

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eighth
Legislature***

OF THE

STATE OF MAINE

Volume I

January 5, 1977 to May 25, 1977

KJ PRINTING
AUGUSTA, MAINE

SENATE

Friday, May 20, 1977

Senate called to Order by the President.

Prayer by the Honorable Thomas M. Mangan of Lewiston.

Mr. MANGAN: We pray Thee, O Almighty and Eternal God, to whom authority is justly administered and laws are enacted, to assist with Thy spirit of counsel this Assembly in their vital and important decisions.

Let the light of Thy divine wisdom direct the deliberations of this Assembly, and shine forth in their proceedings.

Amen.

Reading of the Journal of yesterday.

Papers from the House
Non-concurrent Matter

RESOLVE, Authorizing the Exchange of Certain Public Reserved Lands with Brown Company. (S. P. 375) (L. D. 1390)

In the Senate, May 12, 1977 Passed to be Engrossed as amended by Committee Amendment "A" (S-130).

Comes from the House, Passed to be Engrossed as amended by House Amendment "A" (H-371), in non-concurrence.

On Motion of Mr. Trotzky of Penobscot, the Senate voted to recede and concur.

Joint Order

An Expression of Legislative Sentiment recognizing that:

Nan Moyer, a student at the College of the Atlantic has served diligently and faithfully as a legislative intern for 10 weeks. (H. P. 1575)

Comes from the House, Read and Passed.

Which was Read and Passed, in concurrence.

WHEREAS, the procedures for conveying of real estate in Maine have grown increasingly more complex and title examinations are necessarily very exacting, frequently repetitive and highly expensive; and

WHEREAS, this situation has led to the introduction of a number of separate bills which address only aspects of the problem; and

WHEREAS, the need for comprehensive legislation in this area has become increasingly evident; now, therefore, be it

ORDERED, the Senate concurring, that the Joint Standing Committee on Judiciary be authorized to study the problem of title examinations, including, but not limited to the subject matter of L.D. 1267, "AN ACT Providing that an Heir's Claim to Real Property Shall, in Certain Cases, Lapse after 50 Years from the Time his Claim Arose;" L.D. 1337, "AN ACT to clarify Actual Notice under the Recording Laws in Regard to Exceptions and Reservations;" and L.D. 1627, "AN ACT to Improve the Marketability of Real Estate," the questions of title insurance and the cost of title examinations, and any proposed model legislation; and be it further

ORDERED, that the committee shall complete this study no later than December 1, 1977 or 90 days prior to the First Regular Session of the 109th Legislature and submit to the Legislative Council within the same time period its findings and recommendations, including copies of any recommended legislation in final draft form; and be it further

ORDERED, upon passage in concurrence, that a suitable copy of this Order shall be forwarded to members of the committee.

(H. P. 1574)

Comes from the House, Read and Passed.

Which was Read.

On Motion of Mr. Speers of Kennebec, Tabled pending Passage.

House Papers

RESOLVE, Authorizing a \$450,000 Advance from the General Fund to the Department of Educational and Cultural Services to Provide

Working Capital on Renovations of and Equipping of Building at Eastport. (Emergency) (H. P. 1572) (L. D. 1788)

Comes from the House referred to the Committee on Education and Ordered Printed.

Which was referred to the Committee on Education and Ordered printed in concurrence.

Communications

House of Representatives

May 19, 1977

Honorable May M. Ross

Secretary of the Senate

108th Legislature

Augusta, Maine 04330

Dear Madam Secretary:

The Speaker appointed the following conferees to the Committee of Conference on the disagreeing action of the two branches of the Legislature of Bill "An Act to Revise the Measure of Damages Under the Unfair Trade Practices Act" (H. P. 277) (L. D. 341)

Ms. Clark of Freeport

Mr. Wyman of Pittsfield

Mrs. GILL of South Portland

Respectfully

/s/ Edwin H. Pert

Clerk of the House

Which was Read and Ordered Placed on file.

House of Representatives

May 19, 1977

Honorable May M. Ross

Secretary of the Senate

108th Legislature

Augusta, Maine

Dear Madam Secretary:

House Paper 772, Legislative Document 978 having been returned by the Governor together with his objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'

Fifty-four voted in favor and Seventy-six against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Respectfully,

/s/ EDWIN H. PERT

Clerk of the House

Which was Read and Ordered Placed on File.

Senate Paper

Mr. Carpenter of Aroostook, (Cosponsors: Mr. Pray of Penobscot, and Mr. Martin of Aroostook present, Bill, An Act to Establish a Health Facilities Cost Review Board. (S. P. 506)

Committee on State Government suggested.

On Motion of Mr. Speers of Kennebec, Tabled for Two Legislative Days, Pending Reference to the Committee.

Committee Reports

House

The following Ought Not to Pass reports shall be placed in the Legislative files without further action pursuant to Rule 20 of the Joint Rules:

Bill, An Act to Amend the Criminal Code Concerning Sexual Abuse of Minors. (H. P. 1170) (L. D. 1402)

Bill, An Act to Annex Certain Territories to the Town of Howland. (H. P. 911) (L. D. 1109)

RESOLVE, Appropriating \$255,665.36 for Unpaid Liability of State of Maine to Eleanor Turner, as Administratrix of the Estate of Durwood G. Turner, Durwood G. Turner, Jr., David G. Turner, Ellen S. Turner, and Francis Fitzmaurice (Emergency). (H. P. 856) (L. D. 1051)

Leave to Withdraw

The Committee on Health and Institutional Services on, Bill, An Act to Provide Dental Care to Developmentally Disabled Boarding and Nursing Home Clients and to other Persons. (H.

P. 867) (L. D. 1060)

Reported that the same be granted Leave to Withdraw.

Comes from the House the Report Read and Accepted.

The Committee on Appropriations and Financial Affairs on, Bill, An Act to Reestablish the Shade Tree Planting Programs in the Department of Conservation. (H. P. 512) (L. D. 631)

Reported that the same be granted Leave to Withdraw.

Comes from the House the Report Read and Accepted.

The Committee on Judiciary on, Bill, An Act Providing for Mandatory Driver's License Suspension upon Conviction of Vandalism. (H. P. 1077) (L. D. 1299)

Reported that the same be granted Leave to Withdraw.

Comes from the House the Report Read and Accepted.

The Committee on Judiciary on, Bill, An Act Relating to the Deduction of Additional Days a Month from a Sentence of Imprisonment for those Persons Assigned Duties Outside the Institution. (H. P. 1420) (L. D. 1631)

Reported that the same be granted Leave to Withdraw.

Comes from the House the Report Read and Accepted.

The Committee on Local and County Government on, Bill, An Act Raising the Minimum Salaries of Deputy Sheriffs. (H. P. 1043) (L. D. 1270)

Reported that the same be granted Leave to Withdraw.

Comes from the House the Report Read and Accepted.

The Committee on Natural Resources on, Bill, An Act Concerning the Storage of Nuclear Waste in Maine. (H. P. 1089) (L. D. 1313)

Reported that the same be granted Leave to Withdraw.

Comes from the House the Report Read and Accepted.

Which Reports were Read and Accepted, in concurrence.

Ought to Pass

The Committee on Business Legislation on, Bill, An Act to Repeal Certain Laws Relating to Corporations. (H. P. 1066) (L. D. 1293)

Reported that the same Ought to Pass.

Comes from the House, the Bill Passed to be Engrossed.

The Committee on Labor on, Bill, "An Act Relating to Workmen's Compensation for State Law Enforcement and Institutional Personnel." (H. P. 874) (L. D. 1067)

Reported that the same Ought to Pass.

Comes from the House, the Bill Passed to be Engrossed.

The Committee on Labor on, Bill, An Act to Authorize Educational Rehabilitation under the Workman's Compensation Statutes. (H. P. 1188) (L. D. 1424)

Reported that the same Ought to Pass.

Comes from the House, the Bill Passed to be Engrossed.

Which Reports were Read and Accepted in concurrence and the Bills, Read Once and Tomorrow Assigned for Second Reading.

Ought to Pass — As Amended

The Committee on Business Legislation on, Bill, An Act to Increase the Tax on Fire Insurance Premiums to Aid in Arson Investigation by the State Fire Marshal's Office. (H. P. 961) (L. D. 1153)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-357)

Comes from the House the Bill Passed to be Engrossed as amended by Committee Amendment "A".

The Committee on Business Legislation on,

Bill, An Act Relating to Abandoned Safety Deposit Boxes. (H. P. 184) (L. D. 246)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-355).

Comes from the House the Bill Passed to be Engrossed as amended by Committee Amendment "A".

The Committee on Business Legislation on, Bill, An Act to Authorize the University of Maine to Execute a Charitable Gift Annuity with a Donor. (H. P. 63) (L. D. 88)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-358).

Comes from the House the Bill Passed to be Engrossed as amended by Committee Amendment "A".

Which Reports were Read and Accepted in concurrence, and the Bills Read Once. Committee Amendments "A" were Read and Adopted in concurrence, and the Bills, as amended, Tomorrow Assigned for Second Reading.

The Committee on Fisheries and Wildlife on, Bill, An Act Concerning the Taking of Black Bass. (H. P. 265) (L. D. 333)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-353).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A".

Which Report Was Read.

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

Mr. CONLEY: Mr. President, I wonder if some Member of the Fisheries and Wildlife Committee might give a brief explanation of this Bill.

The PRESIDENT: The Senator from Cumberland, Senator Conley, has posed a question through the Chair to any Member of the Fisheries and Wildlife Committee who may care to answer.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I move this Bill be indefinitely postponed.

The PRESIDENT: The Senator from Cumberland, Senator Conley, now moves that LD 333 be indefinitely postponed.

On Motion of Mr. Martin of Aroostook, tabled for One Legislative Day, Pending the Motion of the Senator from Cumberland, Senator Conley, that this Bill be indefinitely postponed.

The Committee on Labor on, Bill, An Act Relating to Time Limitation on Providing Written Reasons for Termination of Employment. (H. P. 1085) (L. D. 1309)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-349)

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A".

The Committee on State Government on, RESOLVE, Authorizing the Treasurer of State to Release Funds. (H. P. 296) (L. D. 353)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-347).

Comes from the House, the Resolve Passed to be Engrossed as amended by Committee Amendment "A".

The Committee on State Government on, RESOLVE, Authorizing the Department of Mental Health and Corrections to Convey by Sale the Interest of the State in Certain Lands and Buildings of the Maine Correctional Center at Skowhegan. (H. P. 150) (L. D. 180)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-348).

Comes from the House, the Resolve Passed to be Engrossed as amended by Committee Amendment "A".

Which Reports were Read and Accepted in concurrence, and the Bills and Resolves Read Once.

Committee Amendments "A" were read and Adopted in concurrence, and the Bills, and Resolves, as amended, Tomorrow Assigned for Second Reading.

The Committee on Appropriations and Financial Affairs on, Bill, An Act to Award Transitional Allowances to Permanent Full-Time and Limited Period Full-Time Unclassified Employees. (Emergency) (H. P. 309) (L. D. 400)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-292).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto (H-373).

Which Report was Read and Accepted, in concurrence and the Bill Read Once. Committee Amendment "A" was Read. House Amendment "A" to Committee Amendment "A" was Read and Adopted in concurrence. Committee Amendment "A" as amended by House Amendment "A" thereto was Adopted, in concurrence, and the Bill, as amended, Tomorrow Assigned for Second Reading.

The Committee on Local and County Government on, Bill, An Act to Strengthen the Counties' Role in Human Services. (H. P. 213) (L. D. 223)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-338).

Comes from the House, Bill and Papers Indefinitely Postponed.

Which Report was Read.

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

Mr. CONLEY: Mr. President, I move that this Bill and all accompanying papers be indefinitely postponed.

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

Mr. MANGAN: Mr. President, I move this item be tabled for One Legislative Day.

The PRESIDENT: The Senator from Androscoggin, Senator Mangan, now moves that L. D. 223 be tabled for One Legislative Day, pending the Motion of the Senator from Cumberland, Senator Conley, that this Bill be indefinitely postponed.

The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President, I ask for a Division.

The PRESIDENT: A Division has been requested on the Tabling Motion.

Will all those Senators in favor of tabling this Bill for One Legislative Day, please rise in their places to be counted.

Will all those Senators opposed to tabling this Bill for One Legislative Day, please rise in their places to be counted.

10 Senators having voted in the affirmative, and 12 Senators in the negative, the Motion to Table does not prevail.

The Chair recognizes the Senator from Cumberland, Senator Jackson.

Mr. JACKSON: Mr. President and Members of the Senate, I arise to oppose the Motion to indefinitely postpone this Bill and all its accompanying papers.

I think that L. D. 223 is a very important Bill, not only to County Government, but to Municipal Government and Regional Planning Commission and the entire taxpayers of the State of Maine. It brings some accountability into the human service area or the provider area throughout the State.

This is not a mandatory bill. It does not require the 16 counties in the State of Maine to form a County Human Services Board. It is permissive legislation. All the Committee Amend-

ment does is it takes the requirement out of the Bill and it permits, as I said earlier, the counties, if they so choose, to go into this.

One thing that we find is that many of these Human Service Agencies also contact the municipalities for funds, they have access to Federal dollars, and they also contact the counties for funds. In looking the budgets over for the last three years in local and county, there are many, many various programs which qualify for county funds, and I am sure they qualify for municipal funds as well as federal funds. The accountability is not there, and this Bill provides accountability.

It also puts into the proper perspective some sort of, — well, I am at a blank thought right now, but I will get to it, I guess what I am trying to say is priority, the top priorities, so that the programs that have the top priorities will be funded properly and then you can take it down through the list.

I think that this is something that has been needed here in the State for many, many years, since the Human Services Agencies have contacted the municipal and county government for funds. I do not really think that we are going to fare too well with this Bill. It was a result of our major study from the last two years in the Local and County Government Committee on the the Joint Select Committee that was picked by the Legislature. But I think it is a step in the right direction.

I would hope that the Senate would vote against the Motion to indefinitely postpone this Bill, and give the Legislators another chance to look at this Bill.

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

Mr. CONLEY: Mr. President and Members of the Senate, I have grave reservations about the Bill. First, I think and it sort of surprises me that the good Senator from Cumberland, Senator Jackson, today would be supporting the measure before us in this L. D., when but a short time ago he very strongly opposed enabling legislation which would have allowed the City of Bangor to participate in certain social service programs, whether it was groups supporting advocacy of social services or whatever the case would have been.

— But I have strong reservations about this particular Bill primarily because of the United States Supreme Court decision when it speaks to the one man, one vote. Now, if you look at the Committee Amendment, (H-338) and on page two of that Committee Amendment, at the bottom it says "each municipality within the County shall have one vote for each member in the election of municipal members to the board. This vote shall be cast in writing, signed by the chief municipal officer, and shall be delivered or mailed to the County Commissioners so as to reach them on or before June 1st, and on the first Monday in June the Commissioners in a public meeting shall tabulate and announce the results of that election". Well, first of all, I do not know how the other 15 counties arrived at what social service programs their county budgets are going to provide for. I know that Senator Jackson represents the same county that I do, and I know that we meet at the County Seat in Portland, at the Court House, where the County Commissioners present their budget, their Social Service Program, all the requests they have from Social Service Agencies. We have certain recommendations made by the County Commissioners. The entire Cumberland County Legislative delegation then reviews all those requests and in most cases they are generally agreed upon and in other cases they are added to.

I do not think it is necessary for us to have the legislation that is before us. I think the way that things are operating right now are doing very well and I just would not want to see us become so restrictive as this piece of legisla-

tion, and therefore, I would hope that the Senate would vote to indefinitely postpone the Bill.

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

Mr. MANGAN: Mr. President and Members of the Senate, I also opposed the advocacy Bill for the City of Bangor, but again in that instance, I believe that was general feeling at the time that the advocacy Bill for the City of Bangor was a limitation upon the powers of municipal home rule. I think that the people who opposed the Bill felt that the City of Bangor had the right to do this in the first place, and that if the Legislature in its great wisdom gave them the authority to do this, then the Attorney General may in the future may have to read in the fact that anything the municipalities did do, they would have to get special permission for.

If Senator Conley's greatest opposition to this Bill is the one man-one vote concept, I would suggest that Senator Conley let this thing go through today and provide an Amendment for it on Monday or Tuesday by the time the Second Reading comes around.

Of course, this Bill is the result of a study that was done by a Local and County Government committee, and sanctioned by the Legislature. Now, one of the biggest problems, I think, that this Bill is addressing, and I had nothing to do with the Bill, either before or presently but I think the biggest problem this Bill does address is the question that the counties have had for many years and municipalities have had for many years. You have in every county in the State of Maine several Human Service Agencies. All of them at one point or another, may vie for the same federal dollars or federal grant: All of them, for example, in the City of Lewiston, we do have Human Service Agencies that do attack the City of Lewiston and ask us for funds, and then they will turn around and attack the County and ask them for funds also. What we end up doing is providing them 50 percent, or close to it, of the county funds. What this is trying to do, is basically streamline the procedures of Human Service Agencies, and provide for the responsibilities of those Agencies to account for the funds, to someone. It is permissive legislation but it does require an interworking between the municipalities in the County and the county itself. This problem is very good in light of the fact that I was talking to the Welfare Director for the City of Auburn last night, and was advised that a few of my clients that were collecting from the City of Lewiston had moved over to Auburn, because Auburn provided a few better benefits. In one case I believe they are collecting from both cities, and this would put that cooperation between the municipalities of Lewiston and Auburn in the County of Androscoggin, so the people would have a way of following through with some of the Human Service Programs that are being put out.

I think that the Bill is good, it is a good idea, and I would urge you to vote against the indefinite postponement, and then allow the good Senator from the County of Cumberland, Senator Conley, to amend the one man-one vote provision for the Second Reading. Thank you.

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

Mr. JACKSON: Mr. President, I just would like to clarify something for the good Senator from Cumberland, Senator Conley. My opposition to the Bangor Bill, so called Bangor Bill, involved Consumer Action Programs, not Community Action Programs.

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

Mr. CONLEY: Mr. President, I think, at least myself, I look upon them as being one and the same.

I would again call your attention, the Senate's attention to the first paragraph of this particular

Amendment, and if this does not sound like a lot of bureaucratic red tape, then I do not know what does. It says under section 441, "The Human Services Coordinator, appointment, compensation, to hire a County Human Services Coordinator, or to contract with a Regional Planning Commission to provide the County with services of a Human Services Coordinator. If a Coordinator is hired the Commissioners may appoint some suitable person to serve as Coordinator or designate a county official to undertake the Coordinators duties". Now if that is not a bunch of red tape garbage, I do not know what is.

I, therefore, again say unless there can be some real clean up job, and I do not know who to attribute this to — one of these high priced new Legislative Aides that we have up on the fourth floor or not, but if this is an example of their talents then maybe we ought to indefinitely postpone them also.

The PRESIDENT: Is the Chair ready for the question? The pending question before the Senate is the Motion by the Senator from Cumberland, Senator Conley, that the Senate indefinitely postpone LD 223.

The Chair will order a Division.

With all those Senators in favor of the Motion to indefinitely postpone, please rise in their places to be counted.

Will all those Senators opposing the Motion to indefinitely postpone, please rise in their places to be counted.

11 Senators having voted in the affirmative, and 13 Senators in the negative, the Motion to indefinitely postpone does not prevail.

Ought to Pass, as amended, Report accepted in non-concurrence.

The Bill read Once. Committee Amendment "A" Read.

On Motion of Mr. Conley of Cumberland, tabled for one Legislative Day pending adoption or Committee Amendment "A".

Ought to Pass in New Draft

The Committee on Judiciary on, Bill, An Act to Improve Prosecution Services. (H. P. 459) (L. D. 564)

Reported that the same Ought to Pass in New Draft under same title. (H. P. 1571) (L. D. 1785)

Comes from the House, the Bill, in New Draft, Passed to be Engrossed.

The Committee on Judiciary on, Bill, An Act to Clarify the Confidentiality Provisions of the Maine Housing Authorities Act. (H. P. 1171) (L. D. 1399)

Reported that the same Ought to Pass in New Draft under same title. (H. P. 1570) (L. D. 1784)

Comes from the House, the Bill, in New Draft, Passed to be Engrossed.

The Committee on Public Utilities on, Bill, An Act to Reduce the Cost of Electric Utility Services to Customers and Encourage Energy Conservation through Improvements in Electric Utility Rate Design. (H. P. 691) (L. D. 873)

Reported that the same Ought to Pass in New Draft under new title: Bill, "An Act to Encourage Energy Conservation by Means of Reform of Utility Rate Designs". (H. P. 1553) (L. D. 1774)

Comes from the House, the Bill, in New Draft, Passed to be Engrossed.

Which Reports were Read and Accepted in concurrence, and the Bills, in New Drafts, Read Once and Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Agriculture on, Bill, An Act to Provide that Humane Shelters Selling or Giving Dogs away must Notify the Town Clerk of the Sale or Gift. (H. P. 561) (L. D. 678)

Reported that the same Ought to Pass as

amended by Committee Amendment "A" (H-336).

Signed:

Senators:

HICHENS of York
LEVINE of Kennebec
JACKSON of Cumberland

Representatives:

TOZIER of Unity
LOUGEE of Island Falls
SMITH of Mars Hill
MAHANY of Easton
CARROLL of Limerick
WOOD of Sanford
HALL of Sangerville
TORREY of Portland
ROLLINS of Dixfield

The Minority of the same Committee on the same subject matter Reported that the same Ought Not to Pass.

Signed:

Representative:

STROUT of Corinth

Comes from the House, the Majority Report Read and Accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A".

Which Reports were Read.

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

Mr. PRAY: Mr. President, I would like to pose a question through the Chair to a member of the Committee. I read the Committee Amendment, and I wonder if there is a real necessity to this Bill.

The PRESIDENT: The Senator from Penobscot, Senator Pray, has posed a question through the Chair, to any Senator who may care to answer?

The Chair recognizes the Senator from Penobscot, Senator Pray.

Mr. PRAY: Mr. President, I move the Minority Ought Not to Pass Report.

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

Mr. JACKSON: Mr. President, I request a Division.

The PRESIDENT: A Division has been requested.

The pending question before the Senate is the Motion by the Senator from Penobscot, Senator Pray, that the Senate accept the Minority Ought Not to Pass Report of the Committee.

Will all those Senators in favor of accepting the Ought Not to Pass Report, please rise in their places to be counted.

Will all those Senators opposed to accepting the Ought Not to Pass Report, please rise in their places to be counted.

3 Senators having voted in the affirmative, and 22 Senators in the negative, the Motion to accept the Minority Ought Not to Pass Report does not prevail.

Majority Ought to Pass as amended Report accepted in concurrence.

The Bill Read Once. Committee Amendment "A" Read and adopted, the Bill, as amended. Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Election Laws on, Bill, An Act Concerning Expenses of the Commission on Governmental Ethics and Election Practices. (Emergency) (H. P. 816) (L. D. 989)

Reported that the same Ought to Pass.

Signed:

Senators:

KATZ of Kennebec
DANTON of York
TROTZKY of Penobscot

Representatives:

BOUDREAU of Waterville
RAYMOND of Lewiston
TRUMAN of Biddeford

McMAHON of Kennebunk

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass.

Signed:

Representatives:

TALBOT of Portland
DURGIN of Kittery
MITCHELL of Vassalboro
BIRT of E. Millinocket
BOUDREAU of Portland
BUSTIN of Augusta

Comes from the House, the Minority Report Read and Accepted and the Bill Passed to be Engrossed.

Which Reports were Read.

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

Mr. CONLEY: Mr. President, I move the Senate accept the Minority Ought to Pass Report.

The PRESIDENT: The Senator from Cumberland, Senator Conley, now moves the Senate accept the Minority Ought to Pass Report.

The Chair recognize the Senator from Penobscot, Senator Trotzky.

Mr. TROTZKY: Mr. President, I request a Division.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of the Motion to Accept the Minority Ought to Pass Report, please rise in their places to be counted.

Will all those Senators opposing the Motion to Accept The Minority Ought to Pass Report, please rise in their places to be counted.

The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President, I wonder if any of the signers of the Report might enlighten this Body as to the issue that is before the Senate at the present time?

The PRESIDENT: The Senator from Kennebec, Senator Speers, has posed a question through the Chair to any signer who may care to answer, particularly those who might have signed the Report.

On Motion of Mr. Speers of Kennebec, Tabled for One Legislative Day, Pending the Motion of the Senator from Cumberland, Senator Conley, that the Senate accept the Minority Ought to Pass Report of the Committee.

Divided Report

The Majority of the Committee on Labor on, Bill, An Act Relating to Refusal to Accept Work as Disqualification for Benefits under the Employment Security Law. (H. P. 360) (L. D. 452)

Reported that the same Ought Not to Pass.

Signed:

Senator:

PRAY of Penobscot

Representatives:

McHENRY of Madawaska
BUSTIN of Augusta
PELTIER of Houlton
FLANAGAN of Portland
BEAULIEU of Portland
ELIAS of Madison
DUTREMBLE of Biddeford
LAFFIN of Westbrook

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-351).

Signed:

Senators:

McNALLY of Hancock
REDMOND of Somerset

Representatives:

LEWIS of Auburn
TARR of Bridgton

Comes from the House, Bill and Papers Indefinitely Postponed.

Which Reports were Read.

The PRESIDENT: The Chair recongizes the

Senator from Hancock, Senator McNally.

Mr. McNALLY: Mr. President, I move this item be tabled for One Legislative Day.

The PRESIDENT: The Senator from Hancock, Senator McNally, now moves that this item be tabled for One Legislative Day pending acceptance of either Committee Report.

The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President, debating the timing of the Tabling Motion, I would move the matter lie on the table until Tuesday next.

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

Mr. McNALLY: Mr. President, I withdraw my Motion.

The PRESIDENT: The Senator from Hancock, Senator McNally now requests leave of the Senate to withdraw his Tabling Motion. Is this the pleasure of the Senate to grant this leave? It is a vote.

Is it now the pleasure of the Senate that this matter L. D. 452 be tabled for Two Legislative Days pending acceptance of either Committee Report.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I request a Division.

The PRESIDENT: A Division has been requested on the Tabling Motion.

Will all those Senators in favor of Tabling L. D. 452 for Two Legislative Days, Please rise in their places to be counted.

Will all those Senators opposed to tabling L. D. 452 for Two Legislative Days, please rise in their places to be counted.

14 Senators having voted in the affirmative, and 9 Senators in the negative, the Motion to Table does prevail.

Divided Report

The Majority of the Committee on Labor on, Bill, An Act to Improve Public Access to Public Labor Negotiations. (H. P. 1316) (L. D. 1548)

Reported that the same Ought Not to Pass.

Signed:

Senator:

PRAY of Penobscot

Representatives:

PELTIER of Houlton
McHENRY of Madawaska
BUSTIN of Augusta
LAFFIN of Westbrook
ELIAS of Madison
FLANAGAN of Portland
BEAULIEU of Portland
DUTREMBLE of Biddeford

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass.

Signed:

Senators:

McNALLY of Hancock
REDMOND of Somerset

Representatives:

TARR of Bridgton
LEWIS of Auburn

Comes from the House, Bill and Papers Indefinitely Postponed.

Which Reports were Read.

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

Mr. CONLEY: Mr. President, I move that we accept the Majority Ought Not to Pass Report.

The PRESIDENT: The Senator from Cumberland, Senator Conley, now moves that the Senate accept the Majority Ought Not to Pass Report.

The Chair recognizes the Senator from Hancock, Senator McNally.

Mr. McNALLY: Mr. President, I ask for a Division, and I would like to say a few words.

The PRESIDENT: The Senator has the floor.

Mr. McNALLY: Mr. President, in yesterday's Bangor Daily News the main thing that you read in the editorials said:

"Heart of the Matter"

"Laws can be such subtle things. And the language of a law, the careful phrasing of a specific proviso, can make all the difference.

"Such is the case with Maine's statute dealing with labor negotiations between the representatives of a public employer — management — and the representatives of public employees — labor. As it is now constituted, labor negotiations that invariably involve spending public money, are closed to the public — unless both parties agree to open the doors. The step-by-step proposals made by either side are secreted by the same conditions.

"This situation has two effects, both undesirable. First, it is contrary to the spirit and intent of Maine's Right to Know Law. It makes public accessibility, in this case to labor negotiations, an extraordinary condition: secrecy becomes the rule instead of the exception. It should be the other way around.

"Secondly, as the law is now written, it takes rightful authority from the public official, who is either elected or appointed, and places it in the hands of a private person, a private negotiator for public employees.

"This inappropriate transferral of power comes to the privately hired labor negotiator by virtue of his legal option to veto, singhandedly, the call by public official for open labor negotiations."

I will not read any farther on that because I suspect most everybody saw it. But another thing was, I always figured that labor negotiations were secret, until we had the University of Maine and the Maine Maritime Bill which says that the students shall appoint three people, three students, who shall sit in caucus, before that anything is done about negotiations and so forth, and, they shall be kept informed during the time of negotiations of anything having to do with those two organizations. So, that being the fact, and due to the fact that a man who I think I would wish a thousand times that I could have his knowledge and experience, the man that was appointed by President Johnson to be the Ambassador to the United Nations and also was for years the City Editor of the Washington Post, and now owns the paper that former Chief Justice Williamson said was the best paper in the State of Maine, he came out with an editorial also. And he says:

"Maine's Legislature, under existing laws, has delegated to private persons, neither appointed nor elected to any office, the power to say whether or not negotiations between government officials and labor unions are to be public or secret.

"The law states: 'Negotiations between the representatives of a public employer and public employees may be open to the public provided both parties agree to conduct negotiations in open sessions.' Even if the public officials wish the proceedings to be open to the citizenry, the private persons who represent labor can overrule the elected officials and keep the proceedings secret."

And then he goes on and explains the Bill which was Representatives Tom Perkins of Blue Hill and Gail H. Tarr of Bridgton have put in and says:

"Negotiations between the representatives of a public employer and public employees may be closed to the public provided both parties agree to conduct negotiations in closed sessions."

Also the Portland Press Herald has similar ideas and wrote a long letter on this and I will ask for a Division.

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

Mr. CONLEY: Mr. President and Members of the Senate, I really dislike belaboring the afternoon debating these Bills that are coming out fast and furious, but I feel that the present Bill before us is one that definitely needs to be debated.

Now I do not know how many Unions the

municipal officers of the Town of Ellsworth have to deal with, but I know that in the case of the community that I represent, and I would also call to your mind that I serve in a dual capacity, and that is sitting as a member of the Portland City Council. The City of Portland deals with 14 bargaining units. Now, I just wonder how successful any community would be if it were to sit down and bargain collectively with the firemen one day, the policemen the next day, public works the next day, the so-called organization representing the Sergeants within the Police Department that have a separate bargaining unit, the Captains and Lieutenants within the Police Department who have a separate bargaining unit, and so forth right down the line. Now if these bargaining sessions were to become open, can't you just see the other 13 Union representatives sitting there listening, waiting to see what kind of agreements or compromises were going to be made between the negotiating team on behalf of the cities or communities; and also the concessions that were going to be made on the part of the bargaining agents. I can tell you something, and I hope the good Senator from Ellsworth, Senator McNally, brings back a message to that Editorial writer back in Bangor, that he would not be able to pay his city taxes if this Bill were to pass, because I think taxes would go so sky-high that we all would have to move into Ellsworth to escape the onslaught of taxes.

Last year, or in the last session, I can say this very bill was before us at that time. And the wisdom of the Senate and the other Body was to reject it again, because if you are going to have the spirit of collective bargaining then I think we have to allow municipal officers or their representatives to bargain for them behind closed doors.

I think there should be something else made important to the Senate. There are many school districts today who feel that Superintendents or Business Managers that they have employed within their staff are not really that well trained or experienced when it comes to collective bargaining. And, therefore, they do hire people from outside, well trained in the field of labor management, and they are hired by the community to represent them. But, they can make no definite decision nor can they make any agreement with anyone until they have been given the green light by those municipal elected officials.

So I would only suggest again, if you want to keep a lid on the process of collective bargaining, then I suggest that you defeat this Bill very, very strongly.

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

Mr. PRAY: Mr. President and Members of the Senate, I think that it should be pointed out that the individuals that came and testified in favor of this Bill, all belong to one group — The Maine Press Association. I think the intent of the Bill was to allow the newspapermen of this State into these negotiations and bargaining so that they could report daily to the public which they say that they are so concerned about to represent and protect. I can only recall an instance that I know in one of the communities which I represent, when a certain Union, or group of Unions, had reached an agreement with their employees and had received a large increase, and . . . turned around about a month later the public employees, the teachers in that town received basically a 10 percent increase. Now the individuals that work for the large private employer received far greater than the 10 percent increase but were quite outraged at the 10 percent increase which was received by the teachers. I can just imagine through the process of a lengthy negotiation they went through between the school board and its representative and the teachers and their

representative, if the press was in there daily reporting the events of that and the original demand as to the reactions that the public would receive and the undue pressure it would put on the agents that are negotiating for the municipality.

I think the process we have at this time allows these individuals to go through the collective bargaining process, to disregard those aspects that are being asked for, those items which are uncalled for, and they come to a comparable agreement. I think if we opened these things up or made it more permissive to open up, then we would just be asking for a farce in the whole collective bargaining system in relation to public employees.

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

Mr. SPEERS: Mr. President, I move this item lie on the Table for Two Legislative Days.

The PRESIDENT: The Senator from Kennebec, Senator Speers, now moves that L. D. 1548 lie on the Table for Two Legislative Days, pending the Motion of the Senator from Cumberland, Senator Conley, that the Senate accept the Majority Ought Not to Pass Report of the Committee.

The Chair recognizes the Senator from Penobscot, Senator Pray.

Mr. PRAY: Mr. President, I move this item lie on the Table until later in Today's Session.

The PRESIDENT: The Senator from Penobscot, Senator Pray, now moves that L. D. 1548 lie on the table until later in Today's Session.

The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President, a parliamentary inquiry as to which Motion takes precedence.

The PRESIDENT: The Chair would advise that the Motion by the Senator from Penobscot, Senator Pray, takes precedence.

The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President, I request a Division.

The PRESIDENT: A Division has been requested on the Motion by the Senator from Penobscot, Senator Pray, that L. D. 1548 be tabled until later in Today's Session.

Will all those Senators in favor of the Tabling Motion, please rise in their places to be counted.

Will all those Senators opposed to the Tabling Motion, please rise in their places to be counted.

9 Senators having voted in the affirmative, and 15 Senators in the negative, the Motion to Table until later in Today's Session does not prevail.

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

Mr. CONLEY: Mr. President, I request a Division on the Tabling Motion of the Senator from Kennebec, Senator Speers.

The PRESIDENT: A Division has been requested on the Motion of the Senator from Kennebec, Senator Speers, that L. D. 1548 be tabled for Two Legislative Days.

Will all those Senators in favor of the Tabling Motion, please rise in their places to be counted.

Will all those Senators opposed to the Tabling Motion, please rise in their places to be counted.

13 Senators having voted in the affirmative, and 9 Senators in the negative, the Motion to Table for Two Legislative Days does prevail.

Divided Report

The Majority of the Committee on Legal Affairs on, Bill, An Act to Prohibit the Use of Offensive Names for Geographic Features and Other Places Within the State of Maine. (H. P. 1418) (L. D. 1661)

Reported that the same Ought to Pass.

Signed:

Senators:

HEWES of Cumberland
CARPENTER of Aroostook

Representatives:

MOODY of Richmond
BURNS of Anson
GOULD of Old Town
COTE of Lewiston
JOYCE of Portland
BIRON of Lewiston
DUDLEY of Enfield
DURGIN of Kittery
SHUTE of Stockton Springs

The Minority of the same Committee on the same subject matter Reported that the same Ought Not to Pass.

Signed:

Senator:

CUMMINGS of Penobscot

Representative;

CARRIER of Westbrook

Comes from the House, the Majority Report Read and Accepted and the Bill Passed to be Engrossed as amended by House Amendment "A" (H-372).

Which Reports were Read.

On Motion of Mr. Hewes of Cumberland, Majority Ought to Pass Report Accepted.

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

Mr. CONLEY: Mr. President, I am almost compelled to Table this for Two Legislative Days, but I am not going to make the Motion.

The Bill Read Once. Committee Amendment "A" Read and Adopted, and the Bill, as amended, Tomorrow Assigned for Second Reading.

(See Action later Today.)

Divided Report

The Majority of the Committee on Public Utilities on, Bill, An Act Establishing a Consumer Complaint Office within the Public Utilities Commission. (H. P. 170) (L. D. 208)

Reported that the same Ought Not to Pass.

Signed:

Senators:

CUMMINGS of Penobscot
COLLINS of Aroostook

Representatives:

BERRY of Buxton
SMITH of Mars Hill
LUNT of Presque Isle
TARR of Bridgton
PEARSON of Old Town
CUNNINGHAM of New Gloucester

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass.

Signed:

Senator:

CARPENTER of Aroostook

Representatives:

NADEAU of Sanford
WOOD of Sanford
McHENRY of Madawaska
KELLEHER of Bangor

Comes from the House, the Minority Report Read and Accepted and the Bill Passed to be Engrossed as Amended by House Amendment "A" (H-369).

Which Reports were Read.

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

Mrs. CUMMINGS: Mr. President, I move we accept the Majority Ought Not to Pass Report.

The PRESIDENT: The Senator from Penobscot, Senator Cummings, now moves the Senate accept the Majority Ought Not to Pass Report.

The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Mr. CARPENTER: Mr. President, I would oppose the Motion of the good Senator from Penobscot, Senator Cummings, and, if I might,

just briefly explain to the Senate why I signed the Ought to Pass Report.

As you probably already know, there is presently a Consumer Complaint Office of sorts in the Public Utilities Commission. If you want to pick up the phone, you could call down there and talk with the gentlemen and he will try to help you with your problem. However, this is not statutory. This was a decision made by the present Commission, and is subject to removal at any time, either under this Commission, which I would doubt very strongly, or subsequent Commissions.

The second argument against this Bill is that it has a healthy price tag on it. I would just point out to you that there are several Bills floating around, either in PUC, State Government or Appropriations, to appropriate more money for staffing of the Public Utilities Commission. If these Bills should receive favorable approval here, we would, through the Errors and Inconsistencies strip the price tag from this Bill. So I think we can forget about the money portion of this Bill for a second and just concentrate on what we are trying to do.

I think in this day and age we should always be assured that somewhere within the Regulatory Body that covers Public Utilities, water, light, power, motor truck, trailer and railroad, we ought to have a Consumer Complaint office, somewhere the Consumer can go to with a complaint, because I know back in my area when I talk about things like the Legislature and the Public Utilities Commission, I think something like the Public Utilities Commission, my people see the Public Utilities Commission taking on New England Telephone and \$27 million rate increase. And, somehow my little person in Aroostook does not quite feel qualified to call up and maybe get Mr. Gelder on the phone. I think they ought to know, or need to know, that there is a Complaint Office specifically in the Statutes, for them. Therefore, I would hope that we would defeat the pending Motion to accept the Ought Not to Pass and then go to accept the Ought to Pass Minority Report.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Collins.

Mr. COLLINS: Mr. President, I think the fact that there is such an office in existence takes care of the problem. I recognize that consumers do want to get to someone, but there is someone in the Public Utilities Office at the present time performing this function. The good Senator from Aroostook has pointed out that there is a price tag on this and it seems to me it is an unnecessary one because we already, in fact, have what we need.

Furthermore, there is a little technical problem with the Bill in that it makes this consumer group responsible to the Secretary of the Commission, rather than to the Commissioners themselves. I think the Commissioners would oppose this part, and it seems to me it is not a very proper way to structure this type of a group.

I would hope that you would support the Motion of the good Senator from Penobscot, Senator Cummings, of Ought Not to Pass.

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

Mrs. CUMMINGS: Mr. President, L. D. 208 does not provide an appointing authority to appoint the Consumer Complaint Official. There are no qualifications established in the Bill which the Consumer Complaint Official must meet. As a result, an individual completely unfamiliar with the Utilities Services could be appointed, which would reduce the effectiveness of this office. The Consumer Complaint Official, according to L. D. 208, could establish rules and regulations, hold hearings and issue decisions. One person, in other words, could exercise the same authority as the three man Public Utilities Commission.

I hope you support my Motion.

The PRESIDENT: The Chair recognizes the Senator from Aroostook County, Senator Carpenter.

Mr. CARPENTER: Mr. President, Ladies and Gentlemen of the Senate, not to belabor the point, but I think there is a feeling within this Body that we ought to always be assured of a Consumer Complaint Office, and I just in answer to my colleague, the Senator from Aroostook, Senator Collins, and Senator Cummings from Penobscot, who have pointed out that there are some technical flaws with this Bill, which we could amend if we accept the Ought to Pass Report and could never amend if we do not accept the Ought to Pass Report. Thank you.

The PRESIDENT: Is the Senate ready for the question?

The pending Motion before the Senate is the Motion by the Senator from Penobscot, Senator Cummings, that the Senator accept the Majority Ought Not to Pass Report of the Committee.

The Chair will order a Division.

Will all those Senators in favor of the Motion, please rise in their places to be counted.

Will all those Senators opposing the Motion, please rise in their places to be counted.

17 Senators having voted in the affirmative, and 7 Senators in the negative, the Motion to accept the Majority Ought Not to Pass Report does prevail.

Majority Ought Not to Pass Report accepted in non-concurrence.

Sent down for concurrence.

(Off Record Remarks)

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

Mr. SPEERS: Mr. President, having voted in the majority on L. D. 208, I now move that the Senate reconsider its action whereby it accepted Majority Ought Not to Pass Report.

The PRESIDENT: The Senator from Kennebec, Senator Speers, now moves the Senate reconsider its action, whereby it accepted the Majority Ought Not to Pass Report of the Committee.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I consider this to be a very important issue. I think the good Senator from Aroostook, Senator Carpenter, stated very clearly why he thought there should be an office of Consumer Complaint within the Public Utilities Commission. Therefore, I request a Roll call, on the Motion.

The PRESIDENT: A Roll Call has been requested. In order for the Chair to order a Roll Call, it must be expressed desire of one-fifth of those Senators present and voting. Will all those Senators present 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 Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President, just to clarify the record, as I understood the Senator from Aroostook, Mr. Carpenter, to express to this Body that there is a Consumer Protection or Consumer Complaint office within the Public Utilities Commission, and I also heard him express to this Body that there is a considerable price tag attached to this piece of legislation.

Now if we are in the business of legislating for the State of Maine and for the people of the State of Maine, that we have so much money that we just simply can not find what to do with this money, so we are going around enacting statutes that will cost additional money to do what is already being done, then I think the people of the State would be rather amazed to hear that.

I think it is a good idea to have a Consumer Complaint Office within the Public Utilities

Commission, and I am happy to know that it is already being done, and I am also happy to know that it can continue to be done without the necessity of costing the taxpayers additional tax dollars.

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

Mr. FARLEY: Mr. President and Members of the Senate, Two nights ago I was watching television and I saw a Member of this Body come across the screen advising the People of the State of Maine to get in touch with their Legislators with their problems.

Now I assume these same people would have problems at times with the Public Utilities Commission of the State of Maine, and all of the utilities, and I would only ask that gentleman to allow the same rights to the citizens of Maine to access to the Public Utilities as he does with our Legislature.

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

Mrs. CUMMINGS: Mr. President, as Senator Speers has mentioned, there is an Office of Complaint at the moment that has been established. It is only a year old, and I think it is very effective indeed.

There are several technical problems to this Bill that perhaps could be straightened out, but I think it unnecessary to go through putting something on the books when we have something right now that is working, it is available, it is something that is approved of by the Public Utilities Commission, and I think we ought to give it a chance to work before we start putting things on the books to make things mandatory.

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

Mr. CONLEY: Mr. President, As I read the Statement of Fact on this particular Bill, it says the purpose of this Bill will establish an Office within the Public Utilities Commission to handle Consumer Complaints relating to services of Public Utilities. The Bill provides that the complaints or other data accumulated by the Office can be used as evidence of the Utilities cost effectiveness in a rate proceedings involving that utility.

Finally, the Bill contains a sunset provision which will end the Agency on June 30, 1980 unless the Legislature votes to continue it.

Now if the good Senator from Kennebec, Senator Speers, does not think that this is a valid Bill, then I think he should state that it is not valid, and not hide behind the color of some foolish nonsense that there is already an Office established in that bureau.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Mr. CARPENTER: Mr. President, Ladies and Gentlemen of the Senate, just to clarify a couple of points that have been raised about the price tag. I think I did explain what we proposed to do with the price tag if the other Bills, and this is contingent upon other pieces of legislation, should happen to receive favorable approval.

Perhaps the best argument I have heard today for this Bill is the argument just put forth by the Senator from Penobscot, Senator Cummings, when she said there is presently in the Public Utilities Commission a Consumer Complaint Office that has been in effect for a little over a year. Well, I think that was a long time coming, and it so happened that we had a make-up of the Commission that decided this was well and good. We could very easily have a makeup of the Commission a few years from now after the present Commissioners are either off or have changed their minds, when they decide that a Consumer Complaint Office is no longer necessary. And I would also say that we may by this vote this afternoon be lending some

credence to that argument. If Commissioners in the future say the Legislature in 1977, the 108th, had a chance to put this in Statutes and they did not feel it was important enough, then I guess we do not need it around.

Thank you.

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

Mrs. CUMMINGS: Mr. President, There is at present a very effective Consumer Complaint Office. This one, if it were set up, could very easily be in conflict with some kind of a decision from the Public Utilities Commission. There is nothing in this Bill that would provide for a means of resolving that conflict.

I agree that there should be a Consumer Complaint Office. There is one. I cannot see in this day of more and more interest in the consumers that we ever are going to have a chance that something like this would not still stay on the books. If we want to be sure it stays on the books, then I think we should take what they now have and put it on. This is an unworkable Bill.

The PRESIDENT: Is the Senate ready for the question?

The pending question before the Senate is the Motion by the Senator from Kennebec, Senator Speers, that the Senate reconsider its action whereby it accepted the Majority Ought Not to Pass Report of the Committee.

The Roll Call has been ordered.

A yes vote will be in favor of reconsideration and a nay vote will be opposed.

The Secretary will call the Roll.

ROLL CALL

YEA — Carpenter, Conley, Farley, Levine, Mangan, Martin, O'Leary, Pray, Usher.

NAY — Chapman, Collins, D.; Collins, S.; Cummings, Greeley, Hewes, Huber, Jackson, Lovell, McNally, Morrell, Pierce, Snowe, Speers, Trozky.

ABSENT — Curtis, Danton, Hichens, Katz, Merrill, Minkowsky, Redmond, Wyman.

9 Senators having voted in the affirmative, and 15 Senators in the negative, with 8 Senators being absent, the Motion to reconsider does not prevail.

Divided Report

The Majority of the Committee on Public Utilities, on, Bill, An Act Concerning Residential Utility Consumer Action Groups. (H. P. 1285) (L. D. 1507)

Reported that the same Ought Not to Pass.

Signed:

Senators:

CUMMINGS of Penobscot
COLLINS of Aroostook
CARPENTER of Aroostook

Representatives:

BERRY of Buxton
SMITH of Mars Hill
LUNT of Presque Isle
TARR of Bridgton
CUNNINGHAM of New Gloucester

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass.

Signed:

Representatives:

McHENRY of Madawaska
PEARSON of Old Town
WOOD of Sanford
NADEAU of Sanford
KELLEHER of Bangor

Comes from the House, the Minority Report Read and Accepted and the Bill Passed to be Engrossed.

Which Reports were Read.

On Motion of Mr. Carpenter of Aroostook, Majority Ought Not to Pass Report accepted in non-concurrence.

Sent down for concurrence.

(See Action Later today)

Divided Report

Seven members of the Committee on Natural Resources on, Resolve, to Appropriate Moneys for Research on Black Fly Biology and Continued Research on an Environmentally Safe Insecticidal Control for Black Flies. (Emergency) (H. P. 291) (L. D. 348)

Reported in Report A that the same Ought to Pass as amended by Committee Amendment "A" (H-212)

Signed:

Senators:

TROTZKY of Penobscot
O'LEARY of Oxford
REDMOND of Somerset

Representatives:

BENOIT of S. Portland
DEXTER of Kingfield
GREEN of Auburn
WILFONG of Stow

Three members of the same Committee on the same subject matter Reported in Report B that the same Ought Not to Pass.

Signed:

Representatives:

HUBER of Falmouth
HUNTER of Benton
BROWN of Bethel

Two members of the same Committee on the same subject matter Reported in Report C that the same Ought to Pass.

Signed:

Representatives:

BLODGETT of Waldoboro
HALL of Sangerville

Comes from the House, Report C Read and Accepted and the Bill Passed to be Engrossed as Amended by House Amendment "A" (H-361).

Which Reports were Read.

On Motion of Mr. O'Leary of Oxford, Report "C", Ought to Pass, accepted in concurrence.

The Bill read once, House Amendment "A" Read, and adopted, and the Bill, as amended, Tomorrow Assigned for Second Reading.

Senate

Leave to Withdraw

Mr. MANGAN for the Committee on Judiciary on,

Bill, An Act Permitting Terminally Ill Patients to Die a Natural Death. (S. P. 75) (L. D. 184)

Reported that the same be granted Leave to Withdraw.

Which Report was Read.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Collins.

Mr. COLLINS: Mr. President, this is a Bill on which I have labored a great deal, and I have finally concluded with some reluctance that this is not yet the time to codify the living will in the State of Maine. Four States have enacted similar laws within the past year. Similar legislation is pending in 36 states. I think the time may come for the State of Maine to consider it. But I recognize that in this area, where there is deep feeling and some controversy, that it is important that public education occur so that all may fully understand what it is they are concerned about.

I was particularly influenced in my decision to ask the Judiciary Committee for permission to withdraw this Bill by continuing dialogue with members of the medical profession, many of whom encouraged me to proceed with this Bill. But I received from the Executive Director of the Maine Medical Association, Doctor Daniel Hanley of Brunswick, for whom I have much respect, a letter early this week, and he said in part "I know that you are concerned with the potential ramifications which this legislation might have on existing medical legal doctrines such as informed consent and abandonment. I also know that your only motive in proposing this legislation was to insure that the lives of terminally ill patients are not needlessly

prolonged through the use of extraordinary artificial life support systems. The concern of the Maine Medical Association is not with your motives, which we applaud, but with the statutory device which you have fashioned to accomplish this objective. The relationship between a terminally ill patient and his or her physician is a personal and subjective interactive situation. Standardization by statutory means of the manner in which a life determinative decision is made may not be the only means of insuring that the wishes of the patient are carried out. Because of the multitude of questions raised by this type of legislation, I ask that you consider deferring further legislative action on L.D. 184, in order that there may be a continuing educational dialogue about the subject matter between the medical and legal professions and with the public at large."

I ask the Senate to accept the Report.

Which Report was accepted.

Sent down for concurrence.

Mr. CHAPMAN for the Committee on Marine Resources on,

Bill, An Act Permitting 10 Traps to a Trawl in Waters Adjacent to Kittery. (S. P. 332) (L. D. 1091)

Reported that the same be granted Leave to Withdraw.

Which Reports were Read and Accepted.

Sent down for concurrence.

Divided Report

The Majority of the Committee on Taxation on,

Bill, An Act Relating to State Income Tax Deduction for Student Tuition Payments. (S. P. 402) (L. D. 1385)

Reported that the same Ought Not to Pass.

Signed:

Senator:

MARTIN of Aroostook

Representatives:

MAXWELL of Jay
CARTER of Bangor
COX of Brewer
POST of Owl's Head
CHONKO of Topsham
TEAGUE of Fairfield
IMMONEN of West Paris
CAREY of Waterville
TWITCHELL of Norway

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass in New Draft, under same title. (S. P. 505) (L. D. 1790)

Signed:

Senators:

WYMAN of Washington
JACKSON of Cumberland

Representative:

MACKEL of Wells

Which Reports were Read.

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

Mr. JACKSON: Mr. President, I move the Senate accept the Minority Ought to Pass in New Draft Report.

The PRESIDENT: The Senator from Cumberland, Senator Jackson, now moves that the Senate accept the Minority Ought to Pass in New Draft Report.

The Chair recognizes the Senator from Aroostook, Senator Martin.

Mr. MARTIN: Mr. President, I request a Division.

The PRESIDENT: A Division has been requested on the Motion of the Senator from Cumberland, Senator Jackson, that the Senate accept the Minority Ought to Pass in New Draft Report.

Will all those Senators in favor of the Motion, please rise in their places to be counted.

Will all those Senators opposing the Motion, please rise in their places to be counted.

The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President, I request a Roll Call.

The PRESIDENT: 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 Senators 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 Chair recognizes the Senator from Aroostook, Senator Martin.

Mr. MARTIN: Mr. President, Ladies and Gentlemen of the Senate, as I look at L.D. 1790, I note the fiscal note on it which is \$750,000.00 annually. This is another one of those fine Bills that came out of the Tax Exemption Committee. The merits are probably good, but at this time we just simply do not have the money.

I ask you to seriously consider this Bill and vote to defeat it.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the Motion by the Senator from Cumberland, Senator Jackson, that the Senate accept the Minority Ought to Pass in New Draft Report.

A yes vote will be in favor of accepting the Report. A no vote will be opposed.

The Secretary will call the Roll.

YEAS — Chapman, Hewes, Jackson, Mangan, Morrell, Pierce, Snowe, Speers, Trozky.

NAYS — Carpenter, Collins, D.; Collins, S.; Conley, Cummings, Farley, Greeley, Huber, Levine, Lovell, Martin, McNally, Minkowsky, O'Leary, Pray, Usher.

ABSENT — Curtis, Danton, Hichens, Katz, Merrill, Redmond, Wyman.

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

Mr. FARLEY: Mr. President, I would like to change my vote from nay to yea.

The PRESIDENT: The Senator from York, Senator Farley, now requests permission to change his vote from nay to yea. Is it the pleasure of the Senate to grant this? It is a vote.

10 Senators having voted in the affirmative, and 15 Senators in the negative, with 7 Senators being absent, the Motion to accept the Minority Ought to Pass in New Draft Report does not prevail.

The PRESIDENT: Is it now the pleasure of the Senate to accept the Majority Ought Not to Pass Report?

The Chair recognizes the Senator from Cumberland, Senator Jackson.

Mr. JACKSON: Mr. President, I move this item lie on the Table until Monday next.

The PRESIDENT: The Senator from Cumberland, Senator Jackson, now moves that this item be tabled until Monday next.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I request a Division.

The PRESIDENT: A Division has been requested on the Tabling Motion.

Will all those Senators in favor of tabling this item for One Legislative Day, please rise in their places to be counted.

Will all those Senators opposed to tabling this item for one Legislative Day, please rise in their places to be counted.

16 Senators having voted in the affirmative, and 9 Senators in the negative, the Motion to Table does prevail.

The PRESIDENT: The Chair at this time would ask the Sergeant-at-Arms to escort the Senator from Sagadahoc, Senator Chapman, to the rostrum, to act as President Pro Tem.

Thereupon, the Sergeant-at-Arms escorted Mr. Chapman of Sagadahoc to the Rostrum

where he assumed the duties of President Pro Tem, and the President retired from the Senate Chamber.

Reconsidered Matter

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

Mr. PRAY: Mr. President, having voted on the prevailing side on L.D. 1661, I move the Senate reconsider its action.

The PRESIDENT pro tem: The Chair would advise the Senator that L.D. 1661 is assigned for Second Reading Tomorrow, and his Motion is out of order.

Reconsidered Matter

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

Mr. SPEERS: Mr. President, with reference to L.D. 1507, I move the Senate reconsider its action whereby it accepted the Majority Ought Not to Pass Report, and urge the Senate to vote against me.

The PRESIDENT pro tem: The Senator from Kennebec, Senator Speers, now moves the Senate reconsider its action whereby it accepted the Majority Ought Not to Pass Report of the Committee.

A viva voce vote being had,

The Motion to reconsider does not prevail.

Second Readers

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

House

Bill, An Act to Amend the Law Creating the Commission on Governmental Ethics and Election Practices. (H. P. 621) (L. D. 762)

Which was Read a Second Time and Passed to be Engrossed in concurrence.

House — As Amended

Bill, An Act Relating to Instruction Posting under the Election Laws. (H. P. 454) (L. D. 559)

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

Bill, An Act to Amend the Charter of the Augusta Sanitary District. (Emergency) (H. P. 718) (L. D. 840)

On Motion of Mr. Speers of Kennebec,

Tabled pending the Motion of the same Senator that the Senate reconsider Adoption of Committee Amendment "A", and especially assigned for One Legislative Day.

Senate

Bill, An Act Concerning the Power of Podiatrists. (S. P. 280) (L. D. 893)

Bill, An Act to Repeal the Definition of Insane Person Contained in Title 1 of the Maine Revised Statutes. (S. P. 357) (L. D. 1182)

Bill, An Act Concerning the Podiatrists Practice Act. (S. P. 425) (L. D. 1483)

Which were Read a Second Time and Passed to be Engrossed.

Sent down for concurrence.

Enactors

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

An Act to Provide Malt Liquor Licenses for Caterers. (H. P. 1549) (L. D. 1773)

An Act Concerning the Issue of Special Licenses by the Commissioner of Marine Resources. (H. P. 996) (L. D. 1185)

An Act Concerning a Standard Method of Tallying Ballots. (H. P. 1212) (L. D. 1442)

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

An Act to Authorize the Towns of Litchfield, Sabattus and Wales to form a new School Super-

visory Union. (H. P. 611) (L. D. 748)

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

Mr. GREELEY: Mr. President, I move that L.D. 748 be tabled for One Legislative Day.

The PRESIDENT pro tem: The Senator from Waldo, Senator Greeley, moves that L. D. 748 be tabled for One Legislative Day.

The Chair recognizes the Senator from Kennebec, Senator DSpeers.

Mr. SPEERS: Mr. President, I request a Division.

The PRESIDENT pro tem: A Division has been requested.

Will all those Senators in favor of the Motion to table L.D. 748 for One Legislative Day, please rise in their places to be counted.

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

Mr. GREELEY: Mr. President, I would like to give an explanation as to why I — —

The PRESIDENT pro tem: A Tabling Motion is not debatable.

The Chair recognizes the Senator from Waldo, Senator Greeley.

Mr. GREELEY: Mr. President, I withdraw my Motion.

The PRESIDENT pro tem: The Senator from Waldo, Senator Greeley, now asks leave of the Senate to withdraw his Motion. Is it the pleasure of the Senate to grant this Leave? It is a vote.

On Motion of Mr. Speers of Kennebec, Tabled until later in Today's Session, Pending enactment.

An Act Concerning the Municipal Refund Claims for the Tree Growth Reimbursement. (H. P. 932) (L. D. 1129)

On Motion of Mr. Huber of Cumberland, Tabled for Two Legislative Days, Pending enactment.

An Act to Increase Flexibility in the Funding and Operation of the Vocational-Technical Institutes. (H. P. 221) (L. D. 285)

Comes from the House, Indefinitely Postponed.

On Motion of Mr. Katz of Kennebec, Tabled for One Legislative Day, Pending enactment.

Resolves

RESOLVE, Authorizing the Exchange of Certain Public Reserved Lands with Diamond International Corporation. (H. P. 1001) (L. D. 1392)

RESOLVE, Authorizing the Exchange of Certain Public Reserved Lands with the Dead River Group of Companies. (H. P. 1381) (L. D. 1687)

RESOLVE, Authorizing the Exchange of Certain Public Reserved Lands, Oxford Paper Company. (H. P. 1383) (L. D. 1683)

Which were Finally Passed and having been signed by the President, were by the Secretary presented to the Governor for his approval.

Orders of the Day

The PRESIDENT pro tem laid before the Senate;

HOUSE REPORT — from the Committee on Local and County Government — Bill, "An Act Concerning County Contingent Funds and the Rate of Interest Which May Be Charged for Delinquent County Taxes." (H. P. 877) (L. D. 1102) Ought to Pass with Committee Amendment "A" (H-337)

Tabled — May 19, 1977 by Senator Levine of Kennebec

Pending — Acceptance of Report

The PRESIDENT pro tem: The Chair recognizes the Senator from Androscoggin, Senator Mangan.

Mr. MANGAN: Mr. President, I would move that this Bill and all its accompanying papers

be indefinitely postponed, and I would like to speak to my Motion.

The PRESIDENT pro tem: The Chair recognizes the same Senator.

Mr. MANGAN: Mr. President, the problem that I have with this Bill relates to a couple of items that this Bill really addresses. The first one says that this Amendment removes Section II of the Bill that relates to interest charges on delinquent county taxes.

As the members of this Senate probably will realize, the counties in the State of Maine on or about the first of January of every year have to go out and borrow some money from banks and pay an interest rate thereon. This borrowing is done in anticipation of receiving tax dollars. Now, it is commonly known that municipalities are not obligated to pay their county taxes prior to the first of January of the year following. Therefore, what we have is a County unit, or at least a unit of government, that lives for a whole year on borrowed money. Now in the County of Androscoggin that is somewhat over a million dollars of borrowed money.

The problem that arises here is whether we are going to force those County governments to have to shoulder the entire responsibility of paying interest rates on these things, or are we going to require those municipalities to pay their County taxes when they are due. Now, I believe the due date on County taxes this year has been dropped to the first of November. It would, therefore, be wise to require those municipalities that do collect their taxes in June, July, August, to pay their taxes to the County to eliminate as much of this borrowing as is required and, therefore, really save the taxpayers of the County quite a deal of money, especially in interest payments.

The second portion of this Bill relates to the contingency account of the County, which can not be expended without the advice and consent of the Legislative Delegation. The problem that bothers me here is, that I can picture a situation, where, throughout the month of August or September, the roof falls off the County Building, or the Sheriff runs out of money to feed his prisoners, and automatically you are going to have to have a quorum of the Legislative Delegation called in for their approval. Well, the Legislative Delegation, first of all, is not the Legislature. They are just the local elected representatives of the County. Secondly, I seriously question as to whether the Legislative Delegation itself can act on behalf of the County Commissioners.

Thirdly, we have to understand that the County Commissioners are elected by the people of their County, the same way as Legislators and the same way as municipal officials, and what we are really doing here is taking a step further away from the people by saying look, your County Commissioners that you have elected really have no power and no decision making authority. If a sheriff's car should be involved in an accident and catch fire, and you have to replace that over night, you can not do it. What we are going to do is let the entire matter wait until you can get the entire Legislative Delegation together. And if you can call your quorum from Florida, Virginia and in some cases they were working in Canada in previous years. I feel that this is quite a restriction on the County people themselves. Therefore, I would urge the Members of this Body to indefinitely postpone this paper and all its accompanying documents. I would also ask for a Roll Call.

The PRESIDENT pro tem: A Roll Call has been requested.

The Chair recognizes the Senator from Androscoggin, Senator Mangan.

Mr. MANGAN: Mr. President I withdraw the Roll Call and ask for a Division.

The PRESIDENT pro tem: A Division has been requested.

Will all those Senators in favor of the Motion to indefinitely postpone L. D. 1102, please rise in their places to be counted.

Will all those Senators opposing the Motion to indefinitely postpone L.D. 1102 please rise in their places to be counted.

15 Senators having voted in the affirmative, and 2 Senators in the negative, the Motion to indefinitely postpone does prevail, in non-concurrence.

Sent down for concurrence.

The PRESIDENT pro tem: laid before the Senate:

HOUSE REPORT — from the Committee on Public Utilities — Bill, "An Act to Regulate the Placing by Nonutilities of Electric Utility Facilities within Public Ways." (H. P. 719) (L. D. 854) Ought to Pass as Amended by Committee Amendment "A" (H-340)

Tabled — May 19, 1977 by Senator Carpenter of Aroostook

Pending — Acceptance of Report
On Motion of Mr. Collins of Aroostook,
Ought to Pass as amended Report Accepted.
The Bill Read Once. Committee Amendment "A" Read and adopted, and the Bill, as amended Tomorrow Assigned for Second Reading.

The PRESIDENT pro tem: laid before the Senate:

RESOLVE, Designating Weskeag Marsh at Thomaston as the "R. Waldo Tyler Wilderness Area." (H. P. 1533) (L. D. 1765)

Tabled — May 19, 1977 by Senator Speers of Kennebec

Pending — Passage to be Engrossed.
On Motion of Mr. Speers of Kennebec,
Retabled for One Legislative Day.

The PRESIDENT pro tem: laid before the Senate:

Bill "An Act to Authorize the Towns of Litchfield, Sabattus and Wales to form a new School Supervisory Union" (H. P. 611) (L. D. 748), which was tabled earlier in today's Session by the Senator from Kennebec, Senator Speers, pending enactment.

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

Out of Order and under suspension of the Rules, the Senate voted to take up additional papers from the House.

Joint Order

An Expression of Legislative Sentiment recognizing that: Olivia Farnsworth of Jonesport, who has been a life-long resident of that community, will celebrate the 99th anniversary of her birth on May 22, 1977, (H. P. 1577)

Comes from the House, Read and Passed.
Which was Read and Passed in concurrence.

Committee Reports Senate

The following Ought Not to Pass reports shall be placed in the Legislative files without further action pursuant to Rule 20 of the Joint Rules:

Bill, An Act to Clarify the Establishment of the Funding Level for Education. (S. P. 471) (L. D. 1691)

Bill, An Act to Permit Governing Representation of Regional Vocational Centers by the Participating Communities. (S. P. 420) (L. D. 1461)

Bill, An Act Amending the Nomination by Petition Election Process. (S. P. 475) (L. D. 1724)

Bill, An Act to Reorganize the Department of Conservation. (S. P. 203) (L. D. 601)

Ought to Pass in New Draft

Mr. CHAPMAN for the Committee on

Business Legislation on,

Bill, An Act Concerning Insurance Coverage for Deaf and Mentally Retarded Persons. (S. P. 47) (L. D. 96)

Reported that the same Ought to Pass in New Draft under new title: Bill, "An Act Concerning Insurance Coverage for Deaf, Mentally Retarded, Blind and Developmentally Disabled Persons." (S. P. 507) (L. D. 1792)

Ought to Pass in new Draft Report accepted.
The Bill Read Once, and Tomorrow Assigned for Second Reading.

Enactor Emergency

An Act to Amend the Charter of the Portland Water District. (H. P. 1556) (L. D. 1775)

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

Mr. PRAY: Mr. President, I move this item lie on the Table Two Legislative Days.

The PRESIDENT pro tem: The Senator from Penobscot now moves that this item lie on the table Two Legislative Days.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: I request a Division.

The PRESIDENT pro tem: A Division has been requested on the Motion by the Senator from Penobscot, Senator Pray, that L. D. 1775 lie on the Table for Two Legislative Days.

Will all those Senators in favor of tabling this item for Two Legislative Days, please rise in their places to be counted.

Will all those Senators opposed to tabling this item for Two Legislative Days, please rise in their places to be counted.

The Chair will announce the vote.

7 Senators having voted in the affirmative, and 14 in the negative, the Motion to table does not prevail.

The Chair recognizes the Senator from Cumberland, Senator Hewes.

Mr. HEWES: Mr. President, I request a Roll Call on this present emergency matter.

The PRESIDENT pro tem: A Roll Call has been requested.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I know there is a full moon in Session, and personally I have no love or dislike for this particular measure, but I can assure the Senate that this Bill should have been enacted three days ago. So, if we wish to continue to play games, now is the time to do it.

The PRESIDENT pro tem: 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 Senators present 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.

Is it now the pleasure of the Senate that the Bill be passed to be enacted. This being an emergency measure, under the Constitution, requires for its passage the affirmative vote of two-thirds of the entire elected Membership of the Senate.

A yes vote will be in favor of enactment. A nay vote will be opposed.

The Secretary will call the Roll.

YEAS — Chapman, Collins, D.; Collins, S.; Conley, Farley, Greeley, Hewes, Huber, Jackson, Katz, Levine, Lovell, Mangan, Martin, McNally, Minkowsky, Morrell, O'Leary, Pierce, Pray, Snowe, Speers, Trotzky, Usher, Sewall.

NAYS — None.

ABSENT — Carpenter, Cummings, Curtis, Danton, Hichens, Merrill, Redmond, Wyman.

25 Senators having voted in the affirmative, with no Senator voting in the negative, and 8 Senators being absent, the Bill was Passed to be Enacted and having been signed by the Presi-

dent was by the Secretary presented to the Governor for his approval.

Joint Order

An Expression of Legislative Sentiment recognizing that: Sts. Cyril and Methodius Church of Lisbon Falls, which has served as the center of Slovak Heritage in Maine, is celebrating its 50th Jubilee, (H. P. 1582)

Comes from the House, Read and Passed.

Which was Read.

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

Mr. MINKOWSKY: Mr. President and Members of the Senate, prior to the passage of this Joint Order, I would like to express my own personal sentiment to these Slovak people of Lisbon, Lisbon Falls and Lisbon Center on the 50th Jubilee that they are now celebrating.

I know it has been my privilege and pleasure to serve these people in my Senatorial District for the past eight years, and I sincerely hope that the prosperity of the Slovak tradition in Lisbon Falls does continue for another 50 years.

Which was Passed in Concurrence.

Enactor

Emergency

An Act to Revise the Application and Effective Date of the Administrative Court Law. (H. P. 1567) (L. D. 1783)

This being an emergency measure and having received the affirmative votes of 24 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.

On Motion of Mr. Huber of Cumberland,
Adjourned to May 23, 1977 at 10:30 in the morning.