Ellitsville Plantation" (Emergency) (H. P. 101) (Presented by Representative Masterman of Milo) (Cosponsor: Senator Pray of Penobscot)  
(Ordered Printed)  
Sent up for concurrence.

#### **Public Utilities**

Bill "An Act to Change the Number of Trustees on the Caribou Utilities District Board from 3 Members to 5 Members" (H. P. 102) (Presented by Representative Matthews of Caribou) (Cosponsor: Senator McBreairty of Aroostook)  
(Ordered Printed)  
Sent up for concurrence.

#### **Taxation**

Bill "An Act to Require Public Institutions to Pay Sales Tax on Income Received from the Rental of Rooms for Meetings" (H. P. 113) (Presented by Representative Webster of Farmington) (Cosponsor: Representative Randall of East Machias)

Bill "An Act to Provide for Tax Credits for Refunds Due in Tax Years 1981 and 1982 under Tax Indexing" (Emergency) (H. P. 107) (Presented by Representative Webster of Farmington) (Cosponsors: Senator Teague of Somerset and Representatives Brown of Livermore Falls and Jackson of Harrison)  
(Ordered Printed)  
Sent up for concurrence.

#### **Passed to Be Engrossed**

Bill "An Act to Increase the Tax on Fire Insurance Premiums" (Emergency) (H. P. 117) (Presented by Representative Carrier of Westbrook)

Committee on Taxation was suggested.  
On motion of Mrs. Mitchell of Vassalboro, 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.

Bill "An Act to Provide a Sales Tax, Trade-in Credit for Loaders and Chain Saws Used to Harvest Lumber" (H. P. 103) (Presented by Representative Dexter of Kingfield) (Cosponsor: Senator Teague of Somerset)  
(Ordered Printed)  
Sent up for concurrence.

#### **Transportation**

Bill "An Act to Provide for a Sign on I-95 Directing Traffic to Houlton and the Trans-Canadian Highway" (H. P. 104) (Presented by Representative Ingraham of Houlton) (Cosponsor: Senator Carpenter of Aroostook)  
(Ordered Printed)  
Sent up for concurrence.

#### **Passed to Be Enacted Emergency Measure**

An Act to Appropriate Funds to the Legislative Apportionment Commission (H. P. 86) (L. D. 95)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

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

Representative KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: The Reapportionment Committee met on December 30, 1982, and has attempted to put a budget together to finance the operation of the Commis-

sion between now and the end of the Commission, which ends at the end of February. We attempted to put a budget together and we had differences down there just trying to determine how the money would be spent in terms of staff assistants, the necessary material we need, and this is a ball park figure that we had put together.

It is our duty to try to present a budget for consideration under the Maine Revised Statutes, Article IV, Part 3, Section 1, the last paragraph, and I shall read it because I think it's important.

"Public member of the Commission shall receive compensation as provided by law. All members of the Commission shall be reimbursed for actual travel expenses incurred in carrying out the business of the Commission. The Legislature which is required to apportion shall appropriate sufficient funds to compensate the public members, to provide staff assistants to the Commission, to provide travel expenses for all members, and to provide for incidental expenses of the Commission as needed to carry out its duties under the Constitution."

Now, the public members are the only members of this Commission that are paid. Those of us who serve from the legislative bodies are not and should not be paid.

This year, for the first time, we are not only doing the Congressional districts and the Senate, but it is unique in this House because we're not just doing the House as we have done in the past, we are going to create 151 districts. To give you an example, there will be no more District 83-1 in Bangor, or 83-2 and so on, they will be individually numbered. And as I stated here just a second ago, this figure that we put together is an estimate and only an estimate, because in the past previous commissions have had cost overruns and I think it's important that this be clearly stated.

The SPEAKER: The pending question is on passage to be enacted. This being an emergency measure, it requires a two-thirds vote of all the members elected to the House. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

138 having voted in the affirmative and none in the negative, the Bill was passed to be enacted.

Signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith.

#### **(Off Record Remarks)**

At this point, a message came from the Senate, borne by Senator Carpenter of Aroostook of that branch, proposing a Convention of both branches of the Legislature to be held at 6:30 p.m. at the Augusta Civic Center for the purpose of administering to the Honorable Joseph E. Brennan, Governor-elect, the oath required by the Constitution to qualify him to enter upon the discharge of this official duties.

Thereupon, the House voted to concur in the proposal for a Joint Convention to be held at 6:30 p.m. and the Speaker appointed Representative Mitchell of Vassalboro to convey this message to the Senate.

Subsequently, Representative Mitchell reported that she had delivered the message with which she was charged.

At this point, the House recessed until the sound of the gong.

#### **After Recess 11:30 a.m.**

Called to order by the Speaker.

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

The following Joint Order: (S. P. 46)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Monday, January 10, 1983, until 4 o'clock in the afternoon.

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. 6 was taken up out of order by unanimous consent:

The following Communication: (S. P. 48)

#### State of Maine

The Joint Select Committee of the One Hundred and Eleventh Legislature on returns of votes for Governor given in at the several cities, towns and plantations of this State for the political years 1983, 1984, 1985 and 1986, has attended to its duty and asks leave to report that the whole number of votes returned for Governor was 460,295; and that Joseph E. Brennan of Portland had 281,066 votes; Charles L. Cragin of Falmouth had 172,949 votes; J. Martin Vachon of Sanford had 2,573 votes; Vern Warren of Brunswick had 3,650 votes; and Others had 57 votes.

MICHAEL PEARSON

Chairman on the part of the Senate

EDITH BEAULIEU

Chairman on the part of the House

Came from the Senate read and ordered placed on file.

In the House, the Communication was read and ordered placed on file in concurrence.

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

The following Joint Order: (S. P. 47)

ORDERED, the House concurring, that a Committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Honorable JOSEPH E. BRENNAN, and inform him that he has been duly elected Governor of the State of Maine for the political years 1983, 1984, 1985 and 1986.

The President appointed the following members on the part of the Senate:

Senator PRAY of Penobscot

Senator KANY of Kennebec

Senator GILL of Cumberland

Came from the Senate read and passed.

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

The Speaker appointed the following members on the part of the House:

Representatives:

DIAMOND of Bangor

REEVES of Pittston

KILCOYNE of Gardiner

STEVENS of Bangor

POULIOT of Lewiston

MATTHEWS of Caribou

BELL of Paris

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

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

#### Passed to Be Enacted Emergency Measure

An Act Making Additional Authorizations and Allocations Relating to Low Income Home Energy Assistance Federal Block Grants for the Expenditures of State Government for the Fiscal Year Ending June 30, 1983 (H. P. 97) (L. D. 97)

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. 120 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.

At this point, the Chair announced the following change in Committee appointments: Representative Clark of Millinocket replaces Representative Tammaro of Baileyville on the Joint Standing Committee on Audit and Program Review.

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

The following Joint Order: (S. P. 45)

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

The President appointed the following members on the part of the Senate:

Senator DANTON of York

Senator TWITCHELL of Oxford

Senator HICHENS of York

Came from the Senate read and passed.

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

The Speaker appointed the following members on the part of the House:

Representatives:

BRANNIGAN of Portland

MacEACHERN of Lincoln

GAUVREAU of Lewiston

MARTIN of Brunswick

ROTONDI of Athens

STOVER of West Bath

PERKINS of Brooksville

(Off Record Remarks)

On motion of Mr. Kelleher of Bangor  
Recessed until 6:15 p.m. at the Augusta Civic Center.

#### After Recess 6:15 P.M.

The House was called to order by the Speaker at the Augusta Civic Center.

At this point, the Senate entered the hall and a Joint Convention was formed.

#### In Convention

The President of the Senate, The Honorable Gerard P. Conley, in the Chair.

On motion of Representative Mitchell of Vassalboro, it was

ORDERED, that a Committee of ten be appointed to wait upon the Honorable Chief Justice and Associate Justices of the Supreme Judicial Court, and the Justices of the Superior Court, and the Chief Judge and Judges of the District Court, inviting them to attend this Convention convened for the purpose of administering to the Honorable Joseph E. Brennan, Governor-elect, the oath required by the Constitution to qualify him to enter upon the discharge of his official duties.

The Chair appointed:

Senators:

TRAFTON of Androscoggin

VIOLETTE of Aroostook

COLLINS of Knox

Representatives:

HOBBINS of Saco

JOYCE of Portland

CARRIER of Westbrook

BENOIT of South Portland

SOULE of Westport

HAYDEN of Durham

DRINKWATER of Belfast

REEVES of Newport

LIVESAY of Brunswick

FOSTER of Ellsworth

Subsequently, Senator Trafton, for the Committee, reported that the Committee had

delivered the message with which it was charged and the Judiciary would attend forthwith.

Whereupon, the Judiciary entered the Convention hall amid applause, the audience rising.

At this point, the immediate family of the Governor-elect entered the Auditorium and were escorted to the rostrum by the Sergeant-at-Arms amid applause of the Convention, the audience rising.

The Chairman extended a welcome to Mrs. Catherine Brennan, mother of the Governor-elect, his son, J.B. Brennan, and daughter, Tara, and Kathleen Brennan, sister of the Governor-elect.

On motion of Senator Pray of Penobscot, it was

ORDERED, that a Committee be appointed to wait upon the Honorable JOSEPH E. BRENNAN, Governor-elect, and inform him that the two branches of the Legislature are in Convention assembled, ready to administer to him the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties and receive from him such communication as he may be please to make.

The Chair appointed:

Senators:

PRAY of Penobscot

CARPENTER of Aroostook

COLLINS of Knox

Representatives:

MITCHELL of Vassalboro

DIAMOND of Bangor

MARTIN of Brunswick

JOSEPH of Waterville

NADEAU of Lewiston

CARTER of Winslow

LISNIK of Presque Isle

KELLEHER of Bangor

HIGGINS of Scarborough

MASTERTON of Cape Elizabeth

Subsequently, Senator Pray, for the Committee, reported that the Committee had delivered the message with which it was charged and that the Governor-elect would attend forthwith.

The Chair introduced the following Justices to the audience:

Edward S. Godfrey of Portland

David A. Nichols of Lincolnville

David G. Roberts of Bangor

Gene Carter of Bangor

Elmer H. Violette of Van Buren

Daniel E. Wathen of Augusta

Armand A. Dufresne, Jr., of Auburn,

Active Retired Chief Justice

At this point, the Chairman of the Convention introduced the following Constitutional Officers of the State to the audience:

Rodney S. Quinn, Secretary of State

James E. Tierney, Attorney General

George J. Rainville, State Auditor

Samuel D. Shapiro, State Treasurer

(Convention at Ease)

Called to order by Chairman Conley.

At this point, Joseph E. Brennan, Governor elect, escorted by the Honorable Vincent L. McKusick, Chief Justice of the Supreme Judicial Court, former Governor of the State of Maine, the Honorable Burton M. Cross, and the Honorable George J. Mitchell, United States Senator, entered the Auditorium amid prolonged applause, the audience rising.

The invocation was given by the Most Reverend Edward C. O'Leary, Roman Catholic Bishop of Portland.

The National Anthem was played by the 195th Army Band, Maine National Guard.

A reading was then given by Rabbi Ray-

mond Krinsky of the Beth Israel Congregation, Waterville.

Thereupon, the Governor-elect, Joseph E. Brennan, before the presiding officer of the Convention, the Honorable Gerard P. Conley, in the presence of both branches of the Legislature, and the Chief Justice and Associate Justices of the Supreme Judicial Court, the Justices of the Superior Court, and the Chief Judge and Judges of the District Court, took and subscribed the oaths required by the Constitution to qualify him to enter upon and the discharge of his official duties.

The Chairman of the Convention then called upon the Secretary of State, the Honorable Rodney S. Quinn, to read the Proclamation:

#### Proclamation

The votes given in on the second day of November last, in the cities, towns and plantations of the State of Maine for Governor, the returns of which have been made to the Office of the Secretary of State, having been examined and counted by the Legislature which has declared that a plurality thereof was given to Joseph E. Brennan, and that he is duly elected and he, having in the presence of the two branches of the Legislature in convention assembled, taken and subscribed the oaths required by the Constitution to qualify him to discharge the duties of that office, I, therefore, declare and make known to all persons in this State who are in the exercise of any public trust, as well as all good citizens thereof, that Joseph E. Brennan is Governor and Commander-in-Chief of the State of Maine, and that due obedience should be rendered to all his acts and commands as such.

#### God Save the State of Maine

The Chairman of the Convention presented Governor Joseph E. Brennan to the Convention, amid prolonged applause, the audience rising.

The Governor then addressed the Convention as follows:

Mr. President, Mr. Speaker, honorable members of the 111th Maine Legislature, Mr. Chief Justice and distinguished members of the Maine Judiciary, Senator Mitchell, Bishop O'Leary, Rabbi Krinsky, Reverend Josselyn, my colleagues in service to the people of Maine, my friends, family, and fellow citizens:

It is a rare and precious honor for me to come before you tonight to take the oath of office as Governor for the second time.

I stand before you as one more in a line of governors that goes back through 163 years of Maine history.

From William King, the businessman from Bath, who led a scattering of wilderness towns in a remote Massachusetts district into statehood;

To Hannibal Hamlin of Paris and Hampden, who, in four years, would go from the office of governor of Maine to serve as Vice President during the most trying years in our nation's history;

To Joshua Chamberlain of Brewer and Brunswick, who came to this office by way of Bowdoin College and gallantry on the fields at Gettysburg and saw so clearly what state government must do for Maine to become a part of America's industrial revolution;

To Percival Baxter of Portland, Maine's greatest visionary, who led the struggle to wrest control of our state's destiny from the hands of a few powerful interests;

To Edmund Muskie of Rumford and Waterville, who led this government onto the path of compassion for the least among us, and went on to become a leader of the nation and of the world; indeed, the most distinguished citizen in the history of Maine.

Each of these governors has understood that there is more to the job than simply pre-

paring budgets and wrestling with the daily chores of office. Each knew that his most important responsibility was to understand the times, to bend government to the service of the people, and do what he could to shape the future, according to a vision of what Maine is and what Maine might become.

Four years ago, in my first inaugural, I said that: "Our government does more than tend to a cash register. Our government does more than mind an administrative store. It sets the tone for civic dialogue. It affects the level of confidence in the institutions of a democratic society. It influences the standards of expectations which our people hold for themselves and for their communities."

That was four years ago. Today, I still believe those words. And I further believe that the vote accorded my Administration on November 2nd, the largest vote for a Governor in the history of Maine, shows that Maine people share those values as well.

In 1870, in his address to the Legislature, Governor Joshua Chamberlain said this: "A government has something more to do than to govern and levy taxes to pay the governors. It is something more than a police to arrest evil and punish wrong. It must also encourage good, point out improvements, open roads of prosperity, and infuse life into all right enterprises. It should combine the insight and the foresight of the best minds of the state for all the high ends for which society is established and to which man aspires."

"That," Chamberlain concluded, "gives us much to do."

Chamberlain's concerns were the same as ours.

He too worried about better transportation, better education, and economy in government; about our under-developed resources and our over-crowded prisons; about homeless children, mental illness, and the social problems of alcohol. And he too worried that too many young people had to leave Maine to find a good job.

We here tonight are linked to Maine history by these common, abiding problems and by something else, as well. That is Chamberlain's view that government is more than laws and taxes.

Like Chamberlain, I believe government is about many things.

It's finding a job for an unemployed person in Searsport, and assuring that our retarded, who are victims of fate, are not also victims of our neglect.

It is saving lives on the highway.

It's a homemaker helping an elderly woman to continue to live in her own home with dignity.

It's cleaning up our rivers, our land, and our air.

It's leaving things better than you found them.

It's restoring the image of the Maine potato.

It's getting the finest men and women to serve as judges.

It's helping the poorest people in the state.

It's fiscal responsibility. That is, spending someone else's money like it's your own.

It's providing opportunity and hope for those who are down.

It is trust.

It is trying to do your best.

It is honoring your commitments.

It is remembering where you came from.

It is respect for the dignity of all other human beings, no matter what they do in life.

It is all these things and more.

It's loyalty.

It's making tough decisions that tear your heart out.

It's frustrations.

It's failure, but getting up and trying again.

It's lots of things, but, really, one thing:

It's people helping other people.

Only we call it "government."

Only we call it "politics."

If we do it well, we do it with fairness, with compassion, with hope.

But these are lean times.

And we must be realistic.

You cannot keep a small business alive with fairness.

You cannot fund a budget with hope.

You cannot fill a pay envelope with compassion.

And so, where do we go from here?

Our vision remains steady, and our convictions firm, that this Administration should help address challenges posed to a people in transition, from a society that could squander its abundant resources, to one that must import raw materials and energy; from a society in which extended families nurtured each other, to one of isolated individuals and small families, which now often must depend on government to fill these same needs; from a society whose backbone was heavy industry employing millions of blue collar workers, to a post-industrial era where computers and lasers are replacing the mill shops, and robots, the workers; from a society as youthful as the frontier, to one which every year contains a higher percentage of elderly people, with all that implies for Social Security, hospital costs, and public programs.

I do not cite these fundamental changes to suggest that things are any better, or any worse, than before. I cite them to show that this Administration appreciates that our society, in America and in Maine, is dynamic, fluid, changing.

And the mission and objects of government must change with them—if it is to truly serve the people.

For the next four years of state policy with which we have been entrusted, we will propose initiatives that will bring to bear the resources of this government and this people on the dislocations caused by these fundamental changes, as well as new responses to old problems that persist in holding Maine back from attaining the full measure of prosperity and happiness for which we all strive.

To speak of these needs, new and old alike, we propose: more investment in economic development; restructuring our programs of financial assistance to business; and new directions for job training to ensure the skills developed match the jobs available.

We propose to promote full equality of rights and of opportunity for all Maine citizens with a state Equal Rights Amendment.

We propose to do what we must to maintain our unwavering commitment to our neediest people, whatever Washington may do.

We propose renewed attention to the condition of our highways and public facilities, with reforms in the way we finance them. We propose a bold new approach to rein in the runaway costs of medical care. We propose to build on our nationally recognized rivers plan, so we may pass along to future generations the legacy of our state's natural beauty. We propose further development of our energy resources, and additional aid to our cities and towns.

Taken together, we believe that these initiatives will constitute a specific, practical, workable response to the challenges that confront our state, and one which is consistent with the visions and the values of Maine people.

We take on these challenges with a quiet confidence that we can truly make a difference for the better in the quality of the lives of Maine people, a confidence borne of the tempering, the honing of this Administration, through the four years just concluded.

For when this Administration goes to work tomorrow morning, we will have the experience we gained when we created perhaps the most successful drunk driving law in the

country.

We will have the know-how that comes from building a fish pier at Eastport.

We will have the teamwork that came from planning a cargo port and a shipyard.

We will have the perspective that we learned when we found a way to help young couples buy their first homes.

And we will have the insight we acquired by bringing Pineland and the Augusta and Bangor hospitals up to and beyond acceptable standards.

So there is much that together we can accomplish for the good of the people of Maine.

But it is my duty to report that any real progress must depend on a prompt and fair resolution of our self-imposed financial crisis. I am referring, of course, to retroactive tax indexing, an issue whose implications are so pervasive that no intelligent discussion of Maine's prospects can ignore it.

At a time of increasing responsibility, can we reduce revenues by over \$100 million?

Yes, we can. We can turn our backs on the old, the poor, the retarded, on our children, on public safety, on much of what makes us humane, sensitive, compassionate people.

But Maine and Maine people are better than that. We believe in honoring the commitments we have made, and helping our neighbors in their hour of need.

So I urge you members of the Legislature not to turn your backs, but to choose instead to help those people who depend on us for a little better life.

The first, best step to achieve that would be to repeal the retroactivity of indexing.

Even without indexing, there are lean times for us all, and difficult choices lie ahead.

There will be those who insist that now is the time for government to do much less — not more — for the people, to shrug off Washington's massive cutbacks; to ignore the special needs of our growing elderly population; to get out of the economic development business; and to leave the isolated, the ill, the disabled and the poor to their own devices.

This is a selfish, shortsighted philosophy.

But I do not despair.

After all, other states must stand by helplessly as carefully built programs and services are knocked flat by the wrecker's ball of economic depression.

For us, matters are somewhat different. We have endured the recession better than most states, and we have intact the economic resources necessary to do the job. We have the power and the wherewithal to rescue ourselves, if we but have the will, the courage, the vision to do so.

I for one am confident that common sense and good judgment will prevail, and that the Legislature will hear and respond to the needs of the people as they have often done so ably in the past.

I have devoted much of these remarks to discussing the values we bring to government and the formidable challenges that we as a people face here in our state. It is fitting and appropriate in an inaugural address to do these things.

But I cannot conclude without departing from this tradition on this occasion to speak to an issue outside our immediate domain but which we can ignore only at our profound peril.

That is the issue of the arms race.

For nothing more surely jeopardizes the quality of our lives — or even the very continuance of life on our planet — than the threat of a nuclear holocaust.

We here in Maine are especially aware of the contribution of a strong and ready armed forces to preserving a fragile truce between the superpowers. And we are proud of the men and women at the shipyards in Kittery and Bath, the airmen on constant alert in

Brunswick and Limestone, and the dedicated servicemen and women in isolated posts like Cutler and Winter Harbor.

But we cannot be content with a status quo that means thousands of additional nuclear warheads added to the global arsenal each year.

Nor do we find comfort in the seconds shaved off response time, or a few yards of reduced margins of target error.

Nor can we passively accept the multiplying opportunities for an accident or mistake that could end the world as we know it.

Each of us, from each of our positions in our society, has a moral duty to speak up, and to act as best we can to reverse these ominous trends.

For my part, during the next four years I will continue to work for a mutual, verifiable nuclear freeze.

And I will continue to speak out in favor of measures to contain and control this desperately dangerous arms race in which we are now locked.

I hope that each of you will join me in this effort, for we all have everything to gain — or to lose.

As I begin this new term as Governor, with confidence and deep humility I promise the best that I have to offer, and I ask for your help, for your support, and for your prayers.

For I begin this new term with abiding faith in the best that Maine, and Maine people, have to offer:

The abundance of our natural resources.

The skill and dedication of our work force.

The compassion of our people.

And the spirit of community that has sustained us throughout our history.

For too many of our people, these are surely not the best of times.

But they are far from being the worst of times, as well.

The extremes of Maine's climate and natural beauty teach us that in every sign of despair there is reason for hope; in every defeat there is the prospect of victory; in the deepest day of Maine winter, there is the certain expectancy of spring and renewal.

I ask all of you — those assembled here tonight and those who are watching and listening — to join with me in renewing our shared commitment to the best that Maine and Maine people have to offer.

Tonight, I ask that we renew our resolve to work together with kindness and compassion to honor those who — like Hannibal Hamlin, Joshua Chamberlain, Percival Baxter, and Ed Muskie — have gone before us and set the standards by which we govern.

We promise to keep faith with the men and women of Maine who offer us the chance to lead, and we promise to keep alive the ideal of a caring, decent and humane government.

Thank you very much. (Prolonged applause, the audience rising)

At the conclusion of the Governor's address, benediction was offered by Reverend Lynne Josselyn, District Superintendent, United Methodist Church of Portland.

The Governor and his suite withdrew amid applause of the Convention, the audience rising.

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

The House was called to order by the Speaker.

The SPEAKER: The Chair would appoint the gentleman from Fairfield, Mr. Gwadosky, to act as Speaker-pro-tem.

On motion of Representative Mitchell of Vassalboro,

Recessed until the sound of the gong.

(The House then retired to its Chamber at the State House)

#### After Recess

The House was called to order by Representative Gwadosky of Fairfield, Speaker pro tem.

On motion of Representative Baker of Portland

Adjourned until Monday, January 10, at four o'clock in the afternoon, pursuant to the Joint Order.