

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred And Thirteenth Legislature
OF THE
State Of Maine

VOLUME I
FIRST REGULAR SESSION
December 3, 1986 to May 22, 1987

ONE HUNDRED AND THIRTEENTH MAINE LEGISLATURE

FIRST REGULAR SESSION

1st Legislative Day

Wednesday, December 3, 1986

Pursuant to Article IV, Part 3, Section 1 of the Constitution and Laws of the State of Maine, the Representatives-elect to the One Hundred and Thirteenth Legislature assembled in the Hall of the House and were called to order by EDWIN H. PERT of Georgetown, Clerk of the House of the One Hundred and Twelfth Legislature.

Prayer by Father Royal J. Parent, St. Teresa's Church, Brewer.

National Anthem by the Fort Kent Community High School Band.

COMMUNICATION

STATE OF MAINE

OFFICE OF THE SECRETARY OF STATE

To Edwin H. Pert, Clerk of the House of Representatives of the One Hundred and Twelfth Legislature:

In compliance with 3 M.R.S.A., Section 1, I hereby certify that the following are the names and residences of the Representatives-elect to the One Hundred and Thirteenth Legislature, as appears by the report submitted to the Governor under date of November 24, 1986.

District 1	Frederick F. Soucy, Kittery	District 46	Philip C. Jackson, Harrison
District 2	Neil Rolde, York	District 47	Ernest Clifford Greenlaw, Standish
District 3	Orland G. McPherson, Eliot	District 48	William F. Lawrence, Parsonsfield
District 4	Wesley Farnum, South Berwick	District 49	Jeffery N. Mills, Bethel
District 5	Eleanor M. Murphy, Berwick	District 50	Joseph G. Walker, Norway
District 6	Alberta M. Wentworth, Wells	District 51	Dana C. Hanley, Paris
District 7	Thomas W. Murphy, Jr., Kennebunk	District 52	Francis J. Perry, Mexico
District 8	H. Stedman Seavey, Kennebunkport	District 53	Phyllis R. Erwin, Rumford
District 9	Vinton T. Ridley, Shapleigh	District 54	Richard W. Armstrong, Wilton
District 10	Mona Walker Hale, Sanford	District 55	Edward L. Dexter, Kingfield
District 11	Norman R. Paul, Sanford	District 56	Ronald C. Bailey, Farmington
District 12	Carl F. Sheltra, Biddeford	District 57	Gary Bickford, Jay
District 13	Lucien A. Dutremble, Biddeford	District 58	Richard H. C. Tracy, Rome
District 14	Norman O. Racine, Biddeford	District 59	John M. Nutting, Leeds
District 15	Willis A. Lord, Waterboro	District 60	Daniel J. Callahan, Mechanic Falls
District 16	Kerry E. Kimball, Buxton	District 61	Jo Anne D. Lapointe, Auburn
District 17	John McSweeney, Old Orchard Beach	District 62	Constance D. Cote, Auburn
District 18	Guy R. Nadeau, Saco	District 63	Susan E. Dore, Auburn
District 19	Daniel R. Warren, Scarborough	District 64	John Telow, Lewiston
District 20	Linwood M. Higgins, Scarborough	District 65	John A. Aliberti, Lewiston
District 21	Mary Clark Webster, Cape Elizabeth	District 66	Bradford E. Boutilier, Lewiston
District 22	Earl G. Nicholson, South Portland	District 67	Gregory G. Nadeau, Lewiston
District 23	Cushman D. Anthony, South Portland	District 68	James R. Handy, Lewiston
District 24	Harold M. Macomber, South Portland	District 69	Roger M. Pouliot, Lewiston
District 25	Anne M. Rand, Portland	District 70	Margaret Pruitt Clark, Brunswick
District 26	Laurence E. Connolly, Jr., Portland	District 71	John Jalbert, Lisbon
District 27	Harlan Baker, Portland	District 72	Albert G. Stevens, Sabattus
District 28	Gerard P. Conley, Jr., Portland	District 73	Lorraine N. Chonko, Topsham
District 29	Peter J. Manning, Portland	District 74	Maria Glen Holt, Bath
District 30	Harriet Ketover, Portland	District 75	Mary E. Small, Bath
District 31	Christopher Scott Gurney, Portland	District 76	James Reed Coles, Harpswell
District 32	Annette M. Hogle, Portland	District 77	Muriel D. Holloway, Edgcomb
District 33	William B. O'Gara, Westbrook	District 78	Marjorie L. Kilkelly, Wiscasset
District 34	Philip E. Curran, Westbrook	District 79	Jeanne F. Begley, Waldoboro
District 35	Gerald A. Hillock, Gorham	District 80	Joseph W. Mayo, Thomaston
District 36	Ada K. Brown, Gorham	District 81	Guy B. Scarpino, St. George
District 37	Barbara E. Strout, Windham	District 82	Rita B. Melendy, Rockland
District 38	David G. Stanley, Cumberland	District 83	Priscilla G. Taylor, Camden
District 39	Gary W. Reed, Falmouth	District 84	Carol Allen, Washington
District 40	Judith C. Foss, Yarmouth	District 85	Paul Parent, Benton
District 41	James Mitchell, Freeport	District 86	Donald V. Carter, Winslow
District 42	Charlene B. Rydell, Brunswick	District 87	Harland W. Bragg, Sidney
District 43	Charles R. Priest, Brunswick	District 88	Donald F. Sproul, Augusta
District 44	Donnell P. Carroll, Gray	District 89	Patrick E. Paradis, Augusta
District 45	P. Kelley Simpson, Casco	District 90	Daniel B. Hickey, Augusta
		District 91	Polly R. Reeves, Pittston
		District 92	Jean T. Dellert, Gardiner
		District 93	Norman E. Weymouth, West Gardiner
		District 94	Leland C. Davis, Jr., Monmouth
		District 95	Omar P. Norton, Winthrop
		District 96	Elaine Lacroix, Oakland
		District 97	Paul F. Jacques, Waterville
		District 98	Ruth Joseph, Waterville
		District 99	Dan A. Gwadosky, Fairfield
		District 100	Michael F. Hepburn, Skowhegan
		District 101	Patrick K. McGowan, Canaan
		District 102	Alexander Richard, Madison
		District 103	Dorothy A. Rotondi, Athens
		District 104	Richard A. Gould, Greenville
		District 105	Robert E. Hussey, Jr., Milo
		District 106	Dale Thistle, Dover-Foxcroft
		District 107	Weston R. Sherburne, Dexter
		District 108	Robert J. Tardy, Palmyra
		District 109	Dana P. Stevenson, Unity
		District 110	Walter E. Whitcomb, Waldo
		District 111	Francis C. Marsano, Belfast
		District 112	Nathaniel J. Crowley, Sr., Stockton Springs
		District 113	Ralph M. Willey, Hampden
		District 114	Donald A. Strout, Corinth
		District 115	Catharine Koch Lebowitz, Bangor
		District 116	Thomas A. Duffy, Bangor
		District 117	Patricia M. Stevens, Bangor
		District 118	Joseph A. Garland, Bangor

District 119 John N. Diamond, Bangor
 District 120 Richard P. Ruhlin, Brewer
 District 121 Helen M. Tupper, Orrington
 District 122 E. Michael Swazey, Bucksport
 District 123 Sally R. Rice, Stonington
 District 124 Stephen M. Zirnkilton, Mt. Desert
 District 125 Roland S. Salisbury, Jr., Bar Harbor
 District 126 Frank H. Farren, Jr., Cherryfield
 District 127 Ruth S. Foster, Ellsworth
 District 128 Eugene J. Paradis, Old Town
 District 129 Stephen M. Bost, Orono
 District 130 John C. Bott, Orono
 District 131 John A. Cashman, Old Town
 District 132 Clyde A. Hichborn, Lagrange
 District 133 Betty J. Harper, Lincoln
 District 134 Michael H. Michaud, East Millinocket
 District 135 Herbert E. Clark, Millinocket
 District 136 Theone F. Look, Jonesboro
 District 137 Harry L. Vose, Eastport
 District 138 Antonio J. Tamaro, Baileyville
 District 139 Fred W. Moholland, Princeton
 District 140 Carl B. Smith, Island Falls
 District 141 Gennette M. Ingraham, Houlton
 District 142 Mary H. MacBride, Presque Isle
 District 143 John Lisnik, Presque Isle
 District 144 Carolyne T. Mahany, Easton
 District 145 Susan J. Pines, Limestone
 District 146 Kenneth L. Matthews, Caribou
 District 147 Malachi Anderson, Woodland
 District 148 Hilda C. Martin, Van Buren
 District 149 Edward A. McHenry, Madawaska
 District 150 Judy Paradis, Frenchville
 District 151 John L. Martin, Eagle Lake

IN TESTIMONY WHEREOF I have caused the Seal of the State to be herewith affixed at Augusta this first day of December, 1986.

S/RODNEY S. QUINN

Secretary of State

Was read and ordered placed on file.

For the purpose of ascertaining the presence of a quorum, a certified roll of the Representatives-elect was called by the Clerk of the One Hundred and Thirteenth Legislature.

The elected membership of the House being 151 and 149 having answered to their names, a quorum was found to be present.

Absent were: Representative-elect ALIBERTI of Lewiston and Representative-elect KIMBALL of Buxton.

On motion by Representative DIAMOND of Bangor, Representative CARTER of Winslow, Representative MACOMBER of South Portland, Representative MCHENRY of Madawaska, Representative ERWIN of Rumford, Representative DAVIS of Monmouth, Representative WILLEY of Hampden and Representative WEBSTER of Cape Elizabeth were appointed a Committee to wait upon the Governor and inform him that a quorum of the members of the House of Representatives-elect were assembled in the Hall of the House of Representatives and requested his attendance to administer to them the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

Subsequently, Representative Carter reported that the committee had discharged the duty assigned it and that the Governor was pleased to say that he would forthwith attend upon the Representatives-elect for the purpose of administering to them the oaths required by the Constitution.

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

COMMUNICATIONS

The following Communication:

STATE OF MAINE
 DEPARTMENT OF STATE
 STATE HOUSE STATION 101
 AUGUSTA, MAINE 04333

DIVISION OF PUBLIC ADMINISTRATION

December 2, 1986

Hon. Edwin H. Pert
 Clerk of the House
 State House Station 2
 Augusta, Maine 04333

Dear Clerk Pert:

This is to advise you that the following recounts have not been completed.

District 57: Gary Bickford - Richard E. McCollister

District 104: Richard A. Gould - Duane Richard Lander

In both recounts during a review of the communities involved, absentee ballot envelopes and applications were missing from several communities. The parties involved want to review these envelopes and applications before formally concluding the recounts. This will take place early next week.

Very truly yours,

S/James S. Henderson
 Deputy Secretary of State

Was read and ordered placed on file.

(At Ease)

The House was called to order by the Clerk.

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

ORDERS

On motion of Representative DIAMOND of Bangor, the following Order:

WHEREAS, the Clerk of the House received notice on December 2, 1986, from the Secretary of State of pending recounts; and

WHEREAS, Gary Bickford of Dryden, District 54, and Richard A. Gould of Greenville, District 104, are pending recounts in their respective districts; and

WHEREAS, the Secretary of State has certified that Gary Bickford and Richard A. Gould were the apparent winners in said elections and certificates of apparent election were issued to Gary Bickford and Richard A. Gould; and

WHEREAS, Rule 6 of the Rules of the House provide for the appointment of a Committee on Elections to consider disputed elections; now, therefore, be it

ORDERED, That Gary Bickford and Richard A. Gould be administered the oath of office and be permitted to assume their seats pending a final determination by the House of the aforementioned elections.

Was read and passed.

Thereupon, His Excellency, the Honorable JOSEPH E. BRENNAN, entered the Hall of the House amid applause, the members-elect rising.

GOVERNOR BRENNAN: It is my honor at this time to ask all of you to stand so I can administer the oath of office to the 113th Maine House of Representatives.

Would you all raise your right hands please and repeat after me the oath of office?

Whereupon, the Governor administered to the members-elect and they subscribed the oaths required by the Constitution to qualify them to discharge their official duties.

GOVERNOR BRENNAN: Mr. Clerk, Members of the 113th Maine House of Representatives: One hundred and sixty-seven years ago, 274 delegates representing all the towns of a remote district of Massachusetts, assembled at the First Parish Church in Portland to form a new Constitution, to form a new state. You are the heirs, the successive trustees of that small band that set Maine on its way in 1819.

For the 113th time in our state's history, the work of the Maine Legislature begins again today. You carry on the work of our great state in the honored political tradition of the men and women whose pictures grace the walls of this Capitol. In fact, you sit in the very seats once occupied by such people as James G. Blaine, William Pitt Fessenden, Hannibal Hamlin, Thomas B. Reed, Percival Baxter, Edmund S. Muskie and our Governor-elect, John McKernan. It is a great responsibility, a great privilege, a great honor and, indeed, it is a great public trust.

For me, this day is also a personal landmark. It was just about 22 years ago that I was sworn in as a member of this House by then Governor, John Reed, the last Republican Governor for the State of Maine. In fact, it makes me feel a little old -- that was before one member of this body, Chris Gurney of Portland, was even born. Over the succeeding years, I have been privileged to serve as State Senator, Attorney General and as Governor.

Today's swear in marks one of my last official acts as Governor and as a member of Maine state government. The 22 years that I have spent here have been profoundly enriching and truly rewarding. There is no other place that I can think of where you can do more to improve the lives of your fellow citizens than here in this body.

The 113th Maine Legislature, of which you are a part, begins its work at another critical point in our state's history. Maine enjoys a progress and prosperity that is unparalleled since its earliest days of its statehood. Yes, today the State of Maine is on the move. There is a momentum all across the state with the sweeping school reforms, with the compassionate human service programs, with the historic level of economic growth and with our renewed University of Maine. You face the challenge of continuing that momentum and of building a State of Maine for our children even more full of opportunities and more full of promise.

I wish all of you the very best in meeting this challenge. I think today that Maine is as sensitive, as caring and as a progressive a state as ever before in our entire history. You can make it even better and I say to you, "Good Luck" and thank you very much.

At this point, the Governor retired from the Hall of the House amid applause, the members rising.

On motion of Representative JACQUES of Waterville, Representative NADEAU of Lewiston, Representative CHONKO of Topsham, Representative PARADIS of Augusta, Representative DUFFY of Bangor, Representative STROUT of Corinth, Representative LEBOWITZ of Bangor and Representative McPHERSON of Eliot were appointed a Committee to receive, sort and count votes for the Speaker.

The CLERK: The Chair recognizes the Representative from Bangor, Representative Diamond.

Representative DIAMOND: Mr. Clerk: It is a great honor and pleasure for me to place in

nomination the name of John L. Martin of Eagle Lake for an unprecedented seventh term as Speaker of the Maine House.

When I think of the members of this Legislature who have served over the past 166 years and I think of the people who have served as our Speaker, it is hard to imagine any person who has had as great an impact on the State of Maine and the legislative process as does the person I just nominated, John Martin.

Since he became Speaker in 1975, he has been a leader in this state in promoting the progressive legislation that, as was just mentioned, had a very direct impact on the lives of all of us in this state. He has been a strong leader, a leader who has been committed to this state, a leader who has taken his responsibilities very seriously. If you look at all of what the legislature has done over the past few years since he took the oath of office as Speaker of the House in 1975, it is clear that he has left a lasting impression and no other individual having served in this body has ever had as much direct impact in the course of this legislature and the laws passed by the people here.

John Martin is not just a leader in the State of Maine, John is a leader nationally. Those of us who have had the opportunity to serve with other legislators from other states understand and realize the national reputation he has earned as being an effective, strong and forceful Speaker. He has been given national honors and recognition of this and I think it is a tribute to the State of Maine and to those members who elected him in the past. He is a true credit to the State of Maine and, with your support, he will be given the opportunity to continue that strong leadership he has provided.

I ask for your support for John L. Martin to serve another term as Speaker of the Maine House of Representatives.

The CLERK: The Clerk recognizes the Representative from Kennebec, Representative Murphy.

Representative MURPHY: Mr. Chairman, Men and Women of the 113th Legislature: With the oath of office, we have become official participants in what both sides of the aisle agree could become the most successful legislature in Maine state history. Each political party, if we are to have a strong, two-party system in this state, must offer a choice, whether it is to the voters in November for county, congressional or the legislature or it is to the members of the House or the Joint Convention for Constitutional Officers.

Representative Higgins of Scarborough began to serve the citizens of his district, beginning with the 107th Legislature. He has served both our party and the Legislature as a member of leadership and he is a valued and highly respected member of the Appropriations Committee.

I am honored today to place in nomination the name of Representative Linwood Higgins of Scarborough for Speaker of the House of Representatives.

On motion of Representative MANNING of Portland, the House voted that nominations cease.

Subsequently, the committee reported that it had attended to its duties and that:

Total number of votes cast	149
Total number of votes needed	75
John L. Martin received	86
Linwood Higgins received	63

Subsequently, Representative John L. Martin of Eagle Lake was declared duly elected Speaker of the House of Representatives of the One Hundred and Thirteenth Legislature.

Subsequently, Speaker MARTIN was escorted to the rostrum by the Representative from Bangor, Representative DIAMOND, where he assumed the Chair amid the applause of the House, the members rising.

The SPEAKER: Thank you very much for your support - first to my constituents who elected me to the Legislature, to the members of the Democratic caucus who nominated me for Speaker and to you as well for choosing me today to be the Speaker for the 113th Maine Legislature.

I would also like to thank the Fort Kent Community High School Band, its director, staff and faculty members who came from my legislative district in Fort Kent to be here today with me to share in this moment. Also to Father Parent, who served as Chaplain today and who used to serve in Eagle Lake.

It is with a deep sense of appreciation and gratitude that I thank you for electing me for the 7th time as the presiding officer of the Maine House of Representatives. I pledge to you that I will work hard to justify the trust and faith that you have placed in me and to uphold the duties and responsibilities of this office in a manner that will bring credit and honor to this House, to you, and to the people of Maine.

The upcoming two years, during which the 113th Maine Legislature will sit, are full of promises and challenges that we will all face together. There will be times that partisan rhetoric will be appropriate but each of us must take special care to ensure that partisanship is kept in its proper place and proper perspective.

The primary responsibility of this Legislature is to serve the people who elected us, to establish sound and responsible public policy that is in the best interest of the people of Maine. Our hearts and our minds must be guided by logic and reason in this endeavor and not by strategies to seek partisan, political advantage at every turn. Our work in this Legislature has a direct and often profound effect on the lives of the people of this state. Our responsibilities as elected Representatives to the citizens of Maine are public trust. We are not elected to deal with Republican problems or Democratic problems or Independent problems - we are elected to resolve the problems of Maine and all of its people. We were not elected to build a more promising future for Democrats, Republicans or Independents - we were elected instead to ensure greater opportunities for all the children of Maine and for future generations.

The issues that we will address in the next two years are matters of consequence to all the people and it is our absolute duty and obligation to work for those people and to work in their best interests.

Unquestionably, the election of a Republican Governor represents a significant change from the situation that has existed for the last eight years. It should be viewed as an opportunity for constructive action rather than as an excuse for partisan conflict.

I look forward to working with you and with our new Governor in the spirit of cooperation and conciliation.

Again, thanks to all of you and to John Diamond for his comments in nominating me today. (Applause)

On motion of Representative CARTER of Winslow, Representative BROWN of Gorham, Representative BOST of Orono, Representative WARREN of Scarborough, Representative CASHMAN of Old Town, Representative KIMBALL of Buxton, Representative BEGLEY of Waldoboro and Representative SMALL of Bath be appointed a

Committee to receive, sort and count votes for the Clerk of the House.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative GWADOSKY.

Representative GWADOSKY: Mr. Speaker, Ladies and Gentlemen of the House: It is a pleasure for me at this time to place in nomination for the position of Clerk of the House, the name of Edwin H. Pert of Georgetown.

Ed Pert, as all of you know, has served admirably as our Clerk of the House for the past 12 years. Prior to that, I believe he served a two year stint as Secretary of the Senate. I think we would be hard pressed to find any person in state government who has done more and has been more responsible for the smooth operation of this Legislature than Ed Pert.

Beyond his organizational capabilities and the efficiency of his office, I think his attitude, the attitude of his office, day in and day out and their willingness to help us legislators, be better legislators, has just been tremendous. I can't say enough about Ed but I think we are fortunate to have him and I hope he never leaves this place. I think we forget sometimes that, for the most part, we are only temporary tenants of this House, but I would like to think that people like Ed Pert will be around here for a long, long time.

It is a great honor for me to place Ed's name in nomination and certainly hope to have your support.

Representative Murphy of Kennebunk moved that nominations cease.

On motion of Representative DIAMOND of Bangor, the Committee cast one vote for the House for EDWIN H. PERT, and he was thereupon elected Clerk of the House.

On Motion of Representative MANNING of Portland, Representative RIDLEY of Shapleigh, Representative KILKELLY of Wiscasset, Representative VOSE of Eastport, Representative TRACY of Rome, Representative FOSTER of Ellsworth, Representative LORD of Waterboro and Representative RICE of Stonington be appointed a Committee to receive, sort and count votes for Assistant Clerk of the House.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative GWADOSKY:

Representative GWADOSKY: Mr. Speaker, Ladies and Gentlemen of the House: It is an equal pleasure for me to place in nomination for the position of Assistant Clerk of the House the name of Deborah Bedard Wood of Saco.

We have all known Debbie for a number of years. She also serves admirably in this position and is a tremendous compliment to Ed Pert in that position and, on many occasions, has taken over when the need has arisen.

She also has worked effectively in that office and has helped establish in that office people that have strong, strong communication skills, people that have great morale and I think we are fortunate to have a team like Ed Pert and Debbie Wood and it is a pleasure for me to make this nomination.

Representative Paradis of Old Town moved that nominations cease.

On further motion of Representative GWADOSKY of Fairfield, the Committee cast one vote for the House for DEBORAH BEDARD WOOD, and she was thereupon elected Assistant Clerk of the House.

At the request of Representative COLES of Harpswell, Representative CARTER of Winslow escorted the Clerk-elect and the Assistant Clerk-elect to the Office of the Governor for the purpose of taking and subscribing to the necessary oaths of office to qualify them to enter upon the discharge of their duties as Clerk of the House and Assistant Clerk of the House.

Thereupon, Edwin H. Pert, Clerk, and Deborah Bedard Wood, Assistant Clerk, appeared and entered upon the discharge of their official duties.

At this point a message was received from the Senate, borne by the Senator from York, Senator DUTREMBLE, that the Senate had been duly organized by the election of Honorable CHARLES P. PRAY as President, JOY J. O'BRIEN as Secretary and PAMELA LOVLEY as Assistant Secretary, and the Senate was ready to transact such business as might come before it.

On motion of Representative STEVENS of Bangor Representative CROWLEY of Stockton Springs, Representative CLARK of Millinocket, Representative HICKEY of Augusta, Representative HALE of Sanford, Representative WHITCOMB of Waldo, Representative CALLAHAN of Mechanic Falls and Representative PARENT of Benton be appointed a Committee to notify the Governor of the organization of the House by the election of Honorable JOHN L. MARTIN as Speaker, Mr. EDWIN H. PERT as Clerk and Mrs. DEBORAH BEDARD WOOD as Assistant Clerk and is ready to transact such business as might come before it.

Subsequently, Representative CROWLEY of Stockton Springs reported that the Committee had delivered the message with which it was charged.

At this point, a message came from the Senate, borne by the Senator from Cumberland, Senator CLARK proposing a Convention of both branches of the Legislature to be held at 1:30 o'clock in the Hall of the House for the purpose of electing an Attorney General, a Secretary of State and a State Treasurer.

Thereupon, the House voted to concur in the proposal for a Joint Convention to be held at 1:30 o'clock and the Speaker appointed Representative DIAMOND of Bangor to convey this message to the Senate.

Subsequently, Representative DIAMOND of Bangor reported that he had delivered the message with which he was charged.

At this point the Speaker appointed Representative CARTER of Winslow to inform the Senate that the House was duly organized for business.

Subsequently, Representative CARTER of Winslow reported that he had delivered the message with which he was charged.

COMMUNICATIONS

The following Communication:

STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE
Augusta, Maine
December 1, 1986

To the Speaker of the House of Representatives:
In compliance with the Constitution and laws of the State of Maine, I have the honor to herewith transmit the returns of the votes cast for Representatives to

the Legislature in the several cities, towns and plantations in the State of Maine at the General Election held on November 4, 1986.

Respectfully,
S/RODNEY S. QUINN
Secretary of State

Was read and with accompanying papers ordered placed on file.

The following Communication:

PASSAMAQUODDY TRIBE
Pleasant Point Reservation
Perry, Maine 04667

November 12, 1986

Edwin H. Pert
Clerk of the House
House of Representatives
Augusta, Maine 04333

Dear Clerk Pert:

Joseph A. Nicholas was elected Representative of the Passamaquoddy Tribe on September 2, 1986. If you need additional information please feel free to give me a call (207) 853-2551 Ext. 245.

Sincerely,
S/Mary J. Smith
Tribal Clerk

Was read and ordered placed on file.

The following Communication:

FINANCE AUTHORITY OF MAINE
83 WESTERN AVENUE
P.O. BOX 949
AUGUSTA, MAINE 04330
FINANCE AUTHORITY OF MAINE
MEMORANDUM

TO: Governor Joseph E. Brennan
Senator Michael D. Pearson
Representative Donald V. Carter
Members of the Joint Standing Committee on
Appropriations and Financial Affairs
Other Interested Parties

FROM: S/Stanley O. Provus, Chief Executive Officer
SUBJECT: Maine Job Start Program Annual Report
DATE: November 5, 1986

It is my pleasure to convey to you herewith the Second Annual Report of the Maine Job Start Program. As required by P.L. 1984, Chapter 856, our First Annual Report was presented to the first regular session of the 112th Legislature addressing both the experience of the program in its first year, and a recommendation for future program funding.

Due to the reauthorization of funding for the pilot program through June 30, 1987, the Authority has prepared an assessment of Job Start's second fiscal year, and recommendations for the program's future. Report highlights include the fact that Job Start is filling a niche by making capital available to low-income businesses, and at a cost of just over \$3,000 per job created or retained.

Was read and with accompanying report ordered placed on file.

The following Communication:

STATE OF MAINE
Department of
Educational and Cultural Services
State House Station 23
Augusta, Maine 04333

December 1, 1986

TO: Members of the 113th Legislature
Bureau of the Budget

FROM: S/Richard W. Redmond, Commissioner
 SUBJECT: Actual Education Costs for Base Year 1985-86
 Pursuant to the provisions of 20-A MRSA §15604, I forward herewith notification of the "actual education costs" as defined in subsection 1 of 20-A MRSA §15604 for the base year 1985-86.

Representative CASHMAN of Old Town
 Representative MAYO of Thomaston
 Representative TARDY of Palmyra
 Representative SWAZEY of Bucksport
 Representative LISNIK of Presque Isle
 Representative CARROLL of Gray
 Representative INGRAHAM of Houlton
 Representative JACKSON of Harrison
 Representative ZIRNKILTON of Mount Desert
 Representative WEBSTER of Cape Elizabeth

A. Operating costs	
(1) Elementary	\$271,985,475
(2) Secondary	170,578,097
B. Special education costs for programs operated by administrative units	37,641,780
C. Special education tuition and board excluding medical costs	11,192,753
(1) Tuition and board for pupils placed by administrative units	8,693,325
(2) Tuition and board for State Wards and direct State placements	1,999,428
(3) Adjustments under section 15612, subsection 6	500,000
D. Vocational education costs	14,229,370
E. Transportation operating costs	36,902,144
F. Purchase of buses	4,000,000
G. Debt service costs	
(1) Principal and interest	29,713,432
(2) Insured Value Factor	711,884
(3) Leases	830,599
(4) Construction-Current Year Const. Funding	749,707
Other major capital costs	1,371,486
H. Cost of reimbursement for private school services	303,181
I. Cost of state exp. for teacher retirement benefits	66,701,261
J. Early childhood educational programs	499,775
Teacher Recognition Grants per 20-A MRSA Ch. 506	14,300,000

The above figures include all adjustments in expenditure reports through December 1, 1986. These expenditures are from state and local monies only, except that Federal P.L. 874 funds are included.

Was read and with accompanying papers ordered placed on file.

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

ORDERS

On motion of Representative DIAMOND of Bangor, the following Joint Order: (H.P. 10)
 Ordered, the Senate concurring, that a Joint Select Committee on Taxation shall be established. The select committee shall consist of 3 members from the Senate, to be appointed by the President of the Senate, and 10 members from the House of Representatives to be appointed by the Speaker of the House. The select committee shall study L.D. 1, H.P. 1, "AN ACT Providing Conformity with the United States Internal Revenue Code under the Maine Income Tax Law for 1986," and may make recommendations to the Legislature.

Was read and passed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

At this point, the Chair wishes to appoint the following members to the Joint Select Committee on Taxation on the part of the House:

(Off Record Remarks)

PETITIONS, BILLS AND RESOLVES
REQUIRING REFERENCE

The following Bill was received and, upon the recommendation of the Committee on Reference of Bills, was referred to the following Committee, Ordered Printed and Sent up for Concurrence.

Joint Select Committee on Taxation

Bill "An Act Providing Conformity with the United States Internal Revenue Code under the Maine Income Tax Law for 1986" (Emergency) (H.P. 1) (L.D. 1) (Presented by Representative CASHMAN of Old Town) (Cosponsor: Representative MAYO of Thomaston)

(Ordered Printed)

Sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

ORDERS

On motion of Representative DIAMOND of Bangor, the following Joint Order: (H.P. 2)

ORDERED, the Senate concurring, that the Executive Director of the Legislative Council be authorized and directed to pay each member of the Legislature prior to January 1, 1987, a \$500 allowance for constituent services as authorized in the Maine Revised Statutes, Title 3, section 2.

Was read and passed and sent up for concurrence.

On motion of Representative JACQUES of Waterville, the following Order:

ORDERED, that five Clerk-stenographers be employed to provide stenographic and clerical assistance to the Members of the House. Such Clerk-stenographers shall be selected by the Clerk of the House, three from the Majority Party and two from the Minority Party; and be it further

ORDERED, that the Clerk of the House include in his payroll of House Officers, the Clerk-stenographers so employed at salaries approved by the Speaker.

Was read and passed.

On motion of Representative TAMMARO of Baileyville, the following Order:

ORDERED, that the Clerk of the House be authorized to invite the clergymen of Augusta, Hallowell and Gardiner to officiate as Chaplains of the House, or to invite clergymen from other areas of the State as requested by any member of the House; and be it further

ORDERED, that all clergymen acting as Chaplains of the House shall receive \$25 for each officiation, to be paid on payrolls to be approved by the Clerk of the House.

Was read and passed.

On motion of Representative CARTER of Winslow, the following Order:

ORDERED, that each member of the House be furnished with one daily newspaper published in the State.

Was read and passed.

On motion of Representative GWADOSKY of Fairfield, the following Order:

ORDERED, that each adjournment of the House be until 10 o'clock of the following morning unless otherwise ordered.

Was read and passed.

On motion of Representative MAYO of Thomaston, the following Order:

ORDERED, that the Clerk of the House be authorized and directed to furnish each member of the House with a copy of the Advance Journal of the House, said copy to be on the desk of each member at the opening of each daily session.

Was read and passed.

On motion of Representative WALKER of Norway, the following Order:

ORDERED, that the remaining subordinate officers of the House be appointed to serve for the present biennium as follows: By the Speaker, a Secretary of the Speaker; by the Clerk, an Advance Journal Clerk, three Office Secretaries, an Office Clerk, Index and Roll Call Clerk and Journal Copy Clerk; and be it further

ORDERED, that the Speaker and the Clerk respectively are hereby authorized to accept resignations and fill any vacancies of said subordinate officers during the biennium.

Was read and passed.

On motion of Representative ERWIN of Rumford, the following Order:

ORDERED, that the Clerk of the House be directed to secure uniforms for the subordinate officers of the House.

Was read and passed.

On motion of Representative DIAMOND of Bangor, the following Joint Order: (H.P. 3)

ORDERED, the Senate concurring, that the Speaker of the House is authorized, at his discretion, to permit radio or television, in the Hall of the House of Representatives while the House is in session, or during joint conventions of the Legislature.

Was read and passed and sent up for concurrence.

On motion of Representative DIAMOND of Bangor, the following Order:

ORDERED, that the House Rules of the 113th Legislature shall be as follows:

RULES OF THE HOUSE

DUTIES AND POWERS OF THE SPEAKER

1. It shall be the duty of the Speaker to take the chair at the hour to which the House shall have adjourned, call the members to order, and after the appearance of a quorum, cause the journal of the preceding day to be read;

To announce the business before the House in the order in which it is to be acted upon;

To receive and submit to vote all motions and propositions regularly moved or that necessarily arise in the course of proceedings, and announce the result;

To restrain the members when engaged in debate, within the rules of order, and to enforce on all occasions, the observance of order and decorum among the members;

To decide all questions of order, subject to an appeal to the House;

To receive all messages and other communications and announce them to the House;

To authenticate by his signature bills that have passed to be enacted and resolves finally passed;

To appoint the member who shall take the chair when the House has determined to go into committee of the whole;

To name a member to perform his duties during his absence;

To appoint the members who are to serve on committees; to appoint a Clerk and an Assistant Clerk of the House to fill any vacancy that may occur in said offices while the Legislature is not in session, to serve until the House in session shall elect a Clerk and Assistant Clerk; and to appoint a sergeant-at-arms, an assistant sergeant-at-arms, a document clerk, doorkeepers, a courier, and 5 pages, unless the House of Representatives otherwise directs. Such appointments may be rescinded at any time by the Speaker;

To appoint honorary pages; and

To appoint legal counsel while the Legislature is in session.

2. The Speaker may address the House on points of order, in preference to other members; and may vote in all cases.

DUTIES OF THE CLERK

3. The Clerk shall keep a journal of what is done by the House; read papers when required by the House or Speaker; note the answers of members, when the House orders or when a question is taken by yeas and nays; notify committees of their appointment and of the business referred to them; authenticate by his signature all the orders and proceedings of the House not authenticated by the Speaker; have charge of all the documents and papers of every kind confided to the care of the House; bear all messages and transmit all papers from the House to the Governor or to the Senate, unless the House shall otherwise order; make up the payroll of the members; and in the absence of the Speaker or Speaker pro tempore at the hour for meeting, shall preside until a Speaker pro tempore be chosen; and at the close of the session shall file in an orderly manner all papers and documents in possession of the House, passed upon or received during the session; and at the commencement of the next Legislature shall preside until the election of the Speaker; and record the doings of the House until a new Clerk shall be chosen and qualified; and in the absence of the Clerk, the Assistant Clerk shall be Clerk pro tempore, with power to appoint an assistant.

CHAPLAINS

4. Every morning the House on assembling shall join with the Chaplains in religious service followed by the National Anthem on the first legislative day of each week.

MONITORS

5. One monitor shall be appointed by the Speaker for each division of the House, whose duty shall be to see to the observance of the rules of the House. If any member shall transgress any of the rules of the House, and persist therein, after being notified

thereof by any monitor, it shall be the duty of such monitor to give information thereof to the House.

COMMITTEES

6. The following standing committees shall be appointed at the commencement of the session, whose duty shall be to consider all subjects referred to them and report thereon:

- On Ways and Means,
- On Leave of Absence,
- On Bills in the Second Reading,
- On Engrossed Bills,
- On Elections,

To consist of seven members each;

- On Rules and Business of the House,

To consist of three members and the Speaker ex officio.

7. A member who is absent by leave of the presiding officer and who has notified the presiding officer of his intent to pair his vote may join in voting for or against a measure with another member present at the time of the vote who stands on the opposite side of the question, provided that the absent member has submitted in writing the request for pairing and has received approval in writing by the Speaker. The vote of the absent member and the member with whom he is paired shall not become part of the total number of votes causing passage or rejection of the measure.

RIGHTS AND DUTIES OF MEMBERS

8. The seat which a member draws at the commencement of the session shall be his during the session, unless he shall have leave of the Speaker to change it and no other person shall be permitted to occupy a member's seat at any time during a session of the House.

9. No member shall sit at the desk of the Speaker or Clerk, except by the permission of the Speaker.

10. When two or more members rise at the same time, the Speaker shall name the person to speak; in other instances, the Speaker shall recognize the member who shall rise first and address the chair.

11. No member shall interrupt another while speaking, except to call to order or correct a mistake; or be allowed to stand up to the interruption of another while any member is speaking, or pass unnecessarily between the Speaker of the House and the person speaking; or stand in an alley, or sit or stand covered, during the session of the House.

12. No member shall speak more than twice to the same question, without first asking leave of the House.

When a member of the House of Representatives asks leave to speak a third or more times, any other member objecting to his speaking must stand and be recognized by the Speaker of the House and his objection noted.

13. No member shall speak out of his place without leave from the Chair, nor without first rising and addressing the Speaker; and he shall sit down as soon as he is done speaking.

14. No member shall act as counsel for any party, before a joint committee of the Legislature, or a committee of the House.

15. Every member shall make out and deliver to the Clerk or to the Office of the Executive Director of the Legislative Council a statement of the number of miles usually travelled in going from his residence to the seat of government.

16. Every member who shall neglect to give his attendance to the House for more than six days after the session commences shall, on making his appearance therein, be held to render the reasons for such neglect; and in case the reason assigned shall be

deemed by the House sufficient, such member shall be entitled to receive pay for his travel, and not otherwise; and no member shall be absent more than two days without leave of the House; and no member shall have such leave, unless it be reported by the Committee on Leave of Absence; and no leave of absence shall avail any member who retains his seat more than five days from the time the same was obtained.

17. Any member having obtained leave of absence, and having in his possession any papers relating to the business before the House, shall leave the same with the Clerk.

18. When any member shall be guilty of a breach of any of the rules and orders of the House and the House has determined that he has so transgressed, he shall not be allowed to vote or speak, unless by way of excuse for the same, until he has made satisfaction.

19. Every member who shall be in the House when a question is put where he is not excluded by interest shall give his vote, unless the presiding officer for reasons shall excuse him, and when yeas and nays are ordered, no member shall leave his seat until the vote is declared; in all elections by the House, or on joint ballot of the two Houses, no member shall leave his seat, after voting, before a return of the House is had.

20. When the galleries shall be ordered to be cleared or shut, the matter which may occasion such order shall be kept secret by each member, until the House shall order such injunction of secrecy to be taken off.

21. No person not a member or officer of the House, except members of the Senate, its secretary and assistant, the Governor, heads of State departments and bureaus, Justices of the Supreme Judicial Court, Chaplains of the Senate and reporters of the proceedings and debates of the House, shall be admitted within the Representatives' hall, unless invited by some member of the House. While the House is in session, only members and officers of the House and officers of the Senate on official business shall be admitted inside the rail, except members of the press, who shall occupy places at the press table, and except guests of the Speaker.

PROCEEDINGS AND DEBATES

22. After reading of the journal, the following shall be the order of business:

- 1st. Senate papers, and first reading of accompanying bills and resolves.
- 2nd. Messages and documents from the executive and heads of departments.
- 3rd. Reception of petitions, bills and resolves requiring reference to any committee.
- 4th. Orders.
- 5th. Expressions of legislative sentiment- Special sentiment calendar.
- 6th. Reports of committees and first reading of accompanying bills and resolves.
- 7th. Consent calendar - First Day.
- 8th. Consent calendar - Second Day.
- 9th. Bills and resolves reported by Committee on Bills in the Second Reading, and on their passage to be engrossed.
- 10th. Bills on their passage to be enacted.
- 11th. Orders of the day.

The Speaker shall announce each item of business in its turn, and no paper shall be taken up out of its regular order, except by the unanimous consent of the House. No business shall be transacted in the House after the hour of 9:00 p.m. The orders of the day shall take precedence of all other business at the expiration of the morning hour.

23. It shall be the duty of the Clerk to make up daily a calendar of bills, resolves and other papers, assigned for that day's consideration, and also a calendar of bills and resolves which have had their first reading, and showing the disposition that has been made of each.

24. The unfinished business in which the House was engaged at the time of the last adjournment, shall have preference in the orders of the day and shall continue to be among the orders of the day for each succeeding day until disposed of and no motion or other business shall be received, without special leave of the House, until the former is disposed of.

25. When a question is under debate no motion shall be received but-

- 1st. To adjourn.
- 2nd. To lay on the table.
- 3rd. For the previous question.
- 4th. To commit.
- 5th. To postpone to a day certain.
- 6th. To amend.
- 7th. To postpone indefinitely.

which several motions shall have precedence in the order in which they are arranged.

Questions of concurrence or otherwise with the Senate shall have precedence of each other in the following order:

- 1st. To recede.
- 2nd. To concur.
- 3rd. To insist.
- 4th. To adhere.

26. A motion to adjourn shall always be first in order, and shall be decided without debate.

27. A vote to lay a proposition on the table shall not preclude the further consideration of it on the same day.

27-A. Debate must always have relation to some definite question which is under consideration and it shall be the duty of the Speaker to decide whether or not such debate is relevant.

28. When motion for the previous question is made, the consent of one-third of the members present shall be necessary to authorize the Speaker to entertain it. No debate shall be allowed until the matter of consent is determined. The previous question shall be submitted in the following words: Shall the main question be put now? No member shall speak more than five minutes on the motion for the previous question, and while that question is pending a motion to lay on the table shall be decided without debate. A call for the yeas and nays, or for division of a question, shall be in order after the main question has been ordered to be put. After the adoption of the previous question, the vote shall be taken forthwith upon amendments, and then upon the main question.

29. In filling blanks and assigning times for the consideration of business, the longest time shall be put first.

30. When a proposition consists of several paragraphs or sections, amendment of one of them shall not preclude amendment of a prior paragraph or section.

31. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

32. No amendment to a bill or resolve shall be acted upon by the House until the same has been printed or reproduced and distributed to the members under the direction of the Clerk, unless the same shall bear the recommendation of the Committee on Rules and Business of the House that such printing or reproduction be dispensed with; and any amendment not so printed or reproduced or bearing such

recommendation, shall lie on the table until printed or reproduced or until said Committee has recommended that such printing or reproduction be dispensed with. All amendments presented or filed with the Clerk for printing or reproduction shall bear the signature of the member presenting or filing the same.

33. After a motion or order is stated or read by the Speaker, it shall be regarded as in the possession of the House, and shall be disposed of by the vote of the House. But any motion or order may be withdrawn by the mover at any time before a decision or amendment, except a motion to reconsider, which shall not be withdrawn except by consent of the House.

34. When a vote having been declared by the Speaker is doubted, the members for and against the question, when called on by the Speaker, shall vote again without further debate. But a call for the yeas and nays shall be in order at any time before such a vote is made certain and declared.

35. When a motion has once been made and carried in the affirmative or negative, it shall not be in order for any member who voted in the minority to move a reconsideration thereof; but any member who voted with the majority, or in the negative on a tie vote, may move to reconsider on the same or succeeding day. A motion to reconsider shall not be postponed or laid on the table without a certain time assigned for its further consideration. When a motion for reconsideration has been decided the vote shall not be reconsidered. A motion to reconsider shall not be in order more than once on the same question.

36. When a member shall move or give notice of his intention to move, a reconsideration of any vote, the papers to which the motion relates shall remain in possession of the Clerk until the question of reconsideration shall have been decided, or the right to move such a question is lost.

37. In all elections by ballot, of the House, a time shall be assigned for such election, at least one day previous thereto.

38. When the reading of a paper is called for which has been before read to the House, and the same is objected to by any member, the question of reading shall be determined by a vote of the House.

39. Every question of order which shall be decided on appeal shall be entered on the journal of the House with the decision thereon.

40. A proposition to require the opinion of the justices of the Supreme Judicial Court, as provided by the Constitution, shall not be acted upon until the next day after such proposition is made.

41. All petitions, memorials and other papers addressed to the House, and all bills and resolves to be introduced in the House, shall bear the signature of the member or member-elect presenting them and a brief descriptive title and shall be deposited by the member presenting them in a box placed for that purpose in front of the Clerk's desk, unless otherwise provided under the rules. All such petitions, memorials, papers, bills and resolves, which are deposited in said box before one o'clock in the afternoon of each day shall be removed therefrom by the Clerk, and shall be introduced and received in the House on the following day, at which time they shall be presented to the House by the Speaker or such other person as the Speaker may request, and referred to the proper committees, unless the House shall otherwise order.

42. All bills in their Second Reading, and resolves in their Second Reading, shall be committed to the standing Committee on Bills in the Second Reading, to be by them examined and corrected. The

Revisor of Statutes shall be the clerk of the Committee on Bills in the Second Reading.

43. All resolves appropriating money or land shall have their Second Reading on such day subsequent to that of their First Reading as the House may assign.

44. All engrossed bills and resolves shall be committed to the standing Committee on Engrossed Bills to be strictly examined; and if found by them to be truly and strictly engrossed, they shall so report to the House, and the question shall be taken without any further reading, unless on motion of any member, a majority of the House shall be in favor of reading the same as engrossed.

45. Every bill or resolve, providing for the grant of money, land, or other public property, which may be laid on the table by leave, and any report of a grant shall be accompanied by a written statement of facts in each case; and no such bill or resolve shall be considered before such statement is made, or pass without being read on two several days.

46. No new bill or resolve of a public nature shall be received, except it be reported by a committee, unless the House otherwise order, and all bills and resolves not reported by a committee, shall be laid upon the table for one day, before further action thereon.

47. No act or resolve shall be passed affecting the rights of individuals or corporations, without previous notice to such individuals or corporations.

48. No bill shall pass to be engrossed until it shall have had two several readings; the time for the second reading shall be assigned by the House. Every resolve which shall require the approval of the Governor shall have two several readings.

49. Any bill or resolve which bears a unanimous Ought to Pass or Ought to Pass as Amended report by the committee to which it has been referred, upon notification to the House, shall, without further action, be placed by the Clerk upon the special consent calendar and remain there for two legislative days; it shall, at the termination of the said two days, be considered as passed to be engrossed. Upon objection of any member to the placement or retention of any bill or resolve on the consent calendar, such bill or resolve shall cease to be a consent calendar bill. If a bill or resolve is taken from the special consent calendar, the first order of business with respect to it shall be whether to accept the committee report. No bill or resolve shall be placed on the consent calendar that involves a gain or loss of revenue.

50. No engrossed bill or resolve shall be sent to the Senate, without notice thereof being given to the House by the Speaker.

51. When a bill or resolve shall be returned by the Governor with his objections, the question shall be stated by the Chair: Shall this bill become a law notwithstanding the objections of the Governor? and the same in substance in case of a resolve; which question may be postponed to a day within the session, not exceeding one week, or may be committed. But no other question shall apply to bills and resolves originating in either branch.

52. The rules of parliamentary practice comprised in Reed's Rules, or any other standard authority, shall govern the House in all cases in which they are applicable, and in which they are not inconsistent with the standing rules and orders of the House, and the joint rules of the Senate and House of Representatives.

53. No rule or order of the House shall be dispensed with unless two-thirds of the members present shall consent thereto.

54. No rule or order of the House shall be altered or repealed, nor shall any new standing rule or order be adopted, unless one day's previous notice thereof be given in each case; and such notice shall be entered on the journal.

55. The member of the Penobscot Indian Tribe and the member of the Passamaquoddy Indian Tribe elected to represent their tribes at the biennial session of the Legislature shall be granted seats on the floor of the House of Representatives; be granted, by consent of the Speaker, the privilege of speaking on pending legislation; and be granted such other rights and privileges as may from time to time be voted by the House of Representatives.

56. Any expression of legislative sentiment shall be placed, by the clerk, upon a special consent calendar and remain there for one legislative day; at the end of the legislative day it shall be considered as having been passed. Upon objection of any member to the placement or retention of such an expression on said consent calendar, it shall be removed and the question before the House shall be passage.

57. Partisan staff shall be appointed by the majority and minority leaders with staffing patterns as determined by House leadership.

Was read and passed.

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

SENATE PAPER

The following Joint Order: (S.P. 1)
JOINT RULES - 113th LEGISLATURE
GENERAL PROVISIONS

1. Printing. Whenever a document shall be printed under the Joint Rules governing the procedure following a favorable committee report, a sufficient number of copies shall be delivered to the Sergeant-at-Arms of each house for the members and officers thereof and the balance shall be delivered to the Document Clerk, who shall reserve sufficient copies for the departments and binding, twenty copies for the committee having the same under consideration, and shall be responsible for the equitable distribution of the remainder.

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

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

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

4. Rejection of Bills. No bill or resolve, constitutional resolution, resolution, memorial or order that is finally rejected shall be recalled from the legislative files except by joint order approved by a vote of two-thirds of both houses.

4A. Notwithstanding Senate Rule 23 and House Rule 48, the President of the Senate or the Speaker of the House may order any bill or resolve to be engrossed upon its introduction to either the Senate or the

House. Any bill or resolve engrossed pursuant to this rule shall be committed to the Committee on Engrossed Bills whose duties shall be to examine the same and to see that the same have been truly engrossed. Before any bill shall pass to be enacted, or any resolve finally passed, it shall be reported by that committee to be truly and strictly engrossed, and the title thereof read by the President or the Speaker.

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

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

Where one House has passed upon a legislative paper and forwarded it to the other, the receiving House shall promptly, upon receipt, place that paper on its calendar.

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

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

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

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

11. Employees. The salaries of all officers and employees of the Senate and House of Representatives shall be established by the President of the Senate, the Speaker of the House and the Majority Floor Leaders of both the House and Senate. The Secretary of the Senate is authorized and directed to certify vouchers of the officers and employees of the Senate and the Clerk of the House is authorized and directed to certify vouchers of the officers and employees of the House in conformance with this Rule to the Executive Director of the Legislative Council and said salaries shall be paid at such intervals as the President of the Senate, the Speaker of the House and the Majority Floor Leaders of both the House and the Senate may determine.

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

In such event, they shall notify all members of the respective branches, in writing or by the most efficient means necessary, that in their judgment it

is necessary for the Legislature to convene, stating the necessity for such convention and direct the members of the respective branches to assemble at the State House in Augusta at an hour and on a date to be specified by them in said notice. The notice shall bear the signature of the President of the Senate and the Speaker of the House.

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

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

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

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

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

LEGISLATIVE COMMITTEES

13. Joint Standing Committees. There shall be no more than 19 Joint Standing Committees which shall be appointed as follows at the commencement of the first regular session, viz:

- On Aging, Retirement and Veterans
- On Agriculture
- On Appropriations and Financial Affairs
- On Audit and Program Review
- On Banking and Insurance
- On Business Legislation
- On Economic Development
- On Education
- On Energy and Natural Resources
- On Fisheries and Wildlife
- On Human Resources
- On Judiciary
- On Labor
- On Legal Affairs
- On Marine Resources
- On State and Local Government
- On Taxation
- On Transportation
- On Utilities

Membership. Each of these committees shall consist of no more than three on the part of the Senate and no more than 10 on the part of the House. The first named Senate member shall be the Senate

chairman. The first named House member shall be the House chairman. The Senate chairman shall preside and in his absence, the House chairman shall preside and, thereafter, as the need may arise, the chairmanship shall alternate between the members from each House in the order of their appointment to the committee. Standard committee procedure shall be read to the committee at its first meeting and adhered to. These committees may report by bill or otherwise.

Committee clerk. The hiring of all committee clerks is to be mutually agreeable to both the Senate and House chairs; if not agreeable, it shall be decided by the President of the Senate and Speaker of the House. The salaries of each committee clerk shall be established by the President of the Senate and the Speaker of the House and shall terminate when all bills have been reported out by the committee. The Executive Director of the Legislative Council is authorized and directed to certify vouchers of the committee clerks.

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

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

Each Joint Standing Committee, except the Committee on Appropriations and Financial Affairs, shall appoint a subcommittee of three of its members to attend and participate in Appropriations Committee budget hearings and to attend and advise at working sessions dealing with that portion of the budget within their committee's area of interest. One member of the subcommittee shall be appointed by the Senate Chairman and the remaining 2 members shall be appointed by the House Chairman. This subcommittee may advise the Committee on Appropriations and Financial Affairs of their respective committee's recommendations on these portions of the budget.

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

A joint standing committee to which a bill or resolve has been referred shall, within 3 legislative days after receiving notice from the President of the Senate and the Speaker of the House, report that bill out of Committee to the floor for consideration.

13-A. Joint select committee. There shall be a Joint Select Committee on Indian Affairs to review all legislation relating to Indians and Indian land claims after its submission to a joint standing committee but before a public hearing is held on that legislation. The committee shall consist of the representatives from House Districts 131, 137, 139 and 141, the Senators from Senate Districts 3, 6 and 7, the member of the Penobscot Indian Tribe and the member of the Passamaquoddy Indian Tribe elected to represent the tribes at the Legislature and the executive secretary of the Tribal State Commission. The President of the Senate and the Speaker of the House of Representatives shall serve as ex officio members of the committee. The Joint Select Committee on Indian Affairs may make recommendations to the joint standing committee to which the legislation is referred.

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

When the Legislature is in recess the Clerk of the House and Secretary of the Senate shall refer the bills to the appropriate joint standing committee for public hearing and order printing, subject to the approval of the Speaker of the House and the President of the Senate.

Each suggested reference appearing upon the calendar of each House shall contain a recommendation for the printing of the document being referred and may contain a recommendation on the number of copies of that document to be printed.

Any member may move for reconsideration of a committee reference on the floor. Notwithstanding House Rule 53, Senate Rule 33 and Joint Rule 9, a majority vote shall be necessary to overturn the original committee of reference.

15. Reports of Bills from Committee.

1. The Joint Standing Committees shall report out every bill which has been referred to them before the end of the session in the manner prescribed herein.

2. The report of the committee shall include a recommendation of one of the following: Ought to Pass, Ought to Pass in New Draft, Ought to Pass as Amended, Ought Not to Pass, Unanimous Ought Not to Pass, Leave to Withdraw, Unanimous Leave to Withdraw.

3. An Ought to Pass. An Ought to Pass report may be carried by a plurality of the Joint Standing Committee. When the vote is not unanimous, a minority report or reports are required.

4. Ought to Pass in New Draft. When a plurality of a Joint Standing Committee moves to report a bill out with changes, the bill shall be reported out Ought to Pass in New Draft. When the vote is not unanimous, a minority report is required.

5. Ought to Pass as Amended. When the changes voted by the committee are minor and not substantive the Revisor of Statutes, with the approval of the President of the Senate and the Speaker of the House, may prepare a committee amendment to the original bill and the committee report shall be Ought to Pass as Amended.

6. Ought Not to Pass Report. An Ought Not to Pass Report may be carried by a plurality of the Joint Standing Committee. A minority report or reports is required.

7. Unanimous Ought Not to Pass Report. When all 13 members of a Joint Standing Committee vote to report a bill, Ought Not to Pass, the bill shall, upon notification of both Houses, be placed in the legislative file and disposed of as provided in subsection 10 as prescribed herein.

8. Leave to Withdraw. When the sponsor and all cosponsors request that the committee report a bill "Leave to Withdraw" and a majority of 7 or

more of the committee concur with the request the Committee report shall be Leave to Withdraw, a minority report or reports shall be filed.

9. Unanimous Leave to Withdraw. When the sponsor and all cosponsors request that the committee report a bill "Leave to Withdraw" and all 13 members of the Committee concur, the bill shall be reported "Unanimous Leave to Withdraw" and the bill shall be placed in the legislative file and disposed of as provided in subsection 10 as prescribed herein.

10. Two-thirds Required. When a bill or resolve is placed in the legislative file pursuant to subsections 7 or 9, no further action shall be taken following such disposition unless the bill or resolve is recalled for reconsideration by a vote of two-thirds of both Houses.

11. Minority Reports. Accepted minority reports are: Ought to Pass, Ought to Pass in New Draft, Ought to Pass as Amended or Ought Not to Pass.

12. New Drafts. New drafts printed pursuant to these rules shall include the legislative document number that the new bill replaces with the names of the original sponsor and cosponsors. The Secretary of the Senate and Clerk of the House shall determine the number of copies which shall be printed of each new draft.

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

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

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

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

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

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

Any legislation filed pursuant to law or resolve shall, at the time of its introduction, bear the designation of the joint standing committee having jurisdiction over the subject matter of that legislation, and shall be introduced in the House of origin of the law or resolve.

19. Committee Study Order Reports.

1. Final action on committee studies and their reports shall be made prior to the convening date of each session of the Legislature.

2. Committee study order reports shall be submitted to the Legislature within 14 days after the convening or reconvening in January of the session to which the report is required and any legislation accompanying the study order requests shall at the same time be submitted to the Revisor of Statutes.

3. Any committee which finds that it is unable to comply with the foregoing dates shall submit a written request for an extension to the Legislative Council at its regularly scheduled meeting next prior to those dates.

20. Reporting out Errors and Inconsistencies Legislation.

Prior to reporting out any bill entitled "AN ACT to Correct Errors and Inconsistencies in the Laws of Maine," the Joint Standing Committee on Judiciary shall, after giving notice and an opportunity to be heard, hear proposed amendments and determine which amendments shall be included in the bill reported out. No floor amendment shall be entertained in either House unless the amendment is printed and distributed at least 24 hours prior to introduction.

21. Committee Fiscal Impact Statements. Every bill or resolve affecting revenue or appropriations which has a committee recommendation other than "Ought Not to Pass" shall include a fiscal impact statement. This statement shall be incorporated in the bill before it is reported out of committee. The Office of Fiscal and Program Review shall have sole responsibility for preparing those fiscal notes.

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

LEGISLATION

23. Prefiling. Any member-elect may present bills and resolves to the Clerk of the House or Secretary of the Senate for introduction prior to the convening of any first regular session after which they become the property of the Legislature and may not be withdrawn by the sponsor. The Clerk or Secretary shall number and print such measures in advance of convening.

24. Cloture for State Department, Agency or Commission Bills or Resolves.

1. No request for a bill or resolve may be submitted to the Revisor of Statutes on behalf of any state department, agency or commission after the first Wednesday in December. If the Governor has been newly elected in November preceding the convening of the first regular session, any bill or resolve introduced on behalf of a state department, agency or commission shall be submitted within 30 days after the Governor is administered the oath of office.

2. Each bill or resolve submitted for preparation under this rule shall clearly designate, under the title, the department, agency or commission upon whose behalf the bill or resolve is submitted.

3. Any request for a bill or resolve submitted under this rule after the first Wednesday in December in either the first or second regular session shall be considered an after cloture request and shall be transmitted to the Legislative Council by the Revisor of Statutes. The Legislative Council shall consider the facts supporting introduction notwithstanding cloture. If two-thirds of the Legislative Council approve

the request for the bill or resolve, it shall be accepted for introduction. Notice of that action shall appear on the calendar of the appropriate House.

25. Cloture at the First Regular Session.

During any first regular session all other requests for bills and resolves shall be submitted to the Revisor of Statutes not later than 1:00 p.m. of the last Friday in December following the convening of the session in December and such measures in complete final form shall be introduced into the appropriate house not later than 1:00 p.m. of the last Friday in January.

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

26. Cloture at the Second Regular or Special Sessions. The Legislative Council shall establish procedures for submission of legislation to the Revisor of Statutes at any second regular or special session. Procedures established for any second regular session shall ensure compliance with the requirements of the Maine Constitution, Article IV, Part third, section 1.

Any vote of the Legislative Council to accept or reject a bill or resolve proposed for introduction under the procedures established under this Joint Rule shall be taken by the yeas and nays, and that vote shall be recorded and made available for public inspection.

27. Filing after Cloture. Any request for a bill or resolve submitted to the Revisor of Statutes by a Legislator after the cloture date shall be transmitted to the Legislative Council. The Council shall ascertain from the presenter the facts supporting the request notwithstanding cloture. If a majority of the Council approves, notice of that approval shall appear on the calendar of the appropriate House.

28. Cosponsorship. A presenter of legislation may authorize up to three additional members of either House to cosponsor a bill or resolve. Orders, resolutions and memorials may be cosponsored in the same manner as bills and resolves. A bill, resolve, order, resolution or memorial having cosponsors shall originate in the House of the presenter.

29. Requirements for Drafting. All requests for bills and resolves filed with the Revisor of Statutes shall be considered as received for drafting, provided such bills and resolves shall be properly titled and accompanied by sufficient information and data required for their preparation.

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

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

32. Form. All bills and resolves, including initiated bills, shall be corrected as to matters of form and allocation to the Revised Statutes by the Revisor of Statutes before printing.

32-A. Removal of Signed Bills or Resolves. The presenter and any cosponsor of a bill or resolve shall sign the complete and final form of the bill or resolve in the Office of Legislative Research. The presenter and any cosponsor shall not remove that signed bill or resolve from the Office of Legislative

Research. The Revisor of Statutes shall transmit the signed bill or resolve to the Clerk of the House or Secretary of the Senate for introduction.

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

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

The expressions of legislative sentiment shall not be part of the permanent journal or the legislative record but shall appear on the printed calendar or advance journal of each body. The Clerk of the House and Secretary of the Senate shall cause said expressions to appear in an appendix to the legislative record. When the Legislature is not in session the Speaker of the House and the President of the Senate may authorize expressions of legislative sentiment at the request of legislative members.

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

35-A. Actions Relating to the United States Constitution.

Commencing with the second regular session of the 109th Legislature, all memorials, resolutions, applications and petitions which relate to the Legislature's functions under the United States Constitution, Article V, shall be in order for introduction without approval from the Legislative Council. Passage of these items shall be accomplished as follows:

1. Any item requesting the calling of a United States Constitutional Convention shall require a two-thirds vote of the members present in each House;

2. Any item requesting ratification of an amendment to the United States Constitution shall require a majority vote of the members present in each House; and

3. Any item requesting any other action under the United States Constitution, Article V, shall require a majority vote of the members present in each House.

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

36-A. Amendments to "AN ACT to Implement the Maine Indian Claims Settlement." A bill amending "AN ACT to Implement the Maine Indian Claims Settlement," Revised Statutes, Title 30, chapter 601, of which approval by an Indian tribe or Indian nation is required by the United States Code, Title 25, Section 1725 (e), shall contain a section stating that the Legislature has received and accepted a statement of that approval or a section containing a provision that the bill shall not take effect until that approval is received.

A bill amending the Revised Statutes, Title 30, section 6205, subsection 1, paragraph B or subsection 2, paragraph B, and adding lands to or including lands within Indian territory, shall contain a section stating the recommendation of the Maine Indian Tribal-State Commission.

37. Measures Rejected at any First Regular Session. No measure which has been introduced and finally rejected in any first regular session shall be introduced at any second regular or any special

session of the same Legislature except by vote of two-thirds of both Houses.

LEGISLATIVE CONFIRMATIONS

38. Legislative Confirmation of Gubernatorial Appointments.

Upon receipt by the President of the Senate and the Speaker of the House of notification from the Governor of the name of a nominee and of the office to which that person is nominated, the President of the Senate and Speaker of the House shall, without delay, forward that notice to the Chairmen of the Joint Standing Committee which is charged by law with reviewing nominations to that office and to the 2 partisan staff assistants for nominations.

The joint standing committee shall hold a public hearing on the nomination in Augusta at a time convenient to the public, within 20 days from the date of the Governor's notice of the nomination to the President of the Senate and Speaker of the House. The Chairmen of the committee shall cause to be published in the state paper at least 7 days before the hearing a notice of that hearing, which shall contain the time and place of the hearing, the name of the nominee, the office to which that person has been nominated and a general description of the duties of that office.

At the hearing, the committee shall take written or oral testimony which shall be limited to relevant comments and questions regarding the qualifications of the nominee. All testimony taken at the hearing shall be transcribed by mechanical means, and shall be preserved, together with any other relevant data provided the committee at the public hearing, by the committee for at least 6 months after the date of the public hearing. The 2 partisan assistants for nominations shall provide the committee with a written report of their investigations before the committee votes to recommend or deny confirmation.

Within 20 days from the date of the Governor's notice of the nomination to the President of the Senate and Speaker of the House, the committee shall recommend confirmation or denial by majority vote of the committee members present and voting. The vote of the committee shall be taken only upon an affirmative motion to recommend confirmation of the nominee, and a tie vote of the committee shall be considered a recommendation of denial. The committee vote shall be by the yeas and nays. The chairmen of the committee shall send written notices of the committee's recommendation to the President of the Senate. Within 45 days from the date of the Governor's notification of the nomination to the President of the Senate and the Speaker of the House, the Senate shall review the recommendation of the committee on the nomination, and, after review, shall vote by the yeas and nays on that recommendation.

After vote by the Senate, the committee's recommendation shall become final action of confirmation or denial unless the Senate by a vote of 2/3 of those members present and voting overrides the committee's recommendation. If the committee recommends to deny confirmation and the Senate votes, by a vote of 2/3 or greater of those members present and voting, to override the committee's recommendation, the nomination shall be deemed confirmed. Following Senate confirmation or denial, notice of the action taken shall be given to the Speaker of the House.

Once the Governor withdraws a nomination at any time prior to the Senate vote, by sending a written notice of withdrawal to the President of the Senate, the Legislature shall take no further action on that nomination.

39. Partisan Staff Assistants for Nominations.

The members of the Legislative Council representing the party with the largest number of members in the Legislature shall, within 7 legislative days after the convening of the first regular session, appoint a partisan staff assistant for nominations. The members of the Legislative Council representing the party with the next largest number of members in the Legislature shall also, within 7 legislative days after the convening of the first regular session, appoint a partisan staff assistant for the nominations. Each of these assistants shall serve at the pleasure of the appointing authority during the biennium for which he is chosen. A vacancy in either of these positions shall be filled for the remainder of the biennium in the same manner as the original appointment. Partisan staff assistants for nominations shall provide all necessary assistance to each Joint Standing Committee required by law to recommend action on a gubernatorial nominee.

Came from the Senate, read and passed.

Was read and passed in concurrence.

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

PASSED TO BE ENGROSSED
WITHOUT REFERENCE TO COMMITTEE

Bill "An Act to Designate the Maine State Housing Authority as the Housing Credit Agency for Low Income Housing Credits" (Emergency) (H.P. 4) (L.D. 4) (Presented by Representative GWADOSKY of Fairfield) (Cosponsors: Senators ANDREWS of Cumberland and DILLENBACK of Cumberland)

(The Committee on Reference of Bills had suggested the Committee on Economic Development)

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

PASSED TO BE ENGROSSED
WITHOUT REFERENCE TO COMMITTEE

Bill "An Act to Provide for Emergency Allocations of a Portion of the State Ceiling on Private Activity Bonds" (Emergency) (H.P. 5) (L.D. 5) (Presented by Representative GWADOSKY of Fairfield) (Cosponsors: Senators ANDREWS of Cumberland, DILLENBACK of Cumberland, and President PRAY of Penobscot)

(The Committee on Reference of Bills had suggested the Committee on Economic Development)

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

PASSED TO BE ENGROSSED
WITHOUT REFERENCE TO COMMITTEE

RESOLVE, Authorizing a Continuation of the Study of the Utilization of Vacant Buildings at Pineland (Emergency) (H.P. 6) (L.D. 6) (Presented by Representative CARROLL of Gray)

(The Committee on Reference of Bills had suggested the Committee on State and Local Government)

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

PASSED TO BE ENGROSSED
WITHOUT REFERENCE TO COMMITTEE

RESOLVE, Authorizing Kennebec County to Pay Deficits from Unappropriated Surplus (Emergency)

(H.P. 8) (L.D. 8) (Presented by Representative PARADIS of Augusta)

(The Committee on Reference of Bills had suggested the Committee on State and Local Government) Under suspension of the rules, without reference to committee, the Resolve was read twice, passed to be engrossed and sent up for concurrence.

PASSED TO BE ENGROSSED
WITHOUT REFERENCE TO COMMITTEE

Bill "An Act Relating to the Legislative Task Force on Railroads" (Emergency) (H.P. 7) (L.D. 7) (Presented by Representative CARTER of Winslow)

(The Committee on Reference of Bills had suggested the Committee on Transportation) Under suspension of the rules, without reference to committee, the Bill was read twice, passed to be engrossed and sent up for concurrence.

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

(Off Record Remarks)

The House was called to order by the Speaker.

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

COMMUNICATIONS

The following Communication:

MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333
STATE COMPENSATION COMMISSION
November 15, 1986

Honorable Charles P. Pray
President, Maine Senate
Honorable John L. Martin
Speaker, House of Representatives
Dear President Pray and Speaker Martin:

Title 3, section 2-A requires, among other things, that the State Compensation Commission submit its final report to the Legislature by November 15th of every even-numbered year. The report is to contain a description of the Commission's activities, along with any recommendations and draft legislation to implement those recommendations. On behalf of the Commission, I am submitting this letter in fulfillment of that requirement.

The Commission's interim report, submitted to the Second Regular Session of the 112th Legislature, included recommendations concerning the compensation of the Governor, the Legislature and the commissioners of the Public Utilities Commission and Workers Compensation Commission. In addition, the report included technical amendments to the Maine Judicial Retirement System and the State Compensation Commission's statute. The Commission's recommendations were enacted last spring as Public Law, Chapter 693.

Over the past three years, the 111th and 112th Legislatures have addressed a variety of compensation issues based on the recommendations of the Commission. In addition to those issues delineated above, this included undertaking a comprehensive review of compensation levels and policies for both non-partisan and leadership staff. We have reviewed our work to date and the legislative actions and

concluded that no further recommendations are needed at this time.

We would like to take this opportunity to commend these significant legislative accomplishments and to express our appreciation for having the opportunity to serve as members of the Commission.

Finally, we would encourage the presiding officers to appoint the next Commission as soon as possible after the 113th Legislature convenes. Please do not hesitate to contact me if you have any questions or require additional information.

Sincerely,
S/Stephen Crockett
Chairman, State
Compensation Commission

Was read and ordered placed on file.

On motion of Representative RIDLEY Of Shapleigh, Recessed until 1:20 o'clock in the afternoon.

(After Recess)

The House was called to order by the Speaker.

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

PASSED TO BE ENGROSSED
WITHOUT REFERENCE TO COMMITTEE

SENATE PAPER

Bill "An Act to Protect Undersea Cables" (Emergency) (S.P. 15) (L.D. 3)

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

(The Committee on Reference of Bills had suggested reference to the Committee on Marine Resources.)

Under suspension of the rules, without reference to a Committee, the bill was read twice and passed to be engrossed in concurrence.

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

SENATE PAPER

Bill "An Act Establishing an Immunity from Civil Liability for Certain Shelters for the Homeless" (Emergency) (S.P. 3) (L.D. 2)

Came from the Senate, referred to the Committee on Judiciary and Ordered Printed.

Was referred to the Committee on Judiciary in concurrence.

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

SENATE PAPERS

The following Joint Order: (S.P. 2)
ORDERED, the House concurring, that two hundred seventy-five copies of the Legislative Record for the 113th Legislature be printed, one copy for each of the members of the Senate, the House of Representatives, the Secretary of the Senate and Clerk of the House, and the remainder to be deposited with the State Law Librarian for exchange and library use; and be it further
ORDERED, that suitable index be prepared for such Legislative Record, under the direction of the Revisor of Statutes.

Came from the Senate, read and passed.

Was read and passed in concurrence.

The following Joint Order: (S.P. 4)
ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House, respectfully, purchase such services, supplies and equipment as may be needed to carry on the business of the Senate and the House, respectfully.

Came from the Senate, read and passed.
Was read and passed in concurrence.

The following Joint Order: (S.P. 5)
ORDERED, the House concurring, that there be prepared, after adjournment of the present session, by the Legislative Information Coordinator, a Register of all the Bills and Resolves considered by both branches of the Legislature, showing the history and final disposition of each Bill and Resolve and that there be printed 400 copies of the same. The Legislative Information Coordinator shall mail a copy of the Register to each member and officer of the Legislature and the State Law and Legislative Reference Library shall receive such number of copies as may be required.

Came from the Senate, read and passed.
Was read and passed in concurrence.

The following Joint Order: (S.P. 6)
ORDERED, the House concurring, that the Secretary of the Senate and Clerk of the House jointly prepare the Senate and House Register and that 40,000 copies be printed for the use of the Legislature.

Came from the Senate, read and passed.
Was read and passed in concurrence.

The following Joint Order: (S.P. 7)
ORDERED, the House concurring, that any Town or City Clerk or Board of County Commissioners may, upon written request to the Clerk of the House, receive without charge, copies of all printed bills, so that there may be available to the public during the legislative session a complete and convenient file of all printed bills, and be it further

ORDERED, that any tax supported public library may upon written request to the Clerk of the House receive without charge copies of all printed bills, so that there may be available to the public during the legislative session a complete and convenient file of all printed bills.

Came from the Senate, read and passed.
Was read and passed in concurrence.

The following Joint Order: (S.P. 8)
ORDERED, the House concurring, that the rooms in the State House and State Office Building used by the One Hundred and Twelfth Legislature as hearing rooms be reserved for hearing rooms for the One Hundred and Thirteenth and succeeding Legislatures and be released for other purposes only upon approval by the President of the Senate and Speaker of the House

Came from the Senate, read and passed.
Was read and passed in concurrence.

The following Joint Order: (S.P. 9)
ORDERED, the House concurring, that all printing and binding authorized by the Legislature shall be under the direction of the Secretary of the Senate and Clerk of the House.

Came from the Senate, read and passed.
Was read and passed in concurrence.

The following Joint Order: (S.P. 10)
ORDERED, the House concurring, that the Secretary of the Senate and Clerk of the House be authorized to furnish 100-22¢ stamps for each member of the House and Senate for the purpose of distributing various reports of the Departments of State and other public documents such as they may desire to mail to the citizens of the State.

Came from the Senate, read and passed.
Was read and passed in concurrence.

The following Joint Order: (S.P. 11)
ORDERED, the House concurring, that telephone service may be provided for each member of the Senate and House, and each Representative from the Indian Tribes at the Legislature for a reasonable number of calls, of reasonable duration, as determined by the President of the Senate as to members of the Senate and the Speaker of the House as to members of the House and the Representatives from the Indian Tribes, to points within the limits of the State of Maine. The privilege granted to be a personal privilege not to be exercised by other than the members or representatives, that each member of the Senate and House, and each Representative from the Indian Tribes at the Legislature, may be provided with a credit card under the direction of the Secretary of the Senate and Clerk of the House, respectively, the cost of this service to be paid to the New England Telephone Company at regular tariff rates; and be it further

ORDERED, that the President of the Senate or Speaker of the House may, upon a finding of abuse of the privilege of telephone service by a member of the Senate or a member of the House, respectively, temporarily suspend or terminate the privilege of said telephone service to that member.

Came from the Senate, read and passed.
Was read and passed in concurrence.

The following Joint Order: (S.P. 12)
ORDERED, the House concurring, that the Executive Director of the Legislative Council be authorized and directed to prepare weekly, from expense accounts to be submitted to her by the members of the Senate and House, expense rosters showing the entitlement of each member for meals allowance and lodging reimbursement and to obtain approval thereof by the President of the Senate and the Speaker of the House, respectively, and deliver the same to the State Controller for processing and payment, in the manner and form recommended by the Joint Interim Committee of the 101st Legislature created to study and report on a method of implementing the administration of the provision of law relating to the mileage and expenses for members of the Legislature; and be it further

ORDERED, that the Executive Director of the Legislative Council be authorized and directed to provide the forms necessary for such purpose and provide suitable space in her office for the filing and safekeeping of all such expense accounts and other papers and records pertaining thereto.

Came from the Senate, read and passed.
Was read and passed in concurrence.

The following Joint Order: (S.P. 13)

ORDERED, the House concurring, that there be paid to the members of the Senate and the House as advances on account of compensation established by statute, the amount of Seven Hundred and Fifty dollars (\$750) bi-weekly, the first payment to be made on December 17, 1986 according to lists certified to the State Controller by the President of the Senate and Speaker of the House, respectively.

Came from the Senate, read and passed.
Was read and passed in concurrence.

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

In Convention

The President of the Senate, The Honorable Charles Pray, in the Chair.

The Convention was called to order by the Chairman.

The CHAIRMAN: Nominations are now in order for the office of Secretary of State of the State of Maine.

The Chair recognizes the Representative from Bangor, Representative DIAMOND:

Representative DIAMOND: Mr. Chairman, it is my great pleasure and honor to stand here and nominate one of the most distinguished, most experienced and most colorful state executive's ever to have served the State of Maine in any capacity - I nominate Rodney S. Quinn of Gorham for the Office of Secretary of State for the political years 1987-1988.

Whereupon, Representative GWADOSKY of Fairfield seconded the nomination.

The CHAIRMAN: The Chair recognizes the Senator from Sagadahoc, Senator CAHILL.

Senator CAHILL: Mr. Chairman, Mr. Speaker, Ladies and Gentlemen of the Joint Convention: It is an honor and a pleasure today to offer the following name in nomination for Secretary of State of this great state. This candidate is, indeed, a fresh, new approach to this important office as we begin a new era in Maine government. Before I offer this name, and because the candidate I am about to nominate might not be quite as well known as the previous nominee, I would like to tell you some things about this individual.

He is an honor graduate of Harvard College, where he majored in government. He has served as Special Assistant to Senator William Cohen. He has served as Press Secretary to the 1984 Reagan-Bush campaign and was elected Secretary to the Maine Republican Party in 1984 and resigned that position to fill the vacancy as Executive Director of the Maine Republican Party. He was contributing editor for the Portland Monthly Magazine and assistant to the Vice-President of a real estate development firm in Portland. This individual is a rising star in Maine politics and with perhaps the changing role of the Office of Secretary of State will bring with him an enthusiasm, ability and the dignity deserving of this important office.

Ladies and gentlemen, I nominate Richard A. Bennett of Yarmouth to the position of Secretary of State of the State of Maine.

Whereupon, Representative FOSS of Yarmouth seconded the nomination.

Senator DUTREMBLE of York moved that nominations cease.

On motion of Senator CLARK of Cumberland, the following members were appointed a committee to receive, sort and count votes for the Office of Secretary of State for the political years 1987-1988:

On the part of the Senate:

Senators: DUTREMBLE Of York
PEARSON Of Penobscot
CAHILL Of Sagadahoc

On the part of the House of Representatives:

Representatives: DIAMOND of Bangor
GWADOSKY of Fairfield
BROWN of Gorham
FOSS of Yarmouth

Having attended to the duties assigned it, the Committee reported as follows:

Total number of votes cast	181
Necessary for choice	91
Rodney S. Quinn	108
Richard A. Bennett	73

Whereupon, Rodney S. Quinn, having received a majority of all the votes cast, was declared elected Secretary of State for the political years 1987-1988.

The CHAIRMAN: Nominations are now in order for the Office of Attorney General for the State of Maine. The Chair recognizes Representative DIAMOND of Bangor.

Representative DIAMOND: Mr. Chairman, it is a great pleasure to place in nomination the name of an outstanding public servant, the name of James E. Tierney of Lisbon Falls for a fourth term as Maine's Attorney General.

Whereupon, Representative GWADOSKY of Fairfield seconded the nomination.

The CHAIRMAN: The Chair recognizes the Representative from Bangor, Representative Lebowitz.

Representative LEBOWITZ: Mr. Chairman, Mr. Speaker, Members of the Joint Convention: I have the pleasure of nominating for the Constitutional Office of Attorney General of the State of Maine, a former member of this body, Swift Tarbell.

I have known Swift for many years - as a friend, a neighbor and professionally while I served in the Federal Court in Bangor. He graduated from Cornell Law School in 1975 and set up his own general law practice in Bangor.

In 1976, he won election to the Maine House of Representatives by an overwhelming vote and served three terms, one on the Judiciary Committee and two terms as Assistant Minority Leader. During his six years in the House, he earned a reputation of working well with all members as a consensus and coalition builder for major issues affecting the entire House. He was always willing to help individual members in obtaining passage of bills and amendments. After serving three terms, Swift left legislative service to return to private practice with a prominent law firm in Portland, giving him the opportunity to identify with the very problems and issues of the state as a whole.

Last year, he had the opportunity to re-enter public service as Deputy Associate Solicitor for the Department of Labor in Washington and was admitted to practice for the U.S. Supreme Court in addition to his previous admission to the Maine Bar.

In 1985, Swift married Kathy Littlefield of Old Town.

The chief law enforcement officer for the people of Maine must possess intelligence as well as practicality, the ability to work harmoniously with the courts, colleagues of the bar and members of the Legislature and at all departmental levels as well as with the Executive Branch. The Attorney General must be a coordinator with the ability to deal with federal, state, county and local levels of law enforcement on a variety of issues of tremendous importance for the welfare of our state. The

Attorney General's Office is the largest law firm in this state and Swift Tarbell will provide the leadership and expertise required of that body to serve this great State of Maine. I urge your support for Swift.

The CHAIRMAN: The Chair recognizes the Representative from Waldo, Representative WHITCOMB.

Representative WHITCOMB: Mr. Chairman, Fellow Members of the Maine Legislature: It is my pleasure to second the nomination of the Honorable Swift Tarbell as Maine's next Attorney General.

Swift provides an opportunity for Maine government to fulfill our promise to the Maine people for a new beginning. Swift would ensure that the Attorney General's Office is managed by the impartial and objective rule of the law. Swift would take to the Attorney General's Office a unique state and federal experience in both law and government.

Swift's background as an attorney and as a legislator would make him an Attorney General to serve the interests of all regions of Maine and an effective legal advocate for all people of Maine.

We are all in this hall committed to providing the best for Maine people. We are looking into a new era of Maine government as we balance the needs of Maine people with the limitations of Maine's government.

Swift represents our same commitment for helping Maine people. Swift represents the new opportunities and the positive outlook we share as we undertake the challenges of molding Maine's future. I encourage your consideration of Swift Tarbell as Maine's next Attorney General.

Senator PEARSON of Penobscot moved that nominations cease.

On motion of Senator PERKINS of Hancock, the following members were appointed a committee to receive, sort and count votes for the Office of the Attorney General for the political years 1987-1988. On the part of the Senate:

Senators: BRANNIGAN of Cumberland
ESTES of York
SEWALL of Lincoln

On the part of the House of Representatives:
Representatives: LISNIK of Presque Isle
ROLDE of York
HUSSEY of Milo
LEBOWITZ of Bangor

Having attended to the duties assigned it, the Committee reported as follows:

Total number of votes cast:	181
Necessary for choice	91
James E. Tierney	101
Swift Tarbell	80

Whereupon, James E. Tierney, having received a majority of all the votes cast, was declared elected Attorney General of the State of Maine for the political years 1987-1988.

The CHAIRMAN: Nominations are now in order for the Office of Treasurer of the State of Maine.

The Chair recognizes the Senator from Cumberland, Senator Usher.

Senator USHER: Mr. Chairman, I nominate Sam Shapiro of Waterville for the Office of Treasurer of the State of Maine for the political years 1987-1988.

It is my honor and my privilege today to nominate an outstanding candidate for the position of State Treasurer. This candidate has received our support in the past and he deserves it even more today. Our State Treasurer has been a positive force in fiscal responsibility. With his guidance and leadership,

the State of Maine has obtained one of the best bond ratings of any state in the nation.

It is my pleasure and my privilege to nominate Mr. Sam Shapiro for Treasurer of the State of Maine.

The CHAIRMAN: The Chair recognizes the Representative from Waterville, Representative JACQUES.

Representative JACQUES: Mr. Chairman, Members of the 113th Legislature: It is with pride and honor that I stand to second the nomination of Sam Shapiro from Waterville as our candidate for the State Treasurer.

Sam's skill and negotiating ability has, indeed, put the State of Maine in a very, very fine position regarding our bond rating. He has worked tirelessly and with great dedication to save the money of the taxpayers of this state. At a time when a quarter or a half of a cent means thousands of dollars, it is greatly appreciated by my constituents and, I am sure, yours. So, it is with great pleasure that I second the nomination of Sam Shapiro of Waterville.

The CHAIRMAN: The Chair recognizes the Representative from Monmouth, Representative DAVIS.

Representative DAVIS: Mr. Chairman, Fellow Members of the Joint Convention: I wish to nominate a person who retired from state government after 28 years of dedicated service. He last served as our Legislative Finance Officer. During his tenure, he served 16 years in the Office of Budget and 11 years in the Legislative Finance Office.

He also has served as President of the Maine State Employees Credit Union. Currently, he is serving as a councilman in the City of Hallowell. With this broad background in government finance, it gives me a great deal of pleasure to present the name of Ronald Lord as our State Treasurer.

The CHAIRMAN: The Chair recognizes the Representative from Gardiner, Representative DELLERT.

Representative DELLERT: Mr. Chairman, I am proud to second the nomination of Ron Lord. He is a man of integrity and a hard working person. He has the concern of the people of Maine.

Senator WEBSTER of Franklin moved that nominations cease.

On motion of Senator DOW of Kennebec, the following members were appointed a committee to receive, sort and count votes for the Office of Treasurer of the State of Maine for the political years 1987-1988.

On the part of the Senate:
Senators: USHER of Cumberland
BUSTIN of Kennebec
COLLINS of Aroostook

On the part of the House of Representatives:
Representatives: JACQUES of Waterville
JOSEPH of Waterville
LACROIX of Oakland
DAVIS of Monmouth

Having attended to the duties assigned it, the Committee reported as follows:

Total number of votes cast	179
Necessary for choice	90
Samuel Shapiro	101
Ronald Lord	78

Whereupon, Samuel Shapiro of Waterville, having received a majority of all the votes cast, was declared elected State Treasurer of the State of Maine for the political years 1987-1988.

On motion of Senator DUTREMBLE OF York, it was ORDERED, that the Secretary be directed to notify the Honorable Rodney S. Quinn of his election as Secretary of State; the Honorable Samuel D. Shapiro

of his election as State Treasurer and the Honorable James E. Tierney of his election as Attorney General.
Was read and passed.

Subsequently, the Secretary reported that she had notified the officers as directed.

On motion of Senator CLARK of Cumberland, it was ORDERED, that the Secretary be directed to notify the Governor of the election of the Honorable Rodney S. Quinn as Secretary of State; the Honorable Samuel D. Shapiro as Treasurer of State; the Honorable James E. Tierney as Attorney General.

Was read and passed.

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

The CHAIRMAN: The purpose for which this Convention was assembled, having been accomplished, I now declare the same dissolved.

Subsequently, the Senate retired to its Chamber amid the applause of the House, the members rising.

In the House

The House was called to order by the Speaker.

(Off Record Remarks)

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

PASSED TO BE ENACTED

Emergency Measure

An Act to Designate the Maine State Housing Authority as the Housing Credit Agency for Low Income Housing Credits (H.P. 4) (L.D. 4)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 121 voted in favor of the same and 2 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

Emergency Measure

An Act to Provide for Emergency Allocations of a Portion of the State Ceiling on Private Activity Bonds (H.P. 5) (L.D. 5)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 120 voted in favor of the same and 2 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

FINALLY PASSED

Emergency Measure

RESOLVE, Authorizing a Continuation of the Study of the Utilization of Vacant Buildings at Pineland (H.P. 6) (L.D. 6)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 109 voted in favor of the same and 7

against and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

FINALLY PASSED

Emergency Measure

RESOLVE, Authorizing Kennebec County to Pay Deficits from Unappropriated Surplus (H.P. 8) (L.D. 8)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 101 voted in favor of the same and 25 against and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The following item appearing on Supplement No. 13 was taken up out of order by unanimous consent:

PASSED TO BE ENACTED

Emergency Measure

An Act to Protect Undersea Cables (S.P. 15) (L.D. 3)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 115 voted in favor of the same and 1 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The following items appearing on Supplement No. 14 were taken up out of order by unanimous consent:

SENATE PAPER

The following Communication:

The Senate of Maine
Augusta

December 3, 1986

Honorable Edwin H. Pert

Clerk of the House

State House Station 2

Augusta, Maine 04333

Dear Clerk Pert:

Please be advised that President Pray today appointed on the part of the Senate, the following, to the Joint Select Committee on Taxation, pursuant to Joint Order H.P. 10.

Senator Twitchell of Oxford

Senator Dow of Kennebec

Senator Emerson of Penobscot

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

Was read and ordered placed on file.

REPORTS OF COMMITTEES

Ought to Pass

Representative CASHMAN from the Joint Select Committee on Taxation on Bill "An Act Providing Conformity with the United States Internal Revenue Code under the Maine Income Tax Law for 1986" (Emergency) (H.P. 1) (L.D. 1) reporting "Ought to Pass"

Report was read and accepted and the bill read once.

Under suspension of the rules, the bill was read a second time, passed to be engrossed and sent up for concurrence.

The following item appearing on Supplement No. 17 was taken up out of order by unanimous consent:

SENATE PAPER

The following Joint Order: (S.P. 16)
 ORDERED, the House concurring, that a Joint Select Committee on Corrections shall be established. The select committee shall consist of 3 members from the Senate, to be appointed by the President of the Senate, and 10 members from the House of Representatives to be appointed by the Speaker of the House. The select committee shall review all legislation relating to corrections and report its findings and recommendations to the Legislature.

Came from the Senate, read and passed.
 Was read and passed in concurrence.

The following item appearing on Supplement No. 18 was taken up out of order by unanimous consent:

SENATE PAPER

Non-Concurrent Matter

Bill "An Act Relating to the Legislative Task Force on Railroads" (Emergency) (H.P. 7) (L.D. 7) which was passed to be engrossed in the House on December 3, 1986.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-1) in non-concurrence.

On motion of Representative CARTER of Winslow, the House voted to recede and concur.

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

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

ORDERS

On motion of Representative VOSE of Eastport, the following Joint Order: (H.P. 9)

Ordered, the Senate concurring, that prior to the second week of January, during the First Regular Session, the Legislative Council shall assign parking spaces to each member of the legislature based on seniority and chairmanship of a joint standing committee and further assign parking space to certain key staff members as the Legislative Council considers essential for operation of the Legislature. Due to a shortage of 36 spaces ownership and car pooling shall be considered in making assignments. If the Legislative Council cannot implement this order they shall report the reasons to the Legislature.

Was read.

The SPEAKER: The Chair recognizes the Representative from Eastport, Representative Vose.

Representative VOSE: Mr. Speaker, Ladies and Gentlemen of the House: I really think that this is a good Order. I have been asking for this, as you know, for the last three sessions. I am once again asking for this body to vote with me - in this case, against leadership, not all leadership, but some.

I feel that this should have serious consideration for the following reasons. I might add I don't care what parking space you assign me, Mr. Speaker, even if it is down in the lower lot. That would be fine. At least I would have a parking space and when I go to lunch or when I come in, in the morning, I can go directly to that space - it is mine and I know I am going to have one. It is absolute murder coming back from lunch trying to find a parking space especially when you are in a hurry to

get to a legislative hearing. I see no reason why this could not be implemented and I would hope that this body would vote with me to pass this Order.

The SPEAKER: The Chair will order a vote. Those in favor of passage will vote yes; those opposed will vote no.

A vote of the House was taken.

45 having voted in the affirmative and 86 in the negative, the motion did not prevail.

(Off Record Remarks)

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

PASSED TO BE ENACTED

Emergency Measure

An Act Relating to the Legislative Task Force on Railroads (H.P. 7) (L.D. 7) (S. "A" S-1)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 104 voted in favor of the same and 6 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The following item appearing on Supplement No. 15 was taken up out of order by unanimous consent:

PASSED TO BE ENACTED

Emergency Measure

An Act Providing Conformity with the United States Internal Revenue Code under the Maine Income Tax Law for 1986 (H.P. 1) (L.D. 1)

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

The SPEAKER: The Chair recognizes the Representative from Houlton, Representative INGRAHAM.

Representative INGRAHAM: Mr. Speaker, I would like to inquire if there is an amendment on this bill.

The SPEAKER: The Representative from Houlton, Representative Ingraham, has posed a question through the Chair to anyone who may respond if they so desire.

The Chair recognizes the Representative from Old Town, Representative CASHMAN.

Representative CASHMAN: Mr. Speaker, Ladies and Gentlemen of the House: Briefly, no. It has not been amended. It was reported out of committee unanimously as presented and there have been no amendments.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 115 voted in favor of the same and 5 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The following item appearing on Supplement No. 16 was taken up out of order by unanimous consent:

SENATE PAPER

The following Joint Order: (S.P. 14)
 ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Thursday, January 8, 1987, at 11:00 o'clock in the morning, unless called earlier by mutual agreement of the President of the Senate and Speaker of the House.

Came from the Senate, read and passed.

Was read and passed in concurrence.

(Off Record Remarks)

On motion of Representative BROWN of Gorham.
Adjourned until January 8, 1987 at eleven o'clock
in the morning pursuant to Joint Order (S.P. 14) in
memory of Marion Gowan of Standish, a former member
of the House of Representatives.

STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION
JOURNAL OF THE SENATE

In Senate Chamber
Wednesday
December 3, 1986

Pursuant to the Provisions of the Constitution
and the laws of the State of Maine, the
Senators-elect of the One Hundred and Thirteenth
Legislature convene in the Senate Chamber and are
called to order by CHARLES P. PRAY, President of the
Senate of the One Hundred and Twelfth Legislature.

Prayer by Father Jean Paul Labrie of St. Andre's
Catholic Church in Biddeford.

FATHER LABRIE: Let us bow our heads in prayer.
Almighty God, we thank You and praise You for this
day and we ask Your blessings on these men and women
gathered here. Fill them with Your wisdom, Your
courage and Your love. Guide them into deliberations
and decisions, so as to ensure the good of the
citizens of our State. Instill in all the desire to
do good. To establish peace and justice and honestly
reflect the blessings we have received from You. We
make this plea in trust and faith for the glory of
Your Name. Amen.

COMMUNICATIONS

The Following Communication:

STATE OF MAINE

OFFICE OF THE SECRETARY OF STATE

To Joy J. O'Brien, Secretary of the Senate of the One
Hundred and Twelfth Legislature:

In compliance with 3 M.R.S.A., Section 1, I hereby
certify that the following are the names and
residences of the Senators-elect to the One Hundred
and Thirteenth Legislature, as appears by the report
submitted to the Governor under date of November 24,
1986.

District 1	Raynold Theriault, Fort Kent
District 2	Donald F. Collins, Caribou
District 3	Margaret G. Ludwig, Houlton
District 4	Charles M. Webster, Farmington
District 5	Charles P. Pray, Millinocket
District 6	Michael D. Pearson, Old Town
District 7	Edwin C. Randall, East Machias
District 8	Edgar E. Erwin, Rumford
District 9	Jerome A. Emerson, Corinna
District 10	John E. Baldacci, Bangor
District 11	Mary-Ellen Maybury, Brewer
District 12	Thomas R. Perkins, Blue Hill
District 13	Zachary Matthews, Winslow
District 14	Robert R. Gould, Belfast
District 15	R. Donald Twitchell, Norway
District 16	Georgette B. Berube, Lewiston
District 17	Judy C. Kany, Waterville
District 18	Charles G. Dow, West Gardiner
District 19	Beverly Miner Bustin, Augusta
District 20	Charlotte Z. Sewall, Bremen
District 21	Linda Curtis Brawn, Camden
District 22	R. Peter Whitmore, Auburn
District 23	N. Paul Gauvreau, Lewiston
District 24	Pamela Lee Cahill, Woolwich
District 25	Henry W. Black, Baldwin
District 26	Nancy Randall Clark, Freeport
District 27	Robert G. Dillenback, Cumberland
District 28	Ronald E. Usher, Westbrook
District 29	Joseph C. Brannigan, Portland
District 30	Thomas H. Andrews, Portland
District 31	John M. Kerry, Saco
District 32	Barbara A. Gill, South Portland