

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Tenth
Legislature***

OF THE

STATE OF MAINE

Volume II

FIRST REGULAR SESSION

MAY 4, 1981 to JUNE 19, 1981

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STATE OF MAINE
One Hundred and Tenth Legislature
First Regular Session
JOURNAL OF THE SENATE
May 19, 1981
Senate called to order by the President.

Prayer by the Honorable Frank P. Wood of Springvale.

SENATOR WOOD: Eternal Father, strong to save, Eternal Mother, strong to love, send Your spirit upon us. Fill us that we may, in some small way, share in Your essence which is all love and wisdom. Direct those of us who have been chosen to represent Your people in paths of ever greater service, ever reminding us that those who serve are always called to meekness. The recognition to serve truly is to be the least. These things we ask through Christ, Who has always been, Who is now and will always be the Alpha and the Omega, the beginning and the end, the One who makes all things anew. Amen.

Reading of the Journal of yesterday.

(Off Record Remarks)

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

Bill, "An Act to Make Funding of the "Local Government Fund" Part of the Appropriations Process." (S. P. 90) (L. D. 206)

In the Senate, May 14, 1981, Passed to be Engrossed as amended by Committee Amendment "A" (S-208).

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

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

Senator HUBER: I move that the Senate Adhere.

The PRESIDENT: The Senator from Cumberland, Senator Huber, moves that the Senate Adhere.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Senator CONLEY: Mr. President, I would move that the Senate Recede and Concur with the House.

The PRESIDENT: The Chair will order a Division.

Will all those Senators in favor of the motion by the Senator from Cumberland, Senator Conley, that the Senate Recede and Concur with the House, please rise in their places to be counted.

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

12 Senators having voted in the affirmative, and 15 Senators having voted in the negative, the motion to Recede and Concur with the House does not prevail.

Is it now the pleasure of the Senate to Adhere?

It is a vote.

Non-concurrent Matter

Bill, "An Act Relating to Periodic Justification of Departments and Agencies of State Government under the Maine Sunset Law." (Emergency) (H. P. 1411) (L. D. 1576)

In the House, May 11, 1981, Passed to be Engrossed as amended by House Amendments "B" (H-319), "C" (H-324) and "D" (H-329).

In the Senate, May 15, 1981, Passed to be Engrossed as amended by House Amendments "B" (H-319) and "D" (H-329), 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 Knox, Senator Collins.

Senator COLLINS: I move the Senate Insist and Join In a Committee of Conference.

The PRESIDENT: The Senator from Knox, Senator Collins, moves that the Senate Insist

and Join In a Committee of Conference with the House.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Senator CONLEY: Mr. President, this Bill was well debated last week. I would hope that the Senate would vote against Joining in a Committee of Conference, and would vote to Adhere to its former position, and thereby, get this Bill on the road.

The PRESIDENT: The Chair will order a Division.

Will all those Senators in favor of the motion by the Senator from Knox, Senator Collins, 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.

16 Senators having voted in the affirmative, and 12 Senators having voted in the negative, the motion to Insist and Join In a Committee of Conference with the House does prevail.

(See Action Later Today)

**Communications
Committee on Election Laws**

May 18, 1981

The Honorable Joseph Sewall
President of the Senate

State House

Augusta, Maine 04333

Dear President Sewall:

The Committee on Election Laws is pleased to report that it has completed all business placed before it by the First Regular Session of the 110th Legislature.

Bills received in Committee 37

Unanimous Reports 29

Ought to Pass 2

Ought Not to Pass 12

Leave to Withdraw 8

Ought to Pass as Amended 6

Ought to Pass in New Draft 1

Divided Reports 8

Recommitted 0

Respectfully,

S/Senator RICHARD H. PIERCE

Chairman

Which was Read and Ordered Placed on File.

Committee on Agriculture

May 18, 1981

The Honorable Joseph Sewall

President of the Senate

State House

Augusta, Maine 04333

Dear President Sewall:

The Committee on Agriculture is pleased to report that it completed all business placed before it by the First Regular Session of the 110th Legislature.

Bills received in Committee 41

Unanimous Reports 34

Ought to Pass 3

Ought to Pass as Amended 12

Ought to Pass in New Draft 3

Ought Not to Pass 4

Leave to Withdraw 11

Referred to other Committee 1

Divided Reports 7

Bills held in Committee 0

Respectfully,

S/Senator WALTER W. HICHENS

Senate Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Chair will congratulate both these Committees for having accomplished their assigned tasks, and thank all the Members from the Senate for this.

Committee Reports

House

Ought to Pass

The Committee on Appropriations and Financial Affairs on, RESOLVE, to Authorize Expenditure of Certain Federal Funds for New or Expanded Programs. (Emergency) (H. P.

1361) (L. D. 1546)

Reported that the same Ought to Pass.

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

Which Report was Read and Accepted, in concurrence, and the Resolve Read Once and Tomorrow Assigned for Second Reading.

Ought to Pass — As Amended

The Committee on Judiciary on, Bill, "An Act to Repeal the Law Preventing Mentally Ill People from Getting Married." (H. P. 320) (L. D. 349)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-402).

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

The Committee on Local and County Government on, Bill, "An Act to Improve the Efficiency of County Government." (H. P. 1094) (L. D. 1291)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-419).

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

The Committee on Local and County Government on, Bill, "An Act to Improve County Budget and Financial Procedures." (H. P. 1095) (L. D. 1292)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-418).

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

The Committee on Local and County Government on, Bill, "An Act Clarifying Municipal Authority to Invest Funds." (H. P. 884) (L. D. 1053)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-393).

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

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

The Committee on Public Utilities on, Bill, "An Act to Adopt the Maine Municipal and Rural Electrification Cooperative Agency Act." (H. P. 1096) (L. D. 1298)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-421).

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

Which Report was Read.

On motion by Senator Collins of Knox, Tabled until later in today's session, pending Acceptance of the Committee Report.

Ought to Pass in New Draft

The Committee on Business Legislation on, Bill, "An Act to Prohibit Refiners and Distributors from Selling Motor Fuel at Retail." (H. P. 1065) (L. D. 1253)

Reported that the same Ought to Pass in New Draft under New Title "An Act to Amend the Unfair Sales Act." (H. P. 1479) (L. D. 1610).

Comes from the House, the Bill, in New Draft, Passed to be Engrossed as amended by House Amendment "A" (H-420).

The Committee on Judiciary on, Bill, "An Act Relating to Forcible Entry and Detainer Hearings." (H. P. 377) (L. D. 415)

Reported that the same Ought to Pass in New Draft under New Title: "An Act to Amend, Revise and Codify the Landlord Tenant Laws."

(H. P. 1476) (L. D. 1608).

Comes from the House, the Bill, in New Draft Passed to be Engrossed as amended by House Amendment "A" (H-424).

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

Divided Report

The Majority of the Committee on Labor on, Bill, "An Act to Increase Job Security for Employees Elected to the Legislature, Excluding Employees Covered under Provisions Dealing with Teachers." (H. P. 401) (L. D. 444)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-394).

Signed:

Senator:

DUTREMBLE of York

Representatives:

BEAULIEU of Portland

BAKER of Portland

McHENRY of Madawaska

HAYDEN of Durham

TUTTLE of Sanford

MARTIN of Brunswick

LAVERRIERE of Biddeford

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

Signed:

Sensors:

SEWALL of Lincoln

SUTTON of Oxford

Representatives:

LEWIS of Auburn

FOSTER of Ellsworth

Comes from the House, Bill and Papers Indefinitely Postponed.

Which Reports were Read.

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

Senator PRAY: Mr. President and Members of the Senate, it's my understanding that there's a misprint on today's calendar, that the Minority Report is an Ought Not to Pass Report. Is that correct?

The PRESIDENT: The Chair would advise the Senator in the affirmative, that the Minority Report is Ought Not to Pass.

Senator PRAY: Mr. President and Members of the Senate, since there seems to be so much confusion over the printed calendar, I move this Bill be Indefinitely Postponed.

On motion by Senator Pray of Penobscot, the Bill and Papers Indefinitely Postponed, in concurrence.

Divided Report

The Majority of the Committee on Local and County Government on, RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for a Four-year Term of Office for Sheriff. (H. P. 1413) (L. D. 1575)

Reported that the same Ought Not to Pass.

Signed:

Sensors:

CHARETTE of Androscoggin

PERKINS of Hancock

Representatives:

LaPLANTE of Sabattus

RIDLEY of Shapleigh

ROBERTS of Buxton

PARADIS of Old Town

STOVER of West Bath

SWAZEY of Bucksport

McHENRY of Madawaska

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

Signed:

Senator:

AULT of Kennebec

Representatives:

CURTIS of Waldoboro

ARMSTRONG of Wilton

WENTWORTH of Wells

Comes from the House, the Majority Ought Not to Pass Read and Accepted.

Which Reports were Read.

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

Senator PERKINS: I would move the Majority Ought Not to Pass Report of the Committee.

The PRESIDENT: The Senator from Hancock, Senator Perkins, now moves that the Senate Accept the Majority Ought Not to Pass Report of the Committee.

The Chair recognizes the Senator from Oxford, Senator Sutton.

Senator SUTTON: Mr. President, I would request a Division.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of the motion by the Senator from Hancock, Senator Perkins, that the Senate Accept the Majority 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.

15 Senators having voted in the affirmative, and 11 Senators having voted in the negative, the motion to Accept the Majority Ought Not to Pass Report of the Committee, in concurrence, does prevail.

Divided Report

The Majority of the Committee on Education on, Bill, "An Act Concerning Equivalent Courses Offered at the Various Campuses of the University of Maine." (H. P. 839) (L. D. 1005)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-407).

Signed:

Senator:

CLARK of Cumberland

Representatives:

CONNOLLY of Portland

GOWEN of Standish

MATTHEWS of Caribou

LOCKE of Sebec

THOMPSON of South Portland

THERIAULT of Fort Kent

MURPHY of Kennebunk

ROLDE of York

BROWN of Gorham

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

Signed:

Sensors:

TROTZKY of Penobscot

PIERCE of Kennebec

Representative:

BROWN of Livermore Falls

Comes from the House, Passed to be Engrossed as amended by Committee Amendment "A" (H-407).

Which Reports were Read.

On motion by Senator Collins of Knox, Tabled for 1 Legislative Day, pending Acceptance of Either Committee Report.

Divided Report

The Majority of the Committee on Election Laws on, Bill, "An Act to Permit Appointment of Deputies for the Purpose of Registering Voters Under the Election Laws." (H. P. 135) (L. D. 162)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-363).

Signed:

Sensors:

PRAY of Penobscot

CARPENTER of Aroostook

Representatives:

BENOIT of South Portland

BOISVERT of Lewiston

DIAMOND of Bangor

ROBERTS of Buxton

NADEAU of Lewiston

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

Signed:

Senator:

PIERCE of Kennebec

Representatives:

WENTWORTH of Wells

CAHILL of Woolwich

BORDEAUX of Mount Desert

HANSON of Kennebunkport

WEYMOUTH of West Gardiner

Comes from the House, Passed to be Engrossed as amended by Committee Amendment "A" (H-363) as amended by House Amendment "B" (H-417), Thereto.

Which Reports were Read.

On motion by Senator Pray of Penobscot, Tabled until later in today's session, pending Acceptance of Either Committee Report.

Senate

Leave to Withdraw

Senator KERRY for the Committee on Judiciary on, Bill, "An Act to Establish the Maine Condominium Act." (S. P. 112) (L. D. 266)

Reported that the same be granted Leave to Withdraw.

Which Report was Read and Accepted.

Sent down for concurrence.

Ought to Pass

Senator GILL for the Committee on Health and Institutional Services on, Bill, "An Act to Require the Department of Human Services to Provide Home-based Care as an Alternative to Nursing Home Care." (S. P. 614) (L. D. 1620)

Reported that the same Ought to Pass pursuant to Joint Order (S. P. 600).

Which Report was Read and Accepted, and the Bill Read Once and Tomorrow Assigned for Second Reading.

Ought to Pass — As Amended

Senator McBREAIRTY for the Committee on Energy and Natural Resources on, Bill, "An Act to Create a Bond Issue for Energy Conservation and Conversion for Small Business." (S. P. 489) (L. D. 1390)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-255).

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

Senator TRAFON for the Committee on Public Utilities on, Bill, "An Act Requiring an Annual Report on Safety Problems by Nuclear Power Plants." (S. P. 420) (L. D. 1242)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-253).

Which Report was Read.

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

Senator PRAY: Mr. President, before we Accept the Ought to Pass Report, or perhaps I'm a little premature, before we Accept the Committee Amendment, I'd like to know the changes in the Committee Amendment to the original Bill.

By quickly looking at the Amendment, we're talking about requiring only the reporting of safety related incidences that are already presently reported to the United States Nuclear Regulatory Commission. If someone on the Committee could explain the difference between the Committee Amendment and the existing Bill, I'd appreciate it.

The PRESIDENT: The Senator from Penobscot, Senator Pray, has posed a question

through the Chair.

The Chair recognizes the Senator from Penobscot, Senator Trotzky.

Senator TROTZKY: Mr. President and Members of the Senate, we have loads of bills coming into the Legislature whereby it asks Maine Yankee to report all kinds of material to different agencies of the State, the libraries, and so on, basically to give the public, a right to know, about safety related incidences, and so on.

What happened here is we stripped the Bill of most of the materials that it had in it. The Committee agreed that Maine Yankee should just send a copy of the report that it sends to the Nuclear Regulatory Commission, will send a copy of this report to the Bureau of Civil Emergency Preparedness, and to the Maine State Library, so that the public, or for that matter, these anti-nuclear groups, if they want, could go in and read about the different safety problems that Maine Yankee might have.

It really doesn't do too much to the Bill, because I think this material is already in the Wiscasset Library. To try and maintain some sort of peace in that Committee, we took out everything that was objectionable, and gave the anti-nuke crowd a little carrot here.

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

Senator PRAY: Mr. President and Members of the Senate, first of all, I'm not an anti-nuke individual. I want nuclear power. As I look at the existing Bill and the Committee Amendment, all of those governmental agencies that we're going to send copies of the report to, happens to be one, according to the Bill. That happens to be the Public Utilities Commission.

I would say that basically by this, is what we've done is we have told the operators of nuclear power plants, we're talking about Maine Yankee, of course, is that instead of sending a copy of the annual report to the Public Utilities Commission, as well as the Bureau of Civil Emergency Preparedness, we're now going to send a copy to the State Library, and the Bureau of Civil Emergency Preparedness. Is that correct?

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

Senator TROTZKY: Mr. President, this is an extremely complex Bill. Senator Trafton is not in her seat right now. I wouldn't want to see the Bill Indefinitely Postponed until Senator Trafton was here to defend her Bill.

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

Senator PRAY: Mr. President, again, seemingly the Senator from Penobscot has given me a clear answer to my question as to whether or not we change Public Utility Commission to the State Library. I take somewhere out of that, he gave me an answer, to that question that I had asked him.

I have, through the debate, had an opportunity to look at the Bill and the Committee Amendment. Basically, all I see is a little bit of window dressing, and an attempt to perhaps please the group which the Senator from Penobscot had mentioned earlier. Basically the Bill really doesn't do too much, since it seemingly is one of those harmless little laws, then I would hope that we would just let it go on its own way through the process.

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

Divided Report

The Majority of the Committee on State Government on, Bill, "An Act to Include Energy Projects and Agricultural Enterprises in the Guarantee Authority of the Maine Guarantee Authority and to Set Aside \$2,500,000 of the Guarantee Capacity for Energy Projects." (S. P. 523) (L. D. 1453)

Reported that the same Ought Not to Pass.

Signed:
Senators:

AULT of Kennebec
GILL of Cumberland

Representatives:

BELL of Paris
WEBSTER of Farmington
DILLENBACK of Cumberland
SMALL of Bath
MASTERTON of Cape Elizabeth

The Minority of the Committee on the same subject matter reported that the same Ought to Pass as amended by Committee Amendment "A" (S-254).

Signed:

Senator:

VIOLETTE of Aroostook

Representatives:

KANY of Waterville
PARADIS of Augusta
DIAMOND of Bangor
MCGOWAN of Pittsfield
LISNIK of Presque Isle

Which Reports was Read.

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

Senator AULT: I move Acceptance of the Ought Not to Pass Report and further move this be Tabled to one day.

The PRESIDENT: The Chair would advise the Senator he came very close to debating a Tabling motion.

On motion by Senator Collins of Knox, Tabled for 1 Legislative Day, pending the motion by the Senator from Kennebec, Senator Ault.

Second Readers

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

House

Bill, "An Act to Give Leaseholders Option to Purchase Lands Acquired by the State in Exchange with Paper Companies." (H. P. 1477) (L. D. 1609)

Which was Read a Second Time.

On motion by Senator Collins of Knox, Tabled for 2 Legislative Days, pending Passage to be Engrossed.

Bill, "An Act Recommending Changes in the Maine Juvenile Code and Related Provisions." (H. P. 1183) (L. D. 1407)

Bill, "An Act to Clarify the Authority of Councils of Governments." (H. P. 710) (L. D. 835)

Bill, "An Act to Permit the Abolition of the Position of Elected County Treasurer and Allow the Appointment of a Treasurer by the County Officers." (H. P. 1488) (L. D. 1615)

Bill, "An Act to Require the County Commissioners to Oversee the Hiring and Dismissal of County Employees." (H. P. 1487) (L. D. 1614)

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

House — As Amended

Bill, "An Act Concerning the Rate of Return on Investment Factor under the Railroad Excise Tax." (H. P. 580) (L. D. 660)

Bill, "An Act Concerning Access by Adopted Children to Biological Family Medical Files." (H. P. 1108) (L. D. 1313)

Bill, "An Act to Revise the Debtor-Creditor Laws to Facilitate the Legal Collection of Debts." (H. P. 1039) (L. D. 1258)

Bill, "An Act to Require a Bond in Certain Suits Seeking to Enjoin School Construction Projects." (H. P. 922) (L. D. 1093)

Bill, "An Act Relating to Compulsory School Attendance and the Enforcement of Truancy." (H. P. 1177) (L. D. 1401)

Bill, "An Act Relating to Student Expulsion." (H. P. 594) (L. D. 671)

Bill, "An Act Relating to State-municipal Revenue Sharing." (H. P. 444) (L. D. 523)

Bill, "An Act Relating to the Maine Sardine Council." (H. P. 1192) (L. D. 1416)

Bill, "An Act to Make Allocations from the

Department of Inland Fisheries and Wildlife for the Fiscal Years Ending June 30, 1982 and June 30, 1983." (Emergency) (H. P. 317) (L. D. 383)

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

Bill, "An Act to Abolish the Position of Elected County Treasurer in Aroostook County and Replace it with an Appointed Treasurer." (H. P. 881) (L. D. 1050)

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

Sent down for concurrence.

Senate

Bill, "An Act Concerning Information Provided by Insurers Prior to Rate Approval." (S. P. 345) (L. D. 988)

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

Sent down for concurrence.

Senate — As Amended

Bill, "An Act to Limit the Amount of State Expenditures which may be made from Undedicated Revenues without Voter Approval." (S. P. 377) (L. D. 1135)

Bill, "An Act Relating to State Participation in Local Leeway under the School Finance Act." (Emergency) (S. P. 265) (L. D. 747)

Bill, "An Act to Require Public Hearings Prior to Proposing Exchanges of Public Reserved Lands." (S. P. 455) (L. D. 1301)

Bill, "An Act to Protect Public and Private Property from Ice Jams." (Emergency) (S. P. 479) (L. D. 1362)

Bill, "An Act to Amend the Law Relating to the Public Reserved Lands." (S. P. 412) (L. D. 1216)

Bill, "An Act to Enable the State of Maine to Fund Waste Water Treatment Systems in the Event Federal Funds are not Included or Limited in Future Federal Budgets." (S. P. 573) (L. D. 1542)

Which was Read a Second Time and Passed to be Engrossed, as amended.

Sent down for concurrence.

Bill, "An Act to Remove the Customer Charge from Electric Utility Rate Structures." (Emergency) (S. P. 417) (L. D. 1240)

Which was Read a Second Time.

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

Senator TROTZKY: Mr. President, I move that LD 1240 be Indefinitely Postponed.

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

Senator CONLEY: Mr. President, I move that this item be Tabled until later in today's session.

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

Senator TROTZKY: I request a Division.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of the motion by the Senator from Cumberland, Senator Conley, that L. D. 1240 be Tabled until later in today's session, please rise in their places to be counted.

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

18 Senators having voted in the affirmative, and 11 Senators having voted in the negative, L. D. 1240 was Tabled until later in today's session, pending the motion by the Senator from Penobscot, Senator Trotzky.

Enactor

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

AN ACT Providing for Administrative Changes in the Tax Laws." (H. P. 118) (L. D. 152)

Which was Passed to be Enacted and having been signed by the President was by the Secre-

tary presented to the Governor for his approval.

Orders of the Day

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

HOUSE REPORT—from the Committee on Taxation—Bill, "An Act to Remove the Town of Medford from the Maine Forestry District." (H. P. 252) (L. D. 292) Ought to Pass as Amended by Committee Amendment "A" (H-380)

Tabled—May 18, 1981 by Senator TEAGUE of Somerset.

Pending—Acceptance of Report

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

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

SENATE REPORT—from the Committee on Labor — Bill, "An Act to Require the Workers' Compensation Commission to Conduct a Data Systems Study." (S. P. 189) (L. D. 491) Ought to Pass as Amended by Committee Amendment "A" (S-244)

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

Pending—Acceptance of Report.

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:

SENATE REPORTS—from the Committee on Local and County Government—Bill, "An Act to Reorganize the Government of Aroostook County." (S. P. 533) (L. D. 1494) MAJORITY REPORT Ought Not to Pass; MINORITY REPORT Ought to Pass in New Draft under Same Title (S. P. 611) (L. D. 1616)

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

Pending—Acceptance of Either Report.

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

Senator PERKINS: Mr. President, I move the Majority Ought Not to Pass Report.

The PRESIDENT: The Senator from Hancock, Senator Perkins, moves that the Senate Accept, the Majority Ought Not to Pass Report of the Committee.

The Chair recognizes the Senator from Aroostook, Senator McBreairty.

Senator McBREAIRTY: Mr. President and Honorable Members of the Senate, I would hope that we do not Accept the Majority Ought Not to Pass Report, this is a straightforward Bill. It just authorizes us to appoint a committee to review Aroostook County Government. If we do this we will come back to the Legislature next year with what we feel can be an improved Bill over the one that I put in this year. If the Legislature so wishes, they can approve it, amend it. If they do so it will go to referendum in the fall, of 1982.

I seriously feel that, at least, Aroostook County Government should be reorganized. I am very unhappy with the way that it is operating, and this would give us a chance to do something, to come up with something better.

This is a bipartisan, amended, Bill co-sponsored by Senator Carpenter. The amendment was drafted by the county attorney of Aroostook County and I would hope that you would not go along with Ought Not to Pass, so that we could accept the Minority Ought to Pass Report. Thank you.

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

Senator PERKINS: Mr. President and Ladies and Gentlemen of the Senate, I don't

have any disagreement with my good friend from Aroostook, Senator McBreairty. The Committee heard the Bill, looked it all over, and after careful scrutiny decided that there was nothing within the Bill that could not be done without the Legislature becoming involved in it. It is all optional there is nothing mandatory within the Bill. The Bill can be done very well, as is, without the Legislature messing in it at all.

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

Senator EMERSON: Mr. President and Ladies and Gentlemen, I would ask you to support the Ought Not to Pass Report. As the Senator from Hancock said, there is nothing in this Bill, that can't be done under present home-rule for counties bill. The only difference is that this Bill does not allow the people in Aroostook one opportunity to vote on it, in that they would not vote for the Charter Commission, as the Home rule Bill provides for, and they would not vote who was going to be on the commission.

So I would urge you to support the Ought Not to Pass Report.

The PRESIDENT: The Chair will order a Division.

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

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

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

Sent down for concurrence.

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

Bill "An Act Concerning the Taking of Wood without Permission of the Owner." (H. P. 144) (L. D. 170)

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

Pending—Enactment.

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

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

Bill, "An Act to Provide Greater Local Control over Liquor Licensing." (H. P. 1452) (L. D. 1592)

Tabled—May 19, 1981 by Senator VIOLETTE of Aroostook.

Pending—Enactment.

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

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

Bill, "An Act to Increase the Bonding Limit on Maine State Housing Authority Bonds Secured by the Housing Reserve Fund." (S. P. 418) (L. D. 1241)

Tabled—May 18, 1981 by Senator PIERCE of Kennebec.

Pending—Enactment.

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

Senator PIERCE: Mr. President and Members of the Senate, I am not going to make any motion on this Bill, this morning, but I just would like to bring it to the Senate's attention, that this is another increase of \$80 million, in the Bonding Authority.

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

Senator NAJARIAN: Mr. President, I would like to read into the Record, a statement to

clean up the concern of Bond Counsel it is in the Statement of Fact, but they do not seem to take the State's word for it that the Statement of Fact doesn't become law.

So as sponsor of this Legislation, I would like to note a minor point in the Statement of Fact, it was mentioned in the hearing and work sessions, but has not yet been pointed out on the Floor. The Bond Issue is for the Authority's mortgage purchase program which can be used for single family housing for elderly and low income people, as well as, for multi-family housing, which is noted in the Statement of Fact.

On motion by Senator Pierce of Kennebec, Retabled until later in today's session.

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

HOUSE REPORT—from the Committee on Transportation—Bill, "An Act to Establish a Fee for the Purchase of New Number Plates." (H. P. 337) (L. D. 376) LEAVE TO WITHDRAW

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

Pending—Acceptance of Report.

Which Report was Accepted, in concurrence.

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

Bill, "An Act to Establish a Consolidated Map of the State." (H. P. 1158) (L. D. 1379)

Tabled—May 18, 1981 by Senator PRAY of Penobscot.

Pending—Passage to be Engrossed.

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

Senator PRAY: Mr. President and Members of the Senate, perhaps by far the easiest way to deal with this Bill would be to allow it to continue through the process and end up on the Appropriations Table, since it's asking for \$100,000 from the General Fund.

Basically, my position on the subject matter itself, is that I think that the State should be making and printing maps and distributing them to the people of the State of Maine, or visitors to the State of Maine at no fee. We've spent hundreds of thousands of dollars promoting tourists to come to the State, and continuously make those attempts to provide something for those who do come to Maine.

I do, in that instance, support, or feel the Department of Transportation should continue on the Highway Mapping Program, and it should come out of the Highway Budget.

I do have some reservations concern about this appropriations of \$100,000 from the General Fund. I think that it will eventually end up dead anyway because the money isn't there on the Appropriations Table to deal with.

Thus, to save us some time and possible expense, I'd move the Indefinite Postponement of this Bill and its accompanying papers.

On motion by Senator Pray of Penobscot, the Bill and all its accompanying papers, Indefinitely Postponed, in non-concurrence.

Sent down for concurrence.

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

HOUSE REPORT—from the Committee on Education — Bill, "An Act Authorizing Reasonable Fees on Nonresident Users of Public Libraries." (H. P. 548) (L. D. 624) Ought To Pass as Amended by Committee Amendment "A" (H-415)

Tabled—May 18, 1981 by Senator PIERCE of Kennebec

Pending—Acceptance of Report

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

Senator TROTZKY: Mr. President and Members of the Senate, I rise to make the Senate aware of two bills that are in the Legislature which, at this time, have to do with providing extra support for area reference and resource

centers. These are libraries, the library in Bangor, and the library in Portland, and I believe the State Library here.

Portland, right now, according to their librarian and members of their City Government, are complaining that they're having difficulties supporting the library in Portland, that the taxpayers in Portland are basically supporting the library. Non-resident users all around the greater Portland area are making use of that library.

What this Bill does is says, that an area reference and resource center can charge a fee to a non-resident user. This is a drastic change in the concept of our libraries in the State of Maine, the concept of free access. Free access being that every person can come into a library, can borrow a book, without payment of any kind of fee to the area resource centers.

Basically, I oppose this Bill. At this time, I'm going to let the Bill go along its way until it reaches its Enactment stage. There is another bill, which is now, I believe, in the Appropriations Committee. It's LD 864, which is "An Act to Support Regional Library Systems," which makes a direct appropriation, per capita appropriation to the area reference and resource centers.

I'm hoping that these monies will be found to adequately support these centers in LD 864, in which case, at Enactment, I will move the Indefinite Postponement of this Bill.

If the other bill does not pass with adequate funds on it, I think we may have to seriously consider Passage of LD 624 before us.

I do want to make the point that we do have free access to these area resource centers. The Maine Governor's White House Conference on Libraries, in 1979, passed a resolution in which free access was a top priority. It's a principle objective also of the Maine Regional Library System to maintain this free access. I do want to make the Senate aware of this Bill now, and let it go on its way.

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

On motion by Senator McBreairsty of Aroostook, the Senate voted to Reconsider its action of earlier in today's session whereby the Senate Insisted and Joined in a Committee of Conference with the House on the Bill, "An Act Relating to Periodic Justification of Departments and Agencies of State Government under the Maine Sunset Law." (H. P. 1411) (L. D. 1576).

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

Senator McBREAIRTY: I move we Adhere.

The PRESIDENT: The Senator from Aroostook, Senator McBreairsty, moves that the Senate Adhere.

Is this the pleasure of the Senate?
The motion prevailed.

On motion by Senator Conley of Cumberland, there being no objections all items previously acted upon were sent forthwith.

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.

Recess

After Recess

The 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 Joint Orders

Expressions of Legislative Sentiment recognizing:

Carla Thompson, the daughter of Mr. and Mrs. Bernard Thompson of Limestone, Valedictorian of Limestone High School, Class of 1981. (H. P. 1492)

Linda Hodges, the daughter of Major and Mrs. Dan Hodges of Loring Air Force Base, Salutatorian of Limestone High School, Class of 1981. (H. P. 1493)

The University of Maine, Orono baseball team, top seed in the ECAC New England championship, and coach John Winkin, for an outstanding 26-11 regular season. (H. P. 1494)

John Hammond, Jr., of East Stoneham who has achieved the high honor and distinction of becoming an Eagle Scout. (H. P. 1495)

Delmar D. Small, of Litchfield, who is the Valedictorian of Oak Hill High School, Class of 1981. (H. P. 1499)

Diane L. Johnson, of Wales, who is the Salutatorian of Oak Hill High School, Class of 1981. (H. P. 1500)

Vince Cuozzo, of Bangor, who has contributed so much over the years as a teacher, coach and friend to the youth of that community. (H. P. 1501)

David Warren, Andrew Osborn and Aart-Jan Tielman of Maranacook Community School's mathematic team, who won honors at the University of Southern Maine. (H. P. 1502)

Nancy Anne Evans, who has been selected as Salutatorian of the Class of 1981 at Lincoln Academy. (H. P. 1503)

Michael Corson, of Albion Boy Scout Troop 446, upon attaining the high rank and distinction of Eagle Scout. (H. P. 1504)

Robert Kanzler, of Albion Boy Scout Troop 446, upon attaining the high rank and distinction of Eagle Scout. (H. P. 1505)

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

Communications

Committee on Aging, Retirement and Veterans May 18, 1981

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

Dear President Sewall:

The Committee on Aging, Retirement and Veterans is pleased to report that it has completed all business placed before it by the first regular session of the 110th Legislature.

Total number of bills received 42

Unanimous reports 39

Leave to Withdraw 16

Ought Not to Pass 2

Ought to Pass 10

Ought to Pass as Amended 10

Ought to Pass New Draft 1

Divided Reports 3

Committee Initiated Bills

from Joint Orders 0

Respectfully submitted,

S/THOMAS M. TEAGUE

Senate Chairman

Which was Read and Ordered Placed on File.

House of Representatives

May 19, 1981

Honorable May M. Ross
Secretary of the Senate
110th Legislature
Augusta, Maine

Dear Madam Secretary:

The House today voted to Insist and Join in a Committee of Conference on Bill "An Act Relating to the Public Utilities Commission Officials' and Employees' Compensation" (H. P. 577) (L. D. 657)

The Speaker appointed the following members of the House to the Committee:

Representative DAVIES of Orono
Representative WEBSTER of Farmington
Representative DILLENBACK of Cumberland

Respectfully,

S/EDWIN H. PERT

Clerk of the House

Which was Read and Ordered placed on File.

House of Representatives

May 19, 1981

Honorable May M. Ross

Secretary of the Senate

110th Legislature

Augusta, Maine

Dear Madam Secretary:

The House voted today to Adhere to its former action whereby it accepted the Majority "Ought Not to Pass" Report of the Committee on Business Legislation on Bill "An Act to Bring Noncarbonated Beverages such as Fruit Punch and Iced Tea into Compliance with Maine's Beverage Container Law" (S. P. 367) (L. D. 1086)

Respectfully,

S/EDWIN H. PERT

Clerk of the House

Which was Read and Ordered Placed on File.

Committee Reports

House

Divided Report

The Majority of the Committee on Education on, Bill, "An Act to Add a Class Size Adjustment to the School Finance Act." (H. P. 1176) (L. D. 1400)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-413).

Signed:

Senator:

CLARK of Cumberland

Representatives:

CONNOLLY of Portland

MURPHY of Kennebec

THOMPSON of South Portland

GOWEN of Standish

ROLDE of York

LOCKE of Sebec

THERIAULT of Fort Kent

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

Signed:

Senators:

TROTZKY of Penobscot

PIERCE of Kennebec

Representatives:

BROWN of Camden

MATTHEWS of Caribou

BROWN of Livermore Falls

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A" (H-413).

Which Reports were Read.

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

Senator TROTZKY: I move the Senate Accept the Minority Ought Not to Pass Report of the Committee.

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

The Chair recognizes the Senator from Cumberland, Senator Clark.

Senator CLARK: Mr. President, Men and Women of the Senate, here we go again. If you will look at your Supplement Number 3, you can see that the Committee on Education has divided in a nonpartisan way, the Majority of that Committee supporting L. D. 1400, "An Act to Add a Class Size Adjustment to the School Finance Act," as amended, by Committee Amendment "A".

The hearing on this bill can be highlighted rather concisely. L. D. 1400 recognizes a rela-

tionship between class size and educational quality, and offers incentives rather than mandates to encourage local school systems to provide lower pupil/teacher ratios in those grades where the foundations of education are laid, in those grades K-3, where little people require large amounts of professional instruction to lay the foundations for the basic skills of survivorship, if you will, in today's society.

There were those who testified in opposition to this Bill. I might add that the Committee Amendment, under filing number H-413, changes the Bill from grade 1-3 to grade K-3. There was opposition, but the opposition was based, not on the need or the merit or the quality of instruction, no one denies that really, rather that the percentage of State-aid for education will not be dramatically increased in the near future enough to compensate for this.

It is the feeling of the Committee on Education that, indeed, it will. We all recognize that the maintenance of pupil levels below 20 is not ideal, but rather a necessity, because it gives both those little people and the teachers who are there to serve them a better learning environment for individual attention in the skill areas, and contributes, as we know, to the high quality of education which we all subscribe, or to which we all subscribe.

I would urge you to defeat the pending motion so that we may Accept the Ought to Pass, as amended, Report.

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

Senator TROTZKY: Mr. President, Members of the Senate, essentially what this Bill is doing is saying to communities, it's saying, we're going to give you for every reduction in the number of children at class under 20, we're going to give you about \$500 a kid for each time you reduce the number of kids in the class.

Now, essentially it is a state incentive, but if you look at the price tag on the Bill, the price tag is about \$1.4 million. My feeling is, you know, give the communities as much General Purpose Aid as they can get. That's the priority. Let them decide where they want to reduce the class sizes or what they want to do.

The other day I tried to raid the Appropriations Act for a few million dollars, which was just General Purpose Aid. That's all it was, to give money to communities. They can reduce their class size. They can get more teachers, but to say that this is going to be our priority here, to reduce class sizes by providing 1.4 million dollars as incentive, that's not my priority. My priority is to get communities some General Purpose Aid and leave the communities the option of deciding what they want to do with the money.

We can't afford this incentive, the State, and to me it is really not a priority.

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

Senator CLARK: Thank you, Mr. President. Men and women of the Senate, while my colleague and Chair of the Joint Standing Committee on Education has his priorities, I would suggest that his priorities are echoed unanimously by that Standing Committee on Education, but the fact of the matter remains and still exists, and we all recognize it, that General Purpose Aid is barely adequate, and little people in their particularly formative years, and the very essence of skills are required, need lower class/teacher, student/teacher ratios.

The purpose here, yes, is to provide an incentive, an incentive, yes, with money as the incentive, because lower class/teacher/student ratios cost money, and for those communities who are willing to address and probably assume some of the costs themselves, the State or our committee, in a Majority Report, suggests that this is an appropriate vehicle.

The communities can decide now, under their General Purpose Aid allotment but there aren't enough dollars to go around to address

this critical need.

Can any of you people in this Chamber deny that is in the formative years, in the early, early years of public education that the core skills for success in future educational efforts are developed and in fact laid, and that all of the monies that we so freely give to exceptional children for resource rooms, for special education teachers, might not be in such demand today if, little people were given an opportunity for a more individualized program in their formative schooling years.

Again, I invite you to defeat the pending motion so that we may accept the positive report from the committee.

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: Mr. President, Ladies and Gentlemen of the Senate, we, in my district, District 56, Stockton, Frankfort, and Searsport, went through this, something similar to this, this past year, and the voters in that district didn't want this plan. The plan was to transport the K-3 about 20 miles so they'd all be in one schoolhouse, bus them by their own schoolhouse down to another town, and utilize the teachers, of course, to the best advantage, having 20 students per teacher.

Well the people in my district voted overwhelmingly against that plan. They wanted their children in their own town from K-8, and they didn't like the idea of transporting Kindergarten children 20 miles, when they were bused right by their own schoolhouse, which they would be, as I understand this Bill under a school administration district, to another schoolhouse down the road about 10 miles then busing the children down there 4-6 up the other way another 8 or 10 miles, and I wonder who is going to get the benefit out of this the children or who?

I think, probably, this would be a great incentive for the School Boards and the Superintendents to sell this plan, a plan that the towns people didn't want, over in my district, at least. In that small school district, I think there was 1400 enrolled voters, 900 of them signed petitions against such a plan. So I don't think there was any overwhelming support for it. Personally, I think the amount of money that would be used this Bill, might be better used in other ways, rather than to encourage busing young children further than need be, and this would be quite an incentive to the taxpayer to say, well, we can give this up and let the children ride 20 miles and we'll save a dollar and a half on our taxes next year.

I hope that you kill the whole Bill.

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 Penobscot, Senator Trotzky, 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.

16 Senators having voted in the affirmative, and 14 Senators having voted in the negative, the motion to Accept the Minority Ought Not to Pass Report in non-concurrence, does prevail. Sent down for concurrence.

Divided Report

The Majority of the Committee on Transportation, Bill, "An Act Requiring Motorists to Protect Children in Motor Vehicles by Use of Approved Child Safety Seats." (H. P. 1360) (L. D. 1545)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-411).

Signed:

Senators:

EMERSON of Penobscot
O'LEARY of Oxford
USHER of Cumberland

Representatives:

CARROLL of Limerick
FOWLIE of Rockland
MACOMBER of South Portland
REEVES of Pittston
MOHOLLAND of Princeton
McKEAN of Limestone

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

Signed:

Representatives:

STROUT of Corinth
HUTCHINGS of Lincolnville
HUNTER of Benton
McPHERSON of Eliot

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A" (H-411).

Which Reports were Read.

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

Divided Report

The Majority of the Committee on Local and County Government on, RESOLVE, Requiring the State Planning Office to Conduct an Educational Program on Manufactured Housing, and Directing the Committee on Local and County Government to Monitor and Report on the Program. (Emergency) (H. P. 892) (L. D. 996)

Reported that the same Ought Not to Pass.

Signed:

Senators:

AULT of Kennebec
PERKINS of Hancock
CHARETTE of Androscoggin

Representatives:

WENTWORTH of Wells
RIDLEY of Shapleigh
STOVER of West Bath
CURTIS of Waldoboro
ARMSTRONG of Wilton

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-412).

Signed:

Representatives:

LaPLANTE of Sabattus
PARADIS of Old Town
SWAZEY of Bucksport
McHENRY of Madawaska
ROBERTS of Buxton

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A" (H-412).

Which Reports were Read.

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

Senator EMERSON: Mr. President, I request a Division. I rise and make a plea in support of this Resolve. Last year, the Local and County Government Committee had L. D. 1758 before it, "An Act to Prevent the Exclusion of Manufactured Housing from Maine Towns by Unduly Restrictive Police Power Ordinances."

During the public hearing and work session, we reviewed this issue. We were convinced that a problem did exist, that in fact, some municipalities did effectively exclude manufactured housing through zoning ordinances, although it did not seem to be widespread.

We, also, were convinced that there is a need for this type of housing, because of today's high cost of stick built housing. Even families at a middle income level find it difficult to live in traditional housing.

As I remember L. D. 1758, it would have required that municipalities allow manufactured housing in most, but not in all zones. The Committee did not want to recommend legislation with this requirement, nor did it want to over-

look an obvious problem. It did decide that more information was needed.

We recommended a statewide study be made. The Resolve was passed setting up a study committee. Four members from the Legislature, one from the Maine Municipal Association, and one from the Manufactured Housing Industry, from that study this Resolve came about.

This Resolve gives this Legislature, the municipalities, and the people having the problem the best possible solution, right now. It leaves the Legislature in a position of not walking away from a problem all together, or having to pass the buck for someone else, and for a change we will have provided some help, without any cost beyond what has already been spent.

It leaves the municipalities with the time they need to change their ordinances without us dictating to them what they should or should not do on a local basis. It leaves the people who are complaining about this problem, with a hope that the problem is now going to be solved.

Municipalities which don't have exclusionary ordinances will be happy to see we haven't passed a law taking away their home rules just, because some of their members are abusing that authority.

Some people in the courts will be happy to have us try to reach a solution, here, instead of having the court deal with the same issue time after time with this burden on top of its already great burden.

So, I'd urge you not to support the Ought Not to Pass Report.

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

Senator PERKINS: Mr. President, Ladies and Gentlemen of the Senate: I rise as one of the Majority signers on the Ought Not to Pass Report for several reasons. One of the reasons being that we felt that this was giving a separate industry special treatment.

The Planning Office is already doing this training, and this, we feel, is in the realm of the Maine Municipal Association so, therefore, is already being handled.

For us to deal with this as a special industry, we feel, is giving special treatment, and therefore, is unnecessary Legislation for a special group of businesses.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of the motion to Accept the Majority 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.

The Chair recognizes the Senator from Kennebec, Senator Ault.

Senator AULT: I request a Roll Call.

The PRESIDENT: A Roll Call has been requested. Under the Constitution, in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

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

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

The Chair recognizes the Senator from Kennebec, Senator Ault.

Senator AULT: Mr. President and Members of the Senate: I am on the Ought Not to Pass Report on this Bill for one very particular reason, which Senator Perkins mentioned. This Bill would inform the local officials of the laws pertaining to the bills pertaining to manufactured housing, mobile homes, etc. I can't understand why we'd pass a law to educate the local officials on how to accept a special industry in their town. We could just as well pass a law to say why we should not have vinyl siding versus aluminum siding. That's why I voted for

the Ought Not to Pass Report. I think it's wrong for a specific industry to be specially treated in our municipalities.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Sutton.

Senator SUTTON: Mr. President, I'd like to direct a question through the Chair to anyone who might answer. I probably missed it a little bit here in the debate that's already ensued, but having two manufactured housing companies in my town, I am concerned, knowing that they brought the Bill before us last Session. Bills were turned down. A Study was made. Where is the manufactured housing companies left at this point if we don't Enact this particular piece of legislation, as far as their dilemma in dealing with the communities across the State?

The PRESIDENT: The Senator from Oxford, Senator Sutton, has posed a question.

The Chair recognizes the Senator from Hancock, Senator Perkins.

Senator PERKINS: Mr. President, Ladies and Gentlemen of the Senate, the State Planning Office has already incorporated a planning program which is to educate the governing bodies of our local communities. The Maine Municipal Association, which is the advisory body of the communities, is also responding to this. There indeed was a study. There indeed was a problem. We believed by the virtue of the study and by the State Planning Office already having initiated this helpful thing with the communities, that this piece of legislation is no longer needed.

The study did point out some of the areas. It was educational within itself. For the fact that the Planning Office is addressing the problem, we feel it has taken care of a good deal of the problem and more will be solved by the educational part that the Planning Office is now giving.

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

Senator AULT: Mr. President and Members of the Senate: The town of Wayne and other towns in my district pay dues to the Maine Municipal Association. It seems to me that they can provide this service to inform the local constituents where the legislators fail to do so on what laws we pass up here.

I'd like to point out to the Senator from Oxford, Senator Sutton, that I believe that there is a private business up in Oxford that sells pool tables. Maybe we ought to pass a bill in this Session to educate the local communities on why pools are of more benefit to the local children than pinball machines are.

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

Senator CLARK: Thank you, Mr. President. Men and Women of the Senate, probably most of you are wondering what in the world I'm standing and speaking on this item. I sometimes wonder why I'm doing it myself, after I've listened to what transpired thus far in this Chamber.

Perhaps you remember, maybe you don't even want to remember, the lengthy debate we had on entrance fees to mobile home parks, and it was during that debate, that I alluded to the pervading, continually pervading, restrictive zoning ordinances and other kinds of restrictive housing development and plans that occur across our state which literally excludes a large segment of new housing in this state, and it is in that light that I am supporting the Minority Report of this Committee on Local and County Government, and it is because of that fact that during the Committee on Business Legislation's deliberations on the entrance fee to mobile home parks, that we became fully apprised as to the lack of availability for siting of manufactured housing that I became aware of the issue that's before us.

Now, I was here when, initially, the study passed through the Legislative mill, so to speak, and I honestly must admit that if a report came across our desk that I did send it

to my library, but I probably didn't read it, but I do acknowledge the fact that there are still municipalities in the State of Maine, some of them within my own Senate District, who exclude manufactured housing, particularly in the form of mobile homes, from siting, or locating them, within the perimeters of their town, and I would suggest to you, I'd do more than suggest, I would submit to you that despite the efforts of the Maine Municipal Association, or maybe even state agencies, or even the awareness of some of our local municipal officers, that those restrictive, and I suggest, illegal zoning ordinances, and/or town plans, are currently and still being implemented, and will continue to exclude mobile homes or other forms of manufactured housing until they are educated to the fact that, to the fact, or of the facts that are contained in this report.

I join with the good Senator from Penobscot, Senator Emerson, and his plea for the Minority Report.

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

Senator CHARETTE: Mr. President, women and men of the Senate, being the freshman Senator on Local and County Government, and not having taken part in the survey that was performed, naturally, I get to read the report, but one would have to read it several times to digest the whole report. As the good Senator from Cumberland, Senator Clark, mentioned that, perhaps, not too many read the report, however, in the discussions on the hearing on this, you know, it was the strong feeling that the report did bring out certain problems, and everything else, and the Planning Office has suddenly taken action on this, and we felt that a resolve to mandate the State Planning Department to conduct an Educational Program, for just one industry in Maine, seems to set a precedence over some other industries, and I guess I went on those bases, and supported the Ought Not to Pass Report. Thank you.

The PRESIDENT: The pending question before the Senate is the motion to Accept the Majority Ought Not to Pass Report of the Committee.

A Yes vote will be in favor of the motion to Accept the Majority Ought Not to Pass Report of the Committee.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA — Ault, Brown, Charette, Collins, Conley, Devoe, Dutremble, Gill, Hichens, Huber, McBrearty, Perkins, Pray, Sewall, C.; Shute, Teague, Trafton, Trotzky.

NAY — Bustin, Carpenter, Clark, Emerson, Kerry, Minkowsky, Najarian, O'Leary, Pierce, Sutton, Usher, Violette, Wood.

ABSENT — Redmond.

A Roll Call was had.

18 Senators having voted in the affirmative and 13 Senators in the negative, with 1 Senator being absent, the Majority Ought Not to Pass Report, was Accepted non-concurrence.

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

Senator PERKINS: Mr. President, having voted on the prevailing side, I move reconsideration.

The PRESIDENT: The pending question before the Senate is the motion by the Senator from Hancock, Senator Perkins, that the Senate Reconsider its action whereby it Accepted the Majority Ought Not to Pass Report of the Committee.

Will all those Senators in favor of Reconsideration, please say "Yes."

Will all those Senators opposed please say "No."

A Viva Voce Vote being had, the motion to Reconsider does not prevail.

Sent down for concurrence.

Divided Report

The Majority of the Committee on Judiciary on, Bill, "An Act to Provide for the Election of Jury Trials in Certain Criminal Cases." (H. P. 1328) (L. D. 1527)

Reported that the same Ought to Pass.

Signed:
Senators:

DEVOE of Penobscot
CONLEY of Cumberland
KERRY of York

Representatives:

HOBBINS of Saco
DRINKWATER of Belfast
O'ROURKE of Camden
LIVESAY of Brunswick
SOULE of Westport
LUND of Augusta
JOYCE of Portland

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

Signed:

Representatives:

REEVES of Newport
BENOIT of South Portland
CARRIER of Westbrook

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

Which Reports were Read.

The Majority Ought to Pass Report of the Committee, Accepted, in concurrence. The Bill Read Once and Tomorrow Assigned for Second Reading.

Enactors

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

AN ACT to Update and Clarify Legislation Concerning Agencies within or Affiliated with the Department of Business Regulation. (H. P. 1453) (L. D. 1597)

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

AN ACT to Reimburse Owners of Livestock, Poultry or Beehives which are Destroyed or Damaged by Dogs and Wild Animals. (S. P. 582) (L. D. 1558)

AN ACT Amending the Statutes Relating to Restitution. (H. P. 1185) (L. D. 1409)

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

AN ACT to Permit the Publication of the Names of Juveniles in Connection with Arrests and Court Appearances. (H. P. 742) (L. D. 880)

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

Senator DUTREMBLE: Thank you, Mr. President. Men and Women of the Senate, when I listened to the debate on this Bill last week, I was a little concerned at exactly what we're trying to do by releasing names of juveniles after their arrest and make their appearance in court.

I've been involved with kids of this age for 12 years. I've been a little disturbed at exactly what we're going to do here. I've just got a few questions here that I'd like to have answered by Members of the Committee if they'd like to answer.

First of all, exactly what is the purpose of having something like this passed? What do you expect it to do as far as affecting the person involved here? Do you expect a juvenile, do you expect this to act as a deterrent to the juvenile? Do you expect it to help them if we print his name? I'd like to know what you expect to do there.

Secondly, is that how do you expect people to react to the person named? In other words, myself as a teacher, or as a neighbor, or as a business owner, after seeing somebody's name appear in the paper, which is a juvenile offender committing a minor crime, criminal mis-

chief, how do you expect people to react to them? I'd just like to know what we intend to do with these publications?

The PRESIDENT: The Senator from York, Senator Dutremble, has posed several questions through the Chair.

The Chair recognizes the Senator from Penobscot, Senator Devoe.

Senator DEVOE: Thank you, Mr. President. I will try to take these questions in order. We've had several bills before us this year dealing with the juvenile question. What do we do to express the sentiment that is out there among the broad populace, as to "cracking down" on the juveniles?

This proposal was a compromise. What the Amendment proposes to do is to provide that once a juvenile has been found guilty of what would be a Class D crime, that the next time he does that, his name is going to appear in the newspaper, and the court proceedings will be open to the public.

What happens now is that only offenses that are Class A, B, and C are open. There is a legitimate feeling among a lot of people in the State, they should know juveniles who are being charged with crimes. So this places a compromise in the statute that if you have been found guilty of a Class D offense once, it is a warning to the juvenile that the second time you are charged with a Class D offense, that the proceedings may be open to the public, and your name may hit the newspapers.

The reason for that is that people have a right to know about the young people around them, whether they are misbehaving.

How am I going to react, or how are you going to react, or how is any citizen in this State going to react if we see the name of a juvenile? I don't think that I can predict how other people are going to react. I have a personal feeling that I will be somewhat disappointed if I see the name of a youngster that I happen to know. That's a personal feeling, okay?

I think it is a legitimate subject of inquiry for people, because one thing has become evident before our Committee this year, there is a great dissatisfaction among the voting public at large, that is aimed at criminals getting away with things, people getting away with violation of the law.

There is a desire, and I think it is partly fulfilled by this compromise Bill that we're talking about now. There's a desire that people have a right to know who's creating mischief in society.

That's my effort and my attempt to answer the question of the good Senator from York, Mr. President.

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

Senator CARPENTER: Mr. President and Ladies and Gentlemen of the Senate, I haven't been paying too much attention to this Bill as it went along. I just now have gotten interested in it, somewhat along the same lines as the good Senator from York, Senator Dutremble. I'm just afraid that maybe because there is, and I realize there is, a great deal of pressure and sentiment out there to do something about the juvenile problem that we're going to do something which in essence may be setting up a separate honor roll, if you will, for certain youngsters. We just may have a mad scramble by certain kids to see how many can get on that honor roll and get their name in the paper.

I'm not sure that, that kid that is convicted for the second time of a Class D crime, I'm not sure, if the intent here is to deter him or her from doing that mischief, that is the intent, I assume, of this Bill, is to say, gee, if I, you know, just as he's about to throw that rock and break that window, that boy, this time I'm going to get my name in the paper, boy, it just may be incentive to create a few more Sandy Koufax's. I'll tell you, I'm just concerned about that. Did the Committee consider that as a pos-

sibility, as sort of a reverse psychological position? First question.

The second question, not question, I guess, just kind of a comment, I think I would feel more comfortable with this Bill, that it might accomplish more if it said that the parent's name would appear in the paper along with the child. I don't know that we wouldn't accomplish at least as much if perhaps more. Thank you.

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

Senator DEVOE: Thank you, Mr. President. In response to the good Senator from Aroostook's question, the Committee did discuss the possibility that there might be some children who feel this is their chance to get publicity, but it was the decision of the Minority of the Committee that Reported this Bill out, that the chances were much greater that there was going to be far greater number of juveniles who are deterred, either because they don't want to embarrass themselves, or, an even better motive, they don't want to embarrass their families.

Now, when you get down to the point of whether or not the parent's names also ought to be in the paper, if you come from a community the size of Orono, where I live, if you happen to read the newspaper. We have two papers that serve our community. One is the Bangor Daily News, which we get every day. One is the Old Town-Orono Times, which comes out every week. You rarely have, in either paper, juvenile court news. You might on a rare instance get it, but the Bangor Daily News is rarely interested in juvenile court proceedings, even A, B, and C crimes.

If you do get a report in the paper listing a juvenile's name, if you had any interest at all, it's not going to take you much time to decide that Raymond Jones, age 15, was charged with a certain offense, or knowing that the father and mother, or one parent or the other of Raymond Jones, is Mr. or Mrs. So-and-so, who live on such-and-such a street. I really don't consider the question raised by the Senator from Aroostook a truly serious question, because I submit that in virtually any community, if you want to know who the parents of a named juvenile, whose name you have read in the paper, you can find out by making one or two inquiries. You can call the police department for starters. You could call a newspaper. You could call neighbors or friends. You could look up the name in the phone book. That might or might not be a guide. I think you can find out.

It was the Committee's belief that there would be far more juveniles deterred from committing a Class D crime because their name might be in the newspaper, and they would realize that the parents would be embarrassed and humiliated. We recognized the fact that there might be a handful or two of kids who look on this as a way to get their name in the newspaper. We can't help that. We believe there's a far greater number of children who will be deterred. Thank you very much, Mr. President.

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

Senator DUTREMBLE: Mr. President, Men and Women of the Senate, I understand where there's a great degree of dissatisfaction today with criminals and crime. I think the direction we're going, we're taking on these juveniles, for committing minor, minor crimes, mischievous crimes. I like to call them mistakes. I understand they're still breaking the law, but they're mistakes. Whether it's one mistake, two mistakes, three mistakes, they are still mistakes.

I just want you to realize that the other day, after we talked about this in this Body here, the very next day on the front page of the Portland Press Herald, I think the headlines were "The Senate goes after Lawbreaker Kids". It didn't make any distinction between A, B, C, and D

crimes. It said that "the Senate goes after law-breaker kids." That's exactly what were going to do here. We are going to be branding people who are making mistakes. The people that we're talking about, the juveniles that we're talking about, are the kids that usually won't cause any problems when they grow up. I'm just wondering here, if by branding them as criminals to their neighbors, to their fellow students, to their teachers, if we are not in essence on one hand, having a group of people rejecting them because they are criminals, or lawbreakers, and on the other hand, making them heroes in the eyes of some other people. I'm just wondering which group of people they're going to start hanging around with. Who's going to encourage them?

I think there is enough pressure right now that the juveniles are facing without placing any more pressure on them in this respect. I think that if the person should be punished, punish him. Make the punishment fit the crime. I see no, no reason at all why the juvenile's name should be in the paper. I can see no purpose, useful purpose at all. It can only hurt that juvenile. It can only hurt him. It can't help him, by putting his name in the paper, it's not going to help him one bit. If you do hurt him, I just wonder if you're turning him away, setting him in the opposite direction, and maybe turning that person into a much more vicious criminal than what was purported in the Class D crime, which could be loitering, which could be failing to disperse, but still could be reported as criminal mischief.

This question, this whole thing, you know, what we are doing. It's not going to be a deterrent. I would dare say that a lot of these Class D crimes must be done on an impulse. I'm not sure whether a person, before he throws a rock at a street light, at the dare of his fellow classmates, or colleagues, or whatever, is going to say, well, if I do this, I might get my name in the paper. So I won't do it. I just wonder, you know, what direction we're going in, if we're going in the right direction at all.

I've seen it. I've seen it in a school. You don't want to put any more pressure on these people than they already have. They are under a great deal of pressure right now from their parents, from their schools, from society itself.

I would move for the Indefinite Postponement of this Bill and all its accompanying papers.

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

Senator KERRY: Mr. President and Ladies and Gentlemen of the Senate, I'll be very brief. This Bill did take a considerable amount of time on our Committee. I think the good Senator from York, Senator Dutremble, has brought up several salient points. I think the key point is that many of us who did contact our local law enforcement agencies and people involved with juvenile defendants, is that currently, under the law that we have on the books today, the judges do have the discretion to open up to the public the records and the printing of the names in the papers.

I think the good Senator from Penobscot, Senator Devoe, and the other Members of the Committee who have been advocating even the publication of Class E crimes in certain cases, are doing so out of a motivation of to protect the public good. I do think there is a great concern here on the part of the law enforcement officials who say that the publication of the names is in no way a deterrent to those persons who are involved in Class D crimes. In fact, as the good Senator from Aroostook, Senator Carpenter, mentioned, that it does, in a sense, create a system of honor for them.

I myself did request from the various chief of police and people of the law enforcement agencies, what would you do? What would you recommend? They said that they would not recommend publication of the names, mainly because it did not act as a deterrent. It would

not provide the desired effect that we so wanted from this legislation.

Therefore, I would concur with the Senator from York, Senator Dutremble, and recommend that it Ought Not to Pass. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Sutton.

Senator SUTTON: Mr. President, thank you. Ladies and Gentlemen of the Senate, I can't believe we're doing this again. We went through this whole thing last Session. We tried to get another little step towards deterring juvenile crime. We did include the parents. We did include counseling, and all our good colleagues decided no, let's coddle the kids some more. Although I may be mistaken. I think maybe we did get as far as the Governor's desk, and then he decided we wouldn't coddle the kids any more.

For heaven's sakes, this is little enough. Don't give me this nonsense about honor roll. There are lots of ways they can get on an honor roll, if they want to get on an honor roll. We might as well do away with all the laws, and let all the kids and criminals be on the honor roll.

Mistakes? The second time? Class D crimes? Senator Devoe told you last time what some of these Class D crimes were. He might even tell you again in a minute. Pressure? Sure they're living under pressure, but for heaven's sakes, this small deterrent, and I think it's a deterrent, the fact that their parents are going to know their name's in the paper. There's a lot of kids that have no respect whatsoever. If they're looking for an honor roll, you're right. This is not going to help them any. But for goodness sakes, let's take a small step towards showing these kids that they've got to have a little respect for law and order, or society's not going to put up with it.

I certainly would urge you to not Indefinitely Postpone this Bill.

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

Senator CONLEY: Mr. President and Members of the Senate, I always enjoy listening to the good Senator from Oxford, because I can almost anticipate exactly what is going to pour forth the moment he stands up. It comes as no surprise to me, with the statements that he has made this afternoon. With respect to juveniles and the Class D crimes.

You know, I've sat in these Chambers for a number of years. I have sat in the Judiciary Committee for this year for the first time I've had that experience since being here. I believe that as one who listens to all the problems that come in constantly day after day, that are generally dealing with well, almost any subject that one can imagine in violation of statutes, and how we should make penalties more severe than what they are.

With this one particular Bill, its sort of dawned on me when we were discussing it, that why are we stopping, why are we stopping with Class D? Under the laws, A, B, and C and open. Now we've gone down more letters of the alphabet to Class D. Class D crimes are not what is considered to be a serious, serious crime. We might as well go down and grab Class E crimes, and we might just as well repeal the entire juvenile code. You might just as well do it, because that's what we're getting to. That's what we're getting to.

If anyone believes that by putting another statute, or including the Class D crimes is going to correct the problems out there with the youngsters in this State, if they're honest in their hearts, they know that this is not going to do it. It's just giving that one little message back that we have done one thing. We are now saying that any child who gets in trouble twice, we are going to say, put his name in the newspaper. Publish it over the land so everyone can see. Does that resolve the problem? I ask you in all honesty will that solve the problem?

Will it rehabilitate, will it change the method or the mode of living that this kid has been

going through? I don't think it's going to. I don't believe that you think it's going to.

I signed the Ought Not to Pass on this Report, because I see things in a different light, perhaps in a larger community, although from listening to Mr. Benjamin Bubar, who has come before the Judiciary Committee on several occasions, and has accused most of the population of Portland traveling to Winthrop, or to Wayne, or to some other little rural community, to let off their frustrations, which I didn't think those kids in Portland had the vehicles, which somehow or another they're managing to do it.

The fact is, we have a problem. We have a real social problem. We have a social problem because of unemployment. Kids can't get jobs in drugstores. Drugstores don't have pharmacies like they used to do when we were kids. I worked at one for years, before I got out into the field. Jobs in supermarkets aren't as available as easily as they were. The Mama and Papa stores aren't that progressive today that they're able to have kids around, at least not for any period of time. There's a lot of problems.

There's no question that if you take one kid and get him aside, you'll think that you've got Prince Valiant on your hands. If you get two, three, four, or five together, you hesitate for a moment and wonder what kind of a problem is being created at that very point.

It's a mode of society. I don't know how we're going to change that. I know for one thing, you're not going to change it by adopting the Legislation that's before us. Perhaps the good Senator from Penobscot, Senator Devoe, feels that really we're giving them one bite at the apple. Let's give them that one bite, and say, this is just a warning, or a slap on the wrist. If you come back again, we're going to have trouble.

Our prisons are full of people who were there once before. It's not going to change. It's not going to change. We're not dealing with the adults. We're dealing with generally kids. I'm not talking about that confused age bracket of 16 and 17, and then they become adults at 18. Yes, we have problems that age area. We're talking also with a very, very large group of kids who are 15, who are 16, who have problems in school, who have problems at home, who have problems on the street.

I would just state, if I honestly thought this was going to help, I would have signed the Ought to Pass Report. It is not going to. I don't think, in all honesty, it's going to do anything with one of these kids who are presently in the school system, who is still there, even though he's had a little trouble, he's still there. I know what the reaction is going to be. Once it hits the paper, he's more than likely to be a dropout, just like that.

If you're concerned, if you really feel we should give them another break, if we should try to do something through counseling, or whatever has to happen, then I would suggest and urge the Senate to vote against the bill, because it will not solve the problem, but it may give some satisfaction, and only satisfaction, to those of you who vote for it.

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

Senator DEVOE: Thank you, Mr. President. I have listened to very good presentation by the Senator from Cumberland. I think, I know he and I differ in the view that we have of the problem we're getting at with this Bill.

Later on, on our calendar this afternoon, particular item 8-4, "An Act Amending the Statutes Relating to Restitution," we're talking about accountability. I think this Bill is dealing with accountability of juveniles. First of all, we have to ask ourselves, is it reasonable to expect that a juvenile, the first time he is in juvenile court on a Class D offense, would be able to understand the concept of accountability, if a juvenile intake worker, or the judge, or his

attorney, or his parents were to talk with him about that offense. I think it's reasonable to expect that a juvenile could understand the notion of accountability.

Let's talk about the relatively harmless Class D criminal offenses we're talking about, because I think floating around in the air in here today, is the notion that a Class D offense is almost in the same category of harmlessness, with dropping the piece of paper on the floor. Let's look at what our criminal code, that this Body, in years past, passed, listing certain Class D offenses: Acquiring drugs by deception. Maybe that offense doesn't exist in York County. I don't know. False alarms, assault, criminal mischief, criminal threatening, criminal trespass, failure to disperse. Certainly an event that has happened in Old Orchard Beach area in the summer time, because we have a Committee bill, L.D. 1207, that's coming out with the failure to disperse, in response to the urging of the police on Old Orchard, among other things. They also want the Bill toughened up. All of York County seems to be worried about this problem. We've got a failure to disperse as a Class D crime. False public alarm, or report. Thank goodness we haven't been plagued in recent years by bomb reports in public schools, the way we were several years ago. That happens to be a Class D offense.

Possession of drugs other than heroin that are Class W, X, Y, or Z. Unlawfully furnishing those drugs. Unlawfully trafficking in those drugs.

These are some of the things. If you want to look on pages 344 and 345 of the Table of Contents, there are 50 other Class D offenses I haven't bothered to read. This gives you a notion of the seriousness of some Class D offenses.

For these reasons, Mr. President, I do urge the Senate to reject the motion to Indefinitely Postpone, and instead to Enact this Bill. Thank you, Mr. President.

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

Senator KERRY: Mr. President, Ladies and Gentlemen of the Senate: briefly speaking, the good Senator from Penobscot has once again brought out some fine points with regards to this issue. I think, if we look back on the Committee, what were the key points on this as to why several of us came to a different conclusion.

The key point was that it is a very complex problem, that the problem is in the home, with the divorces, with children going out on their own. Many of the problems that we were trying to face this specific Legislative action would not resolve the deep and complex problems facing many of the families today. It would exacerbate, in most cases, the problems in the family, especially the single parent family home.

Many of the people that we had testimony before our Committee, and many of us who had tried to resolve this issue in a clear and concise manner, trying to get at the rest of the problem, found that this specific proposal, not the intent proposed, but the specific proposal engendered in this legislation, would not solve the problem. It would cause greater problems for many.

Secondly, with regards to the people in Old Orchard Beach. I appreciate the bringing up of that example. I remember reading, following the so-called riots in Old Orchard Beach, the list of people that were listed as being involved in that riot. There were many, many names listed, all of whom I believe were over 18 years of age. They listed many names. I would say that under the current law, the judge would have the discretion to publish names if the infraction committed by a juvenile was serious enough to warrant it. I think that is significant. If there was a child, a young man, or a young woman, who assaults a person, and the judge considers this a very violent, that it constitutes

a major crime, he could publish the name. He has that right and the discretion to do so now, and open up the records for further scrutiny.

I believe, as a matter of public policy, the State Senate of Maine, or that this Legislature can not resolve the major social problems that are now occurring in many of the families throughout our State. I do believe we can make a reasonable assertion that this legislation will not, in effect, solve that problem.

I would concur with the good Senator from Cumberland, that this Legislation should be Indefinitely Postponed.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Sutton.

Senator SUTTON: Mr. President, Ladies and Gentlemen of the Senate, I do not see how you can piously sit back here and say that this isn't going to do any good. I certainly am not suggesting that it is going to solve these problems.

I can tell you right now, that whatever we are doing now isn't solving the problem. So why don't we try it, it just might do a little something.

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

Senator BROWN: Thank you, Mr. President. Men and Women of the Senate, I have listened with a great deal of interest to the arguments that are being presented on both sides of this issue, and initially voted against, this Bill when we voted on it before, and I am going to change that vote and vote in favor of it.

I want to tell you some of the reasons why. When a child gets in trouble whether it is in Portland, or any other place in this State, or any act happens, an individual dies, or whatever, there is a certain portion of me that is a part of that individual. We all have this interbelonging to each other and we all share a great deal in all the events that happen to any one of us.

There are certain morays that keep us all in bounds in society, certain rights and wrongs that we all adhere to. When a certain child gets in trouble in my own community of Lubec, I do not know that it is going to be a deterrent to have his name published in the paper, perhaps it will not be, maybe what has been stated earlier that there may be a rush to get on the honor roll, I do not believe that.

I am not so sure that if it were my child, that were in trouble that I would not want the other people to know about it because my child also is a member of that community and a member of everybody else in that community. The other people in the community have a responsibility towards my child to help my child stay out of trouble and do what it is supposed to do. So I guess that the publishing of a juvenile's name in the paper is in no way offensive to me and I intend to vote against Indefinite Postponement. Thank you, Mr. President.

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

Senator CARPENTER: Mr. President and Ladies and Gentlemen of the Senate, I just want to ask a question of a couple of the people who spoke. I asked the question before, and I guess that it has been answered or attempted to have been answered, by a number of people, and that is, what are we going to accomplish?

I would just pose a hypothetical question to the good Senator from Penobscot, and the good Senator from Washington, who talked about small towns and crimes. I would just ask Senator Devoe, and Senator Brown, if their child gets in trouble in Orono, Maine or Lubec, Maine, without a newspaper, do you think for one second that everyone in that town isn't going to know about it today? First time, second time, third time, fourth time, fifth time, I do not care what time.

We do not need the newspaper to do this. Do you think for a second that if your child gets in trouble in Lubec, Maine today, that the whole town is not going to know about it tomorrow? When he is charged, not when he is convicted. I

would like to correct that, the good Senator from Penobscot, keeps talking about when he is charged. I think, this says when he is convicted. I want to make sure.

What are we going to accomplish? The good Senator from Oxford, Senator Sutton, is concerned about this and I am concerned about it. If we are going to talk about doing something that involves or publishing a juvenile's name when they have committed a crime, that involves intent, and these crimes all have an element of intent in them, let's get this person on the first go round, let's not get him on the second go round, and I mean that seriously. If this "child," has committed this crime, and we are talking about serious offenses, I do not make light of that, if they have committed this crime twice, with an element of intent. So you really think that the publication of their name in a weekly newspaper in Presque Isle or Lubec is going to have any effect on them? Not one bit.

If you think so, you do not know kids, and you do not know kids that are in trouble. On a good kid, on good kid, and I say "good" putting quotes also, because it is relative, because everything is relative here between good and bad, but on a kid who hasn't been in trouble before this is not going to affect. On that child that has just got its foot in both camps. He doesn't know if he wants to be a good kid or a bad kid. This is not going to affect them because we have got to wait until we get to the second bite of the apple before we can even get them.

I am glad that the good Senator from Penobscot, Senator Devoe, pointed out that these are serious crimes. I called, home this afternoon and found out, talked to a relative at home and found out where a juvenile at home had just been taken down river. It wasn't in the paper or anything. Houlton is a pretty good sized town, it wasn't in the paper. We knew about it, we knew about it before, anyway, because we knew as some as the crime was committed, before the police knew we knew about it. That is how good the grape vine is up home.

I really want to ask you, I understand that this is a problem and I understand, what the good Senator from Oxford, Senator Sutton, is saying. I do. I do not want to coddle these kids, I do not want to coddle anybody who has brought drugs twice, who has turned in two false alarms, but I am just saying, is what we are doing here, saving face as members of the Maine Legislature, so that we can go home and say look what we did. We passed a Bill to put the little bugger's name in the paper after.

What good is that going to do? Is that a deterrent? I really do not think so. I really do not think so.

I'm very familiar with one case of a young man, 13 years of age, two years ago got in trouble, and I tell you, this wouldn't have been a deterrent for him. He committed more than 2 Class D's.

Would it have been a deterrent for him, in all sincerity, at that point of his life, and I'm proud to say that today that's turned around, but at that point of his life, he might just have been in a rush to get on the honor roll, because he was looking for a little attention. He was looking for some notoriety. He was looking for somebody to grab him, bring him up short, and do something about it. Boy, this is one way to do it.

I just don't know whether or not you're going to accomplish anything. If you have, and I think it's a rare situation, but if you have that situation, where you have a youngster, who is, and again in quotes "more good than bad" but got caught the first time by some fluke, and here he is a second time, and he really is a good kid. You just did what the good Senator from Cumberland said. You just created an instant dropout when his name comes out in the paper because he is, he does have some shame, if you want to call it that, and he's never going to be able to go back to that school. You drove him; you just put him over.

I just don't know what we're really accomplishing here other than maybe putting a little salve on ourselves to say that we did something at the end of this session.

Thank you.

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

Senator DUTREMBLE: Mr. President, Ladies and Gentlemen of the Senate, I am glad to see that Senator Brown wants his child's name in the paper so that everybody can take care of it, of his children.

I don't know if I understand where he's coming from, but what about the people who have a robbery next to their house or in their house who live close to you, and because your son's name was in the paper, he's the first one to be blamed. Senator Brown's kid did it, or Senator Brown's kid's been in trouble before. He must have done it.

This time it may be an ABC crime which your son or daughter had nothing to do with, but because being branded, he's the one who is going to be blamed, and there will always be that degree of suspicion.

I agree with Senator Sutton. I don't want to coddle these kids. Punish them in ways that fit the crime, if you have to. Make them do things, but don't brand them as criminals. Now, this is a very important junction in their life here, and if you don't think that there are any pressures that are going to be put on them because of this, you're wrong. I've seen it, and I've seen the tragedy that it can lead to.

This is why I couldn't sit down here today and let it go, because I remember how many nights I stayed awake because of one particular tragedy that was, because of something just like this.

I think that, I, we had something last week on plea bargaining for serious crimes, and we let that go. We're talking about minor stuff here, but we are nailing them for serious stuff, we wouldn't even do it.

I have to agree with the Senator from Aroostook, Senator Carpenter, we just want to show the people that we've done something, and I think that we're going after the wrong people.

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

Senator BROWN: Mr. President, I do just want to say a couple of other things about the issue.

You know, we're labeling children, here today, or youngsters, as bad or good and there's been mentioned, that's a very relative thing that we all are bad and we all are good. We all have those elements within us.

I was thinking back about 10 or 12 years ago, when I used to work in a Lewiston Child and Family there with court system and Judge Alphen, Isreal Alphen, and the various youngsters that would be in trouble with the law, and sitting in on juvenile court. I don't think that the publishing of these names is going to be a deterrent in any way. I don't think it's going to help in anyway to help deter a child from getting into trouble, but I do think of two examples.

One, when a youngster next door one time broke into my house, and I didn't do anything at all other than call the police and say I want to report an individual has broken in, and I said I don't want to press any charges because I don't want to get the kid in trouble. I know his parents, and we get along. Two weeks later, that kid was waving by smiling at me. Not that this Bill is going to have any effect on that instance, but I'll relate one other.

This past week-end, I went home and found that some friends of ours had a young lady, a girl who was in trouble, had gotten pregnant. The fact that, when that was told to me there was a great deal of concern on my part, and the part of my wife, and one of the things that we did was to call the family and say is there anything we can do. I'm not suggesting, please understand that that young lady's name should

have been published in the paper, but I am suggesting that once I found out about it, then I had a certain feeling for that family, and the publishing of the individual's name in the paper, I could not see any way where it's going to add to the problem of, for that matter, probably take away from it a great deal, but I see no reason, or no objection to having it printed. Thank you, Mr. President.

The PRESIDENT: Is the Senate ready for the question?

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

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

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

The pending question before the Senate is the motion by the Senator from York, Senator Dutremble, that L. D. 880 be Indefinitely postponed.

A Yes vote will be in favor of Indefinite Postponement.

A No vote will be opposed.

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

ROLL CALL

YEA — Bustin, Carpenter, Charette, Conley, Dutremble, Kerry, Najarian, Pray, Usher.

NAY — Ault, Brown, Clark, Collins, Devoe, Emerson, Gill, Hichens, Huber, McBreairty, Minkowsky, O'Leary, Perkins, Pierce, Redmond, Sewall, C.; Shute, Sutton, Teague, Traf-ton, Trotzky, Wood.

ABSENT — Violette.

A Roll Call was had.

9 Senators having voted in the affirmative and 22 Senators in the negative, with 1 Senator being absent, the motion to Indefinitely Postponed does not prevail.

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

(Senate At Ease)

The Senate called to order by the President.

RESOLVE, Authorizing and Directing the Bureau of Public Lands to Convey a Perpetual Easement and Right-of-way in a Certain Parcel of Land in Augusta to Mobil Pipe Line Company, Subject to Certain Conditions. (H. P. 987) (L. D. 1175)

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

Senator O'LEARY: I would like to question to the Members on the Committee on State Government as to why this Bill is necessary and why such a cheap price. One dollar for well over 1300 feet of land.

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

Senator AULT: Mr. President, and Members of the Senate, we're building the Veterans Home in Augusta, and where they're building it a pipeline goes underneath it, and so they are just moving the pipeline so that they can put in the foundation for the Veterans Home and we are giving them an easement around the Veterans Home foundation.

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

Emergency

AN ACT to Provide Highway Use Permits for Motor Trucks and Truck Tractors not Registered in Maine and Identification Permits for Those Registered in Maine. (H. P. 1439) (L. D. 1581)

On motion by Senator Emerson of Penobscot, placed on the Highway Appropriations Table,

pending Enactment.

Emergency

AN ACT Concerning the Consent Requirements and Termination of Parental Rights for Adoption Proceedings. (S.P. 604) (L.D. 1601)

Emergency

AN ACT to Establish the Cost of the Maine Forestry District in Fiscal Year 1981-82. (H.P. 1303) (L.D. 1500)

These being emergency measures and having received the affirmative votes of 29 Members of the Senate, with No Senators having voted in the negative, were Passed to be Enacted, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

Emergency

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Cumberland County for the Year 1981. (H. P. 1475) (L. D. 1605)

This being an emergency measure and having received the affirmative votes of 22 Members of the Senate, with 4 Senators having voted in the negative, was Finally Passed, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Washington County for the Year 1981. (H.P. 1474) (L.D. 1606)

This being an emergency measure and having received the affirmative votes of 22 Members of the Senate, with 6 Senators having voted in the negative, was Finally Passed, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

(Senate at Ease)

The Senate called to order by the President.

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

Orders

On motion by Senator PRAY of Penobscot, ORDERED, the House concurring, that Bill, "An Act Relating to the Employment of Minors and Overtime Pay," Senate Paper 188, Legislative Document 490, be recalled from the Governor's desk to the Senate. (S. P. 619)

Which was Read.

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

Senator PRAY: Thank you, Mr. President. Mr. President and Members of the Senate, this is just a little housekeeping measure that's presently before us. The Senate, in its wisdom, erroneously amended the wrong section of the laws relating to penalties and violation of the Child Labor Laws.

This Bill will bring it back so we can amend the correct section.

Which was Passed.

Sent down for concurrence.

Committee Reports

House

Leave to Withdraw

The Committee on Judiciary on, Bill, "An Act to Require Prior Notice and an Option to Purchase to Tenants of Buildings Being Converted into Condominiums." (H.P. 420) (L.D. 467)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

Which Report was Read and Accepted, in concurrence.

Ought to Pass

The Committee on Local and County Govern-

ment on, RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Penobscot County for the Year 1981. (H.P. 1498) (L.D. 1618)

Reported pursuant to Joint Order (H.P. 264) that the same Ought to Pass.

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

Which Report was Read and Accepted, in concurrence. The Resolve Read Once and Tomorrow Assigned for Second Reading.

Ought to Pass — As Amended

The Committee on Judiciary on, Bill, "An Act to Establish an Arson Reporting Immunity Act." (H.P. 1272) (L.D. 1487)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-427).

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

The Committee on Judiciary on, Bill, "An Act to Clarify the Domestic Violence Statutes." (H.P. 636) (L.D. 726)

Reported that the same Ought to Pass to be Engrossed as amended by Committee Amendment "A" (H-425).

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

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

Orders

Expressions of Legislative Sentiment recognizing:

Dr. Robert G. MacBride of Lubec, who was honored by the Washington County Child and Youth Board for his many years of community involvement. (S. P. 615)

Presented by Senator BROWN of Washington.

Chad Clark, of Brunswick, who was initiated into Tau Beta Pi, at the University of Maine at Orono. (S. P. 616)

Presented by Senator CLARK of Cumberland (Cosponsors: Representative MARTIN of Brunswick and Representative LIVESAY of Brunswick).

Andrew Price, of Yarmouth, who has been granted membership in the Senior Skulls Society at the University of Maine at Orono. (S. P. 617)

Presented by Senator CLARK of Cumberland (Cosponsor: Representative JACKSON of Yarmouth).

Which were Read and Passed.

Sent down for concurrence.

Orders of the Day

The President laid before the Senate:

HOUSE REPORT—from the Committee on Public Utilities—Bill, "An Act to Adopt the Maine Municipal and Rural Electrification Cooperative Agency Act." (H.P. 1096) (L.D. 1295) Ought to Pass as Amended by Committee Amendment "A" (H-421)

Tabled—Earlier in the Day by Senator COLLINS of Knox

Pending—Acceptance of Report

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

The President laid before the Senate:

HOUSE REPORTS—from the Committee on Election Laws—Bill, "An Act to Permit Appointment of Deputies for the Purpose of Registering Voters Under the Election Laws. (H.P. 135) (L.D. 162) MAJORITY REPORT—Ought to Pass as Amended by Committee Amendment "A" (H-363); MINORITY REPORT —

Ought Not to Pass

Tabled—Earlier in the Day by Senator PRAY of Penobscot

Pending—Acceptance of Either Report

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

Senator PIERCE: Mr. President, I move we Accept the Ought Not to Pass Report of the Committee.

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

The Chair recognizes the Senator from Penobscot, Senator Pray.

Senator PRAY: I request a Division.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of the motion by the Senator from Kennebec, Senator Pierce, 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.

13 Senators having voted in the affirmative, and 15 Senators having voted 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" Read. House Amendment "B" to Committee Amendment "A" Read and Adopted, in concurrence. Committee Amendment "A", as amended by House Amendment "B", Adopted, in concurrence. The Bill, as amended, Tomorrow Assigned for Second Reading.

The President laid before the Senate:

Bill, "An Act to Remove the Customer Charge from Electric Utility Rate Structures." (S.P. 417) (L.D. 1240)

Tabled—Earlier in the Day by Senator CONLEY of Cumberland

Pending—Motion of Senator TROTZKY of Penobscot to Indefinitely Postpone Bill and Papers.

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

Senator CONLEY: Mr. President, I would move that this item be Tabled for 1 Legislative Day.

The PRESIDENT: The Senator from Cumberland, Senator Conley, moves that LD 1240 be Tabled for 1 Legislative Day, pending the motion by the Senator from Penobscot, Senator Trotzky.

The Chair recognizes the Senator from Penobscot, Senator Trotzky.

Senator TROTZKY: I request a Division.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of the motion by the Senator from Cumberland, Senator Conley, that LD 1240 be Tabled for 1 Legislative Day, please rise in their places to be counted.

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

15 Senators having voted in the affirmative and 13 Senators having voted in the negative, LD 1240 was Retabled for 1 Legislative Day.

The President laid before the Senate:

Bill, "An Act to Increase the Bonding Limit on Maine State Housing Authority Bonds Secured by the Housing Reserve Fund." (S.P. 418) (L.D. 1241)

Tabled—Earlier in the Day by Senator PIERCE of Kennebec

Pending—Enactment

On motion by Senator Pierce of Kennebec, Retabled for 1 Legislative Day.

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

ing:

Paper from the House Joint Order

ORDERED, the Senate concurring, that the Joint Standing Committee on Audit and Program Review report out a bill to the House entitled "AN ACT Relating to Periodic Justification of Departments and Agencies of State Government under the Maine Sunset Law." (H.P. 1515)

Comes from the House, Read and Passed.

Which was Read.

On motion by Senator Collins of Knox, Indefinitely Postponed, in non-concurrence.

Sent down for concurrence.

On motion by Senator Pierce of Kennebec, Adjourned until 9:30 o'clock tomorrow morning.