

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

Wednesday, April 27, 1983

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

Prayer by Reverend Robert Hargreaves of St. Mark's Episcopal Church, Augusta.

The journal of yesterday was read and approved.

Papers from the Senate

The following Communication:

**The Senate of Maine
Augusta**

April 26, 1983

The Honorable John L. Martin
Speaker of the House
111th Maine Legislature
Augusta, Maine 04333
Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Fisheries and Wildlife, the Governor's nomination of Carroll York of West Forks to the Inland Fisheries and Wildlife Advisory Council.

Mr. York will replace George Prentiss.

Sincerely,

S/ JOY J. O'BRIEN

Secretary of the Senate

The Communication was read and ordered placed on file.

Reports of Committees**Unanimous Leave to Withdraw**

Report of the Committee on Agriculture reporting "Leave to Withdraw" on Bill "An Act to Establish a Numerical Whole Life Factor to be Placed Voluntarily on Food Items Sold at the Retail Level in Maine" (S. P. 322) (L. D. 967)

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

Divided Report

Majority Report of the Committee on State Government reporting "Ought to be Adopted" on JOINT RESOLUTION to Ratify an Amendment to the Constitution of the United States to Provide for a Delay in an Increase in Compensation to Members of Congress Until an Intervening Election of Representatives has Occurred. (S. P. 469) (L. D. 1422)

Report was signed by the following members:
Senators:

HICHENS of York
VIOLETTE of Aroostook

— of the Senate.

Representatives:

PARADIS of Augusta
SPROUL of Augusta
LEBOWITZ of Bangor
LaPLANTE of Sabattus
GWADOSKY of Fairfield
HOLLOWAY of Edgecomb
DILLENBACK of Cumberland
SALSBURY of Bar Harbor
KETOVER of Portland

— of the House.

Minority Report of the same Committee reporting "Ought Not to be Adopted" on same Resolution.

Report was signed by the following members:
Senator:

BALDACCI of Penobscot

— of the Senate.

Representative:

COOPER of Windham

— of the House.

Came from the Senate with the Majority "Ought to be Adopted" Report read and accepted and the Joint Resolution Adopted.

In the House: Reports were read.

On motion of Mr. Gwadosky of Fairfield, the Majority "Ought to be Adopted" Report was accepted and the Joint Resolution adopted in concurrence.

Divided Report

Majority Report of the Committee on Education reporting "Ought Not to Pass" on Bill "An Act to Change the Name of the University of Maine at Orono to the University of Maine and the University of Maine to the University of Maine System" (S. P. 393) (L. D. 1193)

Report was signed by the following members:
Senator:

HICHENS of York

— of the Senate.

Representatives:

BROWN of Gorham
CROUSE of Washburn
RANDALL of East Machias
MURPHY of Kennebunk
SOUCY of Kittery
LOCKE of Sebec
MATTHEWS of Caribou
SMALL of Bath
THOMPSON of South Portland

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (S-73) on same Bill.

Report was signed by the following members:
Senators:

CLARK of Cumberland
HAYES of Penobscot

— of the Senate.

Representative:

BOTT of Orono

— of the House.

Came from the Senate with the Bill and Accompanying Papers Indefinitely Postponed.

In the House: Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Sebec, Mrs. Locke.

Mrs. LOCKE: Mr. Speaker, I move that this Bill and all its accompanying papers be indefinitely postponed in concurrence and would like to speak to my motion.

The SPEAKER: The gentlewoman from Sebec, Mrs. Locke, moves that this Bill and all its accompanying papers be indefinitely postponed in concurrence.

The gentlewoman may proceed.

Mrs. LOCKE: Mr. Speaker, Men and Women of the House: This bill would change the name of the University of Maine at Orono to the University of Maine. There are alumni of the University of Maine at Orono who feel that they graduated from the University of Maine and would like to change the name back to what it was before we instituted the University of Maine System.

A majority of the Education Committee feels that this is not a good idea as long as we have the University of Maine System. Students who are presently studying at the several other campuses may feel that their campus and the education they are receiving would then be considered less than that at Orono. Students and alumni of the University System possibly would feel that those who have attended or are attending school at Orono are elitists or might have elitist attitudes.

We feel that this bill, if passed, would cause many attitudinal problems and some financial ones, and I hope that you will indefinitely postpone this bill.

Thereupon, on motion of Mrs. Locke of Sebec, the Bill and all accompanying papers were indefinitely postponed in concurrence.

At this point, a message from the Senate, borne by Senator Pray of Penobscot of that branch, proposing a Convention of both branches of the Legislature be held at 10:00 a.m. in the Hall of the House for the purpose of extending to His Excellency, Joseph E. Brennan, Governor of the State of Maine, an invitation to attend the convention and make such communication as pleases him, and for the further purpose of extending to the Honorable Margaret Chase Smith an invitation to attend the convention and make such communication as pleases her.

Thereupon, the House voted to concur in the proposal for a Joint Convention to be held at 10:00 a.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.

Non-Concurrent Matter

Bill "An Act Concerning the Distribution of Table Wines" (H. P. 833) (L. D. 1070) on which the Minority "Ought to Pass" as amended Report of the Committee on Legal Affairs was read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-159).

Came from the Senate with the Majority "Ought Not to Pass" Report of the Committee on Legal Affairs read and accepted in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Cox.

Mr. COX: Mr. Speaker, I move that the House Insist.

The SPEAKER: The gentleman from Brewer, Mr. Cox, moves that the House Insist.

The Chair recognizes the gentleman from Mount Desert, Mr. Zirnklinton.

Mr. ZIRNKILTON: Mr. Speaker, Ladies and Gentlemen of the House: I very much appreciate Representative Cox moving that the House Insist, and I just want to tell you very briefly what this amendment does.

Originally, as of March 12, 1982, last year, the Governor signed L. D. 1826 which made it so that someone involved in the retail wine business was not allowed to purchase wine from anyone outside of the exclusive franchised area in which they were living. This made it extremely difficult to obtain in many cases the type of wine that they wanted to get and it also created a major discrepancy in price competition, meaning that there was no price competition because people were not allowed to compete as far as selling to retailers outside their exclusive territories.

It is a free enterprise bill, it is a bill that is going to end up saving money for the consumer and hopefully creating a much better atmosphere as far as wine is concerned, and I hope that you will go along with the motion.

Thereupon, the House voted to insist.

Orders

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

ORDERED, that Representative Neil Rolde of York be excused April 29, for Legislative Business.

**House Reports of Committees
Unanimous Ought Not to Pass**

Representative Murphy from the Committee on Education on Bill "An Act Relating to the State Board of Education" (H. P. 949) (L. D. 1230) reporting "Ought Not to Pass".

Representative Brannigan from the Committee on Business Legislation on Bill "An Act Concerning Insurance Rates for Persons with Good Driving Records" (H. P. 917) (L. D. 1197) reporting "Ought Not to Pass".

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

Unanimous Leave to Withdraw

Representative Roderick from the Committee on Fisheries and Wildlife on Bill "An Act Concerning the Adoption of Rules and Rule Changes by the Department of Inland Fisheries and Wildlife" (H. P. 393) (L. D. 476) reporting "Leave to Withdraw".

Representative Strout from the Committee on Transportation on Bill "An Act to Provide

for Alternate Financing for Displaced Homeowners" (H. P. 782) (L. D. 1011) reporting "Leave to Withdraw"

Representative Pouliot from the Committee on Business Legislation on Bill "An Act to Require that Hospitals Furnish Itemized Bills" (H. P. 195) (L. D. 239) reporting "Leave to Withdraw"

Representative Brannigan from the Committee on Business Legislation on Bill "An Act Relating to Group Health Insurance" (H. P. 945) (L. D. 1226) reporting "Leave to Withdraw"

Representative MacBRIDE from the Committee on Business Legislation on Bill "An Act Relating to Assigned Risk Plans in Workers' Compensation Insurance" (H. P. 250) (L. D. 300) reporting "Leave to Withdraw"

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

Referred to the Committee on Judiciary

Representative Carroll from the Committee on Health and Institutional Services on Bill "An Act to Establish a State Board of Prison Terms and Supervised Release" (H. P. 1033) (L. D. 1358) reporting that it be referred to the Committee on Judiciary.

Report was read and accepted, the Bill referred to the Committee on Judiciary and sent up for concurrence.

Divided Report Tabled and Assigned

Majority Report of the Committee on Fisheries and Wildlife reporting "Ought Not to Pass" on Bill "An Act Concerning the Beginning Date for the Open Season on Deer" (H. P. 686) (L. D. 866)

Report was signed by the following members:
Senators:

REDMOND of Somerset
USHER of Cumberland
DOW of Kennebec

— of the Senate.

Representatives:

MacEACHERN of Lincoln
ERWIN of Rumford
RODERICK of Oxford
JACQUES of Waterville
KELLY of Camden
CONNERS of Franklin
PAUL of Sanford

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" on same Bill.

Report was signed by the following members:
Representatives:

CLARK of Millinocket
SMITH of Island Falls
GREENLAW of Standish

— of the House.

Reports were read.

Mr. MacEachern of Lincoln moved that the Majority "Ought Not to Pass" Report be accepted.

On motion of the same gentleman, tabled pending his motion to accept the Majority Report and specially assigned for Friday, April 29.

Divided Report

Majority Report of the Committee on Transportation reporting "Ought Not to Pass" on Bill "An Act to Require a Single License Plate" (H. P. 497) (L. D. 594)

Report was signed by the following members:
Senators:

DANTON of York
DIAMOND of Cumberland
EMERSON of Penobscot

— of the Senate.

Representatives:

CAHILL of Woolwich
CALLAHAN of Mechanic Falls
CARROLL of Limerick

MACOMBER of South Portland
THERIAULT of Fort Kent
STROUT of Corinth
McPHERSON of Eliot
MOHOLLAND of Princeton

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" on same Bill.

Report was signed by the following members:
Representatives:

NADEAU of Lewiston
REEVES of Pittston

— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, I move acceptance of the Majority "Ought Not to Pass" Report.

The SPEAKER: The gentleman from Limerick, Mr. Carroll, moves that the Majority "Ought Not to Pass" Report be accepted.

The Chair recognizes the gentleman from Portland, Mr. Baker.

Mr. BAKER: Mr. Speaker, Men and Women of the House: I would request a division.

The issue before us has been before this Legislature on several other occasions. It is one of these issues that comes back to us over and over again. The reason that this issue is before us is because it is my understanding that by switching over to a single license plate we have an opportunity to achieve a cost savings.

I would like to read a little bit of a memo that I have here that I got when I asked some of the people in the Finance Department to look into the matter for me.

If we were to go to a single license plate, per year there would be a savings of \$105,000 annually. However, more substantial savings would accrue if we were to issue new license plates, and we would probably be issuing new license plates in a number of years, probably within the next four or five years. According to this, there would be a cost savings of approximately \$1 million over the biennium following issuance of a single plate.

Last session, this issue was before the Audit and Program Review Committee. That is where I developed an interest in it. We had an opportunity then and we lost it.

There was an argument that there is a safety factor involved here, that having two license plates, for some reason or another, is an aid to law enforcement. I only know of one case that was ever solved because somebody happened to spot a single license plate.

There has been no study that I have ever seen or heard of that provides a correlation between more effective law enforcement and having two plates on an automobile.

Many states rights now have adopted a single license plate system—25 states have gone to a single license plate. Some of you might remember that during the war, World War II that is, we adopted a single license plate because of the shortage of scrap metal—no hue and cry then.

In 1970 and in 1976, we recognized the complete valuelessness of having a front plate when we decided to allow vanity plates celebrating Maine's 150th year and celebrating the bicentennial. We allowed people to put on these vanity plates on the front of their car—no hue and cry from the law enforcement community on that one.

We have an opportunity here to finally say we are going to save some money not by cutting any programs, not by laying off any employees, but we are going to do it by taking it out of metals.

Many people here have campaigned on finding cost-saving measures. Here is your opportunity. Remember, if we ever issue a new license plate, there is approximately \$1 million that can be saved. This of what that can do.

The SPEAKER: The Chair will order a vote. The pending question is on the motion of the

gentleman from Limerick, Mr. Carroll, that the Majority "Ought Not to Pass" Report be accepted. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

54 having voted in the affirmative and 61 having voted in the negative, the motion did not prevail.

Thereupon, the Minority "Ought to Pass" Report was accepted, the Bill read once and assigned for second reading the next legislative day.

Consent Calendar First Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the First Day:

(H. P. 813) (L. D. 1053) Bill "An Act to Provide the Department of Transportation with the Ability to Collect Rents on Acquired Properties"—Committee on Transportation reporting "Ought to Pass"

(H. P. 852) (L. D. 1102) Bill "An Act to Revise the Charitable Solicitations Law"—Committee on Business Legislation reporting "Ought to Pass"

No objections having been noted, under suspension of the rules the above items were given Consent Calendar Second Day notification, passed to be engrossed and sent up for concurrence.

Consent Calendar Second Day

In accordance with House Rule 49, the following item appeared on the Consent Calendar for the Second Day:

(S. P. 146) (L. D. 437) Bill "An Act to Establish a Chief Justice of the Superior Court"

On the objection of Representative Higgins of Scarborough, was removed from the Consent Calendar.

Thereupon, the Report was accepted in concurrence, the Bill read once and assigned for second reading Friday, April 29.

(S. P. 343) (L. D. 1017) Bill "An Act Relating to the Investment of Funds in Litigation"

(S. P. 358) (L. D. 1079) Bill "An Act to Establish a Workers' Compensation Hearing Exemption for Agricultural Employers' Liability Insurance Claim Disputes"

(S. P. 429) (L. D. 1298) RESOLVE, Authorizing the Department of Marine Resources to Sell the Research Vessel Challenge and to Convert the Fishing Vessel Jubilee (C. "A" S-65)

(H. P. 993) (L. D. 1303) Bill "An Act to Amend the Maine Coastal Protection Fund" (C. "A" H-164)

(H. P. 790) (L. D. 1082) Bill "An Act to Override the Federal Preemption of State Authority to Regulate Alternative Mortgage Transactions" (Emergency)

(H. P. 856) (L. D. 1106) Bill "An Act to Amend Special Education Statutes Pertaining to the Filing of Allowable Expenditures by Special Purpose Schools, Agencies or Institutions" (Emergency)

(S. P. 131) (L. D. 318) Bill "An Act to Make the Single Axle Limit Uniform"

(S. P. 163) (L. D. 451) Bill "An Act Amending the Display of Registration Plates for Truck Tractors"

(S. P. 428) (L. D. 1297) Bill "An Act to Amend the Laws Relating to Fees for Nonresident Concealed Weapons Permit" (C. "A" S-71)

(S. P. 24) (L. D. 25) 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" (C. "A" S-72)

(H. P. 1079) (L. D. 1425) Bill "An Act to Authorize Easements for the Purpose of Sewage Disposal and to Eliminate Undersized Rights-of-way on Certain Leased Lots Owned by the Town of Bridgton"

(H. P. 1008) (L. D. 1333) RESOLVE, Authorizing the Exchange of Certain Public Lands

(H. P. 168) (L. D. 199) Bill "An Act to Require Persons being Licensed to Hunt for the First Time to have Completed a Gun Safety Course" (C. "A" H-166)

(H. P. 995) (L. D. 1305) Bill "An Act to Prohibit smelting on Morrill Pond in Somerset County" (C. "A" H-167)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were passed to be engrossed or passed to be engrossed as amended in concurrence and the House Papers were passed to be engrossed or passed to be engrossed as amended and sent up for concurrence.

Passed to be Engrossed

Bill "An Act to Clarify, Simplify and Improve Certain Sections of the Labor Laws of Maine" (S. P. 497) (L. D. 1503)

Bill "An Act Concerning Probation and Suspended Prison Sentences" (S. P. 498) (L. D. 1504)

Bill "An Act to Improve Voter Registration Access for Potential Absentee Voters" (H. P. 114) (L. D. 121)

RESOLVE, to Designate the Saco Spur from Route 1 to its Intersection with Ocean Park Road as "Centennial Way" to Commemorate the Year of the 100th Anniversary of the Town of Old Orchard Beach (Emergency) (S. P. 500) (L. D. 1506)

Bill "An Act Relating to Boards of Voter Registration" (H. P. 1146) (L. D. 1509)

Were reported by the Committee on Bills in the Second Reading, read the second time, the Senate Papers were passed to be engrossed in concurrence and the House Paper was passed to be engrossed and sent up for concurrence.

Second Reader Tabled and Assigned

Bill "An Act Requiring Motorists to Protect Children in Motor Vehicles by Use of Approved Child Safety Seats" (H. P. 1149) (L. D. 1514)

Was reported by the Committee on Bills in the Second Reading and read the second time.

On motion of Representative Carroll of Limerick, tabled pending passage to be engrossed and specially assigned for Friday, April 29.

Bill "An Act to Allow the Department of Educational and Cultural Services to Administer the Child Nutrition Program in Private, Non-profit Schools" (H. P. 772) (L. D. 1002)

Was reported by the Committee on Bills in the Second Reading and read the second time.

The SPEAKER: The Chair recognizes the gentlewoman from Gorham, Ms. Brown.

Ms. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to request a roll call and speak briefly.

This bill states that the Department of Educational and Cultural Services will be allowed to administer the child nutrition program in private and nonprofit schools. I don't believe this should be allowed until we get a complete court ruling on private schools.

You can vote as you please, but I would like to be on record as to how I voted.

The SPEAKER: A roll call has been requested. 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 passage to be engrossed. All those in favor of this Bill being passed to be engrossed will vote yes; those opposed will vote no.

ROLL CALL

YEA—Ainsworth, Anderson, Andrews, Baker,

Beaulieu, Benoit, Bost, Bott, Brannigan, Brodeur, Carroll, D.P.; Carroll, G.A.; Carter, Cashman, Chonko, Clark, Connolly, Cooper, Cote, Cox, Crouse, Crowley, Daggett, Diamond, Erwin, Gauvreau, Gwadosky, Hall, Handy, Hickey, Higgins, H.C.; Hobbins, Ingraham, Jalbert, Joseph, Kane, Kelleher, Kelly, Ketover, Kilcoyne, LaPlante, Lehoux, Lisnik, Locke, MacEachern, Macomber, Manning, Martin, A.C.; Martin, H.C.; Masterton, Matthews, K.L.; Matthews, Z.E.; McCollister, McGowan, McHenry, Melendy, Michael, Michaud, Mitchell, E.H.; Mitchell, J.; Murphy, Murray, Nadeau, Nelson, Paradis, P.E.; Paul, Perkins, Perry, Pouliot, Randall, Reeves, P.; Rolde, Rotondi, Small, Smith, C.B.; Sproul, Stevens, Stover, Swazey, Telow, Theriault, Tuttle, Vose, Wentworth.

NAY—Allen, Armstrong, Bell, Bonney, Brown, A.K.; Brown, D.N.; Brown, K.L.; Callahan, Carrier, Conary, Conners, Davis, Day, Dexter, Dillenback, Drinkwater, Dudley, Foster, Greenlaw, Higgins, L.M.; Holloway, Jackson, Joyce, Kiesman, Lebowitz, Lewis, Livesay, MacBride, Masterman, Maybury, McPherson, McSweeney, Moholland, Norton, Paradis, E.J.; Parent, Pines, Racine, Reeves, J.W.; Ridley, Roberts, Roderick, Salsbury, Scarpino, Seavey, Sherburne, Smith, C.W.; Soucy, Stevenson, Strout, Tammara, Walker, Webster, Weymouth, Willey, Zirkilton.

ABSENT—Cahill, Curtis, Hayden, Jacques, Mahany, Richard, Soule, Thompson, The Speaker.

Yes, 84; No, 56; Absent, 9; Vacant, 2.

The SPEAKER: Eighty four having voted in the affirmative and fifty six in the negative, with nine being absent and two vacant, the motion does prevail.

Sent up for concurrence.

Passed to be Engrossed Amended Bill

Bill "An Act to Make Corrections in the Maine State Housing Authorities Law" (H. P. 1053) (L. D. 1397) (H. "A" H-165) to C. "A" H-163)

Was reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed as amended and sent up for concurrence.

Later Today Assigned

Bill "An Act to Revise the Composition of the Marine Resources Advisory Council" (H. P. 1038) (L. D. 1363) (C. "A" H-162)

Was reported by the Committee on Bills in the Second Reading and read the second time.

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

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

In Convention

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

On motion of Senator Pray of Penobscot, it was

ORDERED, that a Committee be appointed to wait upon His Excellency, The Honorable Joseph E. Brennan, Governor of the State of Maine, to extend an invitation to him to attend this Convention and make such communication as pleases him.

The Chairman appointed:

Senators:

BROWN of Washington
TWITCHELL of Oxford
SHUTE of Waldo

Representatives:

AINSWORTH of Yarmouth
ERWIN of Rumford
MCCOLLISTER of Canton
ROBERTS of Buxton
SOUCY of Kittery
FOSTER of Ellsworth
BONNEY of Falmouth

STEVENSON of Unity

WEBSTER of Farmington

Subsequently, Senator Brown, for the Committee, reported that the Committee had delivered the message with which it was charged, and the Governor was pleased to say that he would forthwith attend the Convention.

At this point, The Honorable Joseph E. Brennan, Governor of the State of Maine, entered the Convention Hall amid applause of the Convention, the audience rising.

On motion of Senator Gill of Cumberland, it was

ORDERED, that a Committee be appointed to wait upon The Honorable Margaret Chase Smith to extend an invitation to her to attend this Convention and make such communication as pleases her.

The Chairman appointed:

Senators:

COLLINS of Knox
TEAGUE of Somerset
PRAY of Penobscot

Representatives:

RICHARD of Madison
GWADOSKY of Fairfield
WALKER of Skowhegan
HIGGINS of Scarborough
DAVIS of Monmouth
MITCHELL of Vassalboro
DIAMOND of Bangor

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

At this point, the Honorable Margaret Chase Smith entered the Convention Hall amid prolonged applause, the audience rising.

The following Proclamation was read by the Secretary:

State of Maine Proclamation

WHEREAS, Senator Margaret Chase Smith had distinguished herself over a lifetime of public service to the people of Maine and the nation, including thirty-six years in the United States House of Representatives and the United States Senate; and

WHEREAS, Margaret Chase Smith continues to give of her energy and talents on the college campuses of this country as Woodrow Wilson Foundation lecturer and visiting professor; and

WHEREAS, her life of service has been a source of inspiration to people from all walks of life and from all political persuasions; and

WHEREAS, her achievements have been a special source of inspiration for the women of this nation; and

WHEREAS, her dedication to her constituents, to the welfare of her native state and her country, and her adherence to her conscience all have endeared her to the people she has so faithfully served;

NOW, THEREFORE, I, JOSEPH E. BRENNAN, Governor of the State of Maine, do hereby proclaim Wednesday, April 27, 1983 as

MARGARET CHASE SMITH DAY throughout the State of Maine and urge all citizens to honor this outstanding citizen of our state, the nation and the world.

IN TESTIMONY WHEREOF, I have caused the Great Seal of the State to be hereunto affixed GIVEN under my hand at Augusta this twenty-seventh day of April in the Year of our Lord One Thousand Nine Hundred and Eighty-Three.

S/JOSEPH E. BRENNAN
Governor
S/RODNEY S. QUINN
Secretary of State

The CHAIRMAN: The Chair is pleased to recognize in the front of the Chamber some friends of the good Senator Margaret Chase

Smith; Evelyn Williams of Skowhegan, sister of Senator Smith; Mrs. Anne Herrin of Skowhegan, niece of Senator Smith; Merton G. Henry of Portland, a long-time aide of the Senator; Donald Tallman of Northwood Institute; Gary Stauffer of the Northwood Institute, and Dr. and Mrs. James C. MacCampbell, the doctor is the director of the Margaret Chase Smith Library Center in Skowhegan. The Chair would ask these distinguished people and friends of the Senator to please rise and accept the greetings of the Convention. (Applause, the members rising)

The following Communications were read by the Secretary:

The Honorable Margaret Chase Smith
State House
Augusta

Dear Margaret,

I am delighted to extend my warmest greetings and congratulations as the State of Maine celebrates Margaret Chase Smith Day.

This special occasion provides a wonderful opportunity for each of us to recognize and show our appreciation for your outstanding contributions to our nation.

Through the years, your service in the United States Congress and Senate have made you a beloved symbol of the great State of Maine and a respected figure throughout the nation.

In a wide-ranging career of firsts, you have always distinguished yourself through your demonstrated courage and dedication.

The symbol of your campaigns was a rose. I can think of no more fitting emblem for a woman who brought such beauty and refinement to American political life.

Nancy joins me in sending our best wishes and personal regards as you observe this well deserved tribute.

Sincerely,
S/RONALD REAGAN
President

United States Senate
Washington, D.C. 20510

April 27, 1983

The Honorable Margaret Chase Smith
State House
Augusta, Maine 04333
Dear Senator Smith:

I am delighted that you are being honored by the Maine Legislature today and disappointed that the U.S. Senate is in session and I am unable to attend today's ceremony in Augusta. During your own career in the Senate, you set attendance and voting records which have yet to be surpassed, and I trust you can appreciate my desire to emulate you in that regard.

Throughout the many ceremonies and statements which have paid tribute to your remarkable career, one persistent fact comes through again and again—you set the standard by which future generations of public servants in Maine and across the country will be measured. Since I hold the Senate seat which you once held, I feel a special responsibility to attempt to continue in the tradition of public service which you established.

For your courage, your honesty, your dedication, and your devotion to purpose, I join the legislature of Maine in once again saying "thank you."

Sincerely,
S/WILLIAM S. COHEN
United States Senator

April 27, 1983

President Gerard P. Conley
Maine State Senate
State House
Augusta, Maine 04333
Dear Mr. President:

As a former member of the Legislature, I want to join in saluting one of our state's greatest leaders—Margaret Chase Smith.

Mrs. Smith has the unique distinction of

being the first woman to serve in both the United States House of Representatives and the Senate. She served longer in the Senate than any other woman and was among the presidential nominees at the 1964 Republican national convention. She sets a high standard for other women who will follow her into the halls of Congress.

Her thirty-three years tenure in Washington gave her the opportunity to leave her imprint on legislation during three decades in our nation's history—through two wars and peacetime prosperity.

She frequently displayed that strong characteristic that all people of Maine show, independence. As Maine people, we come together to day to express our appreciation for her dedication to our nation's welfare. Her hard work on our behalf has earned her the respect and admiration of her peers. I warmly wish her the best in years to come.

Sincerely,
S/OLYMPIA J. SNOWE
Member of Congress

Congress of the United States
House of Representatives
Washington, D.C. 20515

April 27, 1983

The Honorable Gerard P. Conley
President of the Senate
State House
Augusta, Maine 04333
Dear Mr. President:

It is with great pleasure that I join you in paying tribute to Senator Smith's long and distinguished record of service to the people of Maine and the nation.

During her four terms in the U.S. House of Representatives and her four terms in the U.S. Senate, Senator Smith earned a reputation for hard work and integrity second to none.

Throughout her legislative career, the Senator demonstrated an unyielding commitment to the principles of liberty and justice—principles which must continue to be the hallmark of our political system, if that political system is to survive.

Her famed "Declaration of Conscience" speech in 1950 came at a time when some of the freedoms central to the founding of our nation were being threatened by a divisive and outspoken minority. That display of integrity typified a career marked by thoughtful independence and a dedication to fundamental American values.

Hers is a record of which we, as free thinking and freedom loving Americans, can rightfully be proud.

Thus, it is highly appropriate that today be designated "Margaret Chase Smith Day" in Maine.

The Senator initiated a proud tradition of independent thinking among Maine's representatives in Washington—a tradition to which our representatives, present and future can honorably aspire.

Please extend my best wishes to the Senator.

Respectfully,
S/JOHN R. McKERNAN, JR.
Member of Congress

On motion of Representative Richard of Madison, the following Joint Resolution: (H. P. 1143) (Cosponsors: Senator Teague of Somerset; Representatives Gwadosky of Fairfield and Walker of Skowhegan)

State of Maine

In the Year of Our Lord
Nineteen Hundred and Eighty-Three

JOINT RESOLUTION IN RECOGNITION OF
THE HONORABLE MARGARET CHASE SMITH
OF SKOWHEGAN

WHEREAS, high on the banks of the Kennebec River among the pines of Maine a solitary red rose has grown and become known around the

world; and

WHEREAS, from these roots emerged a little girl from a little town in the distant corner of this vast country to become a leader of this Nation and the world; and

WHEREAS, the First Lady of Skowhegan has led an extraordinary career which has known no borders and touched the lives of countless people; and

WHEREAS, Margaret Chase Smith earned the distinction as the only woman elected to serve in both Houses of Congress of the United States and to achieve a perfect attendance and consecutive voting record while in office; and

WHEREAS, although her credits are too numerous to mention, it cannot go unnoticed that Senator Smith was elected time and again without aid of campaign contributions, nominated by her party for President of the United States and has been the recipient of 86 honorary doctorate degrees; and

WHEREAS, she is a warm and genuine person who championed the role of free enterprise in the lives of a free people, distinguished herself in her Declaration of Conscience and continues her tireless work to help educate the youth of this country; and

WHEREAS, she rose from high school to the highest level of government and statesmanship where she worked successfully with the great leaders of the world but never lost touch with the people she loved back home; and

WHEREAS, her long record of outstanding public service and unparalleled achievement will serve as a symbol of leadership, unselfish interest and boundless energy for all citizens; now, therefore, be it

RESOLVED: That We, the Members of the 111th Legislature of the great and sovereign State of Maine, now assembled in joint convention, during this First Regular Session, recognize this outstanding public servant and dedicated citizen for her extraordinary gifts and distinguished service which have contributed so much to greatness and enrichment of this community, State and Nation, and take this opportunity to commend and pay special honor to the Honorable Margaret Chase Smith on behalf of the Legislature and the people of the State of Maine; and be it further

RESOLVED: That this Joint Resolution be spread upon the pages of our journals and a suitable copy be presented to Mrs. Smith in token of our esteem.

The Resolution was read and adopted.

At this point Governor Brennan addressed the Convention as follows:

Mr. President, Mr. Speaker, Members of the 111th Maine Legislature: I come before you today because of the gracious invitation of your leadership to introduce the distinguished and honorable guest of this Joint Convention. This is truly a special honor for me. All of us have known of Senator Smith for many years. Indeed, she has been in the forefront of Maine life since the 1930's, serving most of that time in high elective office, but always, in office or out, serving in an additional capacity as a symbol to the nation of the very best that resides collectively within the American people.

Most of us are well aware of the specifics of her record of public service, a record spanning more than 30 years of elected public office, including four terms in the United States Senate.

Most of us are familiar with the American success story that took her from a telephone operator in Skowhegan to a position of leadership in the United States Senate and stature as one of the nation's most respected Senators and recognized political leaders.

Most of us remember the precedents that she established—as has been said here, the first and only woman elected to both the United States House and the United States Senate; the first woman to be placed in nomination for the President of the United States by a major party.

Most of us as politicians would envy her strength as a vote-getter, notably in 1960 when she led all Republican Senate candidates in the nation. And most of us would certainly admire her energy, including her ability to maintain even today a full schedule of teaching, public speaking and other activities.

We honor her today for all of these accomplishments, but let us honor her as well for what she has meant to the nation over these years.

Thirty-three years ago, the political climate in this country was so very different that those not old enough to remember it would find it hard to believe.

Fear of Communist infiltration of government ran wild and was exploited by a demagogue named McCarthy.

Through tactics such as "The Big Lie" and guilt by association, McCarthy and his followers spread a climate of intimidation so effectively that many Americans were afraid to freely exercise their basic constitutional rights.

Indeed, many leading Democrats, as well as Republicans, were reluctant to take on Senator McCarthy.

One event more than any marked the beginning of the end of those dark years for this nation. It was a speech to the Senate by our own Margaret Chase Smith, a speech known as "The Declaration of Conscience." In that speech, Senator Smith said in part: "I don't want to see the Republican Party ride to political victory on the four horsemen of calumny, fear, ignorance, bigotry and smear."

And again quoting: "It is high time that we stopped thinking politically as Republicans and Democrats about elections and started thinking patriotically as Americans about national security based on individual freedom."

"It is high time that we all stopped being tools and victims of totalitarian techniques, techniques that if continued here unchecked will surely end what we have come to cherish as the American way of life."

It took an enormous act of political and personal courage in those strange times to make such a statement, and even greater courage to do it on the Senate floor in open defiance of a Senator of her own party.

Indeed, Bernard Baruch, a prominent advisor to many Presidents, said: "If a man had made the Declaration of Conscience speech, he would be the next President of the United States."

That Margaret Chase Smith took that bold step is a testament to the personal courage and integrity that marked her entire career in public life.

When Mrs. Smith went to Washington more than 40 years ago, she brought with her that strong-willed independence, integrity, conscience, and an abiding belief in justice. And those were the very same traits she brought back with her, uncompromised, many years later.

Mrs. Smith is proof that politics can be an honorable way of life. To a cynical generation, she is a reminder that there is integrity in politics and dignity in public office.

To those who seek a career in public life, there is no higher standard than her example.

Senator Smith, as Governor, it is my privilege to welcome you and to thank you on behalf of the people of Maine for the outstanding service you have given to our state, to your state.

At this point, Governor Brennan presented Senator Smith with an American Beauty long-stemmed rose. (Applause)

It is now my privilege to introduce our special guest, a most gracious and remarkable lady—Senator Margaret Chase Smith. (Applause)

Senator SMITH: Governor Brennan, Mr. President, Mr. Speaker, Representatives and Senators and guests: How can I say anything—I will be lucky if I can keep my voice. Those are touching words, Governor, and I feel so deeply

that I can hardly talk about it. I appreciate so much the sincerity with which you spoke. Touching upon my "Declaration of Conscience" goes very deeply. Thank you very kindly.

To you, with the applause, you sound as though you hadn't had anyone to applaud for some time, but I must say that I like it. It is heartwarming to come here in this great chamber and be with you. This is a very, very high honor that you extend to me today, the highest that the State of Maine could extend to anyone. Again, I am deeply grateful to you.

I never had the privilege of serving in this chamber nor in the Senate, the State Senate. I did, as you know, have the honor and the privilege to serve in similar capacities in Washington, which I could not have done had it not been for the good people of Maine. I say to all of you who have been elected that it is a privilege, a privilege to serve in any position that depends on the vote, and it is something that we should remember.

I used to come to the State House many years ago, if you will excuse me I will reminisce a bit, when my husband was in the House and the Senate, Chairman of the State Highway Commission, a member of Governor Brann's all Republican Council, before we went to Washington. What did I do? I waited. I sat in the car, I did needlepoint, I read, I came into the balcony and listened to some of the debates, I went into the committee rooms, I wandered around the corridors, all the time listening and learning, never dreaming that I would ever be in a position where it would be of use to me.

I have been interested in government for a long time and perhaps that is one of the reasons I have worked so closely with students, hoping that just a word now and then would encourage them to follow in our leadership.

I shall always appreciate those many years. I am happy now to be back home. People don't seem to realize that one has to stay on the job if they have one, they can't be back in the state and in Congress at the same time. Again, it was a privilege, a privilege to be elected by such large majorities by the good people of our beautiful great state, people of integrity, of substance, of determination, people who like to think for themselves, and they have shown it when they go to the polls.

My husband was very active in welfare and labor matters. It was his bill for the first old age pension, way back in the 20's, that was passed and ordered printed to be placed in the libraries all over the country.

Many people ask me what I have been doing since I left the Senate, some people thinking I should come back and rock for awhile, some people wondering if I would make Washington my home, there were all kinds of thoughts, but I have been busy.

After leaving the Senate in 1973, I was approached by the Woodrow Wilson National Fellowship Foundation asking me if I would please be one of their visiting professors and help organize and prepare a group of visiting professors that would go through the country and spend five days a week here and there in the smaller colleges. I was reluctant to do it at first because I thought I was not qualified and secondly because I was a little weary and I wanted to do some writing, but I finally consented. I left the political scene and went over to education. It is a great experience. I went to colleges all the way from Whitman in Washington State to Baylor in Texas to Millsaps in Mississippi and to Northwood in Michigan. Northwood is perhaps one of the names you have been hearing occasionally lately because it was Northwood, the co-founders Gary Stauffer and Arthur Turner, who was my long time assistant, friend, associate, who started the ball rolling and out of it came the dedication of The Margaret Chase Smith Library Center last August. I saw a good many of you and heard from more of you. This makes me very happy because I have records of many, many

years. It was just 43 years ago this month that I started on this career, little realizing ever that I would be there long enough to finish the unexpired term.

Governor, I know that Skowhegan is a small place, I know there aren't many of us up there, but I wish sometime your people would come to Skowhegan and meet, led by yourself, and visit the Library Center. I am sure that Dr. Campbell would be there to greet you and I would do it with outstretched hands. That is an invitation to all of you. I do hope as you go through the state that you will find the little town of Skowhegan which those of us from Skowhegan are very proud of, where I was born on the Kennebec, where I always lived and where I expect to continue.

Again, Governor Brennan, I have no words to express my appreciation. I have been trying to think as I am standing here what I could say that hasn't been said but I haven't anything to say. These people have a big job to do. I know that that doesn't go by unnoticed, but they have a brief time left to finish their work and I am sure they are as anxious as you are to have that completed, so rather than making a speech and telling you about world affairs, which you hear often, I thought I would just do this little reminiscing and have people know that I was still serving on boards, still doing a little college work and still walking and happy about the library being established while I am still around.

Alexander Richard came to me with your invitation and I shall always—he and I have been friends for a good many years—when he was in Madison High School and I was running around looking for votes and my people would say: "What under the sun do you go to schools for? They can't vote." But Governor, I would say: "No, they can't vote but they have parents and they might think of something I said that would help sway them." One time I learned a lesson in Jackman, Maine. I was up there visiting Ruby Mercer and her husband. I went around through the day and talked to their little school—I went into one elementary school, had a delightful time, I always talk to the little ones and ask questions and we went over to Ruby's for dinner that night or supper that night and one man said to me: "Margaret, what under the sun were you talking about this afternoon to that school? My little six year old son came home and said, 'That very nice lady told us all about sitting on the floor with all those men in Washington.' A good lesson—let's use their terms and not ours."

Again, thank you very, very much. (Prolonged Applause)

At this point, the Governor and Senator Smith 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 Senate then retired to its Chamber, amid applause of the House, the members rising.

In the House

The House was called to order by the Speaker.

On motion of Mr. Richard of Madison, Adjourned until Friday, April 29th at twelve o'clock noon.