

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eighth  
Legislature***

OF THE

STATE OF MAINE

**1978**

**Second Regular Session**

January 4, 1978 — April 6, 1978

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**Senate Confirmation Session**

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APPENDIX

## SENATE

Friday, September 15, 1978

Senate called to Order by the President.

Prayer by Reverend Barry Fearon, First Baptist Church, West Gardiner.

Reverend FEARON: Let us pray. Heavenly Father, as we pause in this beginning of another day of momentous decisions perhaps, we ask that you give us all a sense of calmness, a sense of real wisdom, caution, and help us to have the State in mind, the good of this State; and we would pray for each one present today that since they worked late yesterday, their heads will be clear, their thoughts and their judgments will be sound, and we would pray, O Father, that the kingdom to come will begin today. The kingdom whereby righteousness is ruling. We realize that when the Lord Jesus Christ comes to rule as the true King and the Ruler, the World is going to be far superior to that which we have today but as inferior as it is here we would pray, O God, that you give these men true wisdom from above. We ask it in the name of Christ, our Savior. Amen.

Reading of the Journal of yesterday.

## Committee Report

House

## Divided Report

Five members of the Committee on Appropriations and Financial Affairs on,

RESOLUTION, Proposing an Amendment to the Constitution to Limit the Amount of Revenues which may be Raised by Taxes in any Fiscal Year. (H. P. 2345) (L. D. 2212)

Report in Report "A" that the same Ought to Pass as amended by Committee Amendment "A" (H-1263).

Signed:  
Senator:

MORRELL of Cumberland

Representatives:

HIGGINS of Scarborough  
MORTON of Farmington  
PERKINS of Blue Hill  
McBREAIRTY of Perham

Five members of the same Committee on the same subject matter

Reported in Report "B" that the same Ought to Pass as amended by Committee Amendment "B" (H-1264).

Signed:

Sensor:

MERRILL of Cumberland

Representatives:

GREENLAW of Stonington  
POST of Owl's Head  
CARTER OF Winslow  
NAJARIAN of Portland

Three members of the same Committee on the same subject matter

Reported in Report "C" that the same Ought to Pass as amended by Committee Amendment "C" (H-1265).

Signed:

Sensor:

HUBER of Cumberland

Representatives:

JALBERT of Lewiston  
PEARSON of Old Town

Comes from the House, Report "B" Read and Accepted, and the Resolution Passed to be Engrossed as amended by Committee Amendment "B" (H-1264).

Which Reports were Read.

On Motion of Mr. Huber of Cumberland, Recessed until the sound of the bell.

## RECESS

## AFTER RECESS

Senate called to order by the President.

The PRESIDENT: The Chair recognizes the

Senator from Cumberland, Senator Huber.

Mr. HUBER: Mr. President. I move the Senate accept Report "C" and would speak to my motion.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate accept Report "C" on L. D. 2212. The Senator has the floor.

Mr. HUBER: Mr. President and Members of the Senate. Report "C" started as a distillation of the various proposals dealing with the concept of the limitation of government spending — spending limitation either of taxes or expenditures. Most of the bills are focused on expenditures although taxation and expenditures are of the interlock. This bill does deal with expenditures. It deals specifically with State general fund expenditures. It does not deal with other levels of government. It does not deal with undedicated funds. It does present the two crucial items which I feel are embodied in the entire tax limitation concept. First it is limitation and I outlined what, in fact, is limited. Second, it deals with the problem or the subject of mandated State programs. I feel that these two items are the two crucial items in the tax limitation concept and this bill addresses these two items without introducing additional complicating issues which, in fact, I believe, have made many of the other perfectly legitimate, perfectly good faith efforts unpassable in this Legislature. This uses the cost of living and state personal income as indices and I have already detailed in this body my feelings — these are yardsticks beyond which the Legislature must explain its action to the satisfaction of the voters.

There is one change in this in the section dealing with state mandates in which this bill provides that the Legislature and the Executive Department are prohibited from acquiring at the non-state level of government provide any new or standard programs or services without reasonable financing from sources other than property taxes. This bill present for the first time the reasonable financing wording partially to address the problem brought up by the Senator from Cumberland, Senator Merrill about the, I believe he referred to as a "tension" within the Legislature to promote continuing debate and continuing discussion on a what will certainly a continuing issue for the Legislature; namely, the sharing or the proportion between the State and other levels of government.

I have inserted the word "reasonable" in this to bring up such legislative debate as I feel it must be continually brought up. Previous drafts, in essence or in effect, have referred to full funding from the state on state mandated programs. Again I have already explained my reasons not favoring this approach which would eliminate the possibility of a local share on a state mandated program which was administered locally. In many cases we have included a local share to make sure that programs administered locally are not fully state funded and the local dollars are, in fact, involved and local concern is inserted on the cost of administration of such programs. I think it, in fact, the section on state mandates will force the legislature to carefully consider programs which might be mandated and, in fact, will tend to make the legislature or influence the legislature to make such potential programs local options where ever possible.

This does contain some changes which, I believe, I spoke on before in the Declaration of Emergency section. There may be questions as to why the Governor initiates such an emergency. The Legislature, even under this wording, can initiate the Declaration of Emergency by Joint Resolution to the Governor requesting that he initiate such a procedure. A change in this bill is request specific as the nature of the emergency and the amount of funding but the request shall also state the Governor's recommended method of funding for the emergency

leaving the final decision on the method of actually used to address the emergency funding to a mutual decision of the Governor and the Legislature.

I think the bill is in its simplest conceivably passable form. It introduces the least number of issues. It is not everything that many people desire, it is not everything that I desire. I do think it has some possibility of passage. I think this measure is much more understandable to the voters who will have to vote on a comparatively simple question. I think it is explainable that the Legislature, if this is enacted, has actually dealt with what the Legislature in fact deals with; namely, the general fund budget. This has been referred to in various discussions as half-a-loaf that may be a fact. If the State general fund budget is a half-a-loaf, it is one darn big half-a-loaf.

I think this is an effective limitation by the Legislature of what the Legislature deals with. Many of us philosophically would like to do more if this is from a practical standpoint all we can do I don't see how we can be criticized for exerting any limitation on what the legislature, in fact, does deal with.

I hope that the Senate will accept Report "C" and hope that those committed to limitations at all levels of government will finish the job if the people so desire.

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

Mr. MERRILL: Mr. President and Members of the Senate: My general feeling throughout this debate for the last two weeks can really be summed up, I guess, as a feeling that anything that attempts to do something as broad as dealing with, in this case, with only the subject of expenditure of roughly a billion dollars per biennium should be carefully thought out. My preference would be put into the statutes at least first until we had some experience with it and fine tuned it, but at least carefully thought out and not dealt with in a special session right before an election when there hasn't been the opportunity say for example of a long study committee approach.

Today we have the most modest constitutional amendment before us that would attempt to put the limitation itself into the constitution. It is much, much narrower in scope than the approach that has been endorsed previously by the Senate. And, therefore, I suppose one would argue would be the least likely to have the sorts of major flaws that could be troubling and cause serious unforeseen problems. However, in my opinion, at least this one has some problems, some of which are new, some of which are old, and I think that as I go through them it demonstrates again what I think is the correctness of my position — that it is inappropriate in this sort of an atmosphere to deal with something that is so far reaching, this important with the rigidity that the constitution imposes.

Let me first deal with the problem of bonded indebtedness. And for those members of the Senate that are still interested in the specific details let me point out that if you look to what is now before us as committee Report "A" on page 3. You will see the language that has been used in previously drafts that deals with bonded indebtedness. And it reads — this is an exemption - "Expenditures for debt service payments or for retirement for bonded indebtedness." That is a very broad phrase. I think it would be adequate, although I wish it were spelled out in more detail, but I haven't brought that up specifically before I think it would be adequate. I'm sure it would be interpreted to be broad enough to deal with all the problems that I am about to bring up. The only thing that even raised a concern in my mind is that sometime the counsel for the bonding houses is very, very conservative and if there is any question about how something would be interpreted we'll air or err on the conservative side. As I suppose have an obligation to do to protect the people for whom they are writing

opinions. Compare that though to the language the new language, which is in the Huber Amendment. Which reads - and the is on page one- "Debt service payments and payments for retirement of bonded indebtedness of the state -" Now consider that the State really has three types of obligations that flow from bond sales. The first type is the obligation when the State itself sells the bonds for some purpose or another to finance an activity — a capital activity of the state. The second is when the State itself does not make the sale but the State has a direct obligation to pay the bonds if there is a default by the agency or whatever it is that is making the sale. The third is what we refer to as a moral obligation, Now in that instance say with the housing authority, the Maine Municipal Bond Bank, we don't have a direct obligation. That is to say we do not have an enforceable indebtedness in the case of default but we do have a moral obligation.

Now, as I read this new phrase in the Huber amendment. The phrase bonded indebtedness of the state, clearly in the case of state bonds sales they're exempt — there will be no problem. In the case of a direct obligation, bonds that aren't bonds of the state, I would urge at least and I think a State Treasurer could argue hopefully successfully with bond counsel, that because the obligation would become an indebtedness of the state in the case of default, that this language takes that in scope too. In other words, it's clear I think, that the phrase - the preposition phrase - "of the state" modifies the indebtedness and not the bonded. However, I think that there is a very serious problem in the case of the example where there is a moral obligation of the state because of the sale of bonds. In that case, in the case of a default say of the Housing Authority there would not be an indebtedness of the state in the legal sense. The state has a moral obligation. That might be compared to a feeling that you might have towards your parent or your child who's gone beyond his younger years in the case of some major problem that might befall him. You might think that you have a moral obligation. Different than a strictened indebtedness that could be enforced in a legal sense.

It seems to me that this would have to be interpreted as not including that instance. Therefore, it would not be under the limit and I think the result of that would be that there would be some reduction in the rating of the bonds that are sold by these agencies of which the state stands behind with a moral obligation. Now as I understand it, I am not bond counsel and do not pretend to be, but as I understand it really the position has been and it is sort of a two-sided one that doesn't work to our advantage that it will be argued in these cases of setting a rating that the moral obligation doesn't mean that much. But when it's removed, without fail, the rating of the agency from which it is removed is reduced. So it's sort of a heads we win — tails you lose situation. But even so, I think that there would be a reduction in the rating for those agencies that now have the moral obligation of the state behind them. Our problem, which is not unsolvable, as a matter of fact as I pointed out it was dealt with in a previous draft, but because of the haste of the process and procedure we have here, it's now addressed properly in this amendment. Not a huge problem but a serious one.

I'd like to deal with also the emergency clause here in the Huber Amendment. Now this language is not that different than the language we'd had in other amendments. But it troubles me because we are told that in order for this emergency procedure to work, all the conditions that are listed in A, B, C have to be met. One of the conditions has to be is that the Legislature declares the emergency in accordance with the specifics of the Governor's request by 2/3's vote of each branch. And here is the phrase that troubles me — "Prior to incurring any of the expenses connected with the emer-

gency—" Now I assume that what was meant to be dealt with there is to prior going over the ceiling. But that is not what is says, it says "prior to the incurring of any expenses connected with the emergency". Now the Governor has a contingency fund and if we were faced with the sort of emergency that we had in the late forties, when a huge fire raging in the southern part of the state at that time. The Governor has an obligation, I think to the people we would all agree, to respond to that emergency and if the people who have the responsibility for the state of fighting that fire come to the Governor and tell him that they need to make some extraordinary expenditures, say to bring some — in to fight the fire and to hire some extra people and to respond to helping to resettle the people in the wake of the fire, the Governor would clearly want to be in a position to make expenditures immediately and I think we would all want him to be in a position to make those expenditures immediately, at least from his reserve fund. My own brothers have always favored giving the Governor just the power to declare an emergency here without any Senate or House approval as we do with allowing him to shift funds from one department to another. I don't worry about a Governor misusing that, but there is this added safeguard but the idea that the Governor if he was ever going to declare this emergency have that be successful, would have to wait before he could commit the expenditure of funds. That, I think, is an unwanted result of this constitutional amendment. Put the Governor in an extremely, extremely, difficult position, having taking an obligation to defend the constitution and at the same time, wanting to do what everybody in the State would want him to do and that is to response to that emergency, to deal with the human suffering that it produced, to help prevent it from spreading, and yet we have this constitutional amendment before us that doesn't anticipate that problem.

I'd like also to deal with the protection of local government clause. We've talked about this before. I think that there is a new element to this that is an improvement over previous drafts and that is the element of including the word "reasonable", which I do think leaves some flexibility for the sorts of problems that we have talked about previous. The sorts of problems where the state wants to provide funding but doesn't want to provide it all so there can be what some people refer to as an element of local pain in the decision making process. However, I am concerned that still the problem is trying to be addressed and that is as a result of limitation on state spending, cost will be shifted to local governments. It can be addressed, I believe, but this is the wrong approach to doing it. First of all, it puts us in a very difficult position to deal with the vast myriad of problems where there is a relationship between the state and the local governments. Recognize now here at the outset that all we are trying to do is to prevent this shift and yet we are going much further than that and we are saying that the Legislature and the Executive Department are prohibited from requiring that non-state levels of government provide any new or expanded programs or services without reasonable financing from sources other than property tax, that's one or from shifting the cost of existing programs. Now we expand programs and services as a result of mandates all the time here, some of which we provide no funding for. And the list is long. We set standards for ambulances and medical care, we provide how many voting places there will be and we increased the number last time. We lay out procedures for absentee ballots, we pass workmens' compensation laws that force the communities to provide more services to their employees. We change unemployment laws, which force the communities to spend more money to provide greater employment coverage - unemployment

coverage for their employees. We set standards for jails, we enforce OSHA requirements. We set standards for the handicapped and we are going to have to increase those standards as a result of recent federal mandation. We set standards for evaluation and procedures that have to be followed to meet those standards. We have a right to know law which forces the communities to provide a new service, that is the ability to find out what is going on and in some case results in added expenses to the communities. We have law enforcement standards. We have fire protection standards. Environmental control standards, and I think we are probably about to move into whole area of protecting the underground water table. School bus safety standards. Building and safety inspection standards. The whole concern about energy is probably going to force us to move into new areas. There are all sorts of areas where the state mandates that local government do something, maybe not in specifically looking at local government but there are services that local government now provides maybe along with the private sector where we expand them. Everyone of these areas of activity is going to come under the scope of this constitutional amendment and when we expand it force us, at that time, to provide reasonable financing from sources other than the property tax. So that means we either got to pay for it from here in Augusta or give the local governments some new form of taxation to pay for it. And that is a much, much far more far reaching standard than many of us have focused on because we have just focused on the big relationships between the state and the local governments. Now again, this approach is not necessary because all that is necessary to do to protect local governments is to set up some sort of mechanism that if we shift the cost back onto the local governments that our ceiling would be reduced. With a mechanism of that kind, the dangers that the protection of local government section has sought to eliminate would be removed. The temptation of state decision makers to shift costs would be removed because the advantage would be removed without adding this constitutional mandate to spend. This will have a severe financial impact in the future. Should have some sort of fiscal note. It's not necessary if this thing were drafted correctly.

So with the example of the bonded indebtedness where a previous bill took care of the problem and this one creates it, in the case of the emergency phrase, well almost all the bills have overlooked this problem. In the case of protection of local government, I am not saying that there is no way to solve these problems. I am saying two things; that I don't think that we can anticipate them all, certainly on this occasion and we at least ought to provide ourselves some flexibility by taking satutory approach in regards to all these details.

Now, I would hope that we would have one vote here that would meaningfully reflect the concern of the Senate about these very important matters. I don't have any doubt that if a small bill or a small constitutional amendment had been put in and sent to the State Government Committee, for example, that caused this degree of a problem with bonded indebtedness that it would never had been passed out by the State Government Committee without it being solved. At least the State Treasurer would be consulted about the language. The State Treasurer has not been consulted about this language. Now I think that the Tax Limitation Committee who's probably responsible for the original language which was OK probably conferred with the States of Tennessee, New Jersey, and Colorado which have passed similar sorts of limitations and in each example, I might add, before it was passed, the legislative agencies responsible for seeing to it that the legislation was properly drafted consulted extensively with bond consult and the protection

in each one of those States was much more - the exemption I should say, is much more detailed and specific and thorough than even the one that is presently in Committee Amendment "A". No doubt —percent of that would have been taken care of.

Such is the scope of the problem that we are trying to deal with. It's an inappropriate time to try to deal with it. It's unseemly that we are trying to do it in such a quick manner. Just either to be it in its best light to respond to what we feel like is a sudden growth in the public mood recognizing that nothing would be lost if there is such a genuine need for it putting it off or to respond to some political pressures perceived here otherwise would have been eluded to by the Senator from York, Senator Lovell and others in this debate. This is not the right time, the right way, and the problems that I have found again and again I think demonstrate that and nothing else and I have talked to some conservative Republicans who are not in this Legislature but hold responsible positions around this building who feel exactly the same way.

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

Mr. HUBER: Mr. President, I don't pretend to be a lawyer. I'm a forester trying to get us out of these woods. This bill, like every bill, probably is not perfect. It does present a minimum possibility of imperfection in that it covers as simply as possible a few issues. To try and cover and certainly is a subject obviously to correction would be the legislative process in the near future if it survives that long.

To cover some of the specific questions of the Senator from Cumberland, Senator Merrill concerning the possibility of Maine Housing Authority Funds being perhaps down graded in their ratings by this provision. These I think you will find are dedicated funds and if not specifically exempted in the bonded indebtedness section are also excluded from the limitation as a dedicated revenue and dedicated fund.

In the emergency clause, although I think it is a comparatively minor point about incurring any of the expenses connected with emergencies there is the Governor's contingency fund and in a real emergency I'm sure there are ways to deal with this. Perhaps I would suggested that until the Legislature had in fact declared an emergency, there is no way of incurring expenses connected with the emergency, because the emergency does not exist until it is declared.

As to protection of local government. There are expanded programs and services which may be tiny — may be large. This bill brings up the subject of a potential — from state to local. Many of these smaller requirements which may be caused by state legislative action are addressed and are addressed constantly in discussion of adjustment of state-local revenue sharing. I think the subject will and should be continually discussed. As by-products of many things we do, there are local requirements and I think the municipalities are amply represented through their elected officials and do have a voice in legislative action through the state elected officials.

I really don't see any of the points discussed by the Senator from Cumberland, Senator Merrill as major points. I will certainly look into them. I think that they should be looked into. There is no attempt to pass a flawed bill. I don't believe this is a flawed bill. I think it is again the simplest way to effectively accomplish what the legislature can accomplish in this session for limitation of government.

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

Mr. MERRILL: Mr. President and Members of the Senate, let me say first of all that I do not agree with the forester's view on the question of the moral obligation. We can debate about that. I think probably prudence would require us to get an opinion from somebody. We

haven't even tried to get an opinion of the Treasurer of the State of the Bond Council. It is the opinion of the Treasurer of the State that it would cause problems, and it is my opinion, as well, that the exemption, as I understand it, Senator Huber points to would take care of it would not in the case of a moral obligation of the state.

Let me say as far as the emergency is concerned. I listened with all due respect to the "Forester's" argument on this issue and I can't accept it. It's an interesting one. I pointed out the contingency fund and the ability to make expenditures from it and said that this phrase prior to the incurring of any expenses connected with the emergency would prevent spending money from any source. I believe that it would. Now the argument, if I understand it correctly, of the Senator from Cumberland, Senator Huber, was that emergency there wouldn't be any expenditure prior to the emergency because emergency here doesn't mean the actual emergency, it means the declared emergency. So, if of course you accept that definition of emergency in this phrase, the phrase is meaningless. Now there is a rule of construction that lawyers use is that if they will assume that a phrase is there for a purpose unless it is absolutely obvious that it isn't. That is sort of an assumption of reasonableness or intelligence on the part of a legislature. Many cynical law students suggest that that assumption is without basis and fact. If you assume that this phrase means anything that then emergency would mean what it usually means. And that is the danger, the happenstance itself and clear in the constitution then would be a prohibition if the Governor was ever going to get over the ceiling to deal with this emergency, that no expenditures be made prior to that emergency. Now it is not enough when writing laws and it certainly is not when writing constitutions to say that that isn't what we meant. We don't put feelings into the constitution, we put words. The courts deal with those words and in this case, the words are very clear.

Now the protection local government section. I think that the Senator from Cumberland, Senator Huber might have missed the thrust of my remarks, because I wasn't suggesting that the, this thing, was presently worded that it did not give ample protection although there may be some elements of that.

What I was addressing my remarks to was that it maybe gave more protection than we should give because it builds in from all things that we require that can be interpreted as programs and services at the local level our future requirement that the State participate in the funding even those indirect things which are so broad. I have no doubt that the well represented municipalities will do everything they can. There is legislation passed to interpret that to their best like. That is my concern, not the latter. I don't think that we should be bound. The only thing that I think we need in terms of protection and local government in an amendment of this kind is the assurance that we won't benefit here in the terms of the ability to spend money by shucking it back onto the local level and the way to do that is to somehow adjust our ceiling and not put a spending requirement in the constitution and that is what this is because when we say we are not going to shift any cost on existing programs and services to non-state levels, we are committing ourselves constitutionally to the expenditures of a huge amount of money. That troubles me as it troubled the Senator from Kennebec, Senator Katz in the last regular session — the regular session before the last one excuse me.

When the vote is taken I request that it be taken by the yeas and nays.

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

Mr. COLLINS: Mr. President and Members of the Senate, the good Senator from Cumberland, Senator Merrill has suggested the possi-

bility of an increase in the rates at which the state would sell bonds in certain agencies. In those cases where there is a moral obligation and he has referred specifically to the Maine Municipal bond bank and the Maine Housing Authority. I don't propose to suggest that that is not an impossibility. I do think that the probability of an increase in rates would be rather minimal. The bond bank people have indicated this morning that in their opinion there would be no appreciable "changes" in their rates as a result of this amendment.

The Housing authority, as you know, is pretty well secured by first real estate and mortgages and by federal income guarantees on its low income housing, and I think that the people who purchase this type of a security rely very little on the so-called fate not fate of the State but on the moral obligation of the State.

So it would be my opinion that this would not really appreciably affect the rates if the bonds were sold.

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

Mr. MERRILL: Mr. President, I don't think there is a great chasm of difference between myself and the previous speaker on this question and I tried to make it clear how the moral obligation affects the actual rating. But if you ask a Bond Council does it do a great deal for you and so called moral or credit of the State is behind it or argue that it should, they'll say that it shouldn't. However, it is very, very unusual. I don't know of an instance when moral obligation has been removed when there hasn't been a down rating in terms of the credit rating of the organization. We can argue that that is not fair equally applied standard, but none the less, that is habit. We are not talking about a huge difference in interest rates, but when you consider the amount of money that is bonded and by just those two agencies in which there is a moral obligation, you're talking about a huge difference in interest rates, but when you consider the amount of money that is bonded by those two agencies in which there is no obligation, you are talking about a considerable amount of money over a period of time. Small—I'd like to have the amount of money that we are talking about over that period of time. I think that most Maine voters would. The point, I think, that is really behind this is why is it when there is language in another amendment which dealt with the problem in a much more correct fashion that we don't find that language in this amendment. Certainly not due to the fact that the Senator from Cumberland, Senator Huber meant to cause this problem or meant to leave out of the moral indebtedness of the state. He just underlines the inappropriateness of what we are trying to do here and the timing in which we are trying to do it.

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

Mr. LOVELL: Mr. President and Members of the Senate, I have been sitting here for seven days and the Senator from Cumberland, Senator Merrill, I think has done a tremendous job. Actually I had wished that he had been nominated for Governor because I think he would make an excellent governor. And if he had been nominated he probably would have gone along with us on this original bill.

Now as we get down to this final day of the session and we are the laughing stock of the people of the State of Maine and I think it is going to be blamed mostly on the very fine Democratic party. Now I think that we should go along with Amendment C. This is only half a loaf, and I understand it will be amended in the other body by one of the signers of the bill. So consequently, I believe that we should now vote on amendment C and I hope that you will vote for it. Thank you.

The PRESIDENT: Is the Senate ready for the question? A roll call has been requested. In order for the Chair to order a roll call it must

be the expressed desire of one-fifth of those Senators present and voting. Will all those 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, I request leave of the Senate to pair my vote with the Senator from York, Senator Danton. If he were here he would vote yea and I will vote nay.

The PRESIDENT: The Senator from Cumberland, Senator Conley, now requests leave of the Senate to pair his vote with the Senator from York, Senator Danton who if he were here would vote yea and the Senator from Cumberland, Senator Conley, would vote nay. 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 Cumberland, Senator Huber, that the Senate adopt Report "C".

A yes vote will be in favor of the adoption of Report "C".

A nay vote will be opposed.

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

#### ROLL CALL

YEAS—Chapman, Collins, D.; Collins S.; Cummings, Farley, Greeley, Hewes, Huber, Jackson, Katz, Levine, Lovell, Mangan, McNally, Morrell, O'Leary, Redmond, Speers, Usher, Wyman, Sewall

NAYS—Carpenter, Curtis, Hichens, Martin, Merrill, Minkowsky, Pierce, Pray, Snowe

ABSENT—Trotzky  
21 Senators having voted in the affirmative and 9 Senators in the negative, with 2 Senators pairing their votes, and 1 Senator being absent, Report C is Adopted.

The Resolution Read Once. Committee Amendment "C" Read and Adopted. Under suspension of the Rules, the Resolution Read a Second time.

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

#### (Off Record Remarks)

On Motion of Mr. Huber of Cumberland, Recessed until 2:00 o'clock in the afternoon.

#### RECESS

#### AFTER RECESS

Senate called to order by the President.

Out of order and under suspension of the rules, the Senate voted to consider the following:

#### Committee Report House Divided Report

Five members of the Committee on Appropriations and Financial Affairs on, RESOLUTION, Proposing an Amendment to the Constitution to Limit the Maximum Property Tax which can be Levied. (H. P. 2346) (L. D. 2213)

Report in Report "A" that the same Ought to Pass as amended by Committee Amendment "A" (H-1266).

Signed:  
Senator:

MERRILL of Cumberland

Representatives:

POST of Owls Head  
JALBERT of Lewiston  
CARTER of Winslow  
PEARSON of Old Town

Two members of the same Committee on the same subject matter report in Report "B" that the same Ought to Pass as Amended by Committee Amendment "B" (H-1267).

Signed:

Representatives:

NAJARIAN of Portland

#### GREENLAW of Stonington

One member of the same Committee on the same subject matter reports in Report "C" that the same Ought to Pass as Amended by Committee Amendment "C" (H-1268).

Signed:

Representative:

MORTON of Farmington

Five members of the same Committee report in Report "D" that the same Ought Not to Pass.

Signed:

Senators:

HUBER of Cumberland  
MORRELL of Cumberland

Representatives:

HIGGINS of Scarborough  
PERKINS of Blue Hill  
McBREARITY of Perham

Comes from the House, Report "A" Read and Accepted, and the Resolution Passed to be Engrossed as amended by Committee Amendment "A" as amended by House Amendments "E" (H-1278), "F" (H-1281), "G" (H-1284) and "H" (H-1286), thereto.

Which Reports were Read.

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

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

The PRESIDENT: The Senator from Kennebec, Senator Katz, now moves that this Resolution and all accompanying papers be indefinitely postponed.

The Chair recognizes the Senator from Cumberland, Senator Merrill.

Mr. MERRILL: 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 Penobscot, Senator Curtis.

Mr. CURTIS: Mr. President, I hope the pending motion does not prevail. It has not been distributed yet but it is being reproduced to be distributed — an amendment which I have prepared which would address itself to only one issue that seems to me, particularly after the revelations in this morning's Bangor Daily News on the front page of considerable significance to this legislature. That is a pending court case and a proposal by a gentleman I believe named Rand Stowell that the present tree growth tax law is not a proper law and needs to be corrected.

The amendment which I would prepare would, if it has the opportunity to be adopted and presented, would direct itself strictly to the question of making more equitable tree growth tax law both for the benefit of the municipalities and also for the benefit of correcting any problems that the present law may have.

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

Mr. LOVELL: Mr. President and Ladies and gentlemen of the Senate, I just glanced at these amendments and as I understand it all of the bills that are in the other body has this same amendment on it, including the one that we sent over. So I don't think that it makes too much difference whether this tree growth passes on this, it will pass possibly on the one that we sent over there recently.

The PRESIDENT: The pending question before the Senate is the Motion by the Senator from Kennebec, Senator Katz, that the Senate indefinitely postpone L. D. 2213 and all its accompanying papers.

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

YEAS — Chapman, Collins, D.; Collins, S.; Cummings, Danton, Farley, Greeley, Hichens, Huber, Jackson, Katz, Levine, Lovell, Mangan, Morrell, Pierce, Redmond, Speers, Wyman, Sewall

NAYS — Carpenter, Conley, Curtis, Martin, McNally, Merrill, Minkowsky, O'Leary, Pray  
ABSENT — Hewes, Snowe, Trotzky, Usher  
20 Senators having voted in the affirmative and 9 Senators in the negative, with 4 Senators being absent, the Motion to Indefinitely Postpone does prevail.

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

Mr. SPEERS: Mr. President, I now move that the Senate reconsider its action whereby this Resolution was Indefinitely Postponed.

The PRESIDENT: The Senator from Kennebec, Senator Speers, now moves the Senate reconsider its action.

Will all those Senators in favor of the Motion to reconsider please say yes.

Will all those opposed please say no.

A viva voce vote being had, The Motion to Reconsider does not prevail. Which was sent forthwith for concurrence.

On Motion of Mr. Huber of Cumberland, Recessed until the sound of the bell.

#### Recess

#### After Recess

Senate called to order by the President.

Out of Order and Under Suspension of the Rules,

On motion by Mr. CURTIS of Penobscot,

#### JOINT ORDER

WHEREAS, The Maine Tree Growth Tax law, Title 36, chapter 105, subchapter II-A, may result in inequitable taxation among property owners in the State of Maine; and

WHEREAS, the State is presently being sued in a challenge of the Tree Growth Tax law; and WHEREAS, the State Bureau of Taxation now has methods for accurately determining the average current value of land under the Tree Growth Tax law; and

WHEREAS, the average market value of land is not now utilized to determine valuation under the Tree Growth Tax law; and

WHEREAS, the 109th Legislature should have current information available to it in order to review the equity of real property tax law; now, therefore, be it

ORDERED, the House concurring, that there is created a special select committee of the Legislature, to consist of 5 Senators to be appointed by the President of the Senate, and 5 Representatives to be appointed by the Speaker of the House, to review the tree growth tax laws of this State.

The committee shall be appointed and notified of the time and place of the first meeting promptly upon adoption of this Order. At that time the committee shall organize, elect a chairman and secretary-treasurer, and shall adopt rules as to the administration of the committee and its affairs.

The committee shall have the necessary authority to carry out this order and to secure reports, documents and other information concerning the proposed study; to hold hearings if necessary, to employ clerical staff assistance; to contact, select or engage professional consultant or consultants; to confer when and if deemed appropriate with staff members of the Bureau of Taxation and other state departments; with staff and members of appropriate federal commissions, departments and agencies and nongovernmental research sources, for specific information; and be it further



ORDERED, that the members of the committee shall be compensated in the same manner as members of the Joint Standing Committees for the performance of their duties under this order; and be it further

ORDERED, that their is appropriated to the committee from the Legislative Account the sum of \$5,000 to carry out the purposes of this order; and be it further

ORDERED, that the committee report its findings and recommendations no later than February 1, 1979, to the First Regular Session of the 109th Legislature.

(S. P. 778)

Which was Read.

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

Mr. CURTIS: Mr. President and Members of the Senate, this is a modest effort to try to draw the legislative attention to a problem that has occurred to us—me recently in today's Bangor Daily News in the front page in which it became clear that there are complaints regarding the implementation of Maine's Tree Growth Tax and the matter apparently involves a lawsuit which was started in June against the state by Mr. Rand Stowell President of Timber Lands, Inc. who until recently I am told was in the area regarding another matter that was before us. It seems to be that it would be helpful if the Maine legislature could truly delve into the entire problem of the tree growth tax addressing it both from the matter and concern of the small towns that I represent of Edgington and Bradley which have areas in the tree growth and are not receiving what they feel are their correct due from taxation of such lands and also from the matter of the companies and land—owners who own the lands such as Mr. Stowell and their feeling that the present law is not a fair and perhaps not a constitutional one.

At any rate, the proposed order calls for a special select committee with sufficient funding, I believe, of \$5,000 comprises of five members of the Senate appointed by the President of the Senate and five members of the House appointed by the Speaker of the House and I would hope, Mr. President, if this order is passed by both houses that it might be possible for Senators and Representatives who are likely to be incumbants and returning next year to be appointed to that committee so that the legislature in January and February would have the benefit and wisdom of people who had studied the matter in great depth and who would be present. There is, I believe, a study order that was passed with a very modest amount funding and directed to the Taxation Committee. So there would be assistance in the same area from that Committee perhaps or some of the staff that was assisting it. Maine Municipal Association has also directed its attention to this problem and I am sure that they would be willing to be of help as with the people who presently have lands under the tree growth tax.

I think that my concern particularly as it was high lighted by the front page of the article by Maureen Connelly printed in the Bangor Daily News this morning brings to attention once the fact that the legislature is in session can address itself to anything to correct the inequities in the law and I would like to read, Mr. President, very briefly, a poem which deals, I think with people who would like to change the world and although we apparently are not going to change very much in the way of tax limitation questions, I think the poem might have a lesson for some folks and it was used against me in a debate a few years ago by the Honorable Rodney Ross and it's a Robert Service poem, one of my favorite authors certainly.

"They range the fields, they rove the flood,  
They enclimb the mountain's crrest.  
Theirs is the curse of the gypsy blood,  
And they don't know how to rest.  
If they went straight they might go far,

For they are strong and brave and true.  
But they're always tired of things that are,  
And they want the strange and the new.  
They say "Could I find my proper groove,  
What a deep mark I would make."  
So they chop and change and each fresh move  
is only a fresh mistake."

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

Mr. CONLEY: Mr. President, I would pose a question through the Chair to the good Senator from Penobscot, Senator Curtis, and that is if there has already been a joint order that has been passed and referred to the Committee on Taxation, why isn't the study being undertaken.

The PRESIDENT: The Senator from Cumberland, Senator Conley, has posed a question through the Chair.

The Chair recognizes the Senator from Penobscot, Senator Curtis.

Mr. CURTIS: Mr. President, I believe I addressed that question in my presentation, but to reiterate. It seems to me it would be helpful if we were able to have five members of the Senate and five members of the House who are likely to be returning next year who would be in both a position to understand the problem and also to represent some solutions to the problems.

The study order that I referred to was in fact passed last May, I believe, and as far as I know there have been no meetings of Taxation Committee to discuss the matter and really not very much has been accomplished.

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

Mr. O'LEARY: Mr. President, the second paragraph of this order refers to a suit and my remarks are more in that order. In the halls of this building I have heard that motives and integrity of one of my constituents questioned and impugned because of a newspaper article in today's paper. Mr. President, Rand Stowell is an outstanding citizen and a community leader in the town of Dixfield. I am convinced that Rand Stowell, Chairman of the Tax Limitation Committee was making an unselfish attempt to do what the Committee though was good for the State of Maine and its citizens and he should not be condemned for his efforts but commended.

Which was Passed. Sent forthwith for concurrence.

Out of order and under suspension of the rules, the Senate voted to consider the following:

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

RESOLUTION, Proposing an Amendment to the Constitution to Limit the Amount of Revenues which may be Raised by Taxes in any Fiscal Year. (H. P. 2345) (L. D. 2212)

In the House, September 14, Passed to be Engrossed as amended by Committee Amendment "B" (H-1264).

In the Senate, September 15, Passed to be Engrossed as amended by Committee Amendment "C" (H-1265), in non-concurrence.

Comes from the house, that Body having Adhered.

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

Mr. CONLEY: Mr. President, I move that the Senate recede and concur.

The PRESIDENT: The Senator from Cumberland, Senator Conley, now moves that the Senate recede and concur with the House.

The Chair will order a Division,  
Will all those Senators in favor of the motion to recede and concur please rise in their places to be counted.

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

7 Senators having voted in the affirmative and 22 Senators in the negative, the Motion to recede and concur does not prevail.

The Senate voted to Adhere.

**Off Record Remarks**

**Non-concurrent Matter**

RESOLUTION, Proposing an Amendment to the Constitution to Limit the Maximum Property Tax which can be Levied. (H. P. 2346) (L. D. 2213)

In the House, September 15, Passed to be Engrossed as amended by Committee Amendment "A" (H-1266), as amended by House Amendments "E" (H-1278), "F" (H-1281), "G" (H-1284), and "H" (H-1286) thereto.

In the Senate, September 15, Bill and Papers, Indefinitely Postponed, in non-concurrence.

Comes from the House, that Body having Adhered.

The Senate voted to Adhere.

**Committee Report  
House**

**Divided Report**

The Majority of the Committee on Appropriations and Financial Affairs on,

RESOLUTION, Proposing an Amendment to the Constitution to Establish Property Tax Exemptions for Maine Homesteads. (H. P. 2336) (L. D. 2210)

Reports that the same Ought Not to Pass.

Signed:

Senators:

HUBER of Cumberland  
MORRELL of Cumberland

Representatives:

HIGGINS of Scarboro  
JALBERT of Lewiston  
GREENLAW of Stonington  
McBREAIRTY of Perham  
MORTON of Farmington  
PEARSON of Old Town  
CARTER of Winslow  
POST of Owl's Head  
NAJARIAN of Portland  
PERKINS of Blue Hill

The Minority of the same Committee on the same subject matter Reports that the same Ought to Pass as amended by Committee Amendment "A" (H-1232).

Signed:

Senator:

MERRILL of Cumberland

Comes from the house, the Minority Report Read and Accepted, and the Resolution Passed to be Engrossed as amended by committee Amendment "A" (H-1232 and House Amendment "D" (H-1252).

Which Reports were Read.

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

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

The PRESIDENT: The Senator from Cumberland, Senator Conley now moves that the Senate accept the Minority Ought to Pass as amended report of the Committee.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President and Members of the Senate, I'm not going to belabor this session but I do believe that one of the most important concerns of Maine people is not so much the spending limitation bill that was before us but concerned primarily with the very high property tax rate that is being paid throughout this state and I believe that a resolution constitutional amendment dealing with direct property tax relief of \$5,000 which is in this particular bill is what people need.

Mr. President, I would hope that the Senate would give a roll call vote on this bill.

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 Kennebec, Senator Katz.

Mr. KATZ: May I request through the Chair the signer of the minority report the present posture of this. What is the cost of the general fund of the state upon the adoption of this amendment?

The PRESIDENT: The Senator from Kennebec, Senator Katz has posed a question through the Chair to the Senator from Cumberland, Senator Merrill, if he should care to answer.

The Chair recognizes the Senator from Cumberland, Senator Jackson.

Mr. JACKSON: Mr. President and Members of the Senate, I was trying to get through a session without talking. This is the first time I have risen during the session to speak and I think the good Senator from Kennebec raised an excellent question.

In fact, the bill in the statement of fact doesn't even carry a fiscal note on it. But as I remember the testimony and understand the testimony that was given at the hearing, the approximate cost was somewhere in excess of \$90 million so you can divide that by four.

I don't know exactly what the rent is — the additional cost to this was. I understand that they have gone back something that we saw in the last session when the rent was only about 45 percent as good as home owners.

Actually what this bill does, and I think that it should be in the record, that there is no direct rebate to the property tax owners or property taxpayers or renters in this bill. It goes back to the municipalities and I think that the record should show that by the language in the bill.

So actually anybody who is looking for a property tax reduction in some areas they could, some areas they couldn't. We've seen state evaluations rise by 28 percent and 33 percent so you can take that it might hold a property tax in some areas, might increase in other areas and it might be a reduction to some areas but I do think that should be in the record to show that.

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

Mr. HUBER: Mr. President and Members of the Senate. The latest estimate I have on the cost of this bill as amended by H-1252 is \$29 million.

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

Mr. MERRILL: Mr. President and Members of the Senate. I don't want to elongate this debate. However, I do have a consistent record on the issue of property tax reform of which I believe is a good one and I would like to merely say here on floor what I said the time I signed this bill out of Committee — that I thought that it was an idea that has been discussed sufficiently so that it ought to get over the rigors of a 17-A report and get to the floor for debate. And that is the reason that my name appears as an OUGHT TO PASS signer.

The PRESIDENT: The pending question before the Senate is the motion by the Senator from Cumberland, Senator Conley, that the Senate accept the minority Ought to Pass as Amended report of the Committee.

A Yes vote will be in favor of accepting the minority report.

A Nay vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

#### ROLL CALL

YEAS — Conley, Martin, O'Leary, Pray, Usher

NAYS — Carpenter, Chapman, Collins, D.; Collins, S.; Cummings, Curtis, Danton, Farley, Greeley, Hichens, Huber, Jackson, Katz, Levine, Lovell, McNally, Merrill, Minkowsky, Morrell, Pierce, Redmond, Snowe, Speers, Wyman, Sewall

ABSENT — Hewes, Mangan, Trotzky

5 Senators having voted in the affirmative and 25 Senators in the negative, with 3 Senators

being absent, the motion to accept the minority report does not prevail.

Is it now the pleasure of the Senate to accept the majority ought not to pass report of the committee? It is a vote.

Under suspension of the rules, sent forthwith for concurrence.

Mr. Speers of Kennebec was granted unanimous consent to address the Senate on the record.

Mr. SPEERS: Mr. President, I would like to make a report to this body on action which has been taken in a prior session—as a result of action which we have taken in prior session which certainly was a little more positive than the session that is going to be ending very shortly. The Senate will recall a bill that had been introduced which was enacted by both branches of the Legislature having to do with the New England College of Osteopathic Medicine. That bill was passed unanimously in the body with 33 votes when we finally—when we last saw it and I am very, very pleased to report to this body that at the present time the New England College of Osteopathic medicine is a part of an institution which is now known as the University of New England. That the doors are opening to 36 medical students on October 2nd of this year, that next year there will be 48 additional students entering that institution and they already have over 800 inquiries with regard to those 48 positions. Eventually the school will have an enrollment of 200 individuals in four classes. I am very pleased to be able to tell this body that had it not been for the actions taken here and in the other end of the hall, this situation would not exist today. And I think it is because of the actions which we have taken here that the State of Maine does, indeed, have a medical school within its borders today.

On motion of Mr. Huber of Cumberland,  
Recessed until the sound of the bell.

#### RECESS

#### AFTER RECESS

Senate called to order by the President.

Out of order and under suspension of the rules, the Senate voted to consider the following:

#### Papers From the House

##### Non-concurrent Matter

Joint Order—Relative to Joint Select Committee on Tree Growth TAX, (S. P. 778)

In the Senate, September 15, Read and Passed.

Comes from the House, Indefinitely Postponed, in non-concurrence.

The Senate voted to Recede and Concur.

##### Non-concurrent Matter

RESOLUTION, Proposing an Amendment to the Constitution to Establish Property Tax Exemptions for Maine Homesteads. (H. P. 2336) (L. D. 2210)

In the House, September 15, Passed to be Engrossed as amended by Committee Amendment "A" (H-1232) and House Amendment "D" (H-1252).

In the Senate, September 15, Majority 'Ought Not to Pass' Report, Read and Accepted in non-concurrence.

Comes from the House, that Body having Adhered.

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

Mr. FARLEY: Mr. President, I move that we Adhere and would request a roll call.

The PRESIDENT: A roll call has been requested. In order for the Chair to order a roll call it must have the expressed desire of one-fifth of those Senators present and voting. 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 York, Senator Farley that the Senate adhere.

A yes vote will be in favor of the motion to adhere. A nay vote will be opposed.

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

#### ROLL CALL

YEAS—Carpenter, Chapman, Collins, D.; Collins, S.; Cummings, Curtis, Danton, Farley, Greeley, Hewes, Huber, Jackson, Katz, Levine, Martin, McNally, Minkowsky, Morrell, O'Leary, Pierce, Redmond, Snowe, Speers, Usher, Wyman, Sewall

NAYS—Conley, Pray

ABSENT—Hewes, Lovell, Mangan, Merrill, Trotzky

26 Senators having voted in the affirmative and 2 Senators in the negative, with 5 Senators being absent, the motion to adhere does prevail.

Out of order and under suspension of the rules,

Ordered, that a message be sent to the House of Representatives informing that Body that the Senate has transacted all the business which has come before it and is ready to Adjourn Without Day.

Which was Read and Passed.

The President appointed the Senator from Kennebec, Senator Speers, to deliver the message.

Mr. CONLEY: It seems it never ceases to fail that everytime we come to that point of Sine Die that we look around our colleagues and we know that many of them are not going to return to the next session of the Legislature. I know that it make tributes to those who during our last regular session was well known in advance that would not be back and I know that I will miss all of them even though many times I would have difference of opinions - the right to disagree and that I think government is all about. But I am sorry to see one of my colleagues, a member of my own party the good Senator from Kennebec or Somerset, I can't quite get the two counties straight, Senator Levine had to withdraw from the ticket because of personal reasons just recently. I know that we have been here through one birth and his wife anticipating another one and it is nice to see that he has grown or is growing in family size, perhaps taking a little after his Floor Leader, but its also to note that from the first day he came here I know I strongly disagreed with his position on this particular amendment, I must state he has also grown in knowledge and wisdom and I know that I speak not only on behalf of his colleagues in the democratic party but I speak as well for the majority party in this body to wish he and his family the greatest success in the future.

#### Off Record Remarks

The Senator from Kennebec, Senator Speers, returned and reported that he had delivered the message with which he was charged.

A message was received from the House of Representatives through Mr. Devoe of Orono, Assistant Minority Floorleader, that the House had transacted all business before it and was ready to adjourn without day.

Mr. Levine of Kennebec was granted unanimous consent to address the Senate on the Record.

Mr. LEVINE: Mr. President and Members of the Senate, it is with great sadness that I am going to be leaving this body very shortly and very likely not to return. I am moving out of the State of Maine with great trepidation. I love this state. It is my birth place - it is my home. I served only one term here in the Senate in the State of Maine and I would like to



say that I found the members of the Senate in the State of Maine to be among the finest people I have ever met in my life and I assure you that the child on the way will be born in Maine so that some day that child will look back with pride on its birth place.

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

Mr. GREELEY: Mr. President, I now move the Senate adjourn sine die.

Thereupon, at 6:43 P.M. on Friday, September 15, 1978, the Honorable Joseph Sewall, President of the Senate, declared the Senate of the 108th Legislature, ADJOURNED WITHOUT DAY.