

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eleventh
Legislature***

OF THE

STATE OF MAINE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

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FOURTH CONFIRMATION SESSION

(FIRST CONFIRMATION SESSION – SECOND REGULAR SESSION)

May 31, 1984

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FIFTH CONFIRMATION SESSION

(SECOND CONFIRMATION SESSION – SECOND REGULAR SESSION)

July 11, 1984

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THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

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tive vote of at least one-fifth of those Senators present and voting.

Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

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

The pending question before the Senate is the Adoption of Senate Amendment "B" (S-387).

A Yes vote will be in favor of the Adoption of Senate Amendment "B" (S-387).

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the roll.

ROLL CALL

YEAS—Senators, Bustin, Carpenter, Diamond, Dow, Erwin, Gill, Hayes, Hichens, McBreairty, Pearson, Perkins, Pray, Shute, Usher, Violette.

NAYS—Senators, Baldacci, Brown, Charette, Clark, Collins, Danton, Emerson, Kany, Minkowsky, Najarian, Redmond, Sewall, Teague, Trafton, Twitchell, Wood, The President—Gerard P. Conley.

ABSENT—Senator, Dutremble.

15 Senators having voted in the affirmative and 17 Senators having voted in the negative, with 1 Senator being absent the motion to ADOPT Senate Amendment "B" (S-387) FAILED.

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

SENATOR PRAY: Mr. President, having voted on the prevailing side on Senate Amendment "A", I move its Reconsideration whereby the Amendment was Indefinitely Postponed.

THE PRESIDENT: The Chair would have to state that we would have to dispose of Senate Amendment "B" prior to Reconsideration of the adoption of Committee Report "A".

Is the Senator referring to Senate Amendment "B"?

SENATOR PRAY: Senate Amendment "A".

THE PRESIDENT: The Chair would state that Senate Amendment "B" is still pending before the Body.

Is it now the pleasure of the Senate that Senate Amendment—the Chair is in error.

The Senator from Penobscot, Senator Pray, now moves that the Senate reconsider its action whereby Senate Amendment "A" (S-384) Failed of Adoption.

The Chair recognizes the Senator from Knox, Senator Collins.

SENATOR COLLINS: Mr. President, I request a Roll Call and would urge the Senate to vote No.

THE PRESIDENT: A Roll Call has been requested.

Under the Constitution in order for the Chair to order a Roll Call it requires the affirmative vote of least one-fifth of those Senators present and voting.

Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

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

The Chair recognizes the Senator from Aroostook, Senator Violette.

SENATOR VIOLETTE: Mr. President, just a point of clarification. Ladies and Gentlemen of the Senate, there are a number of amendments on this Bill today and we've debated a number of them yesterday and today, and I just want to emphasize this is the Amendment that I offered yesterday, because there are a number of them and I hope you would vote to reconsider. Thank you.

THE PRESIDENT: The Chair, again, would like to clarify the pending motion. The pending motion before the Senate is the motion of the Senator from Penobscot, Senator Pray, having voted on the presiding side, has now moved that the Senate reconsider its action whereby it Indefinitely Postponed Senate Amendment "A" (S-384).

A Yes vote will be in favor of Reconsideration.

A No vote will be opposed.

The Chair recognizes the Senator from York, Senator Wood.

SENATOR WOOD: Mr. President, I wish permission to pair my vote with the Senator from York, Senator Dutremble. If he were here, he would be voting Yea and I would be voting Nay.

THE PRESIDENT: The Senator from York, Senator Wood, Requests Leave of the Senate to pair his vote with the Senator from York, Senator Dutremble. If he were here he would be voting Yea and the Senator from York, Senator Wood would be avoting Nay.

Is it the pleasure of the Senate to grant this Leave?

It is a vote.

Again, the Chair will restate the question. The question is the motion of the Senator from Penobscot, Senator Pray, to reconsider its action whereby it Indefinitely Postpone Senate Amendment "A" (S-384).

The Doorkeepers will secure the Chamber.

The Secretary will call the roll.

ROLL CALL

YEAS—Senators, Bustin, Carpenter, Diamond, Dow, Emerson, Erwin, Gill, Hayes, Hichens, McBreairty, Pearson, Perkins, Pray, Usher, Violette.

NAYS—Senators, Baldacci, Brown, Charette, Clark, Collins, Danton, Kany, Minkowsky, Najarian, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, The President—Gerard P. Conley.

ABSENT—None.

15 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 2 Senators Pairing their votes, and No Senators being absent, the motion to RECONSIDER the Indefinite Postponement of Senate Amendment "A" (S-384) FAILS.

The Bill was PASSED TO BE ENGROSSED in concurrence.

There being no objections all matters previously acted upon were sent forthwith.

The President laid before the Senate:

An Act to Encourage the Use of Wood and Solid Waste as a Source of Energy in State-owned Buildings. S. P. 879 L. D. 2383 (S. "A" S-371)

Tabled—April 9, 1984 by Senator KANY of Kennebec.

Pending—ENACTMENT.

(In House April 9, 1984 PASSED TO BE ENACTED)

(In Senate April 6, 1984 PASSED TO BE ENGROSSED AS AMENDED)

On motin by Senator CARPENTER of Aroostook, RETABLED until later in today' session, pending ENACTMENT.

The President laid before the Senate:

Bill "An Act to Establish Standards and a Policy for the Compensation of Members of Boards, Commissions and Similar Organizations" H. P. 1807 L. D. 2389

Tabled—April 9, 1984 by Senator VIOLETTE of Aroostook.

Pending—PASSAGE TO BE ENGROSSED.

(In House April 3, 1984 PASSED TO BE ENGROSSED)

(In Senate April 6, 1984 RECONSIDERED ENGROSSMENT)

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

SENATOR DANTON: Mr. President, I offer Senate Amendment "D" to L. D. 2389 and move its Adoption.

THE PRESIDENT: The Senator from York, Senator Danton, presents Senate Amendment "D" and moves its Adoption.

Senate Amendment "D" (S-390) was READ.

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

SENATOR HICHENS: Mr. President, I would ask for a division on this motion to Adopt Senate Amendment "D".

The State Government Committee did a

tremendous amount of work on this Bill to establish standards and policy for compensation for members of boards, commission, and similar organizations. After they come out with their report. There were different groups that came in crying with towels and so forth because they weren't getting paid enough for serving on these different committees or commissions, and a couple of them, the Committee agreed, had a right to probably have a little higher commission than what the Committee had decided upon. But, I don't think the Turnpike members can complain at the regular per diem salary that the Legislature gets and I think it's just opening the door for other groups to start coming in and crying because they don't think there're getting quite enough.

On a personal basis, I've served on several committees throughout the State and granted it was a privilege, or felt it was a privilege to serve on these committees for just travel expenses and meals involved in meeting at those things. I don't think that these other committees and boards should expect high compensation, although fifty dollars isn't that high, but I think the thirty-five dollars which we receive is enough for these other commissions and boards.

(OFF RECORD REMARKS)

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

SENATOR DANTON: Mr. President and Members of the Senate. First, I want to quickly tell you that the Maine Turnpike Authority didn't come here to see me with towels and crying or anything else. It's just that I noticed this in the Bill and I want to bring to your attention that the Maine Turnpike Authority members, up to two years ago, many, many, many years, perhaps since its inception was only getting twenty dollars per meeting.

Now, the four members of the Authority, I'm sure are not going to worry about the loss of that fifteen dollars per meeting. I just thought that I would offer this amendment, after all, we just brought their per diem up to fifty dollars per meeting. They meet twelve times a year, that's six hundred dollars, four members, that's twenty-four hundred dollars.

What do they turn back to the State? They turn back to the State about six million dollars. They have a big job on this Authority, and I'm just going to just quickly read off a few of the things that members of the Authority do: they acquire real estate property; make contracts with the United States, any other government, city, town, county; accept grants from corporations, public and private; they have architectural designers that they employ and sit and meet with; they borrow money all the time for the projects that they have to do on the Maine Turnpike Authority. It's really a detailed Authority. There's really a lot of work that goes on.

The reading that takes place from meeting to meeting is really enormous. Like I said, I don't think any of them are going to go through any big hardship financially if they don't have the fifteen dollars. I just thought where the Legislature, in it's wisdom just two or three years ago, I wasn't here when it happened, raised them from twenty to fifty dollars, that it's a shame now that they are turning back to the State six or seven million dollars, that you say thanks for the six or seven million bucks, but we want to take and reduce your pay from fifty to thirty-five dollars a meeting.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Violette.

SENATOR VIOLETTE: Mr. President and Ladies and Gentlemen of the Senate. I'm going to oppose the Amendment being offered by the good Senator fom York, Senator Danton.

The Subcommittee of the Committee on State Government reviewed this area during the summertime. I was not a member of this Subcommittee Study Report, it was chaired by