

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eighth  
Legislature***

OF THE

STATE OF MAINE

**1978**

**Second Regular Session**

January 4, 1978 — April 6, 1978

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**Senate Confirmation Session**

June 14, 1978

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**First Special Session**

September 6, 1978 — September 15, 1978

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December 6, 1978

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APPENDIX

## SENATE

March 7, 1978

Senate called to Order by the President.

Prayer by Mr. Julius Sussman of Augusta.

Mr. SUSSMAN: Two short prayers this morning from opposite ends of the spectrum.

Lord help me be more aware of the blessings of each day, the joy of loved ones near me, the sound of children playing, the beauty of a rose bud, the smile on peoples faces, the glow of amber sunset, and the peace of quiet places. Lord help me be more aware of things that I cannot see, the peace of mind, the courage, the strength You give to me. The guidance and direction and forgiveness from above. Lord help me be more aware of Your abiding love.

A prayer for the Government from a prayer book that I used sixty or seventy years ago in my younger days.

We who have the good fortune to live under the Stars and Stripes, who are the beneficiaries of the most democratic of governments who dwell in a land of all races, creeds and colors, of earth and peace and brotherhood pray the Lord of all creation. Bestow Thy blessings, on this land of refuge and security for all people. Bring to the President, his Cabinet, and the Judiciary of the United States every benediction that free men may possess. May they under God continue to practice the principles of the founding fathers and guide us in the paths of justice and righteousness. We ask God's providence over the heads of our State and all elected personnel and for the people of principles that they serve and represent. May there be peace within Thy walls, contentment within Thy home. God grant the strength and mercy with peace. Amen.

Reading of the Journal of yesterday.

## (Off Record Remarks)

## Orders

An Expression of Legislative Sentiment recognizing that: the Gorham High School Girl's Basketball Team has won the State Class B Basketball Championship for the academic year 1978, (S. P. 728) (Presented by Senator Usher of Cumberland) (Cosponsored by Representative Quinn of Gorham)

Which was Read and Passed.

Sent down for concurrence.

## Joint Resolution

A Joint Resolution In Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of Wilbur G. Clark of Sanford, Optometrist and community leader, (S. P. 729) (Presented by Senator Lovell of York) (Cosponsored by Representatives Paul of Sanford, Nadeau of Sanford, Wood of Sanford)

Which was Read and Adopted.

Sent down for concurrence.

## Second Readers

The Committee on Bills in the Second Reading reported the following:

## House — As Amended

Bill, "An Act to Establish a Uniform Confidentiality Statute for Tax Information and to Update the Maine Income Tax Law with Respect to the Internal Revenue Code." (H. P. 1952) (L. D. 2031)

Which was Read a Second Time.

On motion of Mr. Speer of Kennebec, Tabled for One Legislative day, Pending Passage to be Engrossed.

Bill, "An Act to Amend the Maine Juvenile Code." (Emergency) (H. P. 2142) (L. D. 2163)

Which was Read a Second Time.

On Motion of Mr. Speers of Kennebec, Tabled for Two Legislative Days, pending Passage to be Engrossed.

Bill, "An Act Concerning Filing of Claims for Occupational Deafness under the Workmen's Compensation Statutes." (H. P. 1872) (L. D.

1913)

Bill, "An Act to Readjust Disbursement of the Potato Tax Fund." (H. P. 2067) (L. D. 2128)

Bill, "An Act to Require the Judicial Department to Reimburse Counties Quarterly for the Expenses of Bailiffs and Other Court and Jury Officers." (Emergency) (H. P. 2110) (L. D. 2143)

Which were Read a Second Time and Passed to be Engrossed, as amended, in concurrence.

Bill, "An Act Relating to the State Board of Social Worker Registration." (H. P. 1936) (L. D. 2016)

Which was Read a Second Time.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Pierce.

Mr. PIERCE: Mr. President and Members of the Senate: Yesterday you will recall I presented an Amendment to this Bill to bring it in line with the Administrative Procedures Act, and it now seems that there is a future technical amendment to bring it in line with that Act which is necessary. Therefore, I now move that we reconsider our adoption of Committee Amendment "A".

The PRESIDENT: The Senator from Kennebec, Senator Pierce, now moves that the Senate reconsider its action whereby it adopted Committee Amendment "A". Is it the pleasure of the Senate? It is a vote.

Mr. PIERCE: Mr. President, I now move that we reconsider our adoption of Senate Amendment "A" to Committee Amendment "A".

The PRESIDENT: The Senator from Kennebec, Senator Pierce, now moves that the Senate reconsider its action whereby it adopted Senate Amendment "A" to Committee Amendment "A". Is it the pleasure of the Senate? It is a vote.

Mr. PIERCE: Mr. President, I now move that we Indefinitely Postpone Senate Amendment "A".

The PRESIDENT: The Senator from Kennebec, Senator Pierce, now moves the Senate Indefinitely Postpone Senate Amendment "A" to Committee Amendment "A". Is it the pleasure of the Senate? It is a vote.

Mr. PIERCE: Mr. President, I now present Senate Amendment "B" to Committee Amendment "A" and move its Adoption.

The PRESIDENT: The Senator from Kennebec, Senator Pierce now offers Senate Amendment "B" to Committee Amendment "A" and moves its Adoption.

Senate Amendment "B" (S-520) Read and Adopted.

Committee Amendment "A", as amended, Adopted in non-concurrence. This Bill, as amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

## Senate — As Amended

Bill, "An Act Relating to the Maine State Employees Accident and Sickness or Health Insurance Plan." (S. P. 637) (L. D. 1996)

Which was Read a Second Time and Passed to be Engrossed, as amended.

Sent down for concurrence.

## Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

"An Act to Expand the Elderly Low Cost Drug Program." (H. P. 1912) (L. D. 1973)

On Motion of Mr. Huber of Cumberland, placed on the Special Appropriations Table.

"An Act Amending the Maine Medical and Hospital Malpractice Joint Underwriting Association Act." (S. P. 638) (L. D. 1997)

"An Act Relating to the Classification of Drug Offenses." (S. P. 676) (L. D. 2094)

"An Act Relating to Trafficking and Importing of Marijuana." (H. P. 1999) (L. D. 2080)

Which were Passed to be Enacted and having been signed by the President, were by the Sec-

retary presented to the Governor for his approval.

"An Act to Revise the Administration and Toll System of the Maine Turnpike." (H. P. 2132) (L. D. 2157)

The PRESIDENT: The Chair recognizes the Senator from York, Senator Farley.

Mr. FARLEY: Mr. President and Members of the Senate: In the early 1940's when the Maine Turnpike Authority was created, it stated that when the Bond Issues were paid that it would revert to a toll free road. The presence of the Maine Turnpike prohibited construction of any major new roads in southern Maine. Gasoline taxes from taxpayers in southern Maine were diverted to other locations in Maine. Now the bonds are paid, and I am requesting the Legislature keep its word.

Last summer I had the opportunity to travel in Northern Maine on Interstate 95. A beautiful piece of highway in the middle of Augusta with very, very little traffic. I returned the next morning on Route 2, which is referred to as the Hainsville Road, a popular ballad a few years ago written about the lack of travel and the darkness of that road and I assure you that the gentleman was right. I travelled 40 miles with a former member of this Body before on a Sunday morning at 10:00 o'clock before we made any contact with any travel going south. Three cars going north. It is amazing to me that how the Department of Transportation can in that same stretch of road are now constructing a two lane, four lane divided highway. Two additional lanes are being constructed there. The cost they claim is \$1,000,000. a mile to build roads today, but they claim under 90 — 10 money that it is only costing the state a \$100,000. a mile.

We have the opportunity here this morning to buy roads at about \$40,000. a mile. I would hope that you would use a little economic common sense when we vote on this this morning. Certainly there is a much larger traffic problem in southern Maine than there is on the Hainsville Road. The only comparison that I can use is the story about the man who drops the quarter in the darker section of the street and he goes 200 feet up the road under a lamp-post to look for the quarter.

Opponents claim that the tolls on the Maine Turnpike are necessary to maintain the road. Then why not adopt that same policy on every other major piece of highway in the State of Maine. What we are in fact saying is that the taxpayers in southern Maine should pay for the maintenance of their own road and at the same time pay for the maintenance of the rest of the roads in the State of Maine. If this same philosophy was on every piece of legislation that entered this Hall we would be here year round. But we have not done this.

When Aroostook County had their problems, economic problems at Loring with the Limestone Air Force Base, everyone of us here supported it. When Martin Marieta had problems, we supported them with a nice tax rack. Sobin Chemical, the same way. I request you people to treat us in southern Maine the same way. We have been paying for years. All we have is as was referred to by the Senator from Cumberland, Senator Morrell and Senator Merrill the other day, is Hamburger Alley. Nine miles from Scarborough to Biddeford, you have twelve sets of signal lights, seven changes in speeds. The Senator from Androscoggin, Senator Minkowsky said yesterday, well, we have to go 30 miles from Lewiston to Portland. We have to go through Gray or we have to go the turnpike. He talked about the road. We will start at the same place, let him go 30 miles to Portland from Lewiston and I will go 30 miles south from Scarborough. I assure you he will get there half an hour to 35 minutes faster than I will.

Mr. President, when the vote is taken, I ask for the Yeas and Nays and request Indefinite Postponement of this Bill and all its accompa-

nying papers.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Mr. MINKOWSKY: Mr. President and Members of the Senate: It is not my intention this morning to use buzz words to justify my position. We all have been subjected to a lot of innuendos and rumors about what the Turnpike Bill does. I would like to take just a minute or so to explain the facts regarding the particular measure.

Your Committee on Transportation has spent many long hours in hearings and discussions relevant to this critical matter. Three or four things became very clear to the Transportation Committee, and I am talking about maybe a year and a halves work. 1. There is almost complete agreement that tolls should continue on the Turnpike.

2. It would keep the present system of those in the corridor would be unreasonably discriminated against.

3. If we delay any decision any longer on this vital issue we run the risk of imposing an unnecessary tax burden on Maine citizens by default. And that is exactly what the opponents wish that would happen this morning.

4. On the other hand, we do not have to decide the exact location of the toll barriers only and the toll schedule until the 1980's when the best facts then will be known.

For these reasons, Mr. President and Members of the Senate, the Committee has unanimously reported to you a Bill that makes a policy decision now. And I stress the word, a policy decision now to avoid any tax by default. This decision merely says that we will continue tolls, transfer the administration of the Turnpike to the Department of Transportation, and convert to a limited barrier system when enough dollars become available. The Legislature retains the right to approve the number and location of the barriers and the specific toll schedule, as was offered by Senator Danton in his Amendment.

It is time for this Legislature to do what is right on this Bill. I urge to commit you as Members of the Body to vote with the Committee on Transportation at this time against the Indefinite Postponement of this Measure.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Hichens.

Mr. HICHENS: Mr. President and Members of the Senate: My heart was deeply touched by the plea of the good Senator from York County, in which he describes the poor people of York County, but I do not know just what group he was pleading for. I am the Senator from the first district, and I have not had one person in my district who has written me, called me, or spoken to me on the street and asked me to vote to take the tolls off the Maine Turnpike. Not one person. On the other hand, a week or so ago it was my privilege to accompany one of our gubernatorial candidates to a meeting in Wells. He made the statement in answer to a question about the Turnpikes that he believed that the York County delegation were all in favor of doing away with the tolls. And almost to a person they all rose up on their feet and protested that we take the tolls off the turnpike. I do not believe all of York County people want the tolls taken off, and I believe as I vote this morning for this Bill that I represent my people.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Lovell.

Mr. LOVELL: Mr. President and Members of the Senate: As State Senator from District Three, Ladies and Gentlemen of the Senate, I feel somewhat similar to Senator Hichens from York, but I think that the biggest thing in my mind is that the Maine Turnpike at the present time is taking in \$13,000,000, and it costs \$5,000,000, a year to maintain the Turnpike. Now if we take off tolls, we are going to have to put up \$5,000,000, a year to maintain the Turnpike and

that is going to mean an extra cent in gasoline tax. Not only that, but we are going to lose another \$8,000,000. I want to see the turnpike stay as it is, and the extra \$8,000,000, above the cost of the turnpike not counting the \$5,000,000, for maintenance and the 300 or 400 people that work there who will hold their jobs, I do not even want to see any barriers up, I want to see the turnpike stay as it is. Because we can afford to pay that small fee, that they charge to go from Sanford to Portland or Biddeford to Portland, and in my opinion as one of the Senators from York County, I think that we should keep the turnpike just as it is and I am definitely against indefinite postponement of this Bill.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Danton.

Mr. DANTON: Mr. President and Members of the Senate: I reluctantly rise to speak on this turnpike issue again. But I can not allow my seatmate or my fellow Senator from York County to go at it alone.

One Senator from York County, Senator Hichens, says that he has never heard one person complain about the tolls, that is not too hard for me to believe, because I sometimes think that the good Senator Lovell from York, talks about \$13,000,000, and the Maine Turnpike Authority, and this Bill does away with the Maine Turnpike Authority and then he goes on to say about a one cent increase in the gasoline tax. I do not know, that may be so, but that is looking down the road. Now the good Senator from Androscoggin Senator Minkowsky talks about the many long hours that the Committee worked on this Bill and I can only say to him that all those long hours of work really have not produced anything new from what it produced last year without any work at all.

Now when the Transportation Committee wanted additional money from the Legislative Council to have further hearings on the turnpike proposal, it was I who made the motion at that time for the Committee to come to York County to have a hearing. Either in the Biddeford or the Saco area. Other than that, they would have forgotten about York County completely. Now no one is opposed to tolls and no one is opposed to no tolls, at least I am not, and I am sure that my good seatmate here has been willing to bend and allow for some collection of tolls on that road, but what we have done with this Bill now is we have made it strictly a political issue. Now these tolls will be determined after the Bonds are paid off in 1981 and I can assure you this, not knowing who will be in that corner office, but that is where the decision will be made where the tolls will be placed, instead of the Maine Legislature doing it. I am sure of that. I have been up here a few semesters now and I can put things a little bit better together than I could when I first came up here and I am sure whoever the governor is at that time, will make a determination as to where the tolls will be. Not the Legislature. He will tell his Commissioner where he wants those tolls.

And my good seatmate, Senator Farley, stated earlier that York County Senators and Representatives voted to help Martin Marieta, Sobin Chemical, Bangor International Airport. All his motion says to kill this Bill, leave it as it is and come back at the next session of the Legislature and see what can be done at that time. I am going to support his motion.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Farley.

Mr. FARLEY: Mr. President and Members of the Senate: I do not want to get into any harsh debate on this particular piece of Legislation. I think that you know what my feelings are. But in response to the good Senator from York, Senator Hichens, and the good Senator from York, Senator Lovell, I think that it is commonly known to all of us just a few weeks ago we debated something that was very, very dear to them, that was the sales tax on advertising in York County. The fact that both of

their constituents do not do their major shopping in the greater Portland area like we do in the Biddeford-Saco area, they go to the Newington Mall in New Hampshire, for Senator Hichens it is merely a matter of crossing the bridge. For Senator Lovell, it is a few miles drive over Mount Hope and then about twelve beautiful miles to the Stalling Turnpike. Am I not correct Senator Lovell? So what they are saying, their problem is not the same as ours in the Biddeford-Saco area. Senator Lovell is 11 miles up the road to the nearest entrance to the Maine Turnpike, from the Biddeford entrance, I am sorry. He is about 9 miles from the Wells-Sanford exit. Senator Hichens the traffic problem of the major industry there is the Kittery Navy Yard. I would ask you all to respect all the beautiful ramps and roads so that they do not have any congestion in Portsmouth. You come to Biddeford and Saco at that same time you have Maremount Corporation, you have West Point-Pepperell Inc, Biddeford-Textile Saco Tanny, two or three other shoe shops. A lot of that traffic could be diverted. Maremount Corporation go half a mile up the road, jump on the Maine Turnpike and travel into Biddeford no problem, but it is an insult to ask them to pay fifteen cents to go a mile and a half. The Bill the way it is will solve that problem but it is not going to solve our problem if we decide to go to Portland, because there is not one piece of evidence shown to me by the Department of Transportation Committee that fairs that that barrier is going to be put north of exit 6-A. Every plan I have seen, that barrier is right there at Scarborough. In fact, as I stated the other day, you read this Bill closely. There is nothing in that Bill right now that says that the Commissioner of Transportation if we do not make a decision on the location of the barriers and that seems to be our hang up, that he has to close any of the present toll barriers until he thinks they ought to be closed. It is his decision altogether not the legislature. Once we get hung-up on where the toll booths are and cannot agree, then the Commissioner of the Department of Transportation can put those barriers anywhere he wants to and he can keep its existing toll gates open if he wants to also.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Mr. MINKOWSKY: Mr. President, not to get into further discussion with my very good friend Senator Farley, he is wrong in both his evaluations in so far as this measure is concerned and even Senator Danton's amendment addressed the situation as to the Legislature making its decision relative to what the tolls will be and I gave that full consideration and the entire Committee did and we had no objection when this Bill came in to amend it.

The Commissioner of Transportation is not looking for parliament powers. He is looking to address a very serious problem here in the State of Maine, and this is all relevant to the interest of our rank and file people and also it is relevant to the people who are presently working on the turnpike fifteen or twenty years whose jobs are at stake and this is one major factor as a policy decision that this Committee on Transportation took into consideration. That we would not be jeopardizing their jobs, that they would be given some alternative and this is another reason why we decided to keep tolls on at a reduced rate. Under the proposed schedule and this is only tentative we could run the entire system of the turnpike for about \$1.05 with the barrier system. I just do not understand Mr. President, the animosity that has been displayed this morning relevant to this particular matter. The toll facilities and this is why we are asking for more lead time to address this in 1980 so that the incoming Legislature then can have sufficient facts to make a logical and intelligent decision. And this is what it is all about. Enough time to address every serious problem, and this also will take

some consideration what the federal payback will be if anything at all and this takes an Act of Congress. You do not accomplish this in 8 to 10 months. It takes a long time and that is all we are asking for in this measure as a policy decision this morning that you give us ample time to work this out with Congress so that the State of Maine will not be assessed the maximum \$10,000,000. estimated amount, in this particular proposal. I certainly would hope Mr. President and Members of the Senate that you do vote against the Motion to Indefinitely Postpone this particular matter.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Lovell.

Mr. LOVELL: Mr. President, I would just like to ask one question from the Transportation Committee. How much of the tolls on the Maine Turnpike are paid by out-of-state people, what percentage?

The PRESIDENT: The Senator from York, Senator Lovell, has posed a question through the Chair.

The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Mr. MINKOWSKY: Mr. President, as of last week it was my understanding that Maine users paid 50 percent of the tolls and the out-of-state guests and other users who use the turnpike under the volume discount rate pay the other 50 percent. If the turnpike was to go toll free, the taxpayers of the State of Maine at the present time would pick up a minimum of 83 percent of the cost of that particular operation and that is a low figure.

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Greeley.

Mr. GREELEY: Mr. President and Members of the Senate: I hesitate to rise to speak on any Bill but I guess that my blood is beginning to circulate a little so I thought that I would get up and say a few words.

The Transportation Committee was directed to come out with some kind of a Bill, and it was not too many days ago the way I understood it this was a good Bill. And after the Amendment was accepted by the members of this Senate, as it was offered by the Senator from York, Senator Danton, I thought that it was a better Bill. It is true that we did have a hearing down in the City of Saco and there were not very many people there that I listened to that wanted to keep the tolls on the turnpike.

One of the best presentations, I think, is that of a gentleman from Saco. He made a good presentation. Afterwards I received a letter from this Gentleman, and it said,

"Dear Senator Greeley:

Re: Maine Turnpike

I'm writing in favor of retaining the present toll system on the turnpike as opposed to the proposed changes. Out-of-state cars pay a hefty proportion of the revenue received. This is money that could be spent on widening the pike from Portland to the south. Why should Maine residents foot the whole bill through taxes?

P.S. At your recent meeting at the Saco City Hall, only the politicians demanded a reduction of the turnpike fares. All private citizens advocated leaving the situation as it is."

It seems to me that that speaks for itself.

The PRESIDENT: Is the Senate ready for the question? A Roll Call has been requested. In order for the Chair to order a Roll Call, it must be the expressed desire of one-fifth of those Senators present and voting. Will all those in favor of a Roll Call please rise in their places to be counted.

Obviously more than one-fifth having arisen, a Roll Call is ordered.

The pending question before the Senate is the Motion by the Senator from York, Senator Farley, that L. D. 2157 be Indefinitely Postponed.

A yes vote will be in favor of Indefinite Postponement.

A nay vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

#### ROLL CALL

YEA — Carpenter, Chapman, Conley, Danton, Farley, Levine, Snowe

NAY — Collins, D.; Collins, S.; Cummings, Curtis, Greeley, Hewes, Hichens, Huber, Jackson, Katz, Lovell, Mangan, McNally, Merrill, Minkowsky, Morrell, O'Leary, Pierce, Pray, Redmond, Speers, Trotzky, Usher, Wyman

ABSENT — Martin

7 Senators having voted in the affirmative and 24 Senators in the negative, with 1 Senator being absent, the Motion to Indefinitely Postpone does not prevail.

Which was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

#### Emergency

"An Act to Establish Standards to Protect Maine Consumers Against Unsafe and Improperly Manufactured Cellulose Fiber Insulation." (H. P. 1998) (L. D. 2079)

This being an emergency measure and having received the affirmative votes of 29 Members of the Senate, was Passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

#### Emergency

"An Act Clarifying the Definition of State Employee under the State Employees Labor Relations Act so as to Exclude Certain Attorneys Employed by the Attorney General's Office." (H. P. 1940) (L. D. 2020)

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Pray.

Mr. PRAY: Mr. President and Members of the Senate: I move the Indefinite Postponement of this Bill and all its accompanying papers.

The PRESIDENT: The Senator from Penobscot, Senator Pray, now moves the indefinite postponement of L. D. 2020.

The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President and Members of the Senate: I understand that this Bill was introduced to clarify a particular situation as to whether or not the Assistant Attorney General in the Attorney General's Office were to be included under this State Employees Collective Bargaining Act. I would ask any member of the Labor Committee as to whether this item is in fact needed for clarification purposes, and if not, why not.

The PRESIDENT: The Senator from Kennebec, Senator Speers, has posed a question through the Chair.

The Chair recognizes the Senator from Hancock, Senator McNally.

Mr. McNALLY: Mr. President and Members of the Senate: This is a case where we were hearing on a Bill which was presented to clear up the tax of what was needed to be included among those considered to be able to join a union and this was testified to that the attorneys that were hired by the Attorneys General had a caucus and had decided that they did not want to be represented as being able to join a union or make negotiations of any kind, that their jobs were only sort of temporary, it was just something for them to fill in and give them experience and then they took off for other places and other things more profitable.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Pray.

Mr. PRAY: Mr. President and Members of the Senate: I basically disagree with the two previous speakers and one, I do not believe that the L. D. was put into the legislative process to clarify. The original collective bargaining law that was passed included these people. They knowingly were included so there is no need to clarify. Perhaps to exempt or to remove would be a better terminology to use.

There were two factions that appeared before the Labor Committee. One which did not want to be included and those that wanted to be included. Both sides had agreed that if they were going to be left within the process for the Collective Bargaining Process, they would prefer the alternative which was the Minority Report of the Committee which they form their own separate unit and at that point if they wanted no representation then they could vote so. The Senate turned that one down and the measure that we have before us at this time, and I believe that not all of the members of the Attorney General's office are those who are just here for a short period of time to gain some experience and then to move on. We had some individuals testify before the Committee that want to become public servants and serve in that office in that capacity as long as they are able to. And for those reasons that they wish to be included under the Collective Bargaining Law.

The PRESIDENT: The Chair recognizes the Senator from Hancock, Senator McNally.

Mr. McNALLY: Mr. President, once again I will read to you a letter which was written to the Honorable William Garsoe, Assistant House Minority Leader at the State Capital. And its says, "In response to your request, 14 states have collective bargaining laws for assistant attorney generals. These states include, all of New England, New York, New Jersey, Pennsylvania, Michigan, Indiana, Ohio, Wisconsin, Montana, and Minnesota.

Assistant Attorneys General participate in collective bargaining in only one of these states, Wisconsin, Wisconsin Assistant Attorney General are part of the Civil Service System and are not appointed at the pleasure of the Attorney General."

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President, perhaps the good Senator from Penobscot, Senator Pray, if he were amenable to having the assistant attorneys general appointed for a longer period of time might better address that question. By addressing the system of appointment of assistant attorneys general rather than within the entire question of the collective bargaining law. The assistant attorneys general in the State of Maine are unclassified employees. They are appointed by the Attorney General and if we wanted to change that system to have career attorneys general or career staff attorneys within the Attorney General Department, then that should be addressed directly in a Bill designed specifically to address that question alone. I do not think that that question is the question that ought to be addressed by this particular law.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Pray.

Mr. PRAY: Mr. President, I would like to point out to the Senator from Kennebec, though he has a right to vote any way that he wishes on this matter, that he did previously vote to include these individuals when we passed the original law.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President and Members of the Senate: This is an emergency measure before us today and although I am inclined to support the Collective Bargaining Statute that we have, as I have stated before with respect to the Attorney General's Office, it appears to me that all these individuals served at the pleasure of the Attorney General. This state has made a history of continuing those employed within that division on a non-partisan or by-partisan spirit and it just seems to me that today, or I should say a few years ago, I think that the state had difficulty in hiring good qualified attorneys. I do not think that is necessarily so today. We have had some very able individuals within the Attorney General's Department over the last several years because of the fact