

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Tenth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 3, 1980 to May 1, 1981

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STATE OF MAINE
One Hundred and Tenth Legislature
First Regular Session
JOURNAL OF THE SENATE

March 19, 1981
Senate called to order by the President.

Prayer by the Reverend Wilson Hickam of Calvary Temple in Waterville.

Reverend HICKAM: Heavenly Father, we pause this beautiful morning to recognize Your blessings and Your authority, recognizing that You have established all governments and principles by which Your creations are to survive, and find fulfillment.

We begin by asking Your wisdom and Your blessings upon the deliberations of the day. We would ask a special blessing upon those who are presenting bills before this august body. We would ask for the wisdom of individual Senators, who must cast their votes, not for the moment, or for personal gain, but for the fulfillment of the great State of Maine, and for its people.

We just pause before You in this short moment of prayer, and ask that You would give us Your wisdom to be guided and directed, not only for this day, but for all the legislature that shall be turned toward the future. May Your will be accomplished, in Your appointed men and women. In Christ's name we pray. Amen.

Reading of the Journal of yesterday.

Off Record Remarks)

Papers From The House
Non-concurrent Matter

Bill, "An Act to Reduce the Minimum Size for Exempt Lots Subdivided Under the Land Use Regulation Law." (S. P. 51) (L. D. 60)

In the House, March 11, 1981, Passed to be Engrossed as amended by House Amendment "A" (H-84), in non-concurrence.

In the Senate, March 13, 1981, Passed to be Engrossed as amended by House Amendment "A" (H-84) as amended by Senate Amendment "E" (S-54) Thereto, in non-concurrence.

Comes from the House, that Body Having Insisted and Asked for a Committee of Conference.

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

Senator O'LEARY: I move we Insist and Join in a Committee of Conference.

The PRESIDENT: The Senator from Oxford, Senator O'Leary moves that the Senate Insist and Join in a Committee of Conference with the House.

The Chair recognizes the Senator from Androscoggin, Senator Trafton.

Senator TRAFTON: Men and Women of the Senate, I would hope we would not Insist and Ask for a Committee of Conference. I think that we have spent a great deal of time on this Bill already, and apparently the amendments that we put on were not, in fact, acceptable in the other Body.

I think it's important to realize what we're doing in this Bill. There hasn't been a great deal of discussion about it so far. Essentially, we're taking away a great deal of local control from planning boards. Instead of having a 40 acre lot minimum size, we're now saying that 20 acres will be the minimum lot size in certain cases. Which means that the local planning boards will no longer have the option of reviewing those types of subdivisions.

I guess my feeling is that development in this State is a very significant issue, and one that should have a great deal of local control.

I would hope we would vote against the motion today and put this issue to rest.

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

Senator O'LEARY: Mr. President, I think the good Senator from Androscoggin, Senator

Trafton, is in left field on this, because this Bill and the next one on the same page here deals with woodland. It's not the subdivision. It's the opportunity for people to purchase up to 20 acres of land for woodcutting and such, and it can not be subdivided.

The PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Redmond.

Senator REDMOND: Members of the Senate, I rise as I've been concerned about this Bill. I guess I was on the Ought to Pass Report. I think many of us here don't always realize that many people, most of the people in the State of Maine, that the reason for their being here is because they like it the way it is. Actually, in my travels around the world, I've found in the countries like Russia, and Czechoslovakia, they admit, themselves, that we are all born a capitalist.

What's the definition of a capitalist? People talk about capitalists. I always thought a capitalist was someone who likes to own something. This is the nature of people. Those people who insist on living in Maine, they are capitalists. In this year, 1981, we have to realize that things are shrinking. Our dollar is shrinking, the automobiles are shrinking. You buy small little cars, you have to pay \$10,000 for it. I know many, many people who are proud to own a woodlot, but they can't afford with the cost of high taxes and so forth, they can't always afford, to own 100 or 200 acres, and they don't need it. All they need is just a woodlot or a piece of land, so if they want to get away from it all, like the Marlboro ad on TV, they like to go at home, on their woodlot.

As far as local control, the way I see it, local control was taken away I believe in planning, it's the nicest thing on earth, but I don't know why we should let the planners forget about the rest of the people in this State.

I support the Senator from Oxford's motion, that it goes through a Committee of Conference.

The PRESIDENT: Is the Senate ready for the question?

The Chair will order a Division.

Will all those Senators in favor of the motion by the Senator from Oxford, Senator O'Leary that the Senate, Insist and Join in a Committee of Conference with the House, please rise in their places to be counted.

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

22 Senators having voted in the affirmative, and 9 Senators having voted in the negative, the motion to Insist and Join in a Committee of Conference with the House does prevail.

Non-concurrent Matter

Bill, "An Act Concerning the Size of Exempt Lots Under the Subdivision Laws." (S. P. 141) (L. D. 312)

In the House, March 11, 1981, Passed to be Engrossed as amended by House Amendment "A" (H-85), in non-concurrence.

In the Senate, March 17, 1981, Passed to be Engrossed as amended by House Amendment "A" (H-85) as amended by Senate Amendment "E" (S-53) Thereto, in non-concurrence.

Comes from the House, that Body Having Insisted and Asked for a Committee of Conference.

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

Senator O'LEARY: I move we Insist and Join in a Committee of Conference.

The PRESIDENT: The Senator from Oxford, Senator O'Leary moves that the Senate Insist and Join in a Committee of Conference with the House.

The motion prevailed.

Joint Orders

ORDERED, the Senate concurring, that the Joint Standing Committee on Taxation report out a bill to the House establishing the municipal cost component for the Unorganized Terri-

tory Tax District, under the Revised Statutes Title 36, section 1604. (H. P. 1165)

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

Expressions of Legislative Sentiment recognizing:

the 2nd Annual Franco-American Day in Sanford, held on February 28, 1981. (H. P. 1166)

Robert Parks, of Bangor, who was recently elected President of the Senate for the Model State Legislature. (H. P. 1167)

Officer Bruce Britting, Sergeant Douglas T. Cole, Officer John J. Collins, Detective Peter Conley, Officer Michael P. Cormier, Detective Peter DeRice, Patrolman Terry Dow, Officer David A. Drake, Patrolman Bernard Golder, Patrolman Cleophus L. Kelly, Patrolman Thomas J. Klimko, Patrolman William L. King, Jr., Detective Lieutenant Dewey Martin, Patrolman Chris A. Murphy, Patrolman Ralph Olsen, Detective Kenneth Pike, Detective Joseph C. Rich, Detective Sergeant Daniel Ross, Patrolman Dominic F. Rozzi, Detective Michael Russo, Officer Arthur M. Shaughnessy and Officer Stephen R. Thompson, Sr., for their outstanding police service to the City of Portland. (H. P. 1168)

Michelle A.C. Fortin of Lincolnville, who was named Maine YMCA's 1980-81 all-around gymnast for 10 and under age group. (H. P. 1169)

Karen Anderson of Lincolnville, who received Maine's Music Educators Association's 1980 certificate of honor and 1981 preliminary certificate of honor for accomplishment in piano studies. (H. P. 1170)

Bradford Christie Payne II, of Lincolnville, member of Boy Scout Troop 244, upon attaining the high rank and distinction of Eagle Scout. (H. P. 1171)

The Maine Historical Society, a treasure chest of our past and source of endless knowledge and joy for now and for generations to come. (H. P. 1172)

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

House Papers

Bill, "An Act to Appropriate Funds to Support Regional Ride Share Programs." (H. P. 1087) (L. D. 1296)

Comes from the House, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Which was referred to the Committee on Appropriations and Financial Affairs and Ordered Printed, in concurrence.

Bill, "An Act to Require a Mandatory, Minimal Commitment of Persons Acquitted of Criminal Charges as a Result of Mental Abnormality." (H. P. 1090) (L. D. 1287)

Bill, "An Act to Formalize the Restitution Process in the Maine District Court." (H. P. 1091) (L. D. 1288)

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

Which was referred to the Committee on Judiciary and Ordered Printed, in concurrence.

Bill, "An Act to Clarify the Laws Pertaining to Municipal Personnel Records." (H. P. 1092) (L. D. 1289)

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

Which was referred to the Committee on Labor and Ordered Printed, in concurrence.

Bill, "An Act to Establish an R. B. Hall Day to Honor and Commemorate a Great Maine Composer." (H. P. 1093) (L. D. 1290)

Comes from the House, referred to the Committee on Legal Affairs and Ordered Printed.

Which was referred to the Committee on Legal Affairs and Ordered Printed, in concurrence.

Bill, "An Act to Improve the Efficiency of County Government." (H. P. 1094) (L. D. 1291)
 Bill, "An Act to Improve County Budget and Financial Procedures." (H. P. 1095) (L. D. 1292)

Come from the House, referred to the Committee on Local and County Government and Ordered Printed.

Which were referred to the Committee on Local and County Government and Ordered Printed, in concurrence.

Bill, "An Act to Adopt the Maine Municipal and Rural Electrification Cooperative Agency Act." (H. P. 1096) (L. D. 1295)

Come from the House, referred to the Committee on Public Utilities and Ordered Printed.

Which was referred to the Committee on Public Utilities and Ordered Printed, in concurrence.

Bill, "An Act to Repeal the Sales Tax on Text Books and to Require a Sales Tax on Magazines." (H. P. 1098) (L. D. 1293)

Bill, "An Act Concerning the Payment of Taxes on Watercraft in the Municipality where the Boat is Located." (H. P. 1099) (L. D. 1294)

Bill, "An Act for the Assessment of Watercraft." (H. P. 1100) (L. D. 1297)

Come from the House, referred to the Committee on Taxation and Ordered Printed.

Which were referred to the Committee on Taxation and Ordered Printed, in concurrence.

Senate Papers

Senator HICHENS of York (Cosponsor: Representative LOCKE of Sebec) presented, Bill, "An Act to Provide for Identifying Natural, Nonimminent Food Products Sold in the State." (S. P. 485)

Which was referred to the Committee on Agriculture and Ordered Printed.

Sent down for concurrence.

Senator GILL of Cumberland (Cosponsor: Senator BUSTIN of Kennebec) presented, Bill, "An Act to Include Health Education for the General Public as a Medical Education Program Conducted by the Board of Registration in Medicine." (S. P. 484)

The same Senator (Cosponsor: Senator BUSTIN of Kennebec) presented, Bill, "An Act Concerning Approval of Graduate Educational Programs by the Board of Registration in Medicine." (S. P. 487)

Which were referred to the Committee on Education and Ordered Printed.

Sent down for concurrence.

Senator WOOD of York presented, Bill, "An Act Concerning Gypsy Moth Suppression." (S. P. 486)

Senator TRAFTON of Androscoggin (Cosponsors: Senator AULT of Kennebec, Representative HUBER of Falmouth and Representative MCGOWAN of Pittsfield) presented, Bill, "An Act to Create a Bond Issue for Energy Conservation and Conversion for Small Business." (S. P. 489)

The same Senator (Cosponsors: Senator O'LEARY of Oxford and Representative DAVIES of Orono) presented, Bill, "An Act to Assure the Appropriate Development of the Hydropower Potential of Maine Rivers." (S. P. 491)

Which were referred to the Committee on Energy and Natural Resources and Ordered Printed.

Sent down for concurrence.

Senator REDMOND of Somerset (Cosponsor: Representative AUSTIN of Bingham) presented, Bill, "An Act to Require Registration of Snowmobiles Operated in Maine by Nonresidents." (S. P. 493)

Which was referred to the Committee on Fisheries and Wildlife and Ordered Printed.

Sent down for concurrence.

Senator CONLEY of Cumberland (Cosponsors: Representative JOYCE of Portland and Representative O'ROURKE of Camden) presented, Bill, "An Act to Establish a Board of Prison Terms and Supervised Release." (S. P. 494)

Which was referred to the Committee on Health and Institutional Services and Ordered Printed.

(See Action Later Today)

Senator BROWN of Washington (Cosponsors: Senator HICHENS of York, Representative LISNIK of Presque Isle and Representative KETOVER of Portland) presented, Bill, "An Act to Adopt Revised Standards for Access by the Handicapped to Certain Buildings." (S. P. 495)

Which was referred to the Committee on Health and Institutional Services and Ordered Printed.

Sent down for concurrence.

Senator VIOLETTE of Aroostook presented, Bill, "An Act Concerning Sewer Lien Fees." (S. P. 492)

Which was referred to the Committee on Public Utilities and Ordered Printed.

Sent down for concurrence.

Senator TRAFTON of Androscoggin (Cosponsor: Representative DAVIES of Orono) presented, Bill, "An Act to Provide Tax Incentives for Alternate Energy Sources." (S. P. 490)

Which was referred to the Committee on Taxation and Ordered Printed.

Sent down for concurrence.

Senator CONLEY of Cumberland (Cosponsors: Senator EMERSON of Penobscot, Representative MARTIN of Eagle Lake and Representative DRINKWATER of Belfast) presented, Bill, "An Act Authorizing a Bond Issue in the Amount of \$29,000,000 for the Purposes of Fostering Agricultural and Economic Development in the State of Maine." (S. P. 488)

Which was referred to the Committee on Transportation and Ordered Printed.

(See Action Later Today)

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

Senator CONLEY: Mr. President, the calendar has me a little confused here with the numbering on it today. At the top of page 5 on the calendar, S. P. 494, An Act to Establish a Board of Prison Terms and Supervised Release, is it my understanding that that Bill has been referred to the Committee on Health and Institutional Services?

The PRESIDENT: The Chair would answer the Senator in the affirmative.

On motion by Senator Conley of Cumberland, the Senate voted to reconsider its action of earlier in today's session whereby the Bill, An Act to Establish a Board of Prison Terms and Supervised Release (S. P. 494) was referred to the Committee on Health and Institutional Services.

On motion by Senator Conley of Cumberland, Tabled for 1 Legislative Day, pending Reference.

Orders

On motion by Senator TRAFTON of Androscoggin (Cosponsors: Senator BUSTIN of Kennebec, Representative MAHANY of Easton and Representative CARTER of Winslow),

WHEREAS, the Maine broiler industry has been one of the state's prime growth industries, representing in recent years 1/5 of all cash farm income in this State, and contributing significantly to the life and economy of many communities and to the welfare of all the people of this State; and

WHEREAS, Maine broiler products have

been held in high esteem by millions of satisfied customers in major northeastern markets so that, in 1980, the State of Maine ranked 12th in broiler production among the 50 states; and

WHEREAS, economic distress in the nation's broiler markets and rapid inflation in operating costs are threatening the survival of this industry in Maine, the loss of which would have a devastating effect on the state's economy; now, therefore, be it

ORDERED, the House concurring, that the President of the Senate and the Speaker of the House of Representatives, on behalf of the Legislature, make known to the poultry growers of the State and to the management and employees of our processing firms and deep concern of all the members of the Legislature over the plight of the industry; and be it further

ORDERED, that the President of the Senate and the Speaker of the House of Representatives urge the state's wholesale and retail food distributors and all Maine consumers to take all possible action as may be appropriate and supportive of the Maine broiler industry during this time of crisis. (S. P. 499)

Which was Read.

The PRESIDENT: The Senator has the floor.
 Senator TRAFTON: Mr. President, and Men and Women of the Senate, as we celebrate Maine Agriculture Day, it is well to remember that not all is well with Maine Agriculture. Our poultry industry, the very backbone of our agricultural economy, as well as an integral part of our Maine economy, is in trouble. Increased grain and rail prices, due to our end of the line situation, oil deregulation, competition from warmer climates, and uncertainty regarding federal programs, have already forced several companies out of business, and threatened the entire industry.

Unless unified action is taken by all levels of government, and all levels of the agriculture community, we stand to see more businesses go under. Not only will the poultry industry, the workers, and the farmers suffer, but so will the many auxiliary industries that supply essential services to these groups.

I hope that by passing this Order, that we will show all of the various groups mentioned that we are, indeed, concerned, and will work to save our poultry industry.

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

Senator HICHENS: Mr. President and Members of the Senate, Today is Agriculture Day in the State House and a day of recognition for the Agriculture Community of our State and due praise should be given to all who are contributing to the event to make this day a success. Yet overshadowing the day is the sobering fact that one of the prime growth agricultural industries in the state is in danger of non-survival.

Today in our calendar we have this order urging us to do all we can to keep this industry alive. I just hope all of our concerns and efforts have not come too late.

I ask you to question with me this morning why the Commissioner of Agriculture did not act when signs of this industry's collapse began to show a year and a half ago with the announcement of Maplewood Poultry Company, that they were going out of business. Why has the commissioner allowed the business to decline as it has without seeking help for the poultry industry by encouraging Maine people to buy Maine poultry such as Maine Poultry Days as we once had and by asking Maine supermarkets to sell Maine poultry rather than out-of-State produce, products such as he is doing now? Was he so busy trying to get his Department of Agriculture changed around to build himself a little empire, asking the legislature to relieve him of some of his responsibilities, such as we have in the Pesticides Control Board. Bill we have debated lately, that he could not see this great industry sinking to the

depths it is now in.

I, too, urge you this morning to help save a sinking ship, but hope that our efforts and the cries for help by the Commissioner of the Department of Agriculture are not "too little and too late."

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

Senator CONLEY: Mr. President and Members of the Senate: I'm so delighted that everyone is trying to save the poultry industry in this State the past few weeks. It was my opportunity yesterday morning to meet with a gentleman in my city who has a great deal of interest in the poultry industry. He's a multimillionaire. I asked him, I said: "Sir, why is the poultry industry in such deep troubles in Maine?" Two very, very simple things. One, the cost of fuel. Secondly, the insurance rates that they have to pay, and not Workmen's Comp.

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

Senator PIERCE: Mr. President and Members of the Senate: I certainly am in support of this Resolution, but I think perhaps it's a proper time to take a further look at the comments that the good Senator from Cumberland just made, because I would submit that there are more than those two reasons the poultry industry is in trouble today. We in government, now that the poultry industry is all but disappeared from the State, want to rush in and help. I'm sure each and every Member of the Senate wants to do that. But I wonder if we might not ask ourselves, as we look back on this industry and practically the demise of it, did we not have a role in it? I would submit that we surely did.

If you look at the increased costs of their sewerage, water, sanitary districts, if you look at the sludge disposal costs, if you look at rising Workmen's Compensation costs, the unemployment costs, government very definitely had a role in the demise of this industry. Now all these costs weren't bad, some of them were necessary. I would hope that we might learn from what has happened to this industry; that government can't always allow costs to escalate like we have in this industry; that we might learn from our mistakes, so that other industries don't get in the same shape the poultry industry is in, where it may well have gone beyond the point where government can do anything about it; that we look long and hard before we enact more and more laws on the backs of various industries, and just realize what we're doing to our livelihood and if, indeed, we are beginning, here in the State of Maine, in many, many instances, to kill that goose that's laying the golden eggs.

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

Senator WOOD: Mr. President, having served on the Agricultural Committee, since I was in the Legislature, I do have some interests and knowledge in the field of poultry. I would point out that on my serving on that committee, very seldom did we see the poultry industry in telling us that there was a problem. I think many of us recognized it. I think the Commissioner has recognized it and has been working, maybe behind the scenes, but nonetheless, working.

I would point out that, indeed, government can impede the progress of an industry, and would point out that although there might be some increased costs due to Workers' Compensation and other programs, that the straw that broke the camel's back, this year, was the decision in Washington to deregulate the price of oil, and doing away with E. D. A.

Which was Passed.

Sent down forthwith for concurrence.

On motion by Senator Huber of Cumberland, the Senate voted to reconsider its action of earlier in today's session whereby the Bill, "An

Act Authorizing a Bond Issue on the Amount of \$29,000,000 for the Purposes of Fostering Agricultural and Economic Development in the State of Maine." (S. P. 488), was referred to the Committee on Transportation.

On motion by Senator Huber of Cumberland, Tabled for 1 Legislative Day, pending Reference.

Expressions of Legislative Sentiment recognizing:

Gilbert J. Gaston, Jr. of Yarmouth, winner of the Maine Voice of Democracy Contest of 1981. (S. P. 496) presented by Senator CLARK of Cumberland (Cosponsor: Representative JACKSON of Yarmouth).

David A. Beal of Mount Desert and Bowdoin who has received an ITT International Fellowship, under the Fulbright program, for study in Austria. (S. P. 497) presented by Senator CLARK of Cumberland (Cosponsor: Senator PERKINS of Hancock).

Elaine Barrett of Independence House in Freeport, one of 15 Maine contestants to enter the International Special Olympics Winter Games at Stowe, Vermont in March. (S. P. 498) presented by Senator CLARK of Cumberland (Cosponsor: Representative MITCHELL of Freeport).

Richard V. Paquin of Bath, who has retired from Bath Iron Works after 40 years of service. (S. P. 500) presented by Senator SEWALL of Lincoln.

Willard F. Cromwell of Bath, who has retired from Bath Iron Works after 43 years of service. (S. P. 501) presented by Senator SEWALL of Lincoln.

Which were Read and Passed.

Sent down for concurrence.

Committee Reports House

The following Ought Not to Pass report shall be placed in the legislative files without further action pursuant to Rule 22 of the Joint Rules:

Bill, "An Act to Require Headlights to be Used on Vehicles at Certain Times." (H. P. 391) (L. D. 434)

Leave to Withdraw

The Committee on Taxation on, Bill, "An Act to Exempt Regional Planning Commissions from Real and Personal Property Taxes." (H. P. 78) (L. D. 101)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Transportation on, Bill, "An Act Relating to the Registration of Boat, Camper and Utility Trailers." (H. P. 803) (L. D. 957).

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Transportation on, Bill, "An Act to Regulate Passengers Standing in Motor Trucks." (H. P. 647) (L. D. 737)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

Which Reports were Read and Accepted, in concurrence.

Ought to Pass - As Amended

The Committee on Fisheries and Wildlife on, Bill, "An Act to Provide that Certain Licenses Issued by the Department of Inland Fisheries and Wildlife be Issued on the Basis of Fiscal Year." (H. P. 397) (L. D. 440)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-109)

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

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

The Committee on Public Utilities on, Bill, "An Act to Revise the Charter of the South Berwick Water District (H. P. 148) (L. D. 174)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-104)

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A" and House Amendment "A" (H-110).

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

Divided Report

The Majority of the Committee on Business Legislation on, Bill, "An Act to Require Individually Marked Prices on Certain Retail Merchandise." (H. P. 445) (L. D. 507)

Reported that the same Ought Not to Pass.

Signed:

Senators:

SUTTON of Oxford
SEWALL of Lincoln
CLARK of Cumberland

Representatives:

BRANNIGAN of Portland
POULIOT of Lewiston
TELOW of Lewiston
JACKSON of Yarmouth
RACINE of Biddeford
GAVETT of Orono
PERKINS of Brooksville

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass as amended by Committee Amendment "A" (H-103).

Signed:

Representatives:

FITZGERALD of Waterville
MARTIN of Van Buren
GWADOSKY of Fairfield

Comes from the House, Bill and Papers Recommitted to the Committee on Business Legislation.

Which Reports were Read.

On motion by Senator Pierce of Kennebec, Tabled for 1 legislative day, pending Acceptance of Either Committee Report.

Divided Report

The Majority of the Committee on Energy and Natural Resources on,

Bill, "An Act to Encourage the Establishment of Municipal Energy Commissions." (H. P. 313) (L. D. 381)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-89)

Signed:

Senator:

O'LEARY of Oxford

Representatives:

HALL of Sangerville
DAVIES of Orono
MICHAUD of East Millinocket
JACQUES of Waterville
MITCHELL of Freeport
HUBER of Falmouth
MICHAEL of Auburn
DEXTER of Kingfield

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

Signed:

Senators:

McBREAIRTY of Aroostook
REDMOND of Somerset

Representatives:

AUSTIN of Bingham
KIESMAN of Fryeburg

Comes from the House. Passed to be Engrossed, as amended by Committee Amendment "A" (H-89).

Which Reports were Read.

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

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

The PRESIDENT: The Senator from Aroostook, Senator McBreairty, moves that the Senate Accept the Minority Ought Not to Pass Report of the Committee.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Senator CONLEY: I request a Division.

The PRESIDENT: A Division has been requested.

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

Senator O'LEARY: As you can see by the Report, it's bipartisan support for this Bill. It is not a Party Bill of any kind. This is strictly Enabling Legislation in the best sense. It does not mandate, but provides a model and, guideline for communities who wish to take steps to analyze and solve their own local energy problems.

The form of this Bill is similar to the law which created our municipal conservation commissions in 1969. These volunteer commissions have been extremely successful in developing citizen participation in local government. Now that Federal and State funds for energy conservation are diminishing, local initiatives and local leadership are crucial to solving our energy problems. These local initiatives can save many dollars and create jobs. At least 18 Maine towns and cities now have volunteer energy committees which are making a real difference in these communities.

This Bill is just simply what it says, Enabling Legislation. A lot of towns would like to do this, but they don't think they have the authority. Those that believe they have are doing it.

Auburn will soon open a new steam generating solid waste disposal plant. The plant will burn waste from Auburn and 15 other towns. One of the other towns is mine, and we will be transporting 44 miles to that plant. It's going to sell steam to Pioneer Plastics.

Rangeley, a town which I represent, of only 1,000 people, organized a people volunteer committee which conducted an energy audit that the town spent \$2.4 million a year on fuels imported from outside the town. Because of this study, hydropower sites have now been identified, audits of town buildings have been made, greenhouses have been built, and the Highway Department's boiler may be converted to burn wood.

Two other nearby towns have active energy committees. Wayne is exploring producing hydro-electricity from town-owned dams. Litchfield has been conducting a house-to-house survey of energy use, and has held several workshops for the community. The Legislature is working hard on energy conservation legislation. This is not only a job for the state government, and state agencies, we need the involvement of local government and local people. This Bill will encourage this involvement.

Mr. President, it is a good Bill, and I request a Division.

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

Senator McBREAIRTY: Mr. President and Honorable members of the Senate, almost the first thing that the sponsors of this Bill said at the hearing was, this Bill is not needed. Towns can do this now. Under the Constitution of the State of Maine, municipalities are granted Home-rule powers. Home-rule allows municipalities without further legislation to perform the functions called for in L. D. 381. L. D. 381 is unnecessary, since its objective can already be

met under Home-rule authority.

With Home-rule, municipalities may perform a specific function as they desire, unless the state has preempted a municipality's action by enacting legislation pertaining to that function.

L. D. 381 is likely to restrict or limit municipalities by preempting the Home-rule authority, that would allow the municipality to choose the best method for it to achieve the objective desired in L. D. 381.

Passage of L. D. 381 will not guarantee any local action. When the laws pertaining to conservation commissions were enacted prior to a Home-rule, two communities used the statutes until the concept was aggressively sold by the Maine Association of Conservation Commissions, and others. Until some person or agency goes to our municipalities to sell the idea of energy conservation, little action will occur locally regardless of the passage of L. D. 381.

In summary, municipalities can create energy commissions already. This legislation tends to limit local options. Finally, it provides no guarantee that anything will happen. If the State believes that the creation of local energy commissions is desirable, it should get out and sell the idea, rather than cluttering up the books with unnecessary legislation.

Now if your constituents want you to come down here and spend their money to put unnecessary laws on the books, you should vote for this Bill. My constituents continually tell me they have enough laws, without laws that are just duplicates of what we have. Thank you.

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

Senator O'LEARY: Mr. President, I think the good Senator from Aroostook, Senator McBreairty, put his finger right on it when he said, the conservation commissions established by law, in 1969 almost directed people to go out and sell this to the people. I think this perhaps would do the very same thing, and we'd all be a lot better off.

I participated in a debate for about four and a half hours on one bill, a few years ago, said it couldn't work, wouldn't work. I was voted down on that bill. It's a rather lengthy bill that's on our books today. The first town that tried to do it was found to be unconstitutional.

Mr. President, this won't be a waste of law on the books.

The PRESIDENT: Is the Senate ready for the question?

Will all those Senators in favor of the motion by the Senator from Aroostook, Senator McBreairty that the Senate Accept the Minority Ought Not to Pass Report of the Committee, please rise in their places to be counted.

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

11 Senators having voted in the affirmative and 19 Senators in the negative, the motion to Accept the Minority Ought Not to Pass Report of the Committee does not prevail.

The Majority Ought to Pass, as amended, Report of the Committee Accepted, in concurrence. The Bill Read Once. Committee Amendment "A" was Read and Adopted, in concurrence. The Bill, as amended, Tomorrow Assigned for Second Reading.

Senate

Leave to Withdraw

Senator HICHENS for the Committee on Health and Institutional Services on, Bill, "An Act to Encourage Peer Review Activities in Health Care by Protecting Individuals Participating in Peer Review and by Protecting the Records of Peer Review Organizations." (S. P. 249) (L. D. 719)

Reported that the same be granted Leave to Withdraw.

Which Report was Read and Accepted.

Sent down for concurrence.

Second Readers

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

House

Bill, "An Act Relating to Games of Chance Sponsored by Charitable Organizations." (H. P. 504) (L. D. 555)

Bill, "An Act to Amend the Charter of the York Water District." (H. P. 149) (L. D. 175)

Bill, "An Act to Authorize the Designation of a Municipal Development District." (H. P. 603) (L. D. 680)

Bill, "An Act Relating to the Licensing of Pin Ball Machines." (H. P. 503) (L. D. 554)

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

House - As Amended

Bill, "An Act to Facilitate the Distribution of Child Custody Reports." (H. P. 620) (L. D. 703)

Bill, "An Act to Amend the Laws Relating to Examinations of Motor Vehicles by Police Officers and to Increase the Penalty for Avoiding a Police Roadblock." (H. P. 178) (L. D. 225)

Bill, "An Act to Establish Guidelines for the Issuance of Concealed Weapon Permits." (H. P. 647) (L. D. 519)

Bill, "An Act to Exempt Fuel Adjustment Charges of Electric Utilities from the Requirement that such Charges be Prorated." (H. P. 529) (L. D. 595)

Bill, "An Act to Adjust the Fiscal Year of the Cobbossee Watershed District." (H. P. 479) (L. D. 535)

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

Bill, "An Act to Clarify Appellate Procedure in Adoption Cases and Provide Transition Provisions for Certain Guardians under the Probate Code." (H. P. 246) (L. D. 280)

Which was Read a Second Time.

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

Senator DEVOE: Thank you, Mr. President. Mr. President, and Members of the Senate, the emergency preamble makes clear that neither of the changes in this Bill imply any change in the substantive law, but that they merely clarify or conform language to the law as it now stands.

Secondly, the guardianship clarification is included within paragraph 3, of section 8401B of the code. Which is the paragraph that deals with the continuation of the pre-code appointment. The use of paragraph 3 rather than the addition of a separate and new paragraph helps to establish that the guardianship provision is simply a specific example of the way in which the general transition provision for personal representatives operates, as well as maintaining the logical organization of the transition section.

Mr. President, I move the passage as amended of this Bill.

On motion by Senator Devoe of Penobscot, the Bills was passed to be Engrossed, as amended, in concurrence.

Bill, "An Act Concerning the Interest Charge on Outstanding County Taxes." (H. P. 471) (L. D. 524)

Which was Read a Second Time.

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

Senator VIOLETTE: Mr. President, I would like to Reconsider our action whereby we Adopted Committee Amendment "A" to L. D. 524.

The PRESIDENT: The Senator from Aroostook, Senator Violette, moves that the Senate Reconsider its action whereby it Adopted Committee Amendment "A" to L. D. 524.

On motion by Senator Perkins of Hancock, Tabled for 1 Legislative Day, pending the motion by the Senator from Aroostook, Senator Violette.

Senate — As Amended

Bill, "An Act to Clarify Food Stamp Allotment Calculations in Cases of Immediate Economic Loss." (S. P. 257) (L. D. 739)

Which was Read a Second Time and Passed to be Engrossed, as amended.
Sent down for concurrence.

Enactors

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

AN ACT to Establish a Maine Set-aside Program under the State Purchasing Law to Expand Work Opportunities for Multiple Handicapped Citizens. (H. P. 224) (L. D. 261)

AN ACT to Create the Charleston Correctional Facility within the Department of Mental Health and Corrections. (S. P. 217) (L. D. 604)

On motion by Senator Huber of Cumberland, placed on the Special Appropriations Table, pending Enactment.

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

Senator HICHENS: Mr. President, I now presume that L. D. 604 is before us, and can be debated?

The PRESIDENT: The Chair would advise the Senator that L. D. 604 was just placed on the Special Appropriations Table, pending Enactment.

Senator HICHENS: I am sorry.

AN ACT to Establish a Sign on the Maine Turnpike for the University of Southern Maine. (S. P. 212) (L. D. 577)

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 York, Senator Hichens.

Senator HICHENS: Would it be out of order to ask that we Reconsider our action on L. D. 604?

The PRESIDENT: The Chair would answer in the affirmative. It would be out of order. The Chair would advise that possibly a conference could be had between the Senator from York, and the Senator from Cumberland, regarding this item since bills having been placed on the Appropriations Table may only be removed from the Appropriations Table by members of that committee.

Senator HICHENS: Then I request that the good Senator from Cumberland, would ask Reconsideration of his motion so that I might speak on this Bill.

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

Orders of the Day

Out of Order and Under Suspension of the Rules, the Senate voted to consider the following:

Papers from the House Joint Orders

Expressions of Legislative Sentiment recognizing:

Mane Producers on Agriculture, Food and Rural Resource Day. (H. P. 1173)

the following dignitaries on Agricultural Day:

Patricia Fortin, North Leeds — Dairy Princess Laura Gilman, Winthrop — Grange Queen Brittany Henderson, Houlton — Potato Queen Virginia McCaslin, Lubec — Sardine Queen Karen Mooney, Bangor — Junior Miss Rodeo Maine Heidi Spiegel, Pittsfield — Broiler Queen Christine Turcotte, Litchfield — Miss Rodeo Maine (H. P. 1204)

Gary Wheeler of Presque Isle, State President, of Maine Association of Future Farmers of America. (H. P. 1205)

Come from the House, Read and Passed.

Which was Read and Passed, in concurrence.

The PRESIDENT: The Chair is very pleased to welcome in the rear of the Chamber these young ladies who are queens from the various agricultural activities, and would ask them to accompany the Sergeant-at-Arms to the front of the Chamber so that the Senate may greet them in proper fashion.

The Chair understands that one of the queens has some words that she would like to give to the Maine Senate this morning. We are very pleased to have you with us.

The Sergeant-at-Arms escorted the queens to the front of the chamber amid the applause of the Senate, the members rising.

Christine TURCOTTE — Miss Rodeo Maine Queen: Good morning, distinguished Senators. I am Christine Turcotte, Miss Rodeo Maine, and I have been chosen to represent all our agricultural queens.

We would like to thank you for giving us the opportunity to represent agriculture in the State of Maine. All of us have travelled around the State and talked to other people spreading the news about agriculture and answering their questions that they may have on agriculture.

We, also, went to Springfield, Mass. for Eastern States, during Maine Day, and represented Maine there and answered all the questions that they had about Maine's agriculture.

We are very pleased to be here today, and we would like to thank you, again, for giving us the opportunity to see the State of Maine, to meet the people and to spread the word about agriculture. Thank you.

The Sergeant-at-Arms escorted the queens to the rear of the Chamber amid the applause of the Senate, the members rising.

The PRESIDENT: The Chair would direct the Senate's attention to an item of Unfinished Business:

"RESOLVE, Authorizing Richard Potvin, or his Legal Representative, to Bring Civil Action Against the State of Maine and the Maine State Lottery Commission." (S. P. 292) (L. D. 818)

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

Senator CONLEY: I would ask a point of order, Mr. President. I would ask of the Chair if the proper motion right now, or a motion would be in order to move Engrossment of the Bill?

The PRESIDENT: The Chair would answer in the affirmative.

Senator CONLEY: I would so move, Mr. President.

The PRESIDENT: The Senator from Cumberland, Senator Conley, moves that L. D. 818 be Passed to be Engrossed.

The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: I ask for a Division.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of Passage to be Engrossed on L. D. 818, please rise in their places to be counted.

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

16 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion that L. D. 818 be Passed to be Engrossed does not prevail.

On motion by Senator Conley of Cumberland, Tabled for 1 Legislative Day, pending Consideration.

The Chair laid before the Senate the first Tabled and specially assigned matter:

Bill, "An Act Prohibiting Businesses from Raffling or Giving Away Live Animals, Fowl or Reptiles as a Fund-raising Device." (S. P. 171) (L. D. 421)

Tabled — March 18, 1981 by Senator COLLINS of Knox.

Pending — Enactment

On motion by Senator Wood of York, the Senate voted to Suspend its Rules.

On motion by Senator Wood of York, the Senate voted to Reconsider its action whereby Bill, "An Act Prohibiting Businesses from Raffling or Giving Away Live Animals, Fowl, or Reptiles as a Fund-raising Device." (S. P. 171) (L. D. 421) was Passed to be Engrossed.

The PRESIDENT: The Senator has the floor.

Senator WOOD: Mr. President, I now present Senate Amendment "A" under filing number S-57 and move its adoption.

The PRESIDENT: The Senator from York, Senator Wood, now offers Senate Amendment "A" and moves its adoption.

Senate Amendment "A" (S-57) was Read and Adopted.

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

Sent down for concurrence.

The President laid before the Senate the second Tabled and specially assigned matter:

HOUSE REPORTS — from the Committee on State Government — Bill, "An Act Changing the Name of Manpower Affairs and Clarifying the Term of its Commissioner." (H. P. 291) (L. D. 335) MAJORITY REPORT — OUGHT TO PASS; MINORITY REPORT — OUGHT NOT TO PASS.

Tabled — March 18, 1981 by Senator COLLINS of Knox

Pending — Consideration

On motion by Senator Collins of Knox, Retabled for 1 Legislative Day.

The President laid before the Senate the third Tabled and specially assigned matter:

HOUSE REPORTS — from the Committee on Health and Institutional Services — Bill "An Act Providing for Pupil Screening for Scoliosis and Related Spinal Abnormalities." (H. P. 273) (L. D. 319) MAJORITY REPORT — OUGHT TO PASS as Amended by Committee Amendment "A" (H-81); MINORITY REPORT — OUGHT NOT TO PASS.

Tabled — March 18, 1981 by Senator COLLINS of Knox

Pending — Acceptance of Either Report.

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

Senator GILL: Mr. President, Members of the Senate: I would urge Adoption of the Majority Ought to Pass Report, and I'd like to speak to my motion.

The PRESIDENT: The Senator has the floor.

Senator GILL: The Statement of Fact on this Bill notes that the Bill, as amended, requires schools to supervise a programs of screening for postural defects, but does not require them, the schools, to carry out this program, unless they choose to do so. We feel this is a crucial distinction. However, if the program is not carried out in the school, by school personnel, the school must designate another agent to do the screening, a local community group, a health agency, Lion's Club, people who are volunteers in the field.

In either case, the persons performing the screening must meet criteria developed by the Commissioner of Human Services in consultation with the Commissioner of Educational and Cultural Services, and the Bureau of Health. The department must also provide training and other technical assistance to the schools or their agents, so that they may meet these criteria which will be spelled out in rules and regulations.

The Committee on Health and Institutional Services wishes to go on Record as intending that the Departments of Human Services, and Educational and Cultural Services assist local school systems in these programs. We think it's important that the Legislature carefully consider, when mandating programs, how to assist those who are to carry out the mandates.

This is particularly important in the case of the schools which have important educational responsibilities to perform as well as others more related to public health. We believe that

our committee gives sufficient flexibility to the schools, and also meets the concern that state departments provide a system. We would urge other committees to consider these points when mandating programs to be carried out by those who are not direct agents of the State.

I might also indicate that we received a letter on the committee from the Department of Human Services, and I'll read the letter. It says: "Dear Senator Gill: each year, funds appropriated under Title V of the Social Security Act are made available to the department for the expressed purpose of promoting the health of mothers and children. The purpose of this letter is to provide you with a written confirmation of the department's willingness to use such funds to support a state-wide effort to screen school children for scoliosis and related spinal abnormalities. To be more specific, we are willing to commit the sum necessary to provide needed consultation and technical assistance to the school administrative units responsible for conducting such a screening program, as well as the training of those members of their staff who would be directly involved."

So the Department has set aside part of that maternal and child money for the training and consultation.

Questions of liability have been raised on this particular issue, and I might just indicate that the program is a screening program. It is not a diagnosing program. There have been no litigation in any of the states in the county, that have adopted this program. I might tell you that the State of Delaware has been doing this type of screening in their school systems for ten years. Minnesota, Hawaii, Ohio, New Jersey, Mississippi, Michigan, Massachusetts, and California, also do this screening in the school systems.

So I would urge this Senate Body to vote in favor of the Majority Ought to Pass Report.

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

Senator HICHENS: Mr. President and Members of the Senate:

As you note on this committee report, I have signed Ought Not to Pass. Not because I am against scoliosis screening per se but because I am opposed to further programs in our public school system.

Already this year we have passed a bill requiring immunization of students for reubella. Now we have a bill that prohibits students from entering the 9th Grade unless they have been screened for scoliosis and also requires the schools to arrange for such screen programs. Following these two bills is another to require that energy conservation courses be taught in public schools which has been withdrawn and still another to require instruction in public schools on the ill effects of alcohol, tobacco and other substances. Already in our schools we have courses on sex education, another course as reported in a recent Maine Sunday Telegram on teaching students how to drink liquor without becoming addicted, along with courses on secular humanism, and so forth.

I wonder just how many courses can be included in a days curriculum and still have time for the basic teaching or reading, writing and arithmetic.

Concerning L. D. 319 as amended, I am concerned with the health problems that many of our children are suffering but with community health clinics, county health groups, programs and so forth I do not think that we should push further requirements onto our school systems.

True, many parents do not take advantage of the opportunities to have their children receive physical exams on a regular basis but I do not think that all of parental responsibilities should be pushed on to our schools and teachers who are already burdened with programs and subjects that they were not trained for.

I therefore will vote against L. D. 319, as amended, and hope that a more proper source

for these screenings may be found.

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

Senator MINKOWSKY: Mr. President and Members of the Senate: I listened very closely to the fine explanation from the good Senator from Portland, Senator Gill, where she brings in the technical assistance offered by the State, in the screening program. Of course, our local health department has quite a comprehensive task to accomplish themselves in the school system in the City of Lewiston.

The only thing, I don't think she addressed, even though she indicated very clearly, it was a mandated program, are we going to be reimbursed at the local level to implement the idea behind this particular piece of Legislation? And if so, what will be the percentage based upon our size of schools and children in our area?

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

Senator GILL: Thank you, Mr. President. I would ask the good Senator from Androscoggin to rephrase or to repeat his question, because he was standing away from the microphone and my hearing isn't that good today, evidently.

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

Senator MINKOWSKY: Thank you very much, Mr. President. Senator Gill, very simply stated, with this mandated program, in a city like the City of Lewiston, I clearly specify that we have a very, very heavy workload on our health department. This will add another layer of responsibility to our health nurses. Since it is going to be a mandated program, will the State now reimburse the community for the extra hours we are going to put into this program for this additional screening, even though the State is offering our people screening, and technical assistance? If that is the case, has there been a percentage that has been designed by the Department of Human Services to be allocated back to the municipalities?

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

Senator GILL: Thank you, Senator Minkowsky. There is no need for the public health people in Lewiston to take on this program if they feel they're overburdened. This scoliosis screening can be taught to anybody. I can do it. You can do it. Any member of this Body can do it, if they are shown how it should be done. It can be shown to people on a film. It can be explained to people in reading a small booklet put out by the National Scoliosis Society. It's a simple thing to do, if one is shown how to do it properly. This is what the Department of Human Services plans to do.

The Department of Human Services plans to go into the school systems and show personnel within the school systems just how this is to be done in a proper manner. So it shouldn't cost your Department of Health in the City of Lewiston any money. It shouldn't cost my Department of Health in the City of South Portland any money. There are people who are very willing to volunteer to do this. In a one hour period, 100 children can be screened. It's not a cumbersome or burdensome, problem, once someone is shown how to do it.

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

Senator MINKOWSKY: Mr. President and Members of the Senate: May I pose one further question to the good Senator from Cumberland, Senator Gill. That is, relevant to how much of an increase to the people in the Department of Human Services that are going to administer this program, what is the amount of money that is being raised to add on to the existing system they have? Also, subsequently, will it not lead to a director of nursing in that particu-

lar department?

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

Senator GILL: I'd like to respond to Senator Minkowsky in that there is no State funding on this Bill. There is no fiscal note on this Bill. The money that is available comes from Title V, Maternal and Child Funding, that the Department has indicated in their letter from Frank McGinty, who is Deputy Commissioner over there, that they will spend it training. "We are willing to commit this sum necessary to provide needed consultation and technical assistance to the school administrative units responsible for conducting such a screening program, as well as training of those members of their staff who would be directly involved?" So the monies that would be used are strictly Title V, Maternal and Child monies, and there are no state monies involved.

There is no director of nursing. There will be no added position to handle it. I have the letter, it's in black and white, and if there is any expansion, I'll hold this up to him, too.

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

Senator BUSTIN: If I ever had any doubts about this particular program, they were dissipated Monday night when I gave a speech to a Displaced Homemakers Group. I didn't realize it until the end of the speech, and I started a discussion period. One of the displaced homemakers there happened to have trained as a nurse, and she began to have some back problems, and had to give up the profession. She now has to retrain herself, a simple one minute test that she could have taken while she was a youngster in school may have averted her having to give up a vocation that she spent many years studying for. She might have been able to make a better vocational choice.

The PRESIDENT: Is the Senate ready for the question?

The Chair will order a Division.

Will all those Senators in favor of the motion by the Senator from Cumberland, Senator Gill that the Senate Accept the Majority Ought to Pass Report of the Committee, please rise in their places to be counted.

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

23 Senators having voted in the affirmative and 5 Senators having voted in the negative, the motion to Accept the Majority Ought to Pass, as amended, Report of the Committee, in Concurrence, does prevail.

The Bill Read Once.

Committee Amendment "A" was Read and Adopted, in concurrence.

The Bill, as amended, Tomorrow Assigned for Second Reading.

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

Senator BUSTIN: I'd like to move for Reconsideration and hope the Members of the Senate vote against me.

The PRESIDENT: The Chair would advise the Senator from Kennebec, Senator Bustin, that the Bill is now in a position whereby the action is Out of Order, since it has been Assigned for Second Reading Tomorrow.

Senator Collins of Knox was granted unanimous consent to address the Senate, Off the Record.

Senator Conley of Cumberland was granted unanimous consent to address the Senate, Off the Record.

On motion by Senator Pierce of Kennebec, Adjourned until 12:30 o'clock tomorrow afternoon.