

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eleventh  
Legislature***

OF THE

**STATE OF MAINE**

**Volume II**

**FIRST REGULAR SESSION**

**May 16, 1983 to June 24, 1983**

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## HOUSE

Tuesday, September 6, 1983

This being the day designated in the proclamation of the Governor for the meeting of the One Hundred and Eleventh Legislature in extra session, the members of the House of Representatives assembled in their Hall at 11:00 o'clock in the morning and were called to order by the Speaker.

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

The members stood at attention for the Pledge of Allegiance to the Flag.

A roll call was taken. 146 members answered to their names and accordingly a quorum was found to be present.

Those who were absent were: Gwadosky of Fairfield, Lewis of Auburn, Racine of Biddeford, Willey of Hampden, and one vacant.

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: MacEachern of Lincoln  
Paul of Sanford  
Jacques of Waterville  
Clark of Millinocket  
Erwin of Rumford  
Smith of Island Falls  
Kelly of Camden  
Conners of Franklin  
Greenlaw of Standish  
Roderick of Oxford

Subsequently, Representative MacEachern reported that the Committee had delivered the message with which it was charged.

On motion of Mr. Diamond of Bangor, 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.

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

At this point, a message came from the Senate, borne by the Assistant Majority Floor Leader, Senator Carpenter of Aroostook, informing the House that a quorum was present and that the Senate was ready to transact such business as might properly come before it.

## The Following Proclamation:

WHEREAS, there exists in the State of Maine an extraordinary occasion whereby the Governor intends to present bond proposals to the 111th Legislature for their consideration and action; and

WHEREAS, these bond proposals will offer the people of the State of Maine the opportunity to enhance the State's economic development, improve our airports, stimulate development of our cargo ports, continue our efforts to clean up the pollution of our waters, assist communities in developing their local economies, provide adequate facilities for incarceration of convicted offenders, improve our ability to develop and analyze evidence in criminal cases, clean up hazardous material, and otherwise enhance the quality of life in our State; and

WHEREAS, it is necessary to approve these bond proposals in a timely fashion so that they may be included on the ballot for consideration by the voters at referendum in November,

1983;

NOW, THEREFORE, I, JOSEPH E. BRENNAN, Governor of the State 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 at Augusta on Tuesday, the sixth day of September, 1983 at eleven o'clock in the morning, in order to receive communications and enact a bond issue package.

Given at the Office of the Governor at Augusta, and sealed with the Great Seal of the State of Maine, this twenty fourth day of August in the Year of Our Lord Nineteen Hundred and Eighty-three.

S/JOSEPH E. BRENNAN  
Governor

S/ELSIE I. BOWEN  
Deputy Secretary of State

The Proclamation was read and ordered placed on file.

## Papers From the Senate

The following Communication:  
The Senate of Maine  
Augusta

August 4, 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 Labor, the Governor's nomination of Thatcher E. Turner of Norway as the Primary Employer Member of the Maine Labor Relations Board.

Mr. Turner is replacing Mr. Don Ziegenbein.

Sincerely,  
S/JOY J. O'BRIEN  
Secretary of the Senate

Was read and ordered placed on file.

The following Communication:  
The Senate of Maine  
Augusta

August 4, 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 Agriculture, the Governor's nomination of George W. McHale of East Orrington for reappointment as a member of the State Harness Racing Commission.

Sincerely,  
S/JOY J. O'BRIEN  
Secretary of the Senate

Was read and ordered placed on file.

The following Communication:  
The Senate of Maine  
Augusta

August 4, 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 Agriculture, the Governor's nomination of Edward A. Anderson of Scarborough for reappointment as a member of the State Harness Racing Committee.

Sincerely,  
S/JOY J. O'BRIEN  
Secretary of the Senate  
Was read and ordered placed on file.

The following Communication:  
The Senate of Maine  
Augusta

August 4, 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 Judiciary, the Governor's nomination of Caroline Glassman of Portland as a Justice of the Maine Supreme Judicial Court.

Ms. Glassman is replacing the Honorable Gene Carter.

Sincerely,  
S/JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file.

The following Communication:  
The Senate of Maine  
Augusta

August 4, 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 Education, the Governor's nomination of Elizabeth Bottomley Noyce of Bremen as a Member of the Board of Trustees of the Maine Maritime Academy.

Elizabeth Bottomley Noyce is replacing C. Gustav Magnuson.

Sincerely,  
S/JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file.

The following Communication:  
The Senate of Maine  
Augusta

August 4, 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 Education, the Governor's nomination of Thomas F. Monaghan of Portland for reappointment as a Member of the University of Maine Board of Trustees.

Sincerely,  
S/JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file.

The following Communication:  
The Senate of Maine  
Augusta

August 4, 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 Education, the Governor's nomination of Carol A. Wishcamper of Freeport as a Member of the State Board of Education.

Carol A. Wishcamper is replacing Rene Simard.

Sincerely,  
S/JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file.

The following Communication:  
The Senate of Maine  
Augusta

August 4, 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 Education, the Governor's nomination of H. Alan Timm of Manchester as a Member of the Board of Trustees of the Maine Maritime Academy.

Mr. Timm is replacing Mr. Paul Stebbins.

Sincerely,

S/JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file.

The following Communication:  
The Senate of Maine  
Augusta

August 4, 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 recommendation of the Joint Standing Committee on Labor, the Governor's nomination of Carroll R. McGary of Winthrop as the Second Alternate Employer Member of the Maine Labor Relations Board.

Mr. McGary is replacing Mr. Kenneth T. Winters.

Sincerely,

S/JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file.

The following Communication:  
The Senate of Maine  
Augusta

August 4, 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 recommendation of the Joint Standing Committee on Agriculture, the Governor's nomination of Joseph P. Kenneally of Saco as a member of the State Harness Racing Commission.

Sincerely,

S/JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file.

At this point a message came from the Senate, borne by the Majority Floor Leader of that body, Senator Pray of Penobscot, proposing a convention of both branches of the Legislature to be held at 11:30 a.m. in the Hall of the House for the purpose of extending to His Excellency, Joseph E. Brennan, Governor of Maine, an invitation to attend the convention and to make such communication as he may be pleased to make.

Representative Mitchell of Vassalboro was charged with and conveyed a message to the Senate announcing that the House concurred in the proposal for a Joint Convention to be held at 11:30 a.m.

The following Communication:  
Resolution of the Joint Tribal Council of the Passamaquoddy Tribe, Adopted at a Meeting Held at Calais, Maine  
On August 8, 1983

Be It Resolved That

(1) the Passamaquoddy Tribe approves of the amendments to the Act to Implement the Maine Indian Claims Settlement contained in the following Public Laws of Maine, pursuant to the Maine Indian Claims Settlement Act, 25 U.S.C.A. §1725 (1):

(a) Chapter 492 of the Public Laws of 1983, "An Act to Establish New Selection Procedures for the Maine Indian Tribal-State Commission Chairmanship";

(b) Chapter 493 of the Public Laws of 1983, "An Act to Extend the Time for Acquiring those Areas which have been Designated Potential Passamaquoddy Indian Territory";

(c) Chapter 497 of the Public Laws of 1983, "An Act Relating to the Manner of Approval of Amendments to the Maine Indian Claims Settlement Act";

(d) Chapter 498 of the Public Laws of 1983, "An Act Relating to Training Penobscot Law Enforcement Officers" (which reduces the training requirements for law enforcement officers of both tribes).

(2) a copy of this resolution shall be filed with the Secretary of the State of the State of Maine and such copy shall constitute written certification by the Joint Tribal Council of the Passamaquoddy Tribe that the Passamaquoddy Tribe has agreed to the provisions of the said Chapters of the Public Laws of 1983 which amend the Maine Implementing Act.

(3) the Representative of the Passamaquoddy Tribe to the Maine Legislature, Wayne Newell, is designated as the officer authorized to execute the certificate of approval of legislation pursuant to 3 M.R.S.A. §602 as enacted by Chapter 497 of the Public Laws of 1983.

Dated August 8, 1983 and signed by the following members of the Joint Tribal Council of the Passamaquoddy Tribe.

#### CERTIFICATION

We, the undersigned Governor(s) and/or Lt. Governor(s) of the Passamaquoddy Indian Tribe do hereby certify that the Joint Tribal Council of the Passamaquoddy Tribe were present at a Regular(Special) Meeting held on August 8, 1983 and that the foregoing resolution was duly adopted by the affirmative vote of members.

S/JOHN STEVENS

(Lt.) Governor

S/RALPH F. DANA

(Lt.) Governor

ATTESTED: Tribal Clerk  
S/DENNIS TOMAH

I, the Secretary of State of the State of Maine, do hereby Certify that the paper to which this is attached is a true copy from the records of this office.

In Testimony Whereof, I have caused the Great Seal of the State to be hereunto affixed. GIVEN under my hand at Augusta, this twenty-third day of August in the year of our Lord one thousand nine hundred and eighty-three.

S/RODNEY S. QUINN

Secretary of the State

Was read and ordered placed on file.

The following Communication:

August 17, 1983

Honorable Rodney S. Quinn  
Secretary of State  
State House Station #101  
Augusta, Maine 04333  
Dear Mr. Quinn,

This is to inform you that I, D. Lorraine Dana Tribal Clerk of the Penobscot Indian Nation, was designated as the officer to certify the

Nation's approval (or disapproval) of Legislation of the State of Maine affecting Indians, to the Secretary of State of the State of Maine when required to do so by the provisions of the United States Code, Title 25, Section 1725(e).

Pursuant to the above I am pleased to inform you that the Penobscot Indian Nation gave its approval to the following named Acts of the 111th Legislature at a General Meeting held August 16, 1983 at the Community Building, at Indian Island:

P.L. 1983, Chapter 498 — L. D. 192 — AN ACT Relating to Training Penobscot Law Enforcement Officers.

P.L. 1983, Chapter 481 — L. D. 271 — AN ACT relating to Certifying Indian Representatives.

P.L. 1983, Chapter 492 — L. D. 1016 — AN ACT to Establish New Selection Procedures for the Maine Indian Tribal-State Commission Chairmanship.

P.L. 1983, Chapter 494 — L. D. 1713 — AN ACT Relating to Penobscot Nation Trust Land Designation.

P.L. 1983, Chapter 497 — L. D. 1755 — AN ACT relating to the Manner of Approval of Amendments to the Maine Indian Claims Settlement Act.

Sincerely,

S/D. LORRAINE DANA

Tribal Clerk

Penobscot Indian Nation

I, the Secretary of State of the State of Maine, do hereby Certify that the paper to which this is attached is a true copy from the records of this office.

In testimony Whereof, I have caused the Great Seal of the State to be hereunto affixed. GIVEN under my hand at Augusta, this twenty-third day of August in the year of our Lord one thousand nine hundred and eighty-three.

S/RODNEY S. QUINN

Secretary of State

Was read and ordered placed on file.

The following Communication:  
State of Maine  
Legislative Council  
State House

Augusta, Maine 04333

August 30, 1983

Mr. Edwin H. Pert  
Clerk of the House  
State House Station #2  
Augusta, Maine 04333  
Dear Clerk Pert:

In response to requests from both the Joint Standing Committees on Education and Agriculture, the Legislative Council has authorized the creation of a Special Joint Committee to review the impact of the cuts in the public service program proposed by the University of Maine at Orono.

Pursuant to the Council's action, appointments to that Committee are:

Senators:

Frank P. Wood of York, Senate Chair  
Kenneth P. Hayes of Penobscot  
Walter W. Hichens of York

Representatives:

Stephanie Locke of Dover-Foxcroft,  
House Chair  
Ada K. Brown of Gorham  
Stephen E. Crouse of Crouseville  
Richard E. McCollister of Canton  
John M. Michael of Auburn  
Carl B. Smith of Island Falls  
Frederick J. Anderson of Stockholm  
John C. Bott of Orono  
Kenneth L. Matthews of Caribou  
Weston R. Sherburne of Dexter

If you have any questions, please do not hesitate to call me.

Sincerely,

S/CHARLES P. PRAY

Chairman

Was read and ordered placed on file.

The following Communication:  
State of Maine  
House of Representatives  
Speaker's Office  
Augusta, Maine 04333

August 30, 1983

Honorable Edwin H. Pert  
Clerk of the House  
111th Legislature  
Augusta, Maine 04333  
Dear Clerk Pert:

On July 11, 1983 pursuant to Chapter 458 of the Public Laws of 1983, I appointed Representative James Mitchell of Freeport and Representative David B. Soule, Jr. of Westport to serve as House members on the Commission on Local Land Use Violations.

On July 11, 1983 pursuant to Chapter 516 of the Public Laws of 1983, I appointed Representative Thomas H. Andrews of Portland to serve as the House member on the Citizens' Civil Emergency Commission.

On July 11, 1983 pursuant to Chapter 472 of the Public Laws of 1983, I appointed Stanley R. Tupper, Esquire, of Boothbay Harbor to serve as a public member on the Radiological Emergency Preparedness Committee.

On July 11, 1983 pursuant to Chapter 502 of the Public Laws of 1983, I appointed Representative Paul Jacques of Waterville and Representative Patrick K. McGowan of Pittsfield as House members on the Whitewater Advisory Committee.

On July 15, 1983 pursuant to Chapter 47, Resolves of 1983, I appointed Representative Lorraine N. Chonko of Pejepscot, Representative Sharon B. Benoit of South Portland, Representative Nancy M. Masterton of Cape Elizabeth and Representative Merle Nelson of Portland as House members on the Commission to Study the Availability, Quality and Delivery of Services provided to children with special needs.

On July 15, 1983 pursuant to Chapter 502 of the Public Laws of 1983, I appointed Mr. Robert Chasse of East Millinocket as a member of the Whitewater Safety Committee.

On July 15, 1983 pursuant to Chapter 564 of the Public Laws of 1983, I appointed Representative Ruth S. Foster of Ellsworth and Representative John Lisnik of Presque Isle as House members on the Commission to Study the Matter of Child Custody in Domestic Relations Cases.

On July 18, 1983 pursuant to Joint Order, S. P. 624, I appointed Representative Russell R. Day of Westbrook, Representative Edward L. Dexter of Kingfield, Representative Paul Jacques of Waterville, Representative Donald M. Hall of Sangerville, Representative Stephanie Locke of Sebec, Representative Raymond Theriault of Fort Kent and Representative Earle K. Kelly of Camden as House members of the Joint Select Committee on Wood Measurement Law pursuant to Joint Rule 15, to study any legislation carried over to the second regular session of the 111th Legislature affecting wood measurement law.

On July 29, 1983 pursuant to Chapter 498 of the Public Laws of 1981, I reappointed Mr. Robert M. Smith of Bath and Mr. Wallace M. Haselton of Augusta to the State Compensation Commission.

On August 13, 1983 pursuant to Chapter 46, Resolves of 1983, I appointed Representative Raynold Theriault of Fort Kent as House member to the Regional Agriculture Committee to Promote Cooperation Among the New England States, Quebec, and the Maritimes.

Sincerely,

S/JOHN L. MARTIN

Speaker of the House

Was read and ordered placed on file.

The following Communication:

111th Maine Legislature

August 30, 1983

Honorable Edwin H. Pert

Clerk of the House  
111th Legislature  
Augusta, Maine 04333  
Dear Clerk Pert:

On July 15, 1983 pursuant to Chapter 53 of the Private and Special Laws of 1983, we appointed Senator Samuel W. Collins, Jr. of Knox and on August 29, 1983 pursuant to Chapter 53 of the Private and Special Laws of 1983, we appointed Representative Martin S. Hayden of Durham to the Maine Sentencing Guidelines Commission.

Sincerely,

S/GERARD P. CONLEY

President of the Senate

S/JOHN L. MARTIN

Speaker of the House

Was read and ordered placed on file.

The following Communication:

111th Maine Legislature

August 30, 1983

Honorable Edwin H. Pert  
Clerk of the House  
111th Legislature  
Augusta, Maine 04333  
Dear Clerk Pert:

It is our pleasure to notify you that pursuant to Chapter 47, Resolves of 1983, we have appointed the following to serve on the Maine Commission to Examine the Availability, Quality and Delivery of Services Provided to Children with Special Needs:

CHAIRMAN

Kevin W. Concannon, Commissioner  
Department of Mental Health and Mental  
Retardation

MEMBER OF THE JUDICIAL BRANCH

Honorable Arthur J. Nadeau, Jr. of Falmouth

REPRESENTATIVE OF A MUNICIPAL  
POLICE FORCE

Chief Richard D. Griffin of Augusta

PHYSICIAN

Dr. Paul LaMarche of Bangor

INTAKE WORKER

Mr. Louis Frey of Machias

NEWSPAPER EDITOR

Mr. A. Mark Woodward of Bangor

CHAIR OF A PUBLIC EVALUATION TEAM

Mr. Ann Leipman of Bangor

ELEMENTARY SCHOOL TEACHER

Ms. Marlene Day of Saco

Jr. HIGH SCHOOL GUIDANCE COUNSELOR

Mr. Laurel Daigle of Fort Kent

SUPERINTENDENT OF SCHOOLS

J. Duke Albanese of Oakland

REPRESENTATIVE OF A NEIGHBORHOOD

GROUP

Mr. James Oliver of Portland

CASEWORKER

Ms. Luisa Deprez of Wiscasset

REPRESENTATIVE OF A COMMUNITY

COUNSELING CENTER

Mr. Robert Vickers of Caribou

PSYCHOLOGIST SPECIALIZING IN

FAMILY PRACTICE

Dr. Leslie Swift of Rockland

PSYCHIATRIC SOCIAL WORKER

Ms. Kathleen Monaghan Corey of Gardiner

REPRESENTATIVE OF AUGUSTA/BANGOR

MENTAL HEALTH INSTITUTE

Ms. Terri Fortier of Augusta

REPRESENTATIVE OF THE DEPARTMENT

OF MENTAL HEALTH AND MENTAL

RETARDATION

Dr. Roger Wilson of Bar Harbor

REPRESENTATIVE OF THE DEPARTMENT

OF HUMAN SERVICES

Commissioner Michael R. Petit of Augusta

REPRESENTATIVE OF THE DEPARTMENT

OF CORRECTIONS

Mr. Francis Cameron of South Portland

REPRESENTATIVE OF THE DEPARTMENT

OF EDUCATIONAL AND CULTURAL

SERVICES

Ms. Christine Bartlett of Augusta

REPRESENTATIVE OF A PSYCHIATRIC

DEPARTMENT OF A HOSPITAL  
Dr. Adair Heath of Portland  
MEMBER OF THE CLERGY  
Father Royal Parent of Millinocket  
PUBLIC MEMBER  
Cushman Anthony, Esquire, of Portland  
DIRECTOR OF AN EMERGENCY SHELTER  
FOR CHILDREN  
Mr. Patrick Moore of Ellsworth Falls

Sincerely,

S/GERARD P. CONLEY

President of the Senate

S/JOHN L. MARTIN

Speaker of the House

Was read and ordered placed on file.

The following Communication: (H. P. 1362)

State of Maine

House of Representatives

Augusta 04333

August 26, 1983

John L. Martin  
Speaker of the House  
111th Legislature  
Gerard P. Conley  
President of the Senate  
111th Legislature  
Dear Mr. Speaker and Mr. President:

On August 26, 1983, two Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, Bills were referred to the Joint Standing Committees on August 26, 1983 as follows:

**Appropriations and Financial Affairs**

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$8,820,000 for the Construction and Improvement of Municipal Facilities" (H. P. 1360) (L. D. 1793)

Bill "An Act to Authorize a Bond Issue in the Amount of \$21,794,000 for State Facilities Construction, Renovations and Improvements" (H. P. 1361) (L. D. 1794)

Sincerely,

S/EDWIN H. PERT

Clerk of the House

S/JOY J. O'BRIEN

Secretary of the Senate

Was read and ordered placed on file and sent up for concurrence.

The following Communication:

State of Maine

Department of Transportation

Augusta, Maine 04333

August 31, 1983

Governor Joseph E. Brennan and

Members of the 111th Legislature

Transmitted herewith is a copy of the revised Transportation Investment Program for Fiscal Years 1984 and 1985.

This revised Program is submitted in support of requests for funding in the areas of Air Transportation, Ports and the Maine State Ferry Service. This document describes the intended use of the funding requested.

The \$1.0 Million requested for Air Transportation Projects would generate an estimated \$13.2 Million in federal matching funds and an additional \$800,000 in local matching monies, providing sufficient funding for a total program in excess of \$15 Million.

The \$10.8 Million in state funding requested for Ports and Ferry Service Programs would provide necessary improvements in cargo terminal facilities at Sears Island in Searsport Harbor, Eastport and Portland, the construction of a new 30-car ferry and the replacement of outmoded crew quarters on Vinalhaven and Islesboro.

We trust you will find this program to be a realistic effort to maintain and improve air and marine transportation service within Maine in a manner in keeping with today's economic climate.

Very truly yours,

S/GEORGE N. CAMPBELL, Jr.

Commissioner of Transportation

Was read and with accompanying report

ordered placed on file.

The following Communication:  
State of Maine  
House of Representatives  
Speaker's Office  
Augusta, Maine 04333  
September 1, 1983

Honorable Edwin H. Pert  
Clerk of the House  
111th Legislature  
Augusta, Maine 04333  
Dear Clerk Pert:

On September 1, 1983 I recommended Representative A. Mavourneen Thompson of South Portland to serve as an Ex Officio Legislative Member of the Advisory Committee on Medical Education established under Title 20-A, M.R.S.A., Chapter 421, §11801-11809.

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

Was read and ordered placed on file.

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 the Honorable Joseph E. Brennan, Governor, and to 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:

KANY of Kennebec  
PEARSON of Penobscot  
McBREAIRTY of Aroostook

Representatives:

HALL of Sangerville  
JACQUES of Waterville  
MICHAEL of Auburn  
MICHAUD of East Millinocket  
MITCHELL of Freeport  
McGOWAN of Pittsfield  
RIDLEY of Shapleigh  
DEXTER of Kingfield  
KIESMAN of Fryeburg  
BROWN of Livermore Falls

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

Whereupon, Governor Joseph E. Brennan entered the Convention Hall amid prolonged applause, the audience rising.

The Governor then addressed the Convention as follows:

Mr. President, Mr. Speaker, Honorable Members of the 111th Legislature:

I am pleased to welcome you to the State House for what I hope will be a productive Special Session.

Since we last met, all of us have, I trust, enjoyed a glorious Maine summer. It was a summer of exceptionally fine weather, as good as any in memory. And that meant a summer of exceptional success for our tourist industry. That vital industry continued the great growth and momentum we have tried to foster.

The gathering in Portland one month ago of the nation's governors generated tremendous publicity for our state and elevated its prestige around the country. It contributed to the momentum I spoke to you about last winter, the momentum that is making the very name of our state as special to others as it always has been to us.

Just last week, there was news that ad-

vanced some solid numbers as further evidence of this momentum. The United States Department of Commerce reported that per capita income in Maine grew last year at a rate that was substantially higher than the national average.

Around the nation, per capita income grew about 5 percent. But here in Maine, workers took home 6.5 percent more—a rate that is about one-third higher than the national average. In fact, the Commerce Department said, over the past four years the wages and salaries of Maine workers have been growing at an average nearly 10 percent faster than the income of workers in other states.

But as encouraging as that report may have been, it also included some figures that reminded us of the challenges that still lie ahead.

Since 1979 we have climbed from 46th to 41st among the states in per capita income. But that still means that workers in four out of five states do better than our own men and women, and we still have the lowest levels of earnings among the six New England states.

Taken together, all this means, first, that the emphasis we have placed on economic development is showing tangible results; and, secondly, that we must not relent, even slightly, in our commitment to make Maine an even better place to do business.

Therefore, a very significant portion of the financial package I am recommending to this Legislature directly supports Maine's potential for economic growth. For example, I am recommending \$10 million in support of the cargo port developments at Eastport, Searsport, and Portland. All are worthy of public support. All will enhance Maine's ability to export our native products.

But I would like to mention in particular the Eastport project. For there is an outstanding example of those special Maine traits of independence and self-reliance.

Eastport has defied the experts who have said that it was no site for a major port development. Eastport has resolutely believed in itself when sometimes it seemed no one else did. Working with nothing more than an old breakwater, it has been shipping out an average of 40,000 tons of cargo in the past two years. And it has been estimated that, with a better facility and some needed dredging, that figure could grow six-fold to one quarter of a million tons a year by 1993.

The people of Eastport—indeed, all of Washington County—with its long history of economic depression, deserve the support I propose we lend this project. For, virtually alone, they have built their own momentum, and I believe they deserve a fair share of Maine's bright economic prospects.

I am also recommending funding so we may continue to upgrade airport facilities around the state, for these, too, are essential to our business development. These funds will improve safety at many of these airports, and they will help those that now have regular carrier service.

Likewise, we need to replace the vessel that now serves the Lincolnville-to-Islesboro route.

Another \$2 million is recommended for the Community Development Block Grant Program. This is a program that has already been put to use successfully in more than 50 communities in our State. It has been federally supported, but be believe this program has been so valuable to these communities and the state that it deserves additional state support.

It is also appropriate to invest some monies in Maine's great historical treasures. Among those that are eligible are sites as varied and different as the Lakewood Theater and the Damariscotta Sheel Heaps, Lewiston's Grand Trunk Depot and Admiral MacMillan's schooner "Bowdoin", Portland's Victoria Mansion and the Katahdin Iron Works.

More than 50 historic buildings, structures and sites are in need of repair, but most are

owned by non-profit organizations which have chronic financing problems. We cannot take care of all of them, but the support we lend will improve many as attractions for Maine's millions of annual visitors and preserve for our citizens these reminders of our state's heritage.

In these programs, from transportation to historic preservation, what I propose falls short of what needs to be done or what should be done. But our recommendations represent a careful balance between our needs and what a prudent state government can afford. They add to the momentum of Maine. Surely that momentum has nowhere been more visible than in the progress we have made in cleaning up our air, our water, and our land.

We must provide money to pay our share of the cleanup of two of the nation's most serious hazardous dump site problems at Gray and Winthrop, and we must clean up dump sites in Washburn, Augusta, Saco, Buckfield and Baileyville. The problems must be addressed for the sake of our children and the health and safety of future generations of Maine people.

We are also asking for additional funding for pollution abatement facilities. The federal government is reducing its share of the cost of these treatment plants, but our commitment to helping our towns remains as firm as ever. The amount I am recommending will help communities around the state as they work toward solving these pollution problems.

In other areas, we are recommending to you bond financing to replace and upgrade overcrowded court facilities. And so this package includes financing our new courthouses serving Skowhegan and the Bath-Brunswick area.

We must continue our efforts to make every public building accessible to every citizen, so I am recommending funding that will make all 16 county courthouses accessible to our handicapped citizens.

We must build upon the progress we have made in improving our prison facilities to ease the overcrowded conditions and provide a more humane environment. I fully appreciate that spending money on prisons is never a popular idea, but we are a humane society, and how we treat convicted offenders is truly a test of our decency.

We must also upgrade our crime lab, so our law enforcement officials may be able to evaluate evidence more quickly and effectively.

We must continue to renovate state buildings. To delay these projects means we will have to spend even more money for the same work a number of years from now.

Some of you may reasonably ask if we can afford to do all that is proposed in this legislation. I say, beyond any doubt, yes, we can.

Indeed, the rating of our bonds have been upgraded by Moody's, even though the ratings for many other states have gone down. Even more remarkable, our level of bonded indebtedness, measured in constant dollars, has been reduced by 25 percent just since 1980. And we are scheduled to retire more than 80 percent of our current bonded indebtedness within the next ten years. Yes, I say we are in sound financial shape.

The \$33 million recommendation before you is all that remains after a rigorous screening process that began with more than \$200 million in recommendations from state departments and agencies. We examined these proposals closely, and before we submitted these proposals to the Legislature, we eliminated three out of every four dollars recommended for new bonds.

Your own committee and staff work reduced my recommendations by nearly \$20 million.

And so, what is before you today represents a consensus of what must be done without further delay.

I would like to have seen in this package the financing we recommended for the vocational technical institutes. I believe the recommendations we sent up in this area were sound,

practical, and as necessary as any before you today. But, I support the final recommendations presented to you by the Appropriations Committee, and I appreciate the sincere efforts of the Committee, the leadership of both parties, and the Legislative Finance Office that brought these recommendations into final form.

I know that there are some in this Legislature who are interested in addressing the VTT's at this Special Session. I can assure you, if that should fail, the needs of these schools will be addressed when we meet for the Second Regular Session in a few months, and I trust that would have the support of leadership and the members of both parties.

I believe the bond package before you today represents what a fiscally responsible Administration and Legislature should and can do at this time to meet our obligations, to maintain and improve public facilities, and to continue the momentum that our State is now enjoying.

I urge you to vote in favor of this reasonable, prudent and affordable program on behalf of our people, our state, and our future.

At the conclusion of his address, the Governor withdrew amid applause, the audience rising.

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.

At this point, the rules were suspended for the purpose of allowing members to remove their jackets.

(Off Record Remarks)

#### House at Ease

Called to order by the Speaker.

#### Petitions, Bills and Resolves Requiring Reference

Bill "An Act to Empower the Legislative Council to Establish Benefit Schedules for Legislative Employees" (Emergency) (H. P. 1363) (L. D. 1796) (Presented by Representative Mitchell of Vassalboro) (Cosponsor: Senator Collins of Knox) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26)

Committee on State Government 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.

#### Orders

On motion of Speaker Martin of Eagle Lake, the following Joint Resolution: (H. P. 1368) (Cosponsor: Senator Conley of Cumberland) Joint Resolution Recognizing World Food Day and Advance of the Goal of Food Security for All People on Earth

WHEREAS, the world is locked in an eternal struggle against the needless demeaning forces of hunger and poverty; and

WHEREAS, all nations of the World Food Conference of 1974 affirmed the bold objective offered by the United States that within a decade no child will go to bed hungry; that no family will fear for the next day's bread; and that the potential of no human being will be stunted by malnutrition; and

WHEREAS, the Presidential Commission on World Hunger determined that the elimination of the long-term problem of hunger would necessitate the elimination of poverty, the principal cause of hunger; and

WHEREAS, people from all nations and all

levels of government will join together on World Food Day, October 16, 1983, to advance the goal of food security for all people on earth; and

WHEREAS, it is altogether fitting and proper for this Legislature to call attention to the fact that none should go without in a nation and State so much, and that, to the extent practicable and feasible, all state agencies should redouble their efforts insofar as they relate to the reduction of poverty and hunger in the State; now, therefore, be it

RESOLVED: That We, the Members of the Senate and House of Representatives of the 111th Legislature, now assembled in First Special Session, take this opportunity to reaffirm the right of every person to food and a nutritionally adequate diet; and to call on the Governor and all agencies of the State connected with the prevention of hunger to take all appropriate action to assure that right; and

RESOLVED: That a duly authenticated copy of this resolution, signed by the President of the Senate and the Speaker of the House of Representatives and attested by the Secretary of the Senate and the Clerk of the House of Representatives be transmitted to the Governor, and through him, to all state agencies connected with the prevention of hunger in the State.

Under suspension of the rules, the Resolution was read and adopted and sent up for concurrence.

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

Representative Carter from the Committee on Appropriations and Financial Affairs on Bill "An Act Authorizing a Bond Issue in the Amount of \$2,700,000 for the Purpose of Stabilizing and Restoring the Unique Historic Structures of the State" (H. P. 455) (L. D. 557) reporting "Ought Not to Pass"

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

#### Ought to Pass in New Draft/New Title

Representative Carter from the Committee on Appropriations and Financial Affairs on Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$8,820,000 for the Construction and Improvement of Municipal Facilities" (H. P. 1360) (L. D. 1793) reporting "Ought to Pass" in New Draft under New Title Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$720,000 for County Courthouse Handicapped Accessibility" (H. P. 1366) (L. D. 1799)

Report was read and accepted and the New Draft read once. Under suspension of the rules, the New Draft was read the second time, passed to be engrossed and sent up for concurrence.

#### Ought to Pass in New Draft/New Title

Representative Carter from the Committee on Appropriations and Financial Affairs on Bill "An Act to Authorize a Bond Issue in the Amount of \$21,794,000 for State Facilities Construction, Renovations and Improvements" (H. P. 1361) (L. D. 1794) reporting "Ought to Pass" in New Draft under New Title Bill "An Act to Authorize a Bond Issue in the Amount of \$21,094,000 for State Facilities Construction, Renovations and Improvements and Construction and Improvements of Municipal Facilities and to Deauthorize Unused Portions of Previous Bond Issues" (H. P. 1367) (L. D. 1800)

Report was read and accepted and the New Draft read once. Under suspension of the rules, the New Draft was read the second time.

The SPEAKER: The Chair recognizes the gentleman from St. George, Mr. Scarpino.

Mr. SCARPINO: Mr. Speaker, I have an amendment to this bill that is currently being printed, and I would request that somebody

table this bill until later in today's session so I can present my amendment.

Thereupon, the Bill was passed to be engrossed and sent up for concurrence.

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

#### Reports of Committees Unanimous Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought Not to Pass" on Bill "An Act Authorizing a Bond Issue in the Amount of \$3,500,000 for the Purpose of Constructing Additional Facilities at the Maine Correctional Center" (Emergency) (S. P. 367) (L. D. 1141)

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

#### Ought to Pass in New Draft

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$11,875,000 for the purpose of Making Air and Sea Transportation Improvements" (S. P. 639) (L. D. 1795) reporting "Ought to Pass" in New Draft (S. P. 640) (L. D. 1801)

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed.

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

The following Communication: (S. P. 637)

The Senate of Maine  
Augusta

August 25, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
111th Legislature  
The Honorable John L. Martin  
Speaker of the Maine House  
111th Legislature

Dear President Conley and Speaker Martin:

Please be advised that today one bill was received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, this bill was referred to the Joint Standing Committee on Appropriations and Financial Affairs and ordered printed on August 25, 1983 as follows:

#### Appropriations and Financial Affairs

Bill, "An Act to Authorize a General Fund Bond Issue in the Amount of \$11,875,000 for the Purpose of Making Air and Sea Transportation Improvements" (S. P. 639) (L. D. 1795) (Presented by Sen. Carpenter of Aroostook) (Cosponsors: Representative Drinkwater of Balfast, Representative Beaulieu of Portland and Representative Vose of Eastport)

Sincerely,

S/JOY J. O'BRIEN

Secretary of the Senate

S/EDWIN H. PERT

Clerk 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.

By unanimous consent, all matters acted upon were ordered sent forthwith to the Senate.

#### House at Ease

Called to order by the Speaker.

#### Divided Report

Ten Members of the Committee on Fisheries and Wildlife on Bill "An Act to Provide Additional Revenue to the Department of Inland Fisheries and Wildlife Through an Increase in License Fees" (H. P. 1208) (L. D. 1607) report in



Report "A" that the same "Ought to Pass" in New Draft under New Title Bill "An Act to Provide Additional Revenue to the Department of Inland Fisheries and Wildlife by an Increase in License Fees and to Allocate those Increased Revenues to the Department of Inland Fisheries and Wildlife for the Fiscal Years Ending June 30, 1984, and June 30, 1985" (H. P. 1364) (L. D. 1797)

Report was signed by the following members:

**Senators:**

USHER of Cumberland  
DOW of Kennebec  
REDMOND of Somerset  
— of the Senate.

**Representatives:**

MacEACHERN of Lincoln  
ERWIN of Rumford  
RODERICK of Oxford  
CONNERS of Franklin  
GREENLAW of Standish  
SMITH of Island Falls  
PAUL of Sanford  
— of the House.

Two Members of the same Committee on same Bill report in Report "B" that the same "Ought to Pass" in New Draft under New Title Bill "An Act to Provide Additional Revenue to the Department of Inland Fisheries and Wildlife by an Increase in License Fees and to Allocate those Increased Revenues to the Department of Inland Fisheries and Wildlife for the Fiscal Years Ending June 30, 1984, and June 30, 1985" (H. P. 1365) (L. D. 1798)

Report was signed by the following members:

**Representatives:**

KELLY of Camden  
CLARK of Millinocket  
— of the House.

One Member of the same Committee on same Bill reports in Report "C" that the same "Ought Not to Pass"

Report was signed by the following member:  
Representative:

JACQUES of Waterville  
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. MacEachern.

Mr. MacEACHERN: Mr. Speaker, Ladies and Gentlemen of the House: I move that the House accept Report A, "Ought to Pass" in New Draft.

The SPEAKER: The gentleman from Lincoln, Mr. MacEachern, moves that Report A, Ought to Pass in New Draft, be accepted.

The Chair recognizes the gentleman from Millinocket, Mr. Clark.

Mr. CLARK: Mr. Speaker, Ladies and Gentlemen of the House: I hope you don't accept Report A and give us a chance to put in Report B that we have to offer here later signed by Representative Kelly and myself. There isn't much difference between that report and Report A, except there is a \$1.00 difference on the residents and a flat \$10 fee for the non-residents. They have a fee for the combination license fee for the residents and another combination fee for the non-residents. We are asking a flat fee of \$2 and \$10. I wish you would give it some thought, take time to look at both proposals and vote the majority bill down and give us a chance to vote on Report B.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. MacEachern.

Mr. MacEACHERN: Mr. Speaker and Members of the House: There is another small difference between the two reports. True, there is only a one dollar difference between the resident increases in the two bills, but there is also a considerable loss of revenue to the department by that one dollar being taken off there.

While I am on my feet, I might explain some of the reasons for this increase. As most of you know, there has been a lot of controversy within the committee and in the legislature over the past year on coming up with some sort

of an increase for the department that would keep them solvent and keep them operating in the black. After several work sessions during the regular session this year, we came out with a monstrosity of a report that we felt wasn't going anywhere on the floor of the House, so we asked the Legislative Council to let us hold the bill and study it this summer. We did that and we had three quite lengthy work sessions through the summer, and in the third one we finally came up with what we think is a very healthy report. There are 10 signers on the bill that feel we have made several compromises; in fact, everybody has given up something to come up with what we have now.

The department originally asked for \$2.3 million. We have cut that by about a half a million. I think we are not being wasteful and not asking for too much money with the projected increases that we will come up with from this bill. We would like to take care of the equipment in the department. We have got several vehicles that are up above 100,000 miles in mileage. We have got outboard motors in the department that are 15 years old and they are trying to use them, and it has reached the point where it is costing more to keep these things going than it would cost for a new vehicle. In order to bring the vehicles alone up to an acceptable condition, it will cost the department about a million dollars.

If they get the increase that we are asking for at this point, they will only be able to do about half of the vehicles, but at least it will be an improvement.

Up until last week, there were 11 warden positions that were unfilled and there were 5 biology positions that were unfilled. Out of this increase in money, they expect to put on about 3 more game wardens and about 2 biologists. These are the ones that the department feels are essential. They also have put on 5 wardens to replace 5 of these 11 positions, so even with the increase they will only have replaced 8 out of 11.

A few figures here that might seem pertinent to this—in July 1981 a workers' contract came into effect through negotiation, and it cost the department three quarters of a million dollars to fulfill the terms of the contract. They are now negotiating another contract which should be settled sometime in the near future, and not knowing what type of an increase they are going to talk about I just picked the figure of 5 percent, which sounds like a sensible one, if the employees are granted a 5 percent increase, it will cost the department the first year of the biennium \$300,000 and the second year \$600,000. These amounts aren't budgeted at this point, and this is just another reason why I feel at this time they need an increase.

To change the subject a little bit, under the proposed increase a resident combination hunting and fishing license will cost one of us, the residents of the State of Maine, \$21. This may seem like a lot to a lot of you, but you divide \$21 by 365 days, which is the amount of time that you theoretically could use this license, and that license costs you 6 cents a day. That is an exorbitant figure, isn't it?

The \$5 proposed increase in a combination license, again divided by 365 days, is one cent a day, and I think that even the AFDC people can afford to buy a license and pay the one cent a day. I don't know where you would get more enjoyment out of anything than the \$21 that you might spend for a hunting and fishing license.

There are some other things here that aren't necessarily pertinent to this bill but I feel they are significant enough to be mentioned here. In fiscal year 1982-83, the department spent \$88,900 for search and rescue for lost persons and drownings, for which they were reimbursed \$10,000 by the general fund. Incidentally, this is all the money that they get from the general fund, this \$10,000.

In fiscal year 1981-82, they spent \$37,900 for the same purpose; 1980-81, \$54,300; 1979-80, \$41,000; 1978-79, \$32,500. Every one of these years, all they received out of the general fund was \$10,000. The rest of this money comes from hunting and fishing fees and I don't think this is just. I think it is something that maybe we should address next winter when we come back.

Also, other non fish and game projects that the department are required by statute, which is mandated by this body and the other body—environmental enforcement, which includes LURC, DEP, stream alteration, site location, wetlands and great ponds, and some minor other ones. Also, the dog leash law is enforced by the wardens, the litter law is enforced by the wardens. The wardens assist other law enforcement agencies to a great extent, and to a greater extent this year because everyone of these pot raids that we are seeing in the papers lately, most of them have originated from the warden service and they were in on the gathering of the evidence, court cases and so forth. All of these things that I have just mentioned cost \$406,449. There is no reimbursement for any of these projects.

If you will stop and think, the last time the department had an increase in their fees was four years ago. I think any one of us could look back and remember what we were paying for a gallon of gasoline four years ago. We certainly weren't paying a dollar for a gallon like we are now, a dollar plus, and that is only one example. The Fish and Game Department has to buy that same gallon of gasoline to operate and it is pretty hard for any one of us to operate on the same budget we were operating on four years ago because things have changed considerably. These are the reasons that I feel this increase should be put into effect.

I have discussed this with constituents that belong to fish and game clubs, sportsmen's clubs and anybody else that might be interested in it, and after you have explained to them the reasons why we need an increase and the type of increase that we are trying to get, most of them have said, well, I guess you are right, I guess maybe we should give them this increase, and I hope that you people will feel that way today. We are not asking for the moon, we are just asking for something to get the department by for another two or three years. We don't know what the economy is going to be like in two or three years, so we don't know whether they will need money then or not, but at this point it looks as though they are going to need it, I am sure they are going to need it during this biennium. They are operating in the black now, but if we require them to try to operate on what they have at the present time, before next July they are going to be in real trouble. With the dedicated revenue, the only way they can get out of that trouble is to eliminate services, and in doing so, the only place they can eliminate is in personnel, and I don't think anybody wants to see any reduction in the warden force. If we don't protect the species, we are not going to have to worry about it because we won't have any department, we won't need one.

I urge you to support this Report A.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Jacques.

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: I feel a little bit like the Lone Ranger here today. The only thing is, the Lone Ranger at least had Tonto on his side and apparently I am all alone here today. But the Lone Ranger usually went out because he was always on the side of right and truth and justice in the American way.

I signed the minority "ought not to pass" report and I did so for one basic reason, and that was accountability. The Fish and Wildlife Department in my three terms down here has never, ever, ever accounted to the members of this legislature for the money they have spent.



This money is taxpayers' money, it just happens to be the money of hunters and fishermen.

Unfortunately, hunters and fishermen are a very rare breed. Whether some people believe it or not, their heart is in what they do and I think the Fisheries and Wildlife Department has taken advantage of that feeling for an awful long time. As one of the people involved with the department told me the other day, when a department is used to doing what they want for 50 years, it is kind of hard to ask them to put financial restraints on themselves. A time of reckoning is going to come, if it hasn't come now.

I have never signed a minority "ought not to pass" report by myself during my five years in the legislature, so that should tell you that it is not something I did with any great haste or ease.

Way back when this bill originally came before us they asked for \$2.4 million. We went into committee, we chopped it up, we asked some questions, we got no answers, and we came out with a unanimous report that recommended \$1.9 million. The department didn't like that very much. After talking with some of the members of the committee they changed their minds and said we should refer this back to committee, we went through the whole farce again, we asked for information again. Representative Paul from Sanford asked twice for information and we were given the same information we were given the first time, which was again nothing, and we came out with another report that is going to recommend \$1.9 million.

This \$1.9 million does not include slippage, and what slippage is, every time we have increased the license fee, we have had a long decline in the sales of those licenses, so in the long run you lose some money. You not only lose the increase but you lose the original license fee that you start off with.

The department asked for \$2.4 million and if we pass this today they are going to get \$1.9 or \$1.8 million. With slippage, I would say they are going to get about \$1.4 million. That is one million less than they asked for, that is one million less than they say they need to operate, yet in committee they told us they would make do with it. I will tell you why they are going to make do with it, because the Fisheries and Wildlife Department will spend exactly what you give them—they always have and they always will. They don't plan ahead, they don't save any money, they just spend the money, they still waste money today.

There is nobody on the Fish and Wildlife Committee that has spent any more time, and I think my fellow members will admit that, than I have trying to make heads or tails out of their budget.

Next year we are going to have a line item budget for the first time in the history of the Fisheries and Wildlife Department, and I intend to have a very good time with that, but that is neither here nor there.

Right now we are asking the sportsmen of the State of Maine to again, one more time, fund misuse and abuse of Fish and Wildlife funds. In my three terms here they have come and asked for money every single time and this legislature has, good heartedly, given them money every single time, but we have never asked for accountability from that department.

Maybe their time will come now, ladies and gentlemen, but as far as I am concerned, I did not get the answers that I asked for. And once again, I was sent down here to find out the answers and bring them back to my people. Maybe I have talked with different people than the good gentleman from Lincoln has, but my people told me, "If you're not happy with the answers, Paul, we're not happy with the answers." That is why I signed the "ought not to pass" report. It wasn't the easiest thing to do, it

wasn't the quickest thing to do, it wasn't the most convenient thing to do, but I think it was the right thing to do.

Fisheries and Wildlife, if we pass not increase, will have \$10 million. When I came here in 1978, they had an \$8 million budget. If we pass this bill today, they will have a \$12 million budget. Now, eight from twelve is a \$4 million increase in five years. If we don't do something to curb this rise, you will be talking about a \$20 million budget within the next five to seven years. We have less deer, less fish, less game than we have ever had before and we have got more biologists, or pretty near as many biologists in the field as we do wardens. The wardens aren't always doing their job. Somebody has to put the pressure on this department and if it is not us, ladies and gentlemen, who is it going to be?

We have asked for accountability from the Department of Transportation, Education, Agriculture, the Public Utilities Commission asked for accountability from Central Maine Power, Bangor Hydro, everywhere you look. Let me ask you a question—If you made \$20,000 last year and you spent \$22,000, can you go to somebody and say, I'm sorry, I spent more than I made, I need you to bail me out? I doubt it. That's right, when you are government I guess you can do that.

Fish and Game has repeatedly abused and misused \$10 million worth of their money, and I submit to you that if you give them \$2 million today, they will use, misuse and abuse \$12 million. And if we gave them \$5 million, they would be back here within two years telling you where the money went and how every program was justified, and that goes from this extreme to the next, I wish I could run it through the gamut for you, but it is really time that you took a hard look. I may be alone, I doubt it, but I have no intention of voting for this increase today. At another time I probably will vote for an increase for Fish and Wildlife, but only when they show me where they are going to use it and how wisely they are going to use it—no different than we demand from any other state department in state government when we are talking about taxpayers' dollars.

Thank you for your time, I know it is hot.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mrs. Erwin.

Mrs. ERWIN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to respond to my good friend from Waterville with regard to what the department said to us when they said they could live with that \$1 million cut, they would have to make do. The \$1 million cut comes in the capital equipment. They aren't going to let the people go because they are on salary and they would be in trouble if they did.

I would like to read to you the number of vehicles they have and the mileage. They have 22 with less than 25,000; they have 33 vehicles with 25,000 to 50,000; they have 25 vehicles with 50,000 to 75,000; they have 27 vehicles with 75,000 to 100,000; they have 21 vehicles with 100,000 to 125,000; they have 5 vehicles with 125,000 to 150,000; and they have one vehicle over 150,000. The cuts are going to be in capital equipment and putting wardens and other members of the department out there in vehicles that you and I would not want to drive.

The big increase over the years, the last few years, if you will read your statement of fact, the bargaining agreements have increased the annual operation expenses of the department from less than \$7 million to approximately \$9 million, and they have no control nor do we over those salary increases, so I do hope that you will support us in this Report A.

The SPEAKER: The Chair recognizes the gentleman from Camden, Mr. Kelly.

Mr. KELLY: Mr. Speaker and Members of the House: I first started working for the Fish and Wildlife Department in 1939. We had a small budget then and it kept increasing, as it

should. Back then, to be promoted within the Fish and Wildlife Department you had to be a Republican, you had to be a Mason, I was neither. I took every test that they gave us. My supervisor came right to my house and told me that he had squared everything away for me to join the Masons and as soon as I did I would become supervisor. I told him I couldn't join the Masons because I was a Roman Catholic and I didn't want to join. So, I never got promoted and you will never find a man that has been promoted within the Fish and Wildlife Department, and that was within the law enforcement department, with a name that came from French heritage, and I have been with the department for 50 years, and prior to that there never was. So until they learn how to clean up their act over there, and the same thing is still in effect, when they clean up their act I would be willing to go along with a raise in licenses, but until that happens, I don't want to go along with it.

They are just taking a low profile now because the Democrats are in power. As soon as the Republicans get back into power, it is going to be the same way it was 20, 30, 40, or 50 years ago.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Norton.

Mr. NORTON: Mr. Speaker, Ladies and Gentlemen of the House: The Audit Committee is currently in the process of reviewing the department, and if there is one thing I have noticed, it is that there is a lack of funds in the department. I am not prepared to give you any kind of a report from the Audit Committee, but I would recommend that you okay this increase in fees.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Jacques.

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: I apologize to you sincerely for getting up again.

My good friend from Rumford, Mrs. Erwin, mentioned to you the mileage that we have on the vehicles. I think when the members of this House have a chance, they should find out exactly how many vehicles the Fisheries and Wildlife Department has and how many employees it has and the benefits the employees get along with those vehicles. There are not too many state employees that get to use departmental vehicles for the things that they use them for. If you find out the actual mileage that is spent on those vehicles doing the department's work and the game warden's job, you will find out that there is some error there. It wasn't too long ago when the Commissioner took over, he instituted a policy where you could only travel so many miles per week, all the game wardens could burn so much gas per week when the money was tight. That was while you were on duty. I think you would find out that if you let everybody on your street use your vehicle, it would burn up some mileage awful fast.

Another thing she mentioned was that there is \$2 million here that we have no control over. The part about settling contracts doesn't bother me, ladies and gentlemen, it's the seven and eight million that we start with. I mean, you don't start with \$8 million, you start with zero and get to \$8 million, and somewhere in that \$8 million somebody has to account for that money. Above and beyond the contracts that are settled, there's \$8 million or \$9 million in there that has to be accounted for. You can make all the excuses you want but the money has to be accounted for.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mrs. Erwin.

Mrs. ERWIN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to respond once again to my good friend, Mr. Jacques from Waterville. I am on that subcommittee with the Audit and Program Review and just last week we had a long discussion about these vehicles and the use of the vehicles when the wardens

are not on duty. We were recommending that they not be allowed to use them. We cannot do so. We had contracts there shown to us that are under this collective bargaining where all state employees who use state vehicles are all allowed the same privilege of using their vehicle on their personal time as long as they pay for their gasoline and the expense of that vehicle during that period of time. There is nothing that we can do about it unless that contract is changed and every state employee is treated the same.

The SPEAKER: The Chair recognizes the gentleman from Harrison, Mr. Jackson.

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: I have listened to the debate this afternoon with intent and I have to agree with the statement that the gentleman from Waterville has made in response to responsibility for the budget for that department—I agree with him wholeheartedly.

In looking over Report A, I have to go a little farther. I know that some members of the Fisheries and Wildlife Committee believe that I represent the out-of-state interests in this state, that my business relies heavily on the non-residents. And it is no secret that I am an agent for the Department of Fisheries and Wildlife and sell non-resident licenses. My concern with the Report A is that we are talking about fee increases which approach 58 percent. We are talking about removing the non-resident junior fishing license and approximately six or seven thousand are sold yearly. Of course, it doesn't generate a lot of money, I understand it generates about \$24,000. But, ladies and gentlemen, these young men and women that buy these junior licenses are not usually here for the season, seven days, fifteen days, whatever the case may be, and I submit they catch just as many trout, salmon, perch, bass, whatever the case may be, as a resident who purchases a fishing license in this state for \$12, or proposed is \$12, and I think that with the fee increase for a non-resident 15 day fishing license of about 58 percent is outrageous.

I think we should be encouraging people to come to this state. We should be encouraging these people to use our waterways, to use our lakes and our streams. These people contribute a tremendous amount of money to the economy of this state in the sales tax, meals and lodging, the whole works, and I just feel that to impose a fee such as these that are requested or recommended on the non-resident, which many of you and I know have ties to this state, may have come from this state because of jobs or economic reasons, have moved south, within driving distance or flying distance to the State of Maine, to come back here for seven days or for fifteen days or thirty days, whatever the case may be, they might be a little better off than we are financially but I don't think they are 58 percent better off than we are. I just feel that overall, as I think Representative Jacques sort of suggested in his statement earlier, maybe we had better wait until they get on a line item budget and then go for the fee increase. Find out exactly how they are operating that department, what they are doing with those funds, and then ask for the fee increase.

At this point, I can't support an increase of this magnitude. I just feel that it is not in the best interest of this state, nor in the best interest of this legislature, and I would urge every member of this body to vote against it.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. MacEachern.

Mr. MacEACHERN: Mr. Speaker and Members of the House: I just glanced over these fee increases that we are proposing, and I can't find one in there yet that says 58 percent. Maybe I'm not looking in the right place but I don't see any that come anywhere near 58 percent or even 52.

Secondly, there have been statements made that the department is wasting \$10 million, \$8

million and so forth. If that is the case, there should be a bill before us to abolish the department, I would say. I think there are some exaggerations being thrown around here and I think it is more of a personal vendetta type thing than it is a common sense approach to the problem. There is a problem and it is a very immediate problem. If the department doesn't get an infusion of money into their coffers by the first of the year, they are going to be in real trouble and we will have emergency legislation or we are going to have to start curtailing services and in doing so we are going to have to get rid of people, it is as simple as that. If we wait until January or some other time, it carries over until 1985 because you can't start an increase in the middle of the year. All licenses run from January until January, so by next July, when a new fiscal year comes around, the department is not going to have any money and they can't come to the general fund for it because they have never been able to get anything from the general fund. It is just going to be a question of curtailment; it is only common sense.

If we look at this thing in a realistic manner instead of getting all emotional and directing our statements at individuals and commissioners and so forth, we should pass this bill.

The SPEAKER: The Chair recognizes the gentleman from Harrison, Mr. Jackson.

Mr. JACKSON: Mr. Speaker and Members of the House: In reference to a comment that was made earlier regarding the 58 percent, if you look under—I don't have the bill in front of me but I have the paper that came down from the department reflecting Report A—if you look at the non-resident 7-day fishing license, currently \$17, the recommendation is \$27, which is a \$10 increase, this does figure out to 58 percent.

In regards to that, if you will also take a look at your bill, the printed L.D., the 3-day fishing license, my suggestion would be if this fee increase goes, I would suggest that anybody who is purchasing or acquiring a fishing license in this state and requests a 7-day license, I would suggest that they buy two 3-day licenses because they can buy two 3-day licenses cheaper than they can buy one for 7 days.

The SPEAKER: The Chair recognizes the gentleman from Canton, Mr. McColister.

Mr. McCOLLISTER: Mr. Speaker, Ladies and Gentlemen of the House: I have to speak today because I promised many, many people in my district who called me on this bill. They weren't happy about thinking they were going to have to pay more to go hunting and fishing, and I think I can answer a few questions that have been brought up here today.

Yes, there will be fewer hunting and fishing licenses purchased. I stopped buying hunting licenses several years ago. I hunt on my own land and many other people are going to do the same thing, they are going to hunt at home.

The other question that people have been asking me is, how much is a high school graduate worth on his first job? Not many people figure that a high school graduate is worth \$15,000 a year when he comes out of high school, and as I understand it, that is what our game wardens are paid and that is the only requirement, that you be a high school graduate. I believe that it is time for this department to start taking some hard looks at changing their designation for a game warden.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Vose.

Mr. VOSE: Mr. Speaker, Ladies and Gentlemen of the House: I was away from Maine for some time, as a matter of fact close to 30 years, and I came back and hunted practically every year that I could with some of the guys from Maryland. We weren't concerned about the price of a hunting license, we figured it was a pretty cheap price to come up here and hunt for a week, which is what we did. We could have hunted longer if we wanted, but we were

concerned with playing cards, having a good time in the evening talking over the things we did during the day and just having a nice vacation, we weren't worried about that license at all. Yeah, we made enough money to pay for it, that is all right, we didn't concern ourselves.

Let's address a resident combination license and let's see what privilege this gives you. This tells you or me that if you buy a resident combination hunting and fishing license, you can hunt or fish every day of the year for the entire year in the state of Maine. The State of Maine has always said that we have some of the best hunting and fishing in the country and we do. So I thought to myself, what would I have to do in order to pay this exorbitant fee, the fee suggested in Report A of \$21? Living down here during the season I thought to myself, there are many occasions when my wife and I may go out to dinner and maybe to a movie, so I got a menu from the Senator Motel and I put these figures down. Now, I, like many of you, enjoy a highball before dinner, that's \$1.75. I like the French onion soup, that's \$1.95; a good New York strip steak, \$10.95; coffee, 50 cents; a piece of apple pie if you want it, \$1.75, which comes to a grand total of \$16.90. A tip of \$2.55 is \$19.45; go to the movie at \$3.50, it is \$22.95, maybe even have a bag of popcorn for 75 cents, that is \$23.70. So if I stayed home that particular night, one night during the year, I could buy a combination hunting and fishing license for \$21.00 and have \$2.70 left. I don't think that is a bad deal.

I think these people have done a good job. There are 10 members on this committee that say there is no fat in their budget and the department needs some money.

I understand the department is now being investigated by the Audit and Program Review Committee, and if they have got too much money over there, they will tell you and you don't have to give anybody a fee increase for the next 10 years if necessary.

At one time I was a member of the Fisheries and Wildlife Committee, I know the people on that committee and I think they have done a good job. They had a study and 10 members said we need this amount of increase; 2 members have said we need an increase but not quite that amount; and one member said no, you don't need any at all. I hope you will support the majority report.

Mr. Jacques of Waterville was granted unanimous permission to speak a third time.

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: I am going to apologize once more, but I guess I am the one that was supposed to have the personal vendetta against somebody. Those of you who have been here since the 109th remember me, a long time advocate and spokesman for the Fisheries and Wildlife Department, probably spent as much time in the woods as anybody in here, have always paid my way and supported the Fisheries and Wildlife Department in every way I could. And I am not arguing today that a fishing and hunting license isn't a bargain, probably nobody knows that any better than I do because I think dollar for dollar I get more than my share out of it. What I am arguing is accountability.

My good chairman has insinuated that I am making insinuations about waste. A few examples: We authorized up to \$18,000 to be used to build a new headquarters in Gray, Maine. The last I heard it was \$80,000 that they spent. Go down and look at it, a beautiful place, a lot of rooms, empty rooms, little things over the door that say this room and that room but are not being used for much. The department turned around and bought a second-hand skidder, not a lot of money, fifty or sixty thousand dollars. We asked them what they did it for and they said to cut our own wood. Cut your own wood where? Off our lots. Then we pay guys in the realty division \$21,000 a year to go on that lot, cut wood and mill it out.

All you have got to do is check with Mr. Dexter, you can get somebody a lot cheaper than \$21,000 a year and buy stumpage and have it done without spending money to buy a portable sawmill, a skidder and a big truck to haul it. These are just small examples, but if you want more we can give you a lot more.

I have no personal vendetta, I don't know why Mr. MacEachern would say that, I think Commissioner Manuel is a fine gentleman, an outstanding fellow, he just happens to be the commissioner and the commissioner is responsible for what the department does, to the best of my knowledge anyway.

The price of sirloin steak and eggs and lobster has nothing to do with the price that we are going to be asking people to pay for a hunting and fishing license with no accountability.

Think about the elderly people in this state. They have paid for a license since the very inception. When they started out, they bought licenses for 25 cents that were good for life, and there are still people in this state that have that license with the State of Maine seal right on it. Now you are going to be asking them to pay \$21 for a combination license—for what? So they can put more biologists in the field to study hummingbirds and the grasshoppers? We have got to ask for some accountability here.

Not two years ago we asked the Department of Transportation for accountability. You got some accountability and what was one of the first things you did? You passed a 5 cent gas tax because they showed you that there were problems with the funding, they showed you that there was problems with the roads and bridges in the State of Maine and this legislature dealt with that problem.

How the committee can say that there is no fat in that budget is beyond me. I missed two meetings out of all the meeting we had, and those two meetings I got a rundown on and got all the information that was given, and how they can say there is no fat in the budget the way it was presented is beyond me. They have to be a lot brighter than I am, I will tell you that right now, because they gave us the same garbage and the same trip they have been giving us all along, and that is, if you don't pass this increase, we are going to lay people off. I submit to you that five years from now you will still hear that same garbage when they are asking for a \$20 million budget.

I have nothing personal against Fisheries and Wildlife, I am just trying to do what I think is right and what I think is best for all the people of the State of Maine. If I am a rebel for that, if I am going against the committee for that, then I apologize. Maybe I can make amends in the second regular session.

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

Mr. JALBERT: Mr. Speaker, I would like to ask any member of the Fisheries and Wildlife Committee if they have a budget, and if they do, where is it—item by item?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, has posed a question through the Chair to anyone who may care to answer.

The Chair recognizes the gentlewoman from Rumford, Mrs. Erwin.

Mrs. ERWIN: Mr. Speaker, I do have it here amongst my papers because we have been studying this in the Audit and Program Review.

While I am on my feet, I would like to say that the comment made by the good gentleman from Waterville regarding the skidder and the sawmill, his price is way off base and I know that Representative Norton can back me up on it because we were just studying this the last meeting we had. The skidder was a used skidder and it was \$6,200. That is a far cry from \$50,000. I can't recall what the truck was, perhaps Mr. Norton can remember. I do have a budget here with a line by line.

The SPEAKER: The Chair recognizes the

gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I heard the remarks made here today that there was a vendetta against the department. I would like to take you back four or five years ago when there was a vendetta against Representative George Carroll standing here. A member of my family was arrested by the wardens in the Fisheries and Wildlife Department, and when he went to hire an attorney he was told, they're not out to get you, they want to get your brother, he is giving them a hard time in the legislature. You talk about a vendetta—they haven't got the guts to take me on man for man. That is the kind of people you are dealing with, that is the kind of people Representative Kelly has told you about today. Ladies and gentlemen of the House, I am ashamed to think they would bring a budget before me and ask me to vote for it. They ought to hang their heads in shame. God bless America, the land of the free and the brave, where you can be prosecuted for praying at the church you want and where you can be prosecuted for saying what you say in the Maine Legislature by arresting a member of your family because they haven't got the guts to take you on.

You pass this and I will post 500 acres; that's my promise. No trespassing, and my grandchildren and members of my family will walk and we will hunt—that's my vendetta, ladies and gentlemen. Twenty one dollars for a hunting and fishing license, did you ever hear of such a thing? Twelve dollars is plenty.

Where I come from, we work for a living. My son is going to have \$700 a month taken out of his milk check by the United States Government starting next month because of a surplus of milk, and you want him to pay \$21 when I have to help him milk Saturdays and Sundays while he works the bulldozer and backhoe so he can pay his bills. And then you pass a forestry tax telling me that I have got to pay for the fire departments in my towns, the two towns I own land in, I have got to pay a forestry tax to the state for putting out a fire that they will never see because we will have it out before they get there.

You talk about vendettas. Ladies and gentlemen, I now move that this bill and all its accompanying papers be indefinitely postponed, and I hope you will join with me.

The SPEAKER: The gentleman from Limerick, Mr. Carroll, moves that this bill and all its accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Island Falls, Mr. Smith.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: This has been a hot issue, it has been a hot day and I didn't plan to get up, but I know that when the department first came before the committee asking for more money, they said to us, do you want us to cut any of the services? It was unanimous that we didn't want to cut any of the services.

They were short 11 wardens and they were short biologists and they wanted to bring them up to strength. They were spending more money than they were taking in. You can't continue that too long without an increase.

I think there are personalities involved in the whole issue, but the fact of the matter is, you cannot control the wages. If this dedicated fund has got to pay the way, then the only way it can be paid is through the increases. Therefore, I hope you will vote against the pending motion and support the committee report of ten.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. MacEachern.

Mr. MacEACHERN: Mr. Speaker, I request 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 Chair recognizes the gentleman from Lincoln, Mr. MacEachern.

Mr. MacEACHERN: Mr. Speaker, Ladies and Gentlemen of the House: I consider this body to be quite sensible and quite sane. We have just heard a very emotional speech about everything but God and motherhood, and I think there was a little bit of that in there.

I wish you would just try to consider the facts, and the facts are that the department needs money in order to function the way it is at the present time. There may be abuse in the use of motor vehicles in the department, I am sure there are abuses to everything. There may be some wardens that don't work as long hours as other wardens, I am not denying that that might be the fact, but the hard, cold facts are that we need the money.

I have heard Mr. Carroll get up here and make just as emotional a speech to get money for the Highway Department so that the potholes could get fixed. We are trying to patch some potholes in the department, and I would just like to have you look at this in a sensible and sane manner, and rationally, and not get emotional and personal. I think if you do that, you are going to change your votes a little bit and vote for this proposition.

The SPEAKER: The Chair recognizes the gentleman from Franklin, Mr. Conners.

Mr. CONNERS: Mr. Speaker, Ladies and Gentlemen of the House: I will be brief. As you know, this department and this committee has been controversial through the first regular session and it seems as if we are now. But out of this, with all of the meetings that we have held with the department and so forth, I think that we have come quite a ways in getting some things straightened out within the department.

Out of the things that I think we should take into consideration here is an increase that is coming, that the department has no control over, which will be at least 5 percent. It means about a million dollars in this biennium. The union controls trying to eliminate a warden that isn't working, they also control the use of the vehicles. There's a number of things that we cannot control. And as was mentioned before, the search and rescue is on the statutes that the Appropriations Committee pay from the general fund back to the department whatever it costs for search and rescue, but the Appropriations Committee seems to override these statutes and gives them \$10,000 a year.

As was mentioned before, your Great Ponds Act, LURC and DEP, I think the department should have reimbursement from here, and this is some of the areas that this legislature could help us out on if they were so minded.

I know that there is serious consideration within the department on layoffs; also, if this bill doesn't go through, there will be a very large curtailment in services. If you want to curtail the warden services and allow your poacher to continue and cut down on our population, this is fine if this is what you want, but I don't think the people out there want this.

This is a small increase when you stop and consider the benefits that you get from it. All I can see is that we have gone so far with this committee that you are going to see an improvement in the Fish and Wildlife Department, so I hope you will support the majority report.

The SPEAKER: The Chair recognizes the gentleman from Princeton, Mr. Moholland.

Mr. MOHOLLAND: Mr. Speaker, Ladies and Gentlemen of the House: I don't know if you recognize me or not, I have had a haircut. It cost me \$5.50, and that is just enough to go along with this increase that we have got to

have.

It seems that the people here today have not mentioned a thing about all the deer that have been slaughtered and all the moose that have been killed. I have had calls from all over, around 30 towns, favoring this increase. The president of the Trappers Association told me that they could go along with this bill very well. I have had a lot of phone calls on it, and I hope that because you had a sentimental speech here just a while ago by Mr. Carroll that you won't throw this down the drain. It is not a tax, ladies and gentlemen, it is a user fee. You don't have to buy a license if you don't want to, you don't have to get a haircut if you don't want to, so let's keep this a free country and vote this tax to help the department.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Greenlaw.

Mr. GREENLAW: Mr. Speaker, Ladies and Gentlemen of the House: I didn't plan to speak, it is hot, but I have listened too. I think the department needs the money. I have been to all the meetings and there may be a little waste but I can't see it. I do wonder about my good friend Mr. Kelly if he thinks the Republicans the fault that the coyotes are here.

Mr. SPEAKER: The Chair recognizes the gentleman from Sangerville, Mr. Hall.

Mr. HALL: Mr. Speaker, Ladies and Gentlemen of the House: Most of you know that I don't hunt or fish, I never had time because I was always in debt and when I figured I had the time to go fishing I felt guilty and would have to work instead. But I don't know of any issue discussed more in my area which, as you know, goes to Greenville and all up through Wellington, Cambridge and Sangerville. I would like to pass by you folks, if I may, a little story that I heard just a short while ago when I was asked to tend to a guy that was dying with cancer. For many years he belonged to the Sebek Fish and Game Association and he has been as critical of the Fish and Game Department as anyone that I know of. He told me to relay this message to you. I wasn't going to get up and speak but I couldn't believe what was going on.

First of all, it is a privilege to have a license, really, you don't need it, but if you like to hunt and fish and you want some for our children and grandchildren, you ought to have some consideration for making it possible in the future.

My good friend Paul Jacques has one good comment. I would like to remind you people that I was a cosponsor of the hospital containment bill where we asked the hospital to justify over a 1½ percent increase in their expenses. But I think the time is a little mite lax for them now because I think the Fish and Game will find themselves with their backs to the wall. I would just like to leave that with you because the people in the little town of Morrison said to me when I was up there at their field day just a short while ago, and some of them are good poachers and rednecks, they don't want to give up their rifles no more than nothing at all, but they, to a man, were not against this increase, because they realize that if there is going to be any deer around to hunt, there has got to be somebody to provide it.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Limerick, Mr. Carroll, that Bill "An Act to Provide Additional Revenue to the Department of Inland Fisheries and Wildlife Through an Increase in License Fees," House Paper 1208, L. D. 1607, and all its accompanying papers be indefinitely postponed. All those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA—Ainsworth, Allen, Anderson, Andrews, Armstrong, Bell, Benoit, Bost, Bott, Brodeur, Brown, A.K.; Brown, D.N.; Brown, K.L.; Cahill, Callahan, Carrier, Carroll, G.A.; Carter, Chonko, Clark, Conary, Connolly, Cote, Dag-

gett, Dexter, Foster, Handy, Hobbins, Holloway, Jackson, Jacques, Jalbert, Joseph, Joyce, Kelly, Ketover, Kiesman, LaPlante, Lebowitz, Lehoux, Locke, MacBride, Macomber, Martin, A.C.; Martin, H.C.; Masterman, Matthews, K.L.; Matthews, Z.E.; Maybury, McColister, McPherson, McSweeney, Michaud, Nelson, Paradis, E.J.; Paradis, P.E.; Parent, Paul, Perkins, Perry, Pines, Pouliot, Reeves, J.W.; Ridley, Rotondi, Salsbury, Scarpino, Seavey, Sherburne, Small, Smith, C.W.; Soule, Stevens, Stover, Strout, Swazey, Telow, Theriault, Tuttle, Walker, Webster.

NAY—Baker, Beaulieu, Bonney, Brannigan, Carroll, D.P.; Cashman, Connors, Cooper, Cox, Crouse, Crowley, Curtis, Davis, Day, Diamond, Dillenback, Drinkwater, Erwin, Gauvreau, Greenlaw, Hall, Hayden, Hickey, Higgins, H.C.; Higgins, L.M.; Ingraham, Kane, Kelleher, Kilcoyne, Lisnik, MacEachern, Manning, Masterston, Mayo, McGowan, McHenry, Melendy, Michael, Mitchell, E.H.; Mitchell, J.; Moholland, Murphy, Murray, Nadeau, Norton, Randall, Reeves, P.; Richard, Roberts, Roderick, Rolde, Smith, C.B.; Soucy, Sproul, Stevenson, Studley, Tammara, Thompson, Vose, Wentworth, Weymouth, Zirkilton.

ABSENT—Dudley, Gwadosky, Lewis, Live-say, Racine, Willey, The Speaker.

Yes, 81; No, 62; Absent, 7; Vacant, 1.

The SPEAKER: Eighty-one having voted in the affirmative and sixty-two in the negative, with seven being absent and one vacant, the motion does prevail.

Sent up for concurrence.

#### House at Ease

Called to order by the Speaker.

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

#### Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$11,875,000 for the purpose of Making Air and Sea Transportation Improvements (S. P. 640) (L. D. 1801)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 14 of Article IX of the Constitution, a two-thirds vote being necessary, a total was taken. 127 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.

#### Bond Issue

An Act to Authorize a General Fund Bond Issue in the Amount of \$720,000 for the County Courthouse Handicapped Accessibility (H. P. 1366) (L. D. 1799)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 14 of Article IX of the Constitution, a two-thirds vote being necessary, a total was taken. 128 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.

#### Bond Issue

An Act to Authorize a Bond Issue in the Amount of \$21,094,000 for State Facilities Construction, Renovations and Improvements and Construction and Improvements of Municipal Facilities and to Deauthorize Unused Portions of Previous Bond Issues (H. P. 1367) (L. D. 1800)

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

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Connolly.

Mr. CONNOLLY: Mr. Speaker and Members of the House: There was an amendment that appeared on your desks this morning, House Amendment "A" to this particular piece of legislation, but after discussions within the Appropriations Committee this morning, we have

decided not to offer it at this time. But myself and other people who were interested felt that we should just briefly make a couple of comments.

The intent of the amendment was to target 25 percent of the jobs that would be created by all of these particular bond issues for individuals who are unemployed or have been laid off from their jobs or whose unemployment benefits have run out who are eligible for assistance through the Federal Job Training and Partnership Act. And while the committee feels that that type of amendment is certainly something that merits consideration and in fact receives large endorsement, large support, from members of the committee, we felt that we would prefer to wait and rather than offer it as an amendment to this legislation, we would introduce it as an emergency bill in January and it would receive top consideration by the Appropriations Committee, and hopefully the full legislature, and would be applicable not only to this bond issue but to the other two bond issues that will be approved, if they are approved in November. We feel that that particular issue is worth mentioning now given the fact that there are over 60,000 people in the State of Maine who are out of work and this is one of the few ways that we as a legislature can have an impact on the unemployment situation in this state.

The SPEAKER: The pending question is on passage to be enacted. This being a Bond Authorization, pursuant to Section 14 of Article IX of the Constitution, it requires a two-thirds vote of all those present and voting. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

115 voted in the affirmative and 16 voted in the negative, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Emergency Measure

An Act to Empower the Legislative Council to Establish Benefit Schedules for Legislative Employees (H. P. 1363) (L. D. 1796)

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. 127 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.

The following papers from the Senate appearing on Supplement No. 3 were taken up out of order by unanimous consent:

The following Communication:

The Senate of Maine

Augusta

September 6, 1983

The Honorable John L. Martin

Speaker of the House

111th 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 State Government, the Governor's nominations of Robert E. Baldacci, Jr. of Bangor, Sarah E. Redfield of Portland and Roger P. Michaud of Lewiston as at-large members; William B. Manheimer of Monmouth as the attorney member; and Leo M. Loiselle of East Holden as the certified public accountant member of the Finance Authority of Maine.

Sincerely,

S/JOY J. O'BRIEN

Secretary of the Senate

The Communication was read and ordered placed on file.

The following Communication:

The Senate of Maine

Augusta

The following Communication:  
The Senate of Maine  
Augusta

September 6, 1983

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

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon recommendation of the Joint Standing Committee on Energy and Natural Resources, the Governor's nomination of Edward B. Laverty of Enfield for appointment to the Board of Environmental Protection.

Mr. Laverty is replacing Sterling Dow, III.

Sincerely,  
S/JOY J. O'BRIEN  
Secretary of the Senate

The Communication was read and ordered placed on file.

The following Communication:  
The Senate of Maine  
Augusta

September 6, 1983

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

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon recommendation of the Joint Standing Committee on Agriculture, the Governor's nomination of Rufus Prince, Jr. of Turner for appointment as the agricultural member of the Pesticides Control Board.

Mr. Prince is replacing Daniel Labrie.

Sincerely,  
S/JOY J. O'BRIEN  
Secretary of the Senate

The Communication was read and ordered placed on file.

The following Communication:  
The Senate of Maine  
Augusta

September 6, 1983

The Honorable John L. Martin  
Speaker of the House  
111th 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 Energy and Natural Resources, Governor's nomination of Neil Hapworth of Winslow for reappointment to the Board of Environmental Protection.

Sincerely,  
S/JOY J. O'BRIEN  
Secretary of the Senate

The Communication was read and ordered placed on file.

The following Communication:  
The Senate of Maine  
Augusta

September 6, 1983

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

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon recommendation of the Joint Standing Committee on Judiciary, the Governor's nomination of Louis Scolnik of Lewiston for appointment to the Supreme Judicial Court of the State of Maine.

Justice Louis Scolnik is replacing Justice Edward S. Godfrey.

Sincerely,  
S/JOY J. O'BRIEN

Secretary of the Senate  
The Communication was read and ordered placed on file.

The following Communication:  
The Senate of Maine  
Augusta

September 6, 1983

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

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon recommendation of the Joint Standing Committee on Energy and Natural Resources, the Governor's nomination of John S. Walker of East Livermore for appointment to the Land Use Regulation Commission.

Sincerely,  
S/JOY J. O'BRIEN  
Secretary of the Senate

The Communication was read and ordered placed on file.

The following Communication:  
The Senate of Maine  
Augusta

September 6, 1983

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

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon recommendation of the Joint Standing Committee on Legal Affairs, the Governor's nomination of Charles H. Milan III, of Brewer for appointment to the Maine State Liquor Commission.

Sincerely,  
S/JOY J. O'BRIEN  
Secretary of the Senate

The Communication was read and ordered placed on file.

The following Communication:  
The Senate of Maine  
Augusta

September 6, 1983

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

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon recommendation of the Joint Standing Committee on Agriculture, the Governor's nomination of Thomas B. Saviello of Orrington for appointment as the forestry member of the Pesticides Control Board.

Mr. Saviello is replacing Mr. Roger Mitchell.

Sincerely,  
S/JOY J. O'BRIEN  
Secretary of the Senate

The Communication was read and ordered placed on file.

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

#### **Petitions, Bills and Resolves Requiring Reference**

Bill "An Act to Correct and Clarify the Motor Vehicle and Workers' Compensation Laws" (H. P. 1369) (L. D. 1803) (Presented by Speaker Martin of Eagle Lake) (Approved for introduction by the Legislative Council pursuant to Joint Rule 26)

Committee on Transportation 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.

The following papers from the Senate appearing on Supplement No. 7 were taken up out of order by unanimous consent:

Bill "An Act to Ease Municipal Obligations under the Forest Fire Suppression Tax" (S. P. 641) (L. D. 1804)

Came from the Senate, under suspension of the rules and without reference to any Committee, the Bill read twice and passed to be engrossed.

In the House, under suspension of the rules the Bill was read twice and passed to be engrossed without reference to any committee in concurrence.

Bill "An Act Relating to the School Year for School Administrative District Number 57" (S. P. 642) (L. D. 1805)

Came from the Senate, under suspension of the rules and without reference to any Committee, the Bill read twice and passed to be engrossed.

In the House, under suspension of the rules the bill was read twice and passed to be engrossed without reference to any committee in concurrence.

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

On motion of Representative Mitchell of Vassalboro, the following Joint Order: (H. P. 1371)

ORDERED, the Senate concurring, that the following specified matters be held over to the Second Regular Session of the 111th Legislature:

<b>Committee</b>	<b>Bill</b>
Appropriations and	H. P. 1303 L. D. 1457
Financial Affairs	S. P. 582 L. D. 1690

The Order was read and passed and sent up for concurrence.

By unanimous consent, all matters acted upon were ordered sent forthwith to the Senate or to Engrossing.

#### **House at Ease** Called to order by the Speaker.

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

Bill "An Act to Make Corrections of Errors and Inconsistencies in the Laws of Maine" (Emergency) (S. P. 638) (L. D. 1802)

Came from the Senate, under suspension of the rules and without reference to any Committee, the Bill read twice and passed to be engrossed as amended by Senate Amendment "A" (S-271) and "B" (S-272)

In the House, under suspension of the rules and without reference to any committee the Bill was read once. Senate Amendment "A" (S-271) was read by the Clerk and adopted in concurrence. Senate Amendment "B" (S-272) was read by the Clerk and adopted in concurrence. Under suspension of the rules, the bill was read a second time and passed to be engrossed as amended in concurrence.

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

#### **Emergency Measure**

An Act Relating to the School Year for School Administrative District Number 57 (S. P. 642) (L. D. 1805)

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. 113 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.

#### **Emergency Measure**

An Act to Ease Municipal Obligations under

the Forest Fire Suppression Tax (S. P. 641) (L. D. 1804)

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. 118 voted in favor of same and one against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The following paper appearing on Supplement No. 12 was taken up out of order by unanimous consent:

**Emergency Measure**

An Act to Make Corrections of Errors and Inconsistencies in the Laws of Maine (S. P. 638) (L. D. 1802) (S. "A" S-271) (S. "B" S-272)

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. 119 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.

**(Off Record Remarks)**

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

On motion of Representative McHenry of Madawaska, the following Joint Resolution: (H. P. 1370) (Cosponsors: Speaker Martin of Eagle Lake, Senator Carpenter of Aroostook and Representative Lisnik of Presque Isle)

Joint Resolution Expressing Sympathy  
on the Death of the Honorable  
Luman P. Mahany

WHEREAS, a great sadness fills our chambers with the passing of Luman P. Mahany, of Easton, on July 18, 1983; and

WHEREAS, the Members and the staff of the Maine Legislature feel a special sorrow in his death, for he was a wise and trusted friend to all; and

WHEREAS, he has brought great honor to his county, community and state through his service in the 105th, 106th, 107th, 108th, 109th, 110th and the current 111th Maine Legislature; and

WHEREAS, he consistently used his warm and soft spoken manner and profound skill for the genuine betterment of Maine Agriculture Industry; now, therefore, be it

RESOLVED: That the Members of the 111th Legislature now assembled this day in Special Session extend this token of our deepest affection to honor the memory of a life that enriched many lives and to express a common sorrow and sadness at the loss of a dear colleague and trusted companion; and be it further

RESOLVED: That a suitable copy of this Joint Resolution be sent to his dear and devoted wife, Augusta, and the family, along with our endless regards and heartfelt sympathy.

The Resolution was read. (The members stood for a moment of silence in memory of Representative Mahany)

Thereupon, the Resolution was adopted and sent up for concurrence.

On motion of Mr. McHenry of Madawaska, Adjourned until ten o'clock tomorrow morning.