

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eighth
Legislature***

OF THE

STATE OF MAINE

Volume II

May 26, 1977 to July 25, 1977

Index

**Senate Confirmation Session
September 16, 1977**

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KJ PRINTING
AUGUSTA, MAINE

SENATE

Friday, July 8, 1977

Senate called to Order by the President.
 Prayer by Reverend Thomas J. Joyce, Pastor of St. Mary's Catholic Church in Augusta.
 Rev. Joyce: O God, we humbly ask your blessing on all gathered here this morning. We ask that you sustain them in their work and a special blessing in their behalf, that they may always have the strength to accomplish the task that is theirs. Realizing, that all law emanates from you, theirs is said to be both the pious and patriotic duty. One's service to one's fellow human beings. We, therefore, ask your blessing and all things begin and end with you, that this meeting begin with our humble prayer. We thank you for your past blessings, and petition for your help in the remaining time of this Session. May God bless you.
 Reading of the Journal of yesterday.

**Papers from the House
 Non-concurrent Matter**

Bill, "An Act to Require State Level Assessment of Industrial Real Property with a Value in Excess of \$1,000,000. (H. P. 1329) (L. D. 1606)"
 In the Senate June 28, 1977, Majority 'Ought Not to Pass' Report Read and Accepted, in non-concurrence.

Comes from the House, Passed to be Engrossed as amended by House Amendment "A" (H-890) in non-concurrence.

On Motion of Mr. Speers of Kennebec,
 Tabled until later in Today's Session, pending consideration.
 (See Action later Today)

Non-concurrent Matter

Bill, "An Act Concerning Prosecution of Fish and Wildlife Law Violators Who are 16 Years of Age or Older. (H. P. 193) (L. D. 255)"

In the House April 27, 1977 Recommended to the Committee on Fisheries and Wildlife.

In the Senate April 29, 1977 Passed to be Engrossed as amended by Committee Amendment "A" (H-205) in non-concurrence.

Comes from the House, that Body having Adhered.

On Motion of Mr. Redmond of Somerset,
 The Senate voted to Adhere.

Joint Orders

Expressions of Legislative Sentiment recognizing that:

Father William J. Kelly retired on June 15th, 1977 from the active priesthood after 48 years as a priest in the Diocese of Portland. (H. P. 1808)

Rodney Glidden, of Palermo, Maine, has achieved the high personal honor and distinction of Eagle Scout as a member of Troop 222. (H. P. 1810)

Scott Glidden, of Palermo, Maine, has achieved the high personal honor and distinction of Eagle Scout as a member of Troop 222. (H. P. 1811)

Joseph Travis, of Palermo, Maine, has achieved the high personal honor and distinction of Eagle Scout as a member of Troop 222. (H. P. 1813)

Daryl McKenny, of Palermo, Maine, has achieved the high personal honor and distinction of Eagle Scout as a member of Troop 222. (H. P. 1812)

Come from the House, Read and Passed,
 Which were Read and Passed, in concurrence.

Whereas, the enactment of the 200-mile limit is likely to generate new fishing opportunities and increased landings for Maine fishermen; and

Whereas, the increased fishing activity will demand new marketing methods and procedures to take full advantage of the 200-mile limit; and

Whereas, a basic study of the present and potential markets for seafood does not now exist, and is vitally necessary to properly plan for increasing of seafood market demands; now, therefore, be it

Ordered, the Senate concurring, that the Legislative Council be authorized to study, through the Joint Standing Committee on Marine Resources, the marketing possibilities for Maine seafood; and be it further

Ordered, that the study shall analyze the present condition and location of the fishing fleet, dockside and port facilities, the present and potential landings of commercial seafood, the procedure for reporting landings, the landing, handling, processing, transporting and distribution methods currently used, the present instate and regional marketing system, potential marketing systems that could be established, including fish auctions, and the role of the State in improving Maine seafood marketing; and be it further

Ordered, that all departments of State Government shall cooperate with the committee in the pursuit of its assigned task; and be it further

Ordered, that the committee shall complete this study no later than December 1, 1977, or no later than 90 days prior to the First Regular Session of the 109th Legislature and submit to the Legislative Council within either 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. 1806)

Comes from the House, Read and Passed.
 Which was Read,
 On motion of Mr. Speers of Kennebec,
 Tabled pending passage.

Whereas, even though Title XIX of the Social Security Act (Medicaid) is a federal program, the State has some latitude for setting directions within the limits of federal law and regulations; and

Whereas, the Maine State Legislature could play a greater role in determining how the Medicaid program should be implemented, and to what extent various types of medical care and services should be covered under the program; and

Whereas, the total expenditures of state and federal dollars for medical care and services under the Medicaid program in the State of Maine increased from \$34,000,000 in fiscal year 1972 to \$90,000,000 in fiscal year 1977; and

Whereas, the State pays for roughly 32% of the total expenditures for medical care and services under the Medicaid program; and

Whereas, especially in light of the tremendous costs of the Medicaid program and the significant effect the program has on needy persons who receive medical care and services under it, it is thought to be appropriate for the Legislature to have a stronger policy-making rule with respect to the implementation of the Medicaid program in the State of Maine; now, therefore, be it

Ordered, the Senate concurring, that the Joint Standing Committee on Performance Audit shall study the implementation of the Medicaid program in Maine by the Department of Human Services; and be it further

Ordered, that in carrying out its study the committee shall evaluate both the medical care and intermediate care programs of the Department of Human Services, including at least an analysis of the principles, amount and process of reimbursements to providers of medical care and services under the Medicaid program; and be it further

Ordered, that in carrying out its study the committee shall also determine which decisions about the Medicaid program should be

made by the Legislature and which should be made by the Department of Human Services; and be it further

Ordered, that the Department of Human Services, as well as any fiscal intermediaries under contractual services with the department, shall cooperate with the committee to the fullest extent possible in carrying out this study; and be it further

Ordered, that the committee shall complete this study no later than December 1, 1977, 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 the members of the committee. (H. P. 1809)

Comes from the House, Read and Passed.
 Which was Read
 On Motion of Mr. Speers of Kennebec,
 Tabled pending passage

Communications

Committee on Judiciary

July 6, 1977

The Honorable Joseph Sewall
 President of the Senate
 Maine State Legislature
 State House
 Augusta, Maine 04333
 Dear President Sewall:

The Committee on Judiciary is pleased to report that it has completed all business placed before it by the 108th First Regular Session of the Maine State Legislature, and reports the following:

Total number of bills received	161
Unanimous reports	131
Divided reports	30
44 bills were given Leave to Withdraw	
4 bills were referred to other Committees	
3 bills were recommitted	
3 studies were recommended by the Committee	
39 amendments were prepared and	
32 new drafts	
Public hearings were held on 51 Legislative days.	
The Committee held working sessions on 61 days and on 16 evenings.	

Respectfully,
 Signed: SAMUEL W. COLLINS, JR.
 Senate Chairman

Which was Read.
 The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ: Mr. President, I just want to call the Senate's attention to this Report. It is a little different from anything I have ever seen, and it gives a pretty clear notion of the scope of the extraordinary effort that was put out by this committee, and perhaps it is an example we may all follow when we come in for a second regular session.

Which was placed on file.

**Committee on Health &
 Institutional Services**

The Honorable Joseph Sewall
 President of the Senate
 State House
 Augusta, Maine 04333
 Dear President Sewall:

The Committee on Health and Institutional Services is pleased to report that it has completed all business placed before it by the first regular session of the 108th Maine Legislature. Total Number of Bills Received in Committee

tee	100
Recommitted Bills	1
Unanimous Reports	84
Ought to Pass	13
Ought to Pass as Amended	25
Ought to Pass in New Draft	7
Ought Not to Pass	7

Leave to Withdraw	31
Change of Reference	1
Divided Reports	13
Bills Being Held Over to Next Session	3
Total Number of Amendments	38
Total Number of New Drafts	9

Sincerely yours,

OLYMPIA J. SNOWE
Senate Chairperson

Which was Read and Ordered Placed on File.

House of Representatives

July 7, 1977

The Honorable May M. Ross
Secretary of the Senate
108th Legislature
Augusta, Maine 04333
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 on Resolution, Proposing an Amendment to the Constitution to Require the State to Reimburse Municipalities for at least 50% of Property Tax Exemption Losses (S. P. 366) (L. D. 1227):

Mrs. KANY of Waterville
Ms. BACHRACH of Brunswick
Mr. STUBBS of Hallowell

Respectfully,

Signed:

EDWIN H. PERT
Clerk of the House

Which was Read and Ordered Placed on File.

House of Representatives

July 7, 1977

The Honorable May M. Ross
Secretary of the Senate
108th Legislature
Augusta, Maine 04333
Dear Madam Secretary:

House Paper 474, Legislative Document 580, An Act to Provide for the Restrictive Licensing of Certain Financial Institutions, 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?"

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

Respectfully,

Signed:

EDWIN H. PERT
Clerk of the House

Which was Read and Ordered Placed on File.

Orders

Expressions of Legislative Sentiment recognizing that: Carleton Day Reed, Jr. and Cynthia Murray-Beliveau are retiring as members of the Board of Trustees of the University of Maine after having served with personal dedication and great distinction. (S. P. 595) is presented by Senator Katz of Kennebec.

Which was Read.

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

Mr. KATZ: Mr. President, Carlton Day Reed used to sit in the front row of this Chamber, and was formerly President of the Senate. He went down to defeat in his bid for Democratic nomination for Governor, but then he would continue this public service on the Board of Trustees of the University of Maine. Cynthia Murray-Beliveau is a teacher in Bangor. Her brother was Representative Murray from Bangor who had the bad judgment, I guess, to run against the Senator from Penobscot, Senator Trotzky for the Senate. Cynthia came

down to Augusta and met Severin Beliveau and married him and went on the Board of Trustees of the University of Maine. The reason I am making these comments this morning is that these two fine Democrats served during an extraordinary turbulent time. They served with distinction, and they served with honor and brought credit, I am sure, to the State of Maine through their efforts.

Which was Read.

Sent down for concurrence.

Rudolph Marcoux, William Labine and Edward Stanley are retiring as members of the Board of Trustees of the Maine Maritime Academy after having served at personal sacrifice and with high distinction. (S. P. 596) is presented by Senator Katz of Kennebec.

Which was Read and Passed.

Sent down for concurrence.

The Cape Elizabeth High School Baseball Team has won the State Class B Championship for the 3rd time in the last 4 years and has also won the Western Maine Class B Championship and the Cumberland County Conference Championship for the 4th consecutive year. (S. P. 597) is presented by Senator Hewes of Cumberland (Cosponsors: Masterton of Cape Elizabeth and Benoit of South Portland)

Which was Read.

On motion of Mr. Speers of Kennebec,
Tabled until later in Today's Session, pending passage.

(See Action Later Today)

Orders of the Day

The President laid before the Senate:
Bill, "An Act to Revise the Judicial Retirement System." (S. P. 497) (L. D. 1776)

Tabled — July 7, 1977 by Senator Collins of Knox

Pending — Passage to be Engrossed
Which was Passed as amended in concurrence.

The President laid before the Senate:
RESOLUTION, Proposing an Amendment to the Constitution to Require the Legislature to Convene in December after the General Election. (H. P. 1048) (L. D. 1259)

Tabled — July 7, 1977 by Senator Speers of Kennebec

Pending — Final Passage
On motion of Mr. Speers of Kennebec,
Retabled until later in Today's Session.

(See Action Later Today)

(Off Record Remarks)

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator O'Leary.

Mr. O'LEARY: May I ask a question of the Chair please?

The PRESIDENT: The Senator may state his question.

Mr. O'LEARY: Mr. President, are we going to have a Supplemental Journal from the House this morning?

The PRESIDENT: Negative, there will be none this morning. We will be recessing until 2:30 this afternoon. There will be no work.

On motion of Mr. Speers of Kennebec, Recessed until 2:30 this afternoon.

(Recess)

(After Recess)

Senate called to Order by the President.

(Off Record Remarks)

Out of Order and under suspension of the rules, the Senate voted to consider the following.

**Papers from the House
Non-concurrent Matter**

Bill, "An Act to Lighten the Burden of Property Taxes on the Elderly Widowed or Disabled." (S. P. 440) (L. D. 1531)

In the Senate July 6, 1977 Senate Adhered to Passage to be Engrossed as amended by Committee Amendment "A" (S-186).

In the House July 7, 1977 House Receded and Concurred.

Comes from the House, Rules Suspended, Subsequently Passed to be Engrossed as amended by House Amendment "A" (H-899) in non-concurrence.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator O'Leary.

Mr. O'LEARY: Mr. President, this House Amendment increases the cost in each year of the biennium to \$450,000.00 or a total of \$900,000.00 for the biennium. The original bill called for \$81,500.00 and it was in the second year of the biennium, therefore, I would move that the Senate adhere.

The PRESIDENT: The Senator from Oxford, Senator O'Leary, now moves that the Senate adhere. Is it the pleasure of the Senate? It is a vote.

Sent down forthwith for concurrence.

Joint Order

An Expression of Legislative Sentiment recognizing that: The Maine Mariners Hockey Club, Inc., a member of the American Hockey League, has, by coming to the Cumberland County Civic Center, brought clean industry, jobs and professional hockey to the State of Maine. (H. P. 1818)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

Joint Order

WHEREAS, the overall tax structure in Maine is regressive, which means the higher income person often pays a smaller percentage of his income than the low income person does; and

WHEREAS, the State has enacted many tax exemptions which provide relief to persons whether they need that relief or not; and

WHEREAS, the State has largely ignored tax rebate programs which can be tailored to go to those Maine citizens most deserving of assistance; now, therefore, be it

ORDERED, the Senate concurring, that the Joint Standing Committee on Taxation study the methods and experience of the New Mexico tax rebate system which is designed to equalize the tax burden of low and high income persons; and be it further

ORDERED, that the committee also investigate the basic question of whether Maine should pursue tax equity through rebates or through exemptions; and be it further

ORDERED, that the committee shall complete this study no later than December 1, 1977 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. 1817)

Comes from the House, Read and Passed.

Which was Read.

On motion of Mr. Speers of Kennebec,
Tabled, pending passage.

Enactors

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

"An Act Relating to Suitability of Employment." (H. P. 764) (L. D. 903)

"An Act Concerning the Operating Expenses of Public Utilities." (H. P. 836) (L. D. 1009)

"An Act to Amend the Maine Criminal Code and Related Statutes." (S. P. 574) (L. D. 1892)
 "An Act to Establish the Maine Juvenile Code." (H. P. 1794) (L. D. 1894)

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 Encourage Energy Conservation by Means of Reform of Utility Rate Designs." (H. P. 1553) (L. D. 1774)

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

Mr. COLLINS: Mr. President, this particular item has to do with rate design. I am all in favor of the Public Utilities Commission looking rather thoroughly at rate design. I think it has the power to do that without our giving them extra legislation, but this particular act has in it some things that suggest that marginal cost pricing is a rather proven concept.

I am not an authority in this field, but I have been provided with material because of the interest of consumers who live within my district that indicates that this marginal cost pricing approach to rate design is a Pandora's Box and where it has been tried, it has been found to be faulty, proven not a proven technique, and in Europe and in one or two southern states where it has been tried, it has not proved to be the answer, and because of the emphasis in this direction, I would move that this item be indefinitely postponed.

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

Mrs. CUMMINGS: Mr. President, this is not a world shaking Bill, but I would like to read to you a letter from Commissioner Bradford. He was unable to appear before the Committee on this Bill and so wrote and said.

"If I had been able to appear, I would have indicated that this Bill will not compel the Commission to do anything that we probably will not do in any case. However, it would be very helpful to have such Legislation in the event that any utility should tell unto our power to require demonstration programs involving experimental rate designs.

I personally feel that such a power clearly exists and that in any case load management related rates are more justifiable than the present rate structure and will apparently be required as part of the Carter Energy Program. However, I dare say that others disagree, and I would hate to have our efforts in this critical area sidetracked by prolonged litigation.

In the statement of fact, it says that this statute is modeled after the Federal Energy Conservation Act, which directs the Federal Energy Administration to develop rate design reforms and related regulatory reforms similar to those set forth in the Bill.

I do not think that the PUC will be hamstrung should this bill not pass, but I feel with the rest of the Committee that it was something that would be of help to them in trying to get some new rates.

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

Mr. CONLEY: Mr. President, I wonder if through the Chair the Secretary may read what the Report of the Committee was on this particular bill.

The PRESIDENT: The Secretary will read the Report.

Which Report was Read.

The PRESIDENT: The Chair recognizes the same Senator.

Mr. CONLEY: Mr. President and Members of the Senate: One of the unfortunate things that take place in the closing hours of the session, are things such as this, and it disturbs me in a sense because I am sure that everyone is anxious to get out of here and get home. It ap-

pears to me that the committee itself is not having a great deal of knowledge about the bill of being at the hearing, but it does appear to me that the redraft, a new draft of the bill itself, and the unanimous committee report must give the bill some merit, and it just seems to me that to make an attempt to abort this bill at this late hour, in the Enactment stage, leads me to think that there is something devious going on by the lobby in the background, and I would hope that the Senate would vote against the pending motion and to enact this bill.

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

Mr. CARPENTER: Mr. President and Ladies and Gentlemen of the Senate: I, like the previous speaker, Senator Conley, I am a little bit surprised at this action to kill this bill which was the unanimous Committee Report, as has been mentioned. This is a rather innocuous little bill, as the letter from Commissioner Bradford indicated. Merely in our opinion I think clarifying the powers of the Public Utilities Commission as it pertains to this particular area, and I also am a little bit suspicious perhaps of the motives, not the motives of the good Senator from Knox, Senator Collins, but perhaps of the lobby which certainly has not spoken to me about this particular measure, and I would hope that we would vote against the motion to indefinitely postpone, and I would ask that when the vote be taken, it be taken by the yeas and nays.

The PRESIDENT: A roll call has been requested. Is the Senate ready for the question?

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 on this matter, 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 Cumberland, Senator Conley.

Mr. CONLEY: Mr. President and Members of the Senate: I surely would like to give absolute when absolute is due, and having spoken to the lobby representing some of the utilities they have informed me that they have no problems at all with this bill, and, therefore, they are absolved from any criticism that I, unwarranted criticism that I have given them on this occasion, and I would hope that once again, that the Senate would vote for the Enactment of the bill.

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

Mr. COLLINS: Mr. President, I want to assure the Senate that I have not been approached by anybody in the lobby. I was approached by folks back home who are genuine consumers. People that vote for me. In view of the strong response and the obvious result, I would like to ask permission to withdraw my motion to indefinitely postpone.

The PRESIDENT: The Senator from Knox, Senator Collins, now asks leave of the Senate to withdraw his motion to indefinitely postpone this bill. Is it the pleasure of the Senate to grant this leave? It is a vote.

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

"An Act to Prohibit the Practice of a Mandatory Retirement Age." (H. P. 1310) (L. D. 1634)

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

Mr. TROTZKY: Mr. President and Members of the Senate: What this bill does now is eliminates any Mandatory Retirement Programs in the public sector.

I would like to ask each one of you to answer these questions in your own mind. Has the Maine Teachers Association asked you to back this bill? Has the Maine State Employees Association asked you to back this bill? The Maine Municipal Association? I have not heard from, what about your communities, what about school boards.

I think this bill is going to pose many problems in the public sector. Again I mention, as I did yesterday, that it is very difficult right now to terminate the employment of teachers when they are not performing properly, but there is a mandatory retirement age and people, therefore, retire gracefully. So, I think, that this bill is going to create many problems in the municipalities, your municipalities, in the future, and therefore, I would request a Division on the Enactment of this bill.

The PRESIDENT: Is the Senate ready for the question? The Chair recognizes the Senator from Cumberland, Senator Merrill.

Mr. MERRILL: Mr. President, this is an important item Mr. President, and when the vote is taken, I request the yeas and nays.

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 Penobscot, Senator Trotzky.

Mr. TROTZKY: Mr. President and Members of the Senate: We just had a bill that we passed in this session eliminating the 60-40 merit system, and when I went into a certain state office, and spoke with some of the managers of these offices, some of the state employees in management positions, they objected very strongly to the 60-40 system, and the reason that they objected to it was because they had to make a decision. Who deserved merit increases and who did not. These were the people who I found objected tremendously to making these decisions, and now you are saying to these people, we want you to make the decision on when an employee has out lived his usefulness to the state, and I think that you are asking now for even more difficult decisions to be made, and this termination of employment, this elimination of mandatory retirement works both ways. It works one way in the sense that it allows people to work as long as they want as long as they are functioning, but it also allows the manager to turn around and say to a person at 52 years old or 55 years old or 60 years old, you are not functioning properly, and I think psychologically many people can be hurt by this system and therefore, I would strongly oppose this bill.

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

Mr. KATZ: Mr. President, the gentlemen's debate was right on target. That is exactly what this bill does, it says that in order to have a well-run state government, we have to have a first class personnel management system, and by golly, I am in favor of it.

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

Mr. TROTZKY: Mr. President, I would pose a question to the Senator from Kennebec, Senator Katz, if he wants a good State Government functioning, then why do we eliminate the merit system?

The PRESIDENT: The Senator from Penobscot, Senator Trotzky, has posed a question through the Chair to the Senator from Kennebec, Senator Katz.

The Chair recognizes that Senator.

Mr. KATZ: Mr. President, I deny that we have removed the merit system from State Government, if the gentlemen will look in Part

II Budget, there is a whole page that indicates very clearly, that it is our intent that a merit system should be strengthened beyond what it is today.

The PRESIDENT: Is the Senate ready for the question? This bill having been Passed to be Enacted in the House, and signed by the Speaker, is it now the pleasure of the Senate that this bill be Passed to be Enacted?

A Roll Call has been ordered.

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

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA — Carpenter, Chapman, Collins, D.; Collins, S.; Conley, Cummings, Curtis, Danton, Farley, Greeley, Hewes, Hichens, Katz, Levine, Lovell, Mangan, Martin, McNally, Merrill, Minkowsky, Morrell, O'Leary, Pierce, Pray, Redmond, Snowe, Speers, Usher, Wyman.

NAY — Trotzky.

ABSENT — Huber, Jackson.

29 Senators having voted in the affirmative, and 1 Senator in the negative, with 2 Senators being absent, and 29 being more than two-thirds of those Senators present, this bill is Passed to be Enacted.

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

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

Mr. PIERCE: Mr. President and Members of the Senate: I think that we ought to just take one minute to mark what is obviously a historic moment here in the State of Maine, and a first for these United States, and I think this State should stand tall and stand proud here in the final hours of our session having passed this historic bill, having voted on the prevailing side, I now move reconsideration and ask you to vote against me.

The PRESIDENT: The Senator from Kennebec, Senator Pierce, now moves that the Senate reconsider its action whereby this bill was Passed to be Enacted.

A viva voce vote being had, the motion to reconsider does not prevail.

"An Act Concerning Displaced Homemakers." (H. P. 700) (L. D. 842)

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

Mr. MORRELL: Mr. President and Members of the Senate: An Amendment is being prepared for this L. D., and I would be grateful if somebody would table it until later today.

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

(See Action Later Today)

Emergency

RESOLVE, Designating 2 Bridges Over the Kennebec River in Skowhegan as the "Margaret Chase Smith Bridges." (H. P. 1807) (L. D. 1897)

This being an emergency measure, and having received the affirmative vote of 27 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.

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

Mr. CONLEY: Mr. President, I too think that the Senate should take home a night on this very historic moment, it is the first time in 14 years, that I have seen two bridges named after one individual, and I move reconsideration.

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

Mr. KATZ: Mr. President, the Senator from Cumberland, Senator Conley, is correct, I suspect this is the first time since 1820 that this has happened, but seriously, the lady after whom the two bridges are being named, is not a very usual person.

I have been in Maine politics for an awful long time, and I would be hard pressed to identify a better or more successful politician than Margaret Chase Smith. She served the State with great distinction, and when she finally retired from the Senate, she had made an awful lot of records that will remain for awhile, the first woman ever to be nominated by a major party for the top ticket in the United States, and although she spends most of her time now in Maryland, in the minds and the hearts of many of us who worked for her, at one time, in her elections, she is an outstanding citizen of whom we can all be proud, Republicans and Democrats alike.

The PRESIDENT: The Senator from Cumberland, Senator Conley, now moves that the Senate reconsider its action whereby this Resolution was finally passed.

A viva voce vote being had,

The motion to reconsider does not prevail.

Order

On motion of Mr. McNally of Hancock, WHEREAS, the Maine Workmen's Compensation Act is in need of a thorough evaluation so as to insure that the rights of all parties are properly recognized; and

WHEREAS, the heavily burdened Industrial Accident Commission needs an equally thorough evaluation to determine how the Workmen's Compensation Act can be most effectively administered; now, therefore, be it

ORDERED, the House concurring, that a Select Committee on Workmen's Compensation be authorized to study how the Workmen's Compensation Act and the Industrial Accident Commission can more efficiently and equitably protect the rights of all concerned parties; and be it further

ORDERED, that the Speaker of the House of Representatives and the President of the Senate appoint, prior to August 1, 1977, the members of the Select Committee on Workmen's Compensation. These members shall include at least:

1. Two members of the Senate;
2. Two members of the House of Representatives;
3. One representative each of labor and management; and
4. The Chairman of the Industrial Accident Commission; and be it further

ORDERED, that members of the select committee who are not Legislators shall receive the same compensation as do legislative members; and be it further

ORDERED, that sufficient funds shall be available to properly reproduce and distribute this study; and be it further

ORDERED, that the select committee shall complete this study no later than December 1, 1977, 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.

(S. P. 598)

Which was Read.

On motion of Mr. Speers of Kennebec, Tabled, pending passage.

Order

On motion of Mrs. Snowe of Androscoggin, WHEREAS, the costs of health care services are increasing rapidly; and

WHEREAS, these increased costs compound

the existing problems of access to health care services experienced by many Maine citizens; and

WHEREAS, it is in the interest of the State to take actions which would ensure both the quality of and access to needed health care services for all Maine citizens; and

WHEREAS, presently there is a question of whether the State has sufficient authority to attempt to control costs within the health care industry; now, therefore, be it

ORDERED, the House concurring, that the Joint Standing Committee on Health and Institutional Services study the subject matter of L. D. 1794, "An Act to Establish a Health Facilities Cost Review Board" which was presented before the First Regular Session of the 108th Legislature; and be it further

ORDERED, that the committee examine any other alternatives to the reasonable control of health care costs; and be it further

ORDERED, that the Department of Human Services cooperate with the committee in carrying out the study; and be it further

ORDERED, that the committee shall complete this study no later than December 1, 1977 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.

(S. P. 599)

Which was Read.

On motion of Mr. Speers of Kennebec, Tabled pending passage.

Papers from the House

Non-concurrent Matter

Bill, "An Act Relating to the Maine Turnpike Authority." (H. P. 343) (L. D. 388)

In the House June 30, 1977 Passed to be Engrossed as amended by Committee Amendment "A" (H-734) as amended by House Amendment "B" (H-881) thereto.

In the Senate July 7, Passed to be Engrossed as amended by Senate Amendment "A" (S-371) in non-concurrence.

Comes from the House, that Body having Adhered.

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

Mr. MINKOWSKY: Mr. President and Members of the Senate: I think it is proper for me to reiterate my sentiments as I displayed yesterday for the business like attitude displayed by the members of the Maine Senate, in reference to the proposed amendment that I had submitted, which was designed to serve the best interest of the people of the State of Maine. Unfortunately, you are all very cognizant of what happened this afternoon in the other body, but I thought I would take this particular moment to express my sentiments at the present time. On that particular note, Mr. President and Members of the Senate, I now move that the Senate adhere.

The PRESIDENT: The Senator from Androscoggin, Senator Minkowsky, now moves that the Senate adhere.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I commend the good Senator from Androscoggin, Senator Minkowsky, and I think it is time that we bid this item farewell for another year.

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

Mr. FARLEY: Mr. President and Members of the Senate: There is another motion here that would take priority, I am not going to choose to make that motion today, but go along with the good Senator from Androscoggin, Senator

Minkowsky. Hopefully, this will take care of this issue here, for this session here, and we come back next time and work out a meaningful compromise that will do what we all want it to do next session, and I congratulate the Senator from Androscoggin, Senator Minkowsky for his motion to today.

The Senate voted to adhere.

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

Mr. CONLEY: Mr. President, having voted on the prevailing side I now move reconsideration and ask you to vote against me.

The PRESIDENT: The Senator from Cumberland, Senator Conley, now moves that the Senate reconsider its action whereby it voted to adhere.

The Chair recognizes the Senator from Oxford, Senator O'Leary.

Mr. O'LEARY: Mr. President, I would ask for a Division.

The PRESIDENT: A Division has been requested on the motion to reconsider.

The Chair recognizes the Senator from Oxford, Senator O'Leary.

Mr. O'LEARY: Mr. President, I listened intently to the debate on the Maine Turnpike Authority and the Maine Turnpike in its future, and I find that this problem is not going to go away. It will be back here two years from now. I think as long as it has been addressed this session of the Legislature, that we should take some kind of action, and I would support the motion to reconsider, and then move to recede and concur.

The PRESIDENT: The pending question before the Senate is the motion by the Senator from Cumberland, Senator Conley, that the Senate reconsider its action whereby it voted to adhere on L. D. 388.

A Division has been requested.

Will all those Senators in favor of reconsideration please rise in their places to be counted.

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

3 Senators having voted in the affirmative, and 25 Senators in the negative, the motion to reconsider does not prevail.

Non-concurrent Matter

Bill, "An Act Requiring the Public Utilities Commission to Order a Community of Interest Study upon Petition by 10% of the Service Customers in a Telephone Exchange and to Promulgate Rules and Regulations Relating to the Establishment of Extended Area Service." (H. P. 650) (L. D. 794)

In the House May 10, 1977 Passed to be Engrossed as amended by Committee Amendment "A" (H-254) as amended by House Amendment "B" (H-287) thereto.

In the Senate July 7, 1977 Passed to be Engrossed as amended by Senate Amendment "A" (S-134) in non-concurrence.

Comes from the House, that Body having Adhered.

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

Mrs. CUMMINGS: Mr. President and Members of the Senate: I really do not understand why that Senate Amendment was removed. The intent of the Amendment was to provide a means by which a community which suffers economic hardship as a result of the structure of the existing telephone exchange to obtain a review in the study of a system within three years from the previous commission denial.

Just to refresh your memories, this is the bill that would allow a community which had in it several exchanges, some of which then would be toll calls although they were within the same community, they could apply with 10 percent of the customers signing a petition, they would apply to the Public Utilities Commission for a

study to see what could be arranged so that there would not be a toll system, toll charges within the community. In the bill, it says that a community cannot reapply for another study within three years. Then this amendment says that should these, 10 percent of these customers be able to provide that there was economic hardship by not requesting the Commission to make another study that then, the Commission would not have to wait those three years. I am not quite sure at this late date, that I should hardly ask for a Committee of Conference. I would like to move that we adhere.

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

Mr. MERRILL: Mr. President, I think that this is a valuable idea in this, and I am sorry that there has been a procedural difference between the two Houses, but I think that I would like to salvage something, and I would move that the Senate Recede and Concur with the House.

The PRESIDENT: The Senator from Cumberland, Senator Merrill, now moves that the Senate recede and concur with the House. Is it the pleasure of the Senate?

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.

Will all those Senators in favor of the motion to recede and concur with the House in reference L. D. 794, please rise in their places to be counted.

Will all those Senators opposed to the motion please rise in their places to be counted.

11 Senators having voted in the affirmative, and 18 Senators in the negative, the motion to recede and concur does not prevail.

The Senate voted to Adhere.

Enactors

The Committee on Engrossed Bills reports as truly and strictly engrossed the following: "An Act Relating to the Regulation of the Blueberry Industry." (H. P. 598) (L. D. 739)

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

Papers from the House

Joint Order

WHEREAS, The Joint Standing Committee on Business Legislation had referred to it, during the First Regular Session of the 108th Legislature, many legislative documents affecting complex business transactions; and

WHEREAS, the number of bills and their complexity made it impossible within the time available to the committee for them to completely and properly study these various matters; now, therefore, be it

ORDERED, the Senate concurring, that the Joint Standing Committee on Business Legislation shall study the following matters:

1. Insurance company practices regarding the renewal and cancellation of property and casualty insurance, health insurance and life insurance;

2. The sale of credit, life and disability insurance;

3. Variable interest rate mortgages;

4. The activities of financial institutions and financial institution holding companies; and

5. The authority, adequacy and effectiveness of the Bureau of Insurance and the statutes regarding the regulation of insurance; and be it further

ORDERED, that the committee in conducting these studies shall have all the powers set forth in Title 3, Section 165, Subsection 7; and be it further

ORDERED, that the committee shall com-

plete this study no later than December 1, 1977 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. 1819)

Comes from the House, Read and Passed.

Which was Read.

On motion of Mr. Speers of Kennebec, Tabled, Pending Passage.

Papers from the House

Joint Orders

Expressions of Legislative Sentiment recognizing that: the Legislative Research Office and Information Office personnel, through their dedication, special knowledge and tireless hard work have contributed immeasurably to the success of this session. (H. P. 1822)

the hard-won skills, calm efficiency and great labors of the members of the Office of Legislative Assistants have been instrumental in the successful labors of the joint standing committees and individual members of the First Regular Session of the 108th Legislature. (H. P. 1821)

Come from the House, Read and Passed.

Which were Read and Passed in concurrence.

Paper from the House

Joint Order

WHEREAS, the Local and State Government property tax currently may be being assessed in an unconstitutional manner; and

WHEREAS, to cure such unconstitutional taxation requires a mechanism whereby property in the unorganized territory may be efficiently and equitably taxed; and

WHEREAS, the possible repeal of the Uniform Property Tax lends great urgency to the Resolution of how the property in the unorganized territory should best be taxed; now, therefore, be it

ORDERED, that the Committee on Taxation study the different ways in which property in the unorganized territory can most equitably and efficiently be taxed; and be it further

ORDERED, that the committee shall complete this study no later than December 1, 1977 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. 1820)

Comes from the House, Read and Passed.

Which was Read.

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

Papers from the House

Joint Resolution

A Joint Resolution in Memoriam, WHEREAS, the Legislature has learned with deep regret of the death of Richard R. Rogers of Caribou, (H. P. 1824)

Comes from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

Paper from the House

Committee Report

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on, "An Act to Clarify and Limit the Authority of Municipalities to Establish Shellfish Conservation Programs and to License and Regulate the Taking of Shellfish." (H. P. 715) (L. D. 851) have had the same under consideration, and ask leave to report:

that the House recede from Passage to be Engrossed as Amended by Committee Amendment "A" (H-746) and Recommit the Bill and Papers to the Committee on Marine Resources; that the Senate recede from acceptance of Report "A" 'Ought Not to Pass' and Recommit the Bill and Papers to the Committee on Marine Resources in concurrence.

POST of Owls Head

JACKSON of Yarmouth

GREENLAW of Stonington

— On the Part of the House

CHAPMAN of Sagadahoc

HUBER of Cumberland

— On the Part of the Senate

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

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

Mr. SPEERS: Mr. President, I direct the Senate's attention to Bill, "An Act to Revise the Judicial Retirement System." (S. P. 497) (L. D. 1776).

I move that the Senate reconsider its action whereby this bill was Passed to be Engrossed.

The PRESIDENT: The Senator from Kennebec, Senator Speers, now moves that the Senate reconsider its action whereby this bill was Passed to be Engrossed. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. SPEERS: Mr. President, this is a rather sweeping reform or change in the Judicial Retirement System. It requires a Judge to serve, rather than the 7 years, which is currently the law, to have served for a period of 21 years before he is eligible for receiving retirement, while there may very well be some room for an expansion of the number of years a judge may have to serve before being able to receive the retirement. I feel that to pass this bill at this time is going a little bit beyond what I would hope would be the ultimate result. I think the change goes further than simply the change in the retirement system itself. I think it goes to the question of what kind of judges we want to be appointed to the Court of this state, and if we are to expand the number of years that a judge must serve prior to receiving his retirement, we are going to find it very difficult to attract those individuals who have been practicing law for a number of years and who have gained the expertise and the experience that practicing law would bring, to be appointed to the Courts of this State.

There has been a considerable amount of discussion with regard to a Resolve that is presently on the Appropriations Table that would fund a study of the retirement system for the Judiciary of this State, and I would expect that that Resolve would receive passage and I, therefore, at this point, move the indefinite postponement of L. D. 1776.

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

Mr. COLLINS: Mr. President I oppose the pending motion and request a Division. Whenever the question of judicial salaries has come up in recent years, one of the excuses customarily raised for not putting judicial salary up where they should be, is the fact that, we have an attractive retirement program for judges. This program is attractive, I would agree with the Senator from Kennebec, Senator Speers, that it needs to be looked at. This particular bill is designed to encourage the appointment of career judges. They would get 3 $\frac{3}{4}$ percent per year toward an accumulation that would add up if they served for 20 years to 75 percent of their final salary. That, of course, is in contrast to the present requirement of 7 years of service for similar benefits.

I think that one of the reasons that we found support for judicial salaries being increased in this session was the fact that the Retirement Committee, on which I served, felt that it was

time to take a look at our retirement system for judges. I would, therefore, ask you to vote against the pending motion.

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

Mr. MERRILL: Mr. President and Members of the Senate: It is seldom that I disagree with the Senator from Knox, Senator Collins, on matters that affect the operation of the judiciary and since the time that I was a member of the Judiciary Committee in the 107th, I have always worked very closely with the Senator, and I think that we have been in agreement on most of these matters that pertain to the operation of our Courts, and the payment of the people who work in them and those sorts of problems. However, I do differ with him on this subject today. I think that when the Appropriations Committee considered the matter of judicial pay increases, there was some discussion of the matter of retirement because the two issues were connected in the minds of the Chief Executive, and he related that to us by public statements and by communications, and so we did give it some discussion, and there was a feeling on the part of the members of the committee that they really were not related as suggested by the Chief Executive, and that there was some rather unique factors that were involved with tenure on the Bench, that very well could justify a Judicial Retirement System that was different and in some ways more generous than the other retirement system. Unlike the Federal System, we do not appoint our judges for lifetime appointments, and we really do ask them to leave their work for a period of time which destroys their ability to return to the market place, or if they do return, they start as if they were young attorneys again, and for that reason, it was decided that there very well might be good reason for the Retirement System being like it is, and we thought that if there was going to be a change it should come about as a result of some study and some consideration, and that is in the process and that is in the works, we might make some changes later, but I would hope today, that we could indefinitely postpone this item and deal with the problem after we have had a chance to look at it much closer.

I remember talking to former Governor Curtis on this matter one time, I cannot even recall how it came up in the conversation, but he made the point that it would always be that people would serve on the judiciary in Maine at considerable loss to their own personal income while they served on it, but probably the most important item in maintaining a good judiciary free from problems and potential scandals, was to at least have a retirement system that would assure those people that in their later years, in their non-working years, that they would have some sources of income, and that their families would have some sources of income, and I concur with the feelings that he expressed on that item, and would hope that we could defeat this bill today.

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

Mr. CONLEY: Mr. President and Members of the Senate: I wish to concur with the two previous speakers. I do not believe that the judicial system in our state is set up in that sense that where appointments are made for a 7 year period, and although the retirement system is a very good one, I think that the pay on the whole has been very low. A few of us have spoken with respect to this particular bill, and if you are aware there is a study order that is being prepared or has been prepared lying on the table with an appropriation on it for a study which will bring an actuary in to present its study and its recommendations to the next session of the Legislature. I think that that has merit, because I think that everyone should

have the benefits of exactly how this is going to affect future appointments, not only individuals who may have to consider as to whether or not they want to give up private practice, as to whether or not they wish to become professional judges at a young age and to serve on the court for a number of years. I do not know what is the best way of appointing people to the Bench as to whether or not they serve one term for 7 years, whether they serve two terms, 14 years, or whatever the case may be, but I do know that once we make an appointment, that individuals have to give up the practice, and a practice comes hard. It is not something that just comes to them overnight. It takes a long period of time, and if an individual gives up his practice to go on to the Court, and is not reappointed, he finds himself, obviously, in a very, very difficult position to have to start all over again. So, I think that the real proper approach, even though I have the highest respect for the good Senator from Knox, Senator Collins, I think it would be the wisest course in this particular case, would be to at least get the studies and the reports from an actuary to see how it will affect future appointments to the Bench.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator O'Leary.

Mr. O'LEARY: Mr. President, could the Secretary read the Committee Report?

Committee Report Read.

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

Mr. LOVELL: Mr. President and Members of the Senate: I, debating on the Veterans and Retirement Committee heard this bill along with the other two Senators, and we felt that it was a good bill because it would get younger men into the Judicial System. As it is now, many of the judges, when they enter along later years and consequently, they retire after their first term or even before they have been in 7 years, and we felt that this would give us a younger group of judges, make better judges, and if they did their job, which most judges do, they would stay in for the 21 years necessary and then their pay at that time would be 75 percent, which they could retire on, at age 65, or at the end of the 21 years, and that they would really have a very fine salary to live on. I think that is why Senator Collins and the Committee felt, all but one member of the committee felt, that this was a good bill, and I hope that you will not indefinitely postpone it.

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 L. D. 1776 be indefinitely postponed.

A Division has been requested.

Will all those Senators in favor of the motion to indefinitely postpone L. D. 1776, please rise in their places to be counted.

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

19 Senators having voted in the affirmative, and 9 Senators in the negative, the motion to indefinitely postpone does prevail.

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

Mr. MERRILL: Mr. President, having voted on the prevailing side of the previous question, I move reconsideration, and hope the Senate votes against me.

The PRESIDENT: The Senator from Cumberland, Senator Merrill, now moves that the Senate reconsider its action whereby it indefinitely postponed L. D. 1776.

A viva voce vote being had,

The motion to reconsider does not prevail.

Sent down for concurrence.

Papers from the House Committee Reports

The Committee of Conference on the dis-

agreeing action of the two branches of the Legislature, on Resolution, Proposing an Amendment to the Constitution to Require the State to Reimburse Municipalities for at least 50% of Property Tax Exemption Losses. (S. P. 366) (L. D. 1227)

have had the same under consideration, and ask leave to report:

that the House recede from passage to be engrossed as amended by House Amendment "C" (H-884), recede from adoption of House Amendment "C", indefinitely postpone House Amendment "C", read and adopt Committee of Conference Amendment "A" (H-) submitted herewith and pass the bill to be engrossed as amended by Committee of Conference Amendment "A".

that the Senate recede from passage to be engrossed as amended by House Amendment "B" (H-817) as amended by Senate Amendment "A" (S-332) thereto, recede from adoption of House Amendment "B" as amended by Senate Amendment "A" thereto, recede from adoption of Senate Amendment "A"; to House Amendment "B", indefinitely postpone Senate Amendment "A" to House Amendment "B", indefinitely postpone House Amendment "B", read and adopt Committee of Conference Amendment "A" submitted herewith and pass the bill to be engrossed as amended by Committee of Conference Amendment "A" in Concurrence.

KANY of Waterville
BACHRACH of Brunswick
STUBBS of Hallowell

— On part of House.

COLLINS of Aroostook
SNOWE of Androscoggin
MERRILL of Cumberland

— On part of Senate.

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

Papers from the House Committee Report

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill, "An Act to Amend the Membership and the Legislative Mandate of the Capitol Planning Commission." (L. D. 1345) (H. P. 1128)

have had the same under consideration, and ask leave to report:

that the House recede from enactment, recede from passage to be engrossed, recede from adoption of Committee Amendment "A", (H-496), indefinitely postpone Committee Amendment "A", read and adopt Committee of Conference "A" (H-936) submitted herewith and pass the bill to be engrossed as amended by Committee of Conference Amendment "A".

that the Senate recede from passage to be engrossed as amended by Committee Amendment "A" (S-251) thereto, recede from adoption of Committee Amendment "A" as amended by Senate Amendment "A" thereto, recede from adoption of Senate Amendment "A" to Committee Amendment "A", indefinitely postpone Senate Amendment "A" to Committee Amendment "A", indefinitely postpone Committee Amendment "A", read and adopt Committee of Conference "A", submitted herewith and pass the bill to be engrossed as amended by Committee of Conference Amendment "A" in concurrence.

CURRAN of South Portland
DIAMOND of Windham
MASTERTON of Cape Elizabeth

— On part of House.

MORRELL of Cumberland
CARPENTER of Aroostook

— on part of Senate.

Comes from the House, Read and Accepted.

Which was Read and Accepted in concurrence.

Orders of the Day

The President laid before the Senate:
Bill, "An Act to Require State Level Assessment of Industrial Real Property with a Value in Excess of \$1,000,000." (H. P. 1329) (L. D. 1606)

Tabled — Earlier in the Day by Senator Speers of Kennebec

Pending — Consideration

The PRESIDENT: The Chair recognizes the Senator from Washington, Senator Wyman.

Mr. WYMAN: Mr. President, I move that we adhere on our former action.

The PRESIDENT: The Senator from Washington, Senator Wyman, now moves that the Senate adhere.

The Chair recognizes the Senator from Knox, Senator Collins.

Mr. COLLINS: Mr. President, I move that the Senate recede and concur with the House.

The PRESIDENT: The Senator from Knox, Senator Collins, now moves that the Senate recede and concur.

The Chair recognizes the Senator from Washington, Senator Wyman.

Mr. WYMAN: Mr. President, this bill reminds me of a saying of my late and beloved grandmother. Namely, that those who know nothing, fear nothing. This must be the case with me now, because the Governor wants this bill, and two of his righthand men have been lobbying hard, yet I do not know any better than to oppose it. To value real estate property properly is costly, and difficult. Finally, in the end, it is largely a matter of judgment. To show you what can happen in one instance when the mill recently changed ownership, the price was \$42 million. Shortly after that, there was an independent appraisal of \$52 million, later though, there was a local assessment of \$62 million, and finally the State appraised it at \$75 million. A difference of \$33 million.

Problems vary in different mills. Georgia Pacific is now having assessment troubles. Two independent appraisers took three weeks at a cost of \$25,000.00 to appraise the mill, but a young man from the Department of Taxation said he had no problem in arriving at the value of the mill in only nine hours.

Conditions vary in locations. Georgia Pacific built a mill across the river in McAdam, New Brunswick, and received a cash grant of something like \$5 million plus certain tax exemptions. They would have preferred to build it here in Maine close by their papermill.

Creating a new bureau in Augusta is starting one that will ever expand and cost more. Jobs is the name of the game, and to make jobs, the manufacturers must make money. Georgia Pacific in Woodland has already lost \$700,000.00 for the first six months of this year.

The Taxation Committee Report on this bill was Ought Not to Pass. All three Senators signing this Ought Not to Pass Report. This Senate has twice voted to support this Ought Not to Pass Report. Now I hope you will continue to support your previous action and vote against the motion to recede and concur. The House has only made a bad Bill worse. One look at the House Amendment will tell you that the end result of this bill is simply to expand the state bureaucracy. The Amendment directs the State Assessor to appraise certain properties. It does not even require the use of experts, and if experts are to be used, the bill carries an appropriation of \$95,000.00 to appraise approximately 30 properties. This is ridiculous on its face.

Unless you think an industrial plant worth more than \$10 million can be fairly appraised at a cost of something like \$3,000.00, at least with our present law, local assessors have the

authority and flexibility to hire expert help when it is needed. Augusta does not have all the answers, and I, therefore, ask you to continue in your opposition to this disguise attack on local control. Thank you.

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

Mr. COLLINS: Mr. President, this matter returns to the Senate in somewhat different posture than it left. The amendment placed in the other body, and this is the question on which we are voting, deals only with industrial properties worth \$10 million or more, and to make clear that the evaluation is for state evaluation purposes only. Now this has been designed to cost less than in our previous consideration, and it has further been designed to have an automatic repealer in 1981, so that it is not a bureaucracy going on for every matter, it is an experiment to see whether this type of approach to tax equity can work out for us. I think that we ought to pay some heed to the Governor's letter that came to our desk within the last couple of days. I do not always agree with the Governor, but I think there is one paragraph that ought to be considered carefully.

He says, "Although the Bill has been amended to allow, rather than mandate local assessors to use the individual evaluations, we still feel this is a step in the right direction. I am convinced that the State is going to have to get serious about assessing industrial property properly, or we are going to continue to see an erosion of public confidence in the property tax as the method of financing government. We all know that the three Study Committees recommended this sort of approach."

The Senator from Washington, Senator Wyman is worried about the Bureau of Taxation becoming too powerful, but yet we have on the statute books, material that tells them to do things, but we deny them the money, the manpower, or the right to contract, to do the things that we ask them to do, and I think that it is very obvious that equity in taxation of our large industrial installations in this state has not been the case in too many instances in recent years. This is our last opportunity in this biennium to take a really serious step, a very small step, of course, because it only involves \$111,000.00 in the first year and \$46,000.00 in the second year, but it is a step that we ought to take at least as an experiment and I urge you to support the motion to recede and concur.

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

Mr. MANGAN: Mr. President and Members of the Senate: This is one of the few times that I have the opportunity to observe a beautiful bill, which I think is very interesting. It strikes me that the State of Maine, under this bill, is willing to spend a \$157,000.00 to eliminate the home rule powers of municipalities. Now, I think that may be unconstitutional, first of all, but then there is an automatic repealer, and I can see the bleeding hearts in 1981 saying, we have 7 expert appraisers that will be losing their jobs because this bill is not going to be reenacted. I can see a problem there. The State of Maine basically says, look we can appraise this from Augusta. We are going to bring in experts from outside of the state to appraise this.

Well, I have to bring back again, the Christmas tree ball manufacturer. How many experts in this country have we got to assess Christmas tree ball manufacturers? How about toothpick makers. We have got a toothpick manufacturer in Franklin County. How many toothpick experts have we got to assess that property? How about the machine gun manufacturer, the M16 machine gun manufacturer in York County. How many experts have we got to assess the M 16? We are talking about one industry having American preference earlier and all of a sudden we are going to bring

in an expert from outside, probably from Belgium, to assess the machine gun manufacturing industry in the State of Maine.

Now, it would impress me, I suppose, if the local people decided to bring in expert advice if they needed it, but no, we are going to let the State of Maine do this, and all they are going to charge the people is \$157,000.00 to assess the local properties. It impresses me that this is basically aimed at those industries which although they are expensive industries and although there is a margin of area of give or take \$30 or \$40 million, they are aimed at those industries which are primarily the largest employers in the State of Maine, and whose profits are marginal at best and sometimes very poor.

So for the reasons, I feel that it is unconstitutional. I feel that it is a violation of municipal home rule. I feel that the State of Maine has not got any more expertise than anyone else, and I feel that it is aimed at certain very specific industries. I would urge the Senate to vote against the motion to recede and concur and lets stick to our guns and finally kill this bill, send it to file 13, and leave it there for ever and ever.

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

Mr. PRAY: Mr. President and Members of the Senate: I have great reservations about this piece of legislation and even with those reservations though, I will be supporting the measure that is before us now, but I would like to share with you a letter that I received earlier this year from an industry in my area and just to share these facts with you. In reference to the Great Northern Nekoosa in Maine and in relationship to their taxation. The Great Northern paid in Maine, in 1975 a total of about \$9 million. Of this, \$1.6 million was State Income Tax, \$5.4 million was Property Tax, and \$1.9 million was Sales and Use Tax. Total State Taxes paid by Great Northern Nekoosa in all States was \$13.3 million.

I have had the opportunity of being in the State of Georgia to see their facilities down there when I was visiting some friends this summer, and by far, Great Northern and Great Northern Nekoosa, is not all just in Maine, nor is the majority, or the largest part of that company. It is spread out across the United States. I was quite surprised when I received their annual report this year as to the fact that they spread all the way into Hawaii, to the West Coast, and the Mid-West, and the North Central part of this country.

My reservations about the bill comes from the fact that the Town of Millinocket was reevaluated just a brief time ago by professional assessors, where the State of Maine, I think the state evaluation increased around 28.9 percent for the Town of Millinocket, the evaluation increased around 20 percent, far below the state average. The Town of East Millinocket which also has another facility, another plant of the Great Northern Paper Company, was assessed and the Company challenged the assessment to the Court System and professional assessors came in and that evaluation was also lowered.

The reservations I have about this bill, even though I am going to support it, is that I am fearful that when professional assessors come in and evaluate some of these high priced properties we are going to find that the state is going to lose revenue, because when these professional individuals come in and take into consideration many of the things that the present assessors do not, they have a better understanding of the situation on evaluation that the State of Maine is going to end up in a deficit or having less funds than what they really need or what they really expected they are going to get, and just sharing the fact that the burdens on many companies is high in the State of Maine as has been pointed out by the Senator from Androscoggin, Senator Mangan, and the

Senator from Washington County, Senator Wyman. I am not trying to persuade anybody, I am just trying, I guess in a way, to show both sides of the issue and the complexity of it.

Many people I notice one time, the first time that two voted on this, all the paper mill towns in the state, and that is by far one of our largest industries, if not our single largest industry in the State, all the paper mill towns or Senators that represent those districts, voted against this measure, and again, I just apply the situation that in my two communities that I represent, that have paper mills, that in both instances the evaluation went down in the State, and the revenues that were raised were lessened.

The PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Chapman.

Mr. CHAPMAN: Mr. President and Ladies and Gentlemen of the Senate: I am just not comfortable with this bill. I am not comfortable with the fact that it is assigning to the State Bureau of Taxation the responsibility for assessing our industrial property throughout this State.

The bill as it comes to us now says for properties in excess of \$10 million. Well, I ask you if we do pass this will it stay at \$10 million? I think not. The bill itself started out at a million, and we have jumped all over the place. I just feel that we are concentrating far more state power in the Bureau of Taxation. We are expanding the bureaucracy and to me the potential of this power is really mind boggling. It centralizes the information on the value of our life blood of industries of this State into a few people in the Bureau of Taxation.

Assessment of these properties is being done now locally. I probably must admit that the quality of the assessment in some instances, maybe in a number of instances, is not of the quality that it should be, and if the objective is to try to upgrade the quality of assessment of our properties, I fully concur, but I think that we should do that through the local process, through upgrading the quality of local assessment. If we have properties on the local level that are of a nature that they require technical outside experts, then we should encourage these communities to obtain outside professional qualified assistance to do this assessing and evaluating for the community that is collecting the tax. I have no qualms about this data being accessible or having the State have access to this data. If the towns are doing this now, if the State also gets into this, there is a doubling of effort to assess properties. Why not have one good quality assessment made at the local level, and have that data available to the State for their purposes. I feel that probably if this is done, it would only be right for the State to contribute some cost reimbursement to the town for the information that they are gaining for their purposes.

There is another question here that I think is important that overrides this whole thing, and that is the question of the Uniform Property Tax. It is coming up on the November referendum for decision, as to whether the people of this State want to repeal the Uniform Property Tax or not. So from that standpoint alone, I think this bill is premature, if the State rejects the Uniform Property Tax, then I think the prime reason for this is moot.

Property is the local tax base of the communities we live in, rely upon to support the local needs, and this is a step of state control of that property tax, even more than we do have now under the Uniform Property Tax. I know that this bill has come back to us in a somewhat different form then we addressed it previously. As far as the sunset provision, I just see that as window dressing. Can we be sure that once we create this, that we will allow it to sunset? No we cannot. It is the foot in the door, the camels nose under the tent. The Senator from Knox, Senator Collins said that it was an experiment.

Well, perhaps it is, but should we not wait until after the fall referendum at least before we experiment. I strongly urge that we not recede and concur and that we adhere. I did preparatory, or subsequent to our last addressing of this issue, prepare an amendment which I wanted to offer, should it be necessary, that would require local communities to seek professional industrial assessing assistance on these properties. I have done some further review of this matter, I have discussed it with others, there are some Senators here in this body that would be happy to join with me next year to work out an approach to this problem through a local professional assessment of a quality nature on properties of this nature, and if we do defeat this bill, which I hope we do, I will certainly apply my efforts in this direction so we can come back with something in the next session that would be in my view handled at the local level, but would satisfy the emphasis that this bill is taking in its present form.

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

Mr. LEVINE: Mr. President, I rise to agree whole heartedly with the speaker that proceeded me, the good Senator from Sagadahoc, Senator Chapman, I would disagree with only one statement that he made, he said that this bill is the camels nose under the tent. I feel that when this bill first came to us, it was the camels head under the tent. Then it was amended and became the camels nose under the tent. It has been amended again, and I no longer see any sign of the camel, but I see the tent wall shaking, I hear heavy breathing, and there is a peculiar odor in the air.

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

Mr. MANGAN: Mr. President and Members of the Senate: I see a couple of sneaky into this bill that I think everybody should be aware of. The Statement of Fact number two is sneaky number one. It says, this bill makes clear that the evaluation is for state evaluation purposes only. Think about that. You know, big deal, what is state evaluation? State evaluation determines things like how much unorganized territories will pay for taxes. How much are County Taxes going to be? How much are educational reimbursements going to be? What effect is this going to have on your district and your community. No one really knows for sure. What happens if the State of Maine, the Department of Taxation, its great wisdom, heads out to Honduras and finds an expert on toothpick manufacturing, and comes in and assesses our toothpick plant in Franklin County. Are they going to under value what the town already has done, or are they going to over value what the town has already done. If they over value what the town has already done, and they come back with an evaluation of \$20 million for the plant, and the municipality is only valued at \$10 million. What is this going to do for the town's educational reimbursement? Think of the effects of that. Now, assume for example that the Town is already assessed the plant at \$15 million and this expert from Honduras or wherever they could find one who assessed toothpick plants, assesses the plant at \$5 million. What is going to happen to your educational reimbursement then? How about your County Tax. What is actually going to happen to the value of the homes in the area?

The second sneaky, and that is right in the core of the bill itself, the first sneaky is in the core of the bill, the second sneaky relates to the fact that we are going to donate a \$157 grand for the biennium for, and the bill states quite clearly, when the State Tax Assessor deems it necessary. He may not for the next two years, see anything necessary, but he has got a \$157,000.00 worth of padding in his budget. Think about that. Do you seriously want to do this at the last minute. I think we should have some nice long

thinking about this thing. Reconsider it back in 1985, 1986, and at that time, we have had enough thought to really go into this matter seriously. At this point, I think, we are getting too far too quick, and I would hope that you would vote against the motion to recede and concur.

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

Mr. COLLINS: 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 Knox, Senator Collins.

Mr. COLLINS: Mr. President, I ask permission of the Senate to pair my vote with the Senator from Cumberland, Senator Jackson, I would be voting in favor of the motion to recede and concur, Senator Jackson, if he were present, would be voting against the motion.

The PRESIDENT: The Senator from Knox, Senator Collins, who would vote yea, requests that his vote be paired with the Senator from Cumberland, Senator Jackson, who would vote nay. Is it the pleasure of the Senate? It is a vote.

The Chair would also request leave of the Senate to refrain from voting on this issue because of the possibility of the appearance of a conflict of interest. Is it the pleasure of the Senate to grant this leave? It is a vote.

The pending question before the Senate is the Motion by the Senator from Knox, Senator Collins, that the Senate recede and concur with the House relative to L. D. 1606.

A yes vote will be in favor of the Motion to recede and concur. A nay vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

YEAS — Carpenter, Collins, D.; Conley, Huber, Merrill, Morrell, Pierce, Pray, Speers.
 NAYS — Chapman, Cummings, Curtis, Danton, Farley, Greeley, Hewes, Hichens, Katz, Levine, Lovell, Mangan, Martin, McNally, Minkowsky, O'Leary, Redmond, Snowe, Trotzky, Usher, Wyman.

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

Mr. MORRELL: Mr. President, request permission to change my vote from yea to nay.

The PRESIDENT: The Senator from Cumberland, Senator Morrell, now changes his vote from yea to nay.

8 Senators having voted in the affirmative, and 22 Senators in the negative, with 2 Senators pairing their votes, and 1 Senator being excused, the Motion to recede and concur does not prevail.

The Senate voted to adhere.

The President laid before the Senate:

JOINT ORDER — relative to The Cape Elizabeth High School Baseball Team. (S. P. 597)

Tabled — Earlier in the Day by Senator Speers of Kennebec

Pending — Passage

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

Mr. HEWES: Mr. President and Members of the Senate, I could talk probably all night, but I just will say nothing about that grand team that I wish they had played the Portland High School team for the State Championship, rather than just for the Class B Championship.

Which was Passed.

Sent down forthwith for concurrence.

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

Mr. SPEERS: Mr. President, I move that the

Senate take from the Table L. D. 401, Bill, "An Act to Increase the Salaries of the Judiciary."

The PRESIDENT: The Senator from Kennebec, Senator Speers, now moves that the Senate remove from the unassigned table, Bill, "An Act to Increase the Salaries of the Judiciary." Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. SPEERS: Mr. President, this item was included in the Part II Budget, and I, therefore, move that this Bill be indefinitely postponed in concurrence.

On Motion of Mr. Speers of Kennebec, indefinitely postponed in concurrence.

(Off Record Remarks)

The PRESIDENT: Is it the pleasure of the Senate that all items acted upon this early evening be sent down forthwith for concurrence? It is a vote.

On Motion of Mr. Speers of Kennebec,
 Recessed until the sound of the bell.

(After Recess)

The Senate called to order by the President.

The President laid before the Senate:

RESOLUTION, Proposing an Amendment to the Constitution to Require the Legislature to Convene in December after the General Election. (H. P. 1048) (L. D. 1259)

Tabled — Earlier in the Day by Senator Speers of Kennebec

Pending — Final Passage

This being a Constitutional Amendment and having received the affirmative vote of 20 Members of the Senate, and 6 Senators in the negative, and 20 being more than two-thirds of the Membership present, this Resolution is finally passed. Will be signed by the President, presented by Secretary to the Secretary of State.

The PRESIDENT: The Chair will direct the Senate's attention to,

An Act Concerning Displaced Homemakers. (H. P. 700) (L. D. 842) which was Tabled earlier in the day by the Senator from Kennebec, Senator Speers.

On Motion of Mr. Conley of Cumberland, Retabled until later in Today's Session.

(See Action Later Today)

Out of order and under suspension of the rules,

The Senate voted to consider the following:

Paper from the House

Committee Report

Divided Report

The Majority of the Committee on State Government on,

Bill, An Act to Amend the Maine Human Rights Act. (H. P. 162) (L. D. 200)

Reported that the same Ought to Pass.

Signed:

Representatives:

CURRAN of South Portland

LOCKE of Sebec

VALENTINE of York

CHURCHILL of Orland

KANY of Waterville

BACHRACH of Brunswick

DIAMOND of Windham

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

Signed:

Sensors:

COLLINS of Aroostook

SNOWE of Androscoggin

MARTIN of Aroostook

Representatives:

MASTERTON of Cape Elizabeth

SILSBY of Ellsworth

STUBBS of Hollowell

Comes from the House, Passed to be Engrossed as amended by House Amendment "A" (H-941).

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

Mr. COLLINS: Mr. President, L. D. 200 comes to us in rather different form than the last time that I saw it. Originally, this was an act to amend the Maine Human Rights Act, and was similar in most respects to the Mandatory Retirement Age Bill that we have already handled. However, it seems that the House has added an Amendment which strips everything except the Enactment, and now in essence, it provides that Labor Organizations and employers can adopt a maximum age limitation in apprenticeship programs.

It seems to me that while I was not aware of this until just a few minutes ago, that it is designed to permit the apprenticeship programs to continue in industry, and it is very similar to the provision in the Federal Law which I will read to you, and it says, "Age limitations for entry into bona fide apprenticeship programs were not intended to be affected by the Act." Entry into most apprenticeship programs has traditionally been limited to youth under specified ages. This is in recognition of the fact that apprenticeship is an extension of the educational process to prepare young men and women for skilled employment. Accordingly the prohibitions contained in the act will not be applied to bona fide apprenticeship programs which meet the standards specified in this chapter. Therefore, I would move the acceptance of the Majority Ought to Pass Report.

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

Mr. KATZ: Mr. President, I will oppose the Motion to accept the Ought to Pass Report, and ask the Senate to vote against it, so that we can kill this Bill, and particularly the Amendment. The ink is scarcely dry on the splendid Bill we passed a little earlier this day, which meant that no more mandatory retirement would be acceptable in the public sector because of age. Now mind you, we have not really taken that last step to the private sectors so I see no jeopardy. The State Planning Office is going to be getting some assistance to look at some of the implications of our action for the private sector. I am confident that this may be one of those implications that we would want to address, but I think it would be highly inappropriate for us on the final night of this session, without a public hearing, to make an exception before we even know what the ballgame is all about. There is no emergency, organized labor is in no jeopardy in the private sector. I ask you to vote against this Bill and let us do it as we have all said, in an orderly fashion after we know what we are talking about.

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

Mr. MANGAN: Mr. President and Members of the Senate, in my much earlier, more foolish days, which is hard to comprehend, I think for some Members, I worked in a printing plant in Concord, New Hampshire, the Rumford Press, and having been there for, I do not know, about a year on a part-time basis, working the night shift, I discovered that they had processes that took, these were color blending processes for printing, they printed things like the Gentleman's Quarterly, Readers Digest, and these magazines. They took 20 to 22 years for an individual to learn these processes and learn the color combinations and learn the procedures so that one became a value to the company, but for the first 20 years, it was a trial and error process and the company really hurt very badly. They did have, I think, an age restriction there, I think it was age 27, before somebody could get into the program, by that

time they would be 47 years old before they would be any value to the company.

It is my impression that this Bill would prohibit this type of discrimination so that somebody say for example at age 45 or 44 could go into the program, and by the time they retire they are now getting profitable for the company. I do not know if this applies to any other industry, but this was one which did strike me as important, and I probably have to question through the Chair as to anyone who could answer that specific question.

The PRESIDENT: The Senator from Androscoggin, Senator Mangan has posed a question through the Chair to any Senator who cares to answer.

The Chair recognizes the Senator from Penobscot, Senator Pray.

Mr. PRAY: Mr. President and Members of the Senate, I would not want anybody to be confused by the remarks of the Senator from Kennebec, Senator Katz, in reference to the measure which we handled earlier today in reference to mandatory retirement. I viewed that piece of Legislation, which I supported, and this piece of Legislation, as amended, completely separate. I consider the earlier Legislation and the issue that we discussed as people who are performing at a point of proficiency as to whether or not they should be forced to retire when they hit an arbitrary age, and the Bill that we have before us at this time, which the Senator from Aroostook, Senator Collins, has moved the adoption of, an acceptance of individuals coming into the labor market from the other end and instituted training programs. They have on a number of occasions referred to the fact that a number of years ago when I got out of high school, I worked in a paper mill for a while and I am very aware of their apprenticeship programs, and the length of time that it takes, and I believe that they have a cut off age of 35. So, we are talking about individuals coming into the labor market area, individuals just starting out, finding their field, their endeavors for the rest of their life, and not individuals who have performed for a number of years, perhaps 20, 30, 40 years in the particular area, and at that time being forced out. Lets not confuse the mandatory retirement issue and draw any light on that issue with the measure that is before us at this time, and also as pointed out to the facts that Senator Collins of Aroostook on the federal regulations and the fact that the Federal Government does feel this is an acceptable way of dealing with the apprentice program.

The PRESIDENT: The pending question before the Senate is the Motion by the Senator from Aroostook, Senator Collins, that the Senate accept the Majority Ought to Pass Report of the Committee.

The Chair recognizes the Senator from Cumberland, Senator Hewes.

Mr. HEWES: Mr. President, I would support the position of the good Senator from Kennebec, Senator Katz. This amendment did not have a public hearing. As I understand it, is a new amendment without benefit of public hearing. In my own family, my wife in her 40's has been accepted at nursing school for next year. I think she will be an ideal nurse if she gets by the school. You know it may be that after studying this issue, the particular issue of this amendment, people will agree that it is beneficial to the people of Maine, to the working man and women and to management, but at this time we do not know that, and I think in view of the bill that was passed earlier today when we voted about 30 to 1, I believe, in favor of it, that it would be wrong at this time to pass this particular amendment.

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

Mr. LOVELL: Mr. President and Ladies and Gentlemen of the Senate: The Committee on Human Resources felt that at the hearing they

held at the Civic Center, that it was a combination of the L. D. 1634, L. D. 421, and L. D. 200, and that all of these had been referred to the Committee on Human Resources. Now here, the last day of the Session, or the next to the last day of the Session comes in L. D. 200, and it is amended all over different, without any type of hearing. We gave the original bill a hearing at the Civic Center, so I am afraid that I will have to go along as Ought Not to Pass.

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

Mr. PRAY: Mr. President and Members of the Senate: Again not to confuse the number of issues on action which we have taken either earlier today or earlier in the session. I think if anyone of us checked through the Enactors in the original legislation that came through, we will see a lot of pieces of legislation which have been enacted on in this body which have no comparison with the original document as it came before us and through the amendment process and time and time again as we go through the amendment we see the words of striking everything out after the enacting clause, and off we go on to a new adventure. So to stand up a present that argument, I think also that it is a proveless argument at this time. I have reservations about what would happen in some of the largest industries or some of the industries in Maine not just the largest ones, if this legislation failed and the relationship to their apprentice programs and to the office over here that a young lady runs, and I have great concerns and reservations that if we fail to accept the Ought to Pass Report as amended as to what would happen.

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

Mr. COLLINS: Mr. President, I request a Division, and urge the Senate to vote in favor of the pending motion.

The PRESIDENT: A Division has been requested.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I would not want to upset the Senate, but we had something like 42 L.D.'s on the errors and inconsistency bill last night which was for the good of the Senate most of them were disposed of, and certainly without public hearings, but I certainly concur with the remarks made by the good Senator from Aroostook, Senator Collins, Senator from Penobscot, Senator Pray, and would urge the Senate to vote for the Ought to Pass Report.

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

Mr. HEWES: Mr. President and Members of the Senate: I am going to quote from the Act that we voted on today by about 30 to 1, L. D. 1634, An Act to Prohibit the Practice of a Mandatory Retirement Age. "It is the intent of the Legislature that discrimination based on age against any person who seeks employment in the public sector who is already employed by a public employer shall not be tolerated." Now it is right here that there is to be no discrimination based on the time of hiring or the time of retirement, and I feel that this is a discrimination in the hiring, the commencement of employment as has been said by some of the other Senators. I think at this time, we are being premature, and I hope that you will vote against the Ought to Pass Motion.

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

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

The PRESIDENT: A Roll Call has been requested.

The Chair recognizes the Senator from Oxford, Senator O'Leary.

Mr. O'LEARY: Mr. President, I hope that you listened attentively to the words of the good

Senator from Penobscot, Senator Pray, because I am aware of one of our larger companies who has said, and it is on record, that they will not have any more apprenticeship programs in their plants, if we do not have this type of legislation.

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

Mr. LOVELL: Mr. President, could I ask a question of someone? We have not had this law for the last 40 years, the companies seem to be surviving all right, how have they been going about it the last 40 years or so.

The PRESIDENT: The Senator from York, Senator Lovell, has posed a question through the Chair to any Senator who may care to answer.

The Chair recognizes the Senator from Aroostook, Senator Collins.

Mr. COLLINS: Mr. President, I think the answer to that is in the federal regulations which I referred to a few moments ago, and companies that are engaged in interstate commerce, of course, do come under this regulation, and that is the basis for the apprenticeship program. I think that we have got to remember that the Federal Government considers this an extension of the educational process, and therefore, does make this exception, and that is the basis for the present apprenticeship programs.

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

Mr. LOVELL: Mr. President, then I gather from what the Senator from Aroostook says, Senator Collins, that we do not need this bill it is already in the Government Law.

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 Penobscot, Senator Pray.

Mr. PRAY: Mr. President and Members of the Senate: Just to respond to the last comments made by the Senator from York County, Senator Lovell, I think the reason that there is a need for legislation of this kind is a small organization called the Human Rights Commission which sometimes over-reacts to a particular legislation that we enacted previously to this, and I think that it is now, at this time, something that is needed.

The PRESIDENT: The pending question before the Senate is the motion by the Senator from Aroostook, Senator Collins, that the Senate accept the Majority Ought to Pass Report of the Committee.

A yes vote will be in favor of accepting the Ought to Pass Report. A nay vote will be opposed.

The Doorkeepers will secure the Chamber.
The Secretary will call the Roll.

ROLL CALL

YEA — Carpenter, Chapman, Collins, D.: Collins, S.; Conley, Cummings, Danton, Farley, Greeley, Huber, Levine, Mangan, Martin, McNally, Merrill, Minkowsky, Morrell, O'Leary, Pray, Snowe, Speers, Trotzky, Usher.

NAY — Hewes, Hichens, Katz, Lovell, Pierce, Redmond, Wyman.

ABSENT — Curtis, Jackson.

23 Senators having voted in the affirmative, and 7 Senators in the negative, with 2 Senators being absent, the motion to accept the Majority Ought to Pass Report does prevail.

The Bill read once. House Amendment "A" Read and Adopted.

Under suspension of rules, the Bill Read a Second Time.

This Bill, as amended, Passed to be Engros-

sed and sent forthwith to the Engrossing Department.

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

Mr. SPEERS: Mr. President, I move that the Senate remove from the Unassigned Table Bill, "An Act Concerning Recovery of Damages by the Consumer." (H. P. 1303) (L. D. 1541)

The PRESIDENT: The Senator from Kennebec, Senator Speers, now moves that the Senate remove from the Unassigned Table, L. D. 1541. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the Senator from Aroostook, Senator Collins.

Mr. COLLINS: Mr. President, I move that this bill and all its accompanying papers be indefinitely postponed.

The PRESIDENT: The Senator from Aroostook, Senator Collins, now moves that the Senate indefinitely postpone L. D. 1541, An Act Concerning Recovery of Damages by the Consumer.

The Chair recognizes the Senator from Kennebec, Senator Pierce.

Mr. PIERCE: Mr. President and Members of the Senate: This is a very small bill, if I could give a brief explanation, it might be helpful to the Senate in making up their mind on this matter.

L. D. 1541 permits consumers to sue for financial loss caused by an unfair acceptance act of practice. The current law allows consumers to sue only for recovery of the amount spent to purchase the product or service, and this change in the law would allow them also to get back any additional cost which might be incurred as the result of the Unfair Trade Practice Act.

Perhaps I might give you an example as the easiest way to explain what the bill does. You give \$500.00 down for somebody to put some siding on your house, one of these fly by nighters who may come along, and they put it on and they do a terrible job, when they leave you cannot get them to come back, you cannot get them to repair the damage they have done, and so forth. Under the current law, you could sue them, and you could get back the \$500.00. But in the meantime, you may have to have somebody come remove the siding, repair the damage, and incur some additional cost, and this bill would allow you to get back your money, plus any additional cost which you might incur. It also has one other provision that if anyone is convicted for a willful unfair trade practice not negligent, but willful, they can collect three times the amount of that damage instead of just the amount. This is basically what the bill does.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion by the Senator from Aroostook, Senator Collins, that L. D. 1541 and accompanying papers be indefinitely postponed.

The Chair will order a Division.

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

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

The Chair recognizes the Senator from York, Senator Farley.

Mr. FARLEY: 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 pending question before the Senate is the

motion by the Senator from Aroostook, Senator Collins, that L. D. 1541, "An Act Concerning the Recovery of Damages by the Consumer," be indefinitely postponed.

A yes vote will be in favor of indefinite postponement. A nay vote will be opposed.

The Doorkeepers will secure the Chamber. The Secretary will call the Roll.

ROLL CALL

YEA — Chapman, Collins, D.; Collins, S.; Cummings, Greeley, Hewes, Hichens, Katz, Lovell, Mangan, McNally, Minkowsky, Morrell, Redmond, Trotzky, Wyman.

NAY — Carpenter, Conley, Danton, Farley, Huber, Levine, Martin, Merrill, O'Leary, Pierce, Pray, Snowe, Speers, Usher.

ABSENT — Curtis, Jackson.

16 Senators having voted in the affirmative, and 14 Senators in the negative, with 2 Senators being absent, the motion to indefinitely postpone does prevail.

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

Mr. MORRELL: Mr. President, having voted on the prevailing side, I ask reconsideration and hope that you vote against me.

The PRESIDENT: The Senator from Cumberland, Senator Morrell, now moves that the Senate reconsider its action whereby it indefinitely postponed L. D. 1541. A viva voce vote being had, the Motion to reconsider does not prevail.

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

Mr. SPEERS: Mr. President, I move that the Senate remove from the Table Bill, "An Act to Establish Half Rate for Registration and Excise Fees at the Midpoint in the Registration Year." (H. P. 448) (L. D. 554)

The PRESIDENT: The Senator from Kennebec, Senator Speers, now moves that the Senate take from the Unassigned Table L. D. 554, "An Act to Establish Half Rate for Registration and Excise Fees at the Midpoint in the Registration Year." Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the Senator from Waldo, Senator Greeley.

Mr. GREELEY: Mr. President and Members of the Senate: If this bill was enacted, there would be a loss of revenue to the Transportation Department, \$150,000.00 each year of the biennium. I, therefore, move this bill be indefinitely postponed.

The PRESIDENT: The Chair would advise the Senator that this Senate is out of concurrence with the House the proper motion would be for the Senate to adhere.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, the proper motion to make, Mr. President, would be to recede and concur, and I so move.

The PRESIDENT: The Chair would advise the Senator that it is a matter of opinion.

The pending motion is the Senator from Waldo, Senator Greeley, that the Senate indefinitely postpone. The effective motion would be to adhere.

The Chair recognizes the Senator from Waldo, Senator Greeley.

Mr. GREELEY: Mr. President, I move that the Senate adhere.

The PRESIDENT: The Senator from Waldo, Senator Greeley, now moves that the Senate adhere.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I believe that the proper motion is to recede and concur, and I so move, and when the vote is taken, I request it be taken by the yeas and nays.

The PRESIDENT: A Roll Call has been requested. Is the Senate ready for the question? 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 Cumberland, Senator Conley.

Mr. CONLEY: Mr. President and Members of the Senate: I think it is only fair at this late hour, that stands out or brings out once again. From time to time when items were laid on the Table, unassigned, it was laid there for a good purpose, and this is a good example of this bill and the previous bill for being laid there for that particular purpose, so that on the closing hours we do not have an opportunity to mount on the defense to pass these bills.

The PRESIDENT: The pending question before the Senate is the motion by the Senator from Cumberland, Senator Conley, that the Senate recede and concur with the House.

A yes vote will be in favor of the motion to Recede and Concur. A nay vote will be opposed.

The Doorkeepers will secure the Chamber. The Secretary will call the Roll.

ROLL CALL

YEA — Carpenter, Conley, Danton, Farley, Hichens, Levine, Mangan, Martin, Merrill, Minkowsky, Morrell, O'Leary, Pray, Usher.

NAY — Chapman, Collins, D.; Collins, S.; Cummings, Greeley, Hewes, Huber, Katz, Lovell, McNally, Pierce, Redmond, Snowe, Speers, Trotzky, Wyman.

ABSENT — Curtis, Jackson.

14 Senators having voted in the affirmative, and 16 Senators in the negative, with 2 Senators being absent, the motion to recede and concur does not prevail.

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

Mr. CONLEY: Mr. President, I move that the Senate reconsider its action.

The PRESIDENT: The Chair would advise the Senator his motion is not order, he did not vote on the prevailing or majority side.

Is it now the pleasure of the Senate to adhere.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I would now move that this item lie on the table until later in the Evening's Session.

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

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

The PRESIDENT: A Division has been requested. Will all those Senators in favor of tabling this until later in Today's Session, please rise in their places to be counted.

Will all those Senators opposed to the motion please rise in their places to be counted.

14 Senators having voted in the affirmative, and 15 Senators in the negative, the motion to Table does not prevail.

The Senate voted to adhere.

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

Mr. HUBER: Mr. President, I move that L. D.'s 117, 119, 490, and 620 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Appropriations Table, L. D.'s 117, 119, 490 and 620. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I move the pending question.

The PRESIDENT: In reference to "An Act Relating to the Distribution of Statutes and Session Laws." (L. D. 620)

Which was Passed to be Enacted and having

been signed by the President, was by the Secretary presented to the Governor for his approval.

"An Act Appropriating Funds for Maine Health Systems Agency, Incorporated, to Ensure that Quality Health Services are Available at a Reasonable Cost to all Maine People." (L. D. 490)

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I just have one question about this L. D., and my question is to what the Appropriation is on this bill.

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

The Chair recognizes the Senator from Cumberland, Senator Morrell.

Mr. MORRELL: Mr. President in response to the question, \$25,000.00 for each of the two years.

This being an emergency measure, and having received the affirmative vote of 30 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.

The PRESIDENT: In reference to

RESOLVE, Reimbursing Certain Municipalities on Account of Taxes Lost Due to Lands being Classified under the Maine Tree Growth Tax Law. (L. D. 119)

RESOLVE, Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans. (L. D. 117)

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

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

Mr. HUBER: Mr. President, I now move that L. D.'s 1738, 1885, and 418 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber now moves that the Senate remove from the Special Appropriations Table L. D. 418, 1738, and 1885. Is it the pleasure of the Senate? It is a vote.

The pending question on these three bills,

"An Act Relating to Providing Information Services to Maine Travelers." (L. D. 1738)

"An Act Relating to Guardianship of Incapacitated Adults in Need of Protective Services." (L. D. 418)

"An Act to Establish the Maine Nonprofit Corporation Act." (L. D. 1885)

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

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

Mr. HUBER: Mr. President, I now move that L. D. 247 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table L. D. 247. Is it the pleasure of the Senate? It is a vote. The pending question is enactment.

"An Act to Provide Minimum Subsidy Payments for Small Administrative Units." (L. D. 247)

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

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

Mr. HUBER: Mr. President, I now move that L. D. 1798 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table, L. D. 1798. Is it the pleasure of the Senate? It is a vote.

RESOLVE, Authorizing Alban E. Cyr, Sr., and Cyr Brothers Meatpacking, Inc., and Cyr Food, Inc., of Caribou to Bring Civil Action Against an Agency of the State of Maine. (L. D. 1798)

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

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

Mr. HUBER: Mr. President, I move that the Senate reconsider its action whereby L. D. 247, "An Act to Provide Minimum Subsidy Payments for Small Administrative Units," was enacted.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate reconsider its action whereby it enacted L. D. 247. Is it the pleasure of the Senate? It is a vote.

Mr. HUBER: Mr. President, is this bill now in the position to be amended?

The PRESIDENT: The Chair understands that the Senator from Cumberland, now moves that the Senate suspend its rules and reconsider its action whereby this Bill was Passed to be Engrossed. Is it the pleasure of the Senate? It is a vote.

The Chair would advise the Senator that the current posture of the bill is now in a position to be amended.

Mr. HUBER: Mr. President, I now present Senate Amendment "A" (S-398) to L. D. 247 and move its adoption.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now offers Senate Amendment "A" to L. D. 247. The Secretary will read Senate Amendment "A".

Senate Amendment "A" Read and Adopted. Passed to be Engrossed as amended, in non-concurrence.

Sent down forthwith for concurrence.

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

Mr. HUBER: Mr. President, I now move that L. D. 615 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber now moves that the Senate remove from the Special Appropriations Table "An Act to Authorize General Fund Bond Issue in the Amount of \$30,000,000 for Planning, Construction and Equipment of Pollution Abatement Facilities." (L. D. 615)

Is it the pleasure of the Senate? It is a vote.

This being a Bond Authorization Act, and having received the affirmative vote of 25 Senators, and 2 Senators in the negative, and 25 being more than two-thirds of the membership present, this bill passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

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

Mr. HUBER: Mr. President, I now move that L. D.'s 327, 1272, and 1361 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table L. D.'s 327, 1272, and 1361. Is it the pleasure of the Senate? It is a vote.

"An Act to Amend the State Tuition Equalization Fund." (L. D. 327)

"An Act to Remove the Commercial License of Smelt Fishermen." (L. D. 1272)

"An Act Relating to Secured Transactions under the Uniform Commercial Code." (L. D. 1361)

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

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

Mr. HUBER: Mr. President, I now move that L. D. 1501 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table, L. D. 1501. Is it the pleasure of the Senate? It is a vote.

RESOLVE, to Authorize a Study of the Judicial Pension System of the State of Maine. (L. D. 1501)

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

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

Mr. HUBER: Mr. President, I now move that L. D.'s 797, 882, 1075 and 1552 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table, L. D. 797, 882, 1075 and 1552. Is it the pleasure of the Senate? It is a vote.

"An Act to Provide for Marine Resources Education by the Department of Marine Resources." (L. D. 1552)

"An Act to Terminate Administration of the Industrialized Housing Law." (L. D. 797)

"An Act to Create a Division of Public Health Nursing within the Bureau of Health, Department of Human Services." (L. D. 882)

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

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz, in reference to "An Act to Base Adjustments of Teacher and State Employee Retirement Allowances on the Consumer-Price Index."

Mr. KATZ: Mr. President, I would like to ask through the Chair to the Chairman of the Appropriations Committee what the future implications of this Act are.

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

The Chair recognizes the Senator from Knox, Senator Collins.

Mr. COLLINS: Mr. President, since this Bill came from the Committee on Veterans and Retirement, I would answer the Senator that the views expressed by the actuary for the Maine State Retirement System are that there will not be future drains upon taxpayers money with respect to this division. The Act has a lid of 4 percent per year. Any amount in excess of that under the Consumer Price Index would have to come back to the Legislature for fresh consideration, so that the Legislature would have to decide. Within the actuarial base of the system and the history of the system, as related to inflation and other economic factors the actuary believes that this figure is a reasonable and safe figure.

The PRESIDENT: Is the Senate ready for the question?

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

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

Mr. HUBER: Mr. President, I now move that

L. D. 1119, and 1602 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table LD's 1119 and 1602. Is it the pleasure of the Senate? It is a vote.

AN ACT to Eliminate Tax on Marine Worms and Replace it With a Fee for Inspection and to Specify Certain Offenses Concerning the Sale of Marine Worms and Other Commodities. (L. D. 1119)

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

AN ACT to Increase Payments to Foster Homes for Children and to Small Boarding Homes for Adults. (L. D. 1602)

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

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

Mr. HUBER: Mr. President, I move that L. D. 750 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber now moves that the Senate remove from the Special Appropriations Table L. D. 750. Is it the pleasure of the Senate? It is a vote.

AN ACT to Authorize Bond Issue in the Amount of \$5,965,000 for the Construction and Renovations of Higher Education Facilities at the University of Maine. (L. D. 750)

This being a Bond Authorization Act and having received the affirmative vote of 26 Senators, and 2 Senators in the negative, and 26 being more than two-thirds of the Membership, this Bill Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

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

Mr. HUBER: Mr. President, I move that L. D. 1172 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table L. D. 1172.

AN ACT to Authorize Certain School Debt Service Payments to be Offset by Increased Payments to the Treasurer of State. (L. D. 1172)

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

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

Mr. HUBER: Mr. President, I move that LD's 906, 1067, and 1752 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber now moves that the Senate remove from the Special Appropriations Table LD's 906, 1067, and 1752. Is it the pleasure of the Senate? It is a vote.

AN ACT to Appropriate Money for Revolutionary War Veterans Grave Markers. (L. D. 906)

AN ACT to Revise the Statutes Relating to Services for Mentally Retarded Persons. (L. D. 1752)

AN ACT Relating to Workmen's Compensa-

tion for State Law Enforcement and Institutional Personnel. (L. D. 1067)

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

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

Mr. HUBER: Mr. President, I move that L. D. 1856 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table

AN ACT to Authorize a Bond Issue in the Amount of \$10,000,000 for Energy Conservation Improvements for State-owned Buildings and Public School Buildings. (L. D. 1856)

Is it the pleasure of the Senate? It is a vote.

This being a Bond Authorization Act and having received the affirmative vote of 25 Senators, and 4 Senators in the negative, and 25 being more than two-thirds of the Membership present, this Bill was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

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

Mr. HUBER: Mr. President, I now move that LD's 1068, 1232, 1626, and 1819 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber now moves that the Senate remove from the Special Appropriations Table LD's 1068, 1232, 1626, and 1819. Is it the pleasure of the Senate? It is a vote.

In reference to

AN ACT to Authorize a Bond Issue in the Amount of \$300,000 for use in Conjunction with Approximately \$600,000 to be Raised by the Maine Maritime Academy for the Renovation of Leavitt Hall at the Academy. (L. D. 1626)

AN ACT to Authorize Bond Issue in the Amount of \$3,748,000 for Construction of an Educational Wing at Central Maine Vocational-Technical Institute, a Mechanicals Building at Eastern Maine Vocational-Technical Institute, a Multi-purpose Instructional Building at Northern Maine Vocational-Technical Institute and a Building Construction Facility at Southern Maine Vocational-Technical Institute. (L. D. 1819)

These being Bond Authorization Acts, and having received the affirmative vote of 25 Senators, and 4 Senators in the negative, and 25 being more than two-thirds of the Membership present, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

AN ACT to Authorize Local Control over Special Amusement Permits Issued to Licensees under the Alcoholic Beverages Statutes. (L. D. 1068)

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

AN ACT to Clarify the Statutory Provisions Concerning the Legal Capacity of a School Bus. (L. D. 1232)

This being an emergency measure, and having received the affirmative vote of 26 Senators, and 2 Senators in the negative, and 26 being more than two-thirds of the Membership present, this Bill Passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

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

Mr. HUBER: Mr. President, I move that L. D. 1250 and 1720 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table

AN ACT Creating The Maine Capital Corporation. (L. D. 1250)

AN ACT to Provide for Adult Education for Certain Students under the Provisions of the School Finance Act of 1976. (L. D. 1720)

Is it the pleasure of the Senate? It is a vote.

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

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

Mr. HUBER: Mr. President, I now move that 1684 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table

AN ACT to Appropriate Money for Improvements to Airports and to Authorize General Fund Bond Issues in the Amount of \$1,800,000. (L. D. 1684)

Is it the pleasure of the Senate? It is a vote.

This being a Bond Authorization Act, and having received the affirmative vote of 25 Senators, and 4 Senators in the negative, and 25 being more than two-thirds of the Membership present, and having been signed by the President was by the Secretary presented to the Governor for his approval.

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

Mr. HUBER: Mr. President, I move that L. D. 1698 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table

RESOLVE, Directing the Bureau of Taxation to Provide Credits for the Commuter's Income Tax Imposed by New Hampshire for the Period January 1, 1975 to March 19, 1975. (L. D. 1698)

Is it the pleasure of the Senate? It is a vote.

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

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

Mr. HUBER: Mr. President, I move that L. D. 211 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber now moves that the Senate remove from the Special Appropriations Table

AN ACT to Provide for Legislative Review and Automatic Termination of State Agency Rules. (L. D. 211)

Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I now move that the rules be suspended.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate suspend its rules. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I move that the Senate reconsider its action whereby this Bill was Passed to be Engrossed.

The PRESIDENT: The Senator from Cumberland, Senator Huber now moves that the

Senate reconsider its action whereby L. D. 211 was Passed to be Engrossed. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I now present Senate Amendment "B" to L. D. 211 and move its passage.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now offers Senate Amendment "B" to L. D. 211, and moves its adoption. The Secretary will read Senate Amendment "B"

Senate Amendment "B" (S-391) Read and Adopted.

This Bill, as amended, passed to be Engrossed, in non-concurrence.

Sent down forthwith for concurrence.

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

Mr. HUBER: Mr. President, I now move that L. D. 348 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table

RESOLVE, to Appropriate Moneys for Research on Blackfly Biology and Continued Research on an Environmentally Safe Insecticidal Control for Blackflies. (L. D. 348)

Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, under further suspension of the rules, I move that the Senate reconsider its action whereby this Bill was Passed to be Engrossed.

The PRESIDENT: The Senator from Cumberland, Senator Huber now moves that the Senate suspend its rules and reconsider its action whereby L. D. 348 was Passed to be Engrossed. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I now present Senate Amendment "A" to the Bill and move its passage.

The PRESIDENT: The Senator from Cumberland, Senator Huber now offers Senate Amendment "A" to L. D. 348 and moves its adoption. The Secretary will read Senate Amendment "A"

Senate Amendment "A" (S-392) Read.

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

Mr. PRAY: Mr. President, I offer Senate Amendment "A" to Senate Amendment "A" (S-405) and move its passage.

The PRESIDENT: The Senator from Penobscot, Senator Pray now offers Senate Amendment "A" to Senate Amendment "A" moves its adoption. The Secretary will Read Senate Amendment "A" to Senate Amendment "A"

Senate Amendment "A" Read.

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

Mr. PRAY: Mr. President and Members of the Senate, this is just a small Amendment basically changes the word shall to may in reference to the fact that municipalities around the State will appropriate supplemental money to the financial situation.

Senate Amendment "A" to Senate Amendment "A" Adopted.

Senate Amendment "A" as amended Adopted.

This Bill, as amended, Passed to be Engrossed in non-concurrence.

Sent down forthwith for concurrence.

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

Mr. HUBER: Mr. President, I move that L. D. 634 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from

Cumberland, Senator Huber now moves that the Senate remove from the Special Appropriations Table

AN ACT Appropriating Funds to Maine Vocational Development Commission. (L. D. 634)

Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, under suspension of the rules, I move that the Senate reconsider its action whereby this Bill was Passed to be Engrossed.

The PRESIDENT: The Senator from Cumberland, Senator Huber now moves that the Senate suspend its rules and reconsider its action whereby L. D. 634 was Passed to be Engrossed.

Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I now move reconsideration of adoption of Committee Amendment "A"

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

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I present Senate Amendment "A" to Committee Amendment "A"

The PRESIDENT: The Senator from Cumberland, Senator Huber, now offers Senate Amendment "A" to Committee Amendment "A" and moves its adoption.

The Secretary will read Senate Amendment "A"

Senate Amendment "A" (S-393) Read and Adopted.

Committee Amendment "A" as amended Adopted.

This bill as amended, Passed to be Engrossed in non-concurrence.

Sent down forthwith for concurrence.

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

Mr. HUBER: Mr. President, I move that L. D. 1123 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that "An Act Appropriating Funds to Provide Services to Older Blind Persons to Assist them in Remaining in their Own Homes and in Caring for Themselves." (L. D. 1123)

Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, under suspension of the rules, I move that the Senate reconsider its action whereby this bill is Passed to be Engrossed.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate suspend its rules and reconsider its action whereby L. D. 1123 was Passed to be Engrossed.

Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I present Senate Amendment "A" to L. D. 1123 and move its adoption.

The PRESIDENT: The Senator from Cumberland, Senator Huber now offers Senate Amendment "A" to L. D. 1123 and moves its adoption. The Secretary will Read Senate Amendment "A"

Senate Amendment "A" (S-394) Read and Adopted.

This Bill, as amended, Passed to be Engrossed in non-concurrence.

Sent down forthwith for concurrence.

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

Mr. HUBER: Mr. President, I move that L. D. 1768 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table "An Act to Create the Maine Administrative Procedure Act." (L. D. 1768) Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, under suspension of the rules, I move that the Senate reconsider its action whereby this bill was Passed to be Engrossed.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate suspend its rules and reconsider its action whereby L. D. 1768 was Passed to be Engrossed. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I now move reconsideration of adoption of Committee Amendment "A"

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate reconsider its action whereby it adopted Committee Amendment "A"

Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I present Senate Amendment "A" to Committee Amendment "A"

The PRESIDENT: The Senator from Cumberland, Senator Huber, now offers Senate Amendment "A" to Committee Amendment "A" and moves its adoption. The Secretary will read Senate Amendment "A"

Senate Amendment "A" (S-395) Read and Adopted.

Committee Amendment "A", as amended, Adopted.

This Bill as amended Passed to be Engrossed in non-concurrence.

Sent down forthwith for concurrence.

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

Mr. HUBER: Mr. President, I move that L. D. 1702 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table "An Act to Provide for the Licensing of Mobile Homes and Modular Housing Dealers and Mechanics." (L. D. 1702)

Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, under suspension of the rules, I move that the Senate reconsider its action whereby this bill was Passed to be Engrossed.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate suspend its rules and reconsider its action whereby L. D. 1702 was Passed to be Engrossed. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I now move reconsideration of the adoption of Committee Amendment "A"

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

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I present Senate Amendment "A" to Committee Amendment "A"

The PRESIDENT: The Senator from Cumberland, Senator Huber, now offers Senate Amendment "A" to Committee Amendment

"A" and moves its adoption. The Secretary will Read Senate Amendment "A".

Senate Amendment "A" (S-396) Read and Adopted.

Committee Amendment "A", as amended, Adopted.

This bill, as amended, Passed to be Engrossed in non-concurrence.

Sent down forthwith for concurrence.

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

Mr. HUBER: Mr. President, I move that L. D. 496 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table "An Act to Authorize the State Librarian to Purchase Town Histories and other Maine Histories for Distribution to Public Libraries and Schools." (L. D. 496) Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, under suspension of the rules, I move that the Senate reconsider its action whereby this bill was Passed to be Engrossed.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate suspend its rules and reconsider its action whereby this bill was Passed to be Engrossed. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I now present Senate Amendment "A" to the Bill and move its passage.

The PRESIDENT: The Senator from Cumberland, Senator Huber now offers Senate Amendment "A" to L. D. 496 and moves its adoption. The Secretary will read Senate Amendment "A".

Senate Amendment "A" (S-397) Read and Adopted.

This Bill, as amended, Passed to be Engrossed in non-concurrence.

Sent down forthwith for concurrence.

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

Mr. HUBER: Mr. President, I move that L. D. 1243 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table "An Act Creating the Maine Development Foundation." (L. D. 1243) Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, under suspension of the rules, I move reconsideration of the Senate's action whereby this Bill was Passed to be Engrossed.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate suspend its rules and reconsider its action whereby L. D. 1243 was Passed to be Engrossed. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I now present Senate Amendment "A" to the Bill and move its adoption.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now offers Senate Amendment "A" to L. D. 1243 and moves its adoption. The Secretary will read Senate Amendment "A".

Senate Amendment "A" (S-399) Read and Adopted.

This Bill as amended, Passed to be Engrossed in non-concurrence.

Sent down forthwith for concurrence.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I move that L. D. 1676 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table "An Act to Provide for Budgeting of State Expenditures of Federal Funds." (L. D. 1676) Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, under suspension of the rules, I now move that the Senate reconsider its action whereby this bill was Passed to be Engrossed.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate suspend its rules and reconsider its action whereby L. D. 1676 was Passed to be Engrossed. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I now present Senate Amendment "B" to the Bill and move its adoption.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now offers Senate Amendment "B" to L. D. 1676 and moves its adoption. The Secretary will read Senate Amendment "B".

Senate Amendment "B" (S-400) Read and Adopted.

This Bill, as amended, Passed to be Engrossed in non-concurrence. Sent down forthwith for concurrence.

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

Mr. HUBER: Mr. President, I move that L. D. 1810 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table "An Act to Establish an Assessment of Student Performance in the Basic Skills." (L. D. 1810) Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, under suspension of the rules, I move that the Senate reconsider its action whereby this bill was Passed to be Engrossed.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate suspend its rules and reconsider its action whereby this Bill was Passed to be Engrossed. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I now present Senate Amendment "A" to the Bill and move its adoption.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now offers Senate Amendment "A" to L. D. 1810 and move its adoption. The Secretary will read Senate Amendment "A".

Senate Amendment "A" (S-401) Read and Adopted.

This Bill, as amended, Passed to be Engrossed in non-concurrence.

Sent down forthwith for concurrence.

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

Mr. HUBER: Mr. President, I move that L. D. 1734 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber now moves that the Senate remove from the Special Appropriations Table "An Act to Improve the Administration of the Maine Tree Growth Tax Law." (L. D. 1734)

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President under suspension of the rules, I move that the Senate reconsider its action whereby this Bill was Passed to be Engrossed.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate suspend its rules and reconsider its action whereby L. D. 1734 was Passed to be Engrossed. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I move that the Senate reconsider adoption of Committee Amendment "A".

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

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I now present Senate Amendment "A" to Committee Amendment "A" and move its adoption.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now offers Senate Amendment "A" to Committee Amendment "A" and moves its adoption. The Secretary will read Senate Amendment "A".

Senate Amendment "A" (S-402) Read and Adopted.

Committee Amendment "A", as amended, Adopted.

This bill, as amended, Passed to be Engrossed in non-concurrence.

Sent down forthwith for concurrence.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I move that L. D. 842 be removed from the Table.

The PRESIDENT: The Senator from Cumberland, Senator Conley now moves that the Senate remove from the Table later Table, L. D. 842, An Act Concerning Displaced Homemakers. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the Senator from Cumberland, Senator Huber.

Mr. HUBER: Mr. President, parliamentary inquiry. Is it necessary to suspend the rules, because I really do not know the status of this bill.

The PRESIDENT: The present posture of the bill is Passage to be Enacted. The Chair understands that the Senator from Cumberland, Senator Huber, now moves that the Senate suspend its rules whereby this Bill was Passed to be Engrossed. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I now move reconsideration of adoption of Committee Amendment "A".

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

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I now present Senate Amendment "A" to Committee Amendment "A" and move its adoption.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now presents Senate Amendment "A" and moves its adoption. The Secretary will read Senate Amendment "A".

Senate Amendment "A" (S-403) Read and Adopted.

Committee Amendment "A", as amended, Adopted.

This Bill, as amended, Passed to be Engrossed in non-concurrence.

Sent down forthwith for concurrence.

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

Mr. HUBER: Mr. President, I move that L. D. 1244 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber now moves that the Senate remove from the Special Appropriations Table "An Act Establishing the Maine Small Business Loan Authority." (L. D. 1244) Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, under suspension of the rules, I move that the Senate reconsider its action whereby this bill was Passed to be Engrossed.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate suspend its rules and reconsider its action whereby L. D. 1244 was Passed to be Engrossed. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I now move reconsideration of Adoption of Committee Amendment "A" and present Senate Amendment "A" and move its adoption.

The PRESIDENT: The Senator from Cumberland, Senator Huber now moves that the Senate reconsider its action whereby it adopted Committee Amendment "A" to L. D. 1244. Is it the pleasure of the Senate? It is a vote. The Senator from Cumberland, Senator Huber, now offers Senate Amendment "A" to Committee Amendment "A" and move its adoption. The Secretary will read Senate Amendment "A".

Senate Amendment "A" (S-404) Read and Adopted.

Committee Amendment "A", as amended, adopted.

This Bill, as amended, Passed to be Engrossed in concurrence.

Sent down forthwith for concurrence.

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

Mr. HUBER: Mr. President, I move that L. D. 241 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber now moves that the Senate remove from the Special Appropriations Table "An Act to Raise the Christmas Tree Transportation Registration Fee," (L. D. 241) Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, under suspension of the rules, I move that the Senate reconsider its action whereby this bill was Passed to be Engrossed.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate suspend its rule and reconsider its action whereby this Bill, L. D. 241 was Passed to be Engrossed. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: Mr. President, I now move reconsideration of adoption of Committee Amendment "A".

The PRESIDENT: The Senator from Cumberland, Senator Huber now moves that the Senate reconsider its action whereby it adopted Committee Amendment "A" to L. D. 241. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator.

Mr. HUBER: The Senator from Cumberland, Senator Huber, now offers Senate Amendment "A" to Committee Amendment "A" and moves its adoption. The Secretary will read Senate Amendment "A".

Senate Amendment "A" (S-194) Read and Adopted.

Committee Amendment "A", as amended, Adopted.

This Bill, as amended, Passed to be Engrossed in non-concurrence.

Sent down forthwith for concurrence.

Mr. Conley of Cumberland, was granted unanimous consent to address the Senate on the record.

Mr. CONLEY: Mr. President, I would like to inform the Senate that we Enacted the Milbridge Bill a few hours ago.

The PRESIDENT: The Chair thanks the Senator for his advice.

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

Mr. MERRILL: Mr. President, is L. D. 247 still on the Table?

The PRESIDENT: The Chair would advise the Senator from Cumberland, Senator Merrill, that the Senate reconsidered its action and amended that Bill and sent it down forthwith for concurrence.

On motion of Mr. Speers of Kennebec, Recessed until the sound of the bell.

(Off Record Remarks)

(After Recess)

Senate called to order by the President.
On motion of Mr. Huber of Cumberland,
Adjourned to July 11, 1977 at 9:00 in the morning.