

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

**OF THE**

***One Hundred and Tenth***

***Legislature***

**OF THE**

**STATE OF MAINE**

**SECOND REGULAR SESSION**

**January 6, 1982 to April 13, 1982**

**INDEX**

**FOURTH SPECIAL SESSION**

**April 28, 1982 and April 29, 1982**

**INDEX**

**FIFTH SPECIAL SESSION**

**May 13, 1982**

**INDEX**

**SECOND CONFIRMATION SESSION**

**July 16, 1982**

**INDEX**

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

Augusta, Maine  
March 19, 1982

Senate called to order by the President.

Prayer by the Reverend Gary Vencill of Calvary United Methodist Church and the North Auburn United Methodist Church.

REVEREND VENCILL: Let us pray. O God, Who created the whole world and all its resources, physical and human, help us to remember, O Lord, that our resources are not unlimited, that we can not do everything.

Yet, let us remember that You can do everything. Let us turn then to You, that we might be empowered and instructed and made wise.

Let us remember that Jesus Christ said, "the poor You will have with You always, and whenever You will, You can do good for them."

Let us then, O Lord, when there is a way, find the will, that we may do Your will. Amen.

Reading of the Journal of yesterday.

Out of Order and Under Suspension of the Rules:

On motion by Senator PIERCE of Kennebec, ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, March 23, 1982, at nine o'clock in the morning. (S. P. 932)

Which was Read and Passed.

Sent down forthwith for concurrence.

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

Joint Order relative to Taxation Committee reporting out a Bill regarding the State Tax Code. (Sponsored by Senator TEAGUE of Somerset). (S. P. 919)

In the Senate, March 10, 1982, Read and Passed.

Comes from the House, Speaker ruled Order in violation of Joint Rules.

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

Senator TEAGUE: I move we Recede and Concur.

The PRESIDENT: The Senator from Somerset, Senator Teague, moves that the Senate Recede and Concur with the House.

Is this the pleasure of the Senate?

The motion prevailed.

Joint Order relative to Taxation Committee reporting out a Bill regarding the State Tax Code. (Sponsored by Senator WOOD of York). (S. P. 922)

In the Senate, March 12, 1982, Read and Passed.

Comes from the House, Failed of Passage, in non-concurrence.

On motion by Senator Collins of Knox, Tabled for 1 Legislative Day, pending Consideration.

**House Papers**

Bill, "An Act to Amend the Charter of St. Mark's Home in Augusta." (H. P. 2192) (L. D. 2072)

Reference to the Committee on Legal Affairs suggested.

Comes from the House, Passed to be Engrossed without reference to Committee.

The PRESIDENT: Is it the pleasure of the Senate to Suspend the Rules in order for this Bill to be given its First Reading at this time Without Reference to Committee?

There being objection the Chair will order a Division.

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

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

24 Senators having voted in the affirmative

and 4 Senators having voted in the negative, the Rules were Suspended.

Under Suspension of the Rules, the Bill Read Twice, and Passed to be Engrossed, without Reference to the Committee and Ordered Printed, in concurrence.

Sent forthwith to the Engrossing Department.

Bill, "An Act to Amend the Charter of Coburn Classical Institute." (H. P. 2193) (L. D. 2073)

Reference to the Committee on Legal Affairs suggested.

Comes from the House, Passed to be Engrossed without reference to Committee.

The PRESIDENT: Is it the pleasure of the Senate to Suspend the Rules in order for this Bill to be given its First Reading at this time Without Reference to Committee?

It is a vote.

Under Suspension of the Rules, the Bill Read Twice, and Passed to be Engrossed, without Reference to Committee and Ordered Printed, in concurrence.

Sent forthwith to the Engrossing Department.

**Communications  
Senate Chamber  
President's Office**

March 16, 1982

TO: Members of the 110th Legislature:

Pursuant to the provisions of Joint Rule 13, the President and the Speaker have established Friday, March 19, at 12:00 noon as the time that all bills must have been voted upon and reported from committee, unless specific authorization is given by the President of the Senate and the Speaker of the House.

Sincerely,

S/JOSEPH SEWALL

President of the Senate

S/JOHN L. MARTIN

Speaker of the House

(H. P. 2195)

Comes from the House, Read and Ordered Placed on File.

Which was Read and Ordered Placed on File, in concurrence.

**Committee on Judiciary**

March 18, 1982

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

Augusta, Maine

Dear President Sewall:

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 110th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Louis Scolnik of Lewiston as Superior Court Justice of the State of Maine.

After public hearing and discussion on this nomination the Committee proceeded to vote on the motion to recommend to the Senate of the 110th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee Clerk called the roll with the following result:

YEAS: Senators 3

Representatives 10

NAYS: Senators 0

Representatives 0

ABSENT: Senators 0

Representatives 0

13 members of the Committee having voted in the affirmative and 0 in the negative, it was the vote of the Committee that the nomination of Louis Scolnik be confirmed.

Sincerely,

S/DANA C. DEVOE

Senate Chairman

S/BARRY J. HOBBS

House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Judiciary has recommended that the nomination of Louis Scolnik be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Judiciary be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 110th Legislature, the vote will be taken by the yeas and nays. A vote of YES will be in favor of overriding the recommendation of the Committee. A vote of NO will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

**ROLL CALL**

YEA—None.

NAY—Ault, Brown, Bustin, Carpenter, Charrette, Clark, Collins, Conley, Devoe, Dutremble, Emerson, Gill, Hichens, Huber, McBreairty, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Pray, Redmond, Sewall, C.; Shute, Sutton, Teague, Trotzky, Usher, Viollette, Wood, The President-J. Sewall.

ABSENT—Kerry, Trafton.

No Senators having voted in the affirmative and 31 Senators in the negative, with 2 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of Louis Scolnik is confirmed.

(Off Record Remarks)

**Committee Reports  
House**

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

Bill, "An Act to Create Manpower Distribution Incentives in the Fields of Medicine, Dentistry, Optometry and Veterinary Medicine." (H. P. 1948) (L. D. 1925)

**Ought to Pass**

The Committee on Local and County Government on, Bill, "An Act Converting Grand Lake Stream Plantation into the Town of Grand Lake Stream." (Emergency) (H. P. 2068) (L. D. 2009)

Reported that the same Ought to Pass.

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

The Committee on State Government on, Bill, "An Act to Authorize the Treasurer of State to Issue Tax Exempt Commercial Papers." (H. P. 2021) (L. D. 1986)

Reported that the same Ought to Pass.

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

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

The Committee on Public Utilities on, Bill, "An Act to Change the Corporate Limits of the Kittery Water District." (H. P. 1872) (L. D. 1866)

Reported that the same Ought to Pass.

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

Which Report was Read.

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

**Ought to Pass—As Amended**

The Committee on Public Utilities on, Bill, "An Act to Ensure Continuance of the Residential Conservation Service." (H. P. 1936) (L. D. 1916)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H. 651).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amend-

ment "A".

The Committee on Fisheries and Wildlife on, Bill, "An Act to Provide Staggered Expiration Dates for Terms of Inland Fisheries and Wildlife Advisory Council Members." (Emergency) (H. P. 2055) (L. D. 2002)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-649).

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

The Committee on Judiciary on, Bill, "An Act Concerning Revisions in the Maine Juvenile Code." (H. P. 2007) (L. D. 1978)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-652).

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

The Committee on Appropriations and Financial Affairs on, Bill, "An Act to Provide that Procedures Covered by the Maine Medical Assistance Program (Medicaid and Catastrophic Illness) Shall be Reimbursable Whether by a Physician or Dentist." (H. P. 1838) (L. D. 1835)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-654).

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

The Committee on State Government on, Bill, "An Act to Authorize the Repair, Maintenance and Improvement of the Building and Grounds of the Statehouse." (H. P. 2144) (L. D. 2050)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-655).

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

The Committee on State Government on, Bill, "An Act to Clarify the Requirement that an Estimate of Debt Service Accompany Bond Issues Presented to the Voters." (H. P. 1973) (L. D. 1948)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-656).

(Rep. Holloway of Edgecomb - Abstained)

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 Business Legislation on, Bill, "An Act to Regulate the Materials, Construction and Installation of Chimneys, Fireplaces, Vents and Solid Fuels Burning Appliances." (H. P. 1733) (L. D. 1718)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-658).

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

Which Report was Read and Accepted, in concurrence, and the Bill Read Once. Committee Amendment "A" was Read.

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

Senator MINKOWSKY: Mr. President and Members of the Senate, this morning I received some telephone calls from people who are concerned with the Amendment insofar as the deletion, under the Statement of Fact, where it says eliminate the Bill's requirement that all stoves and heaters be listed by an approved testing laboratory."

Since we've had so many fires and deaths in the State of Maine because of people not having their stoves properly put together, the concern was raised earlier that the stoves sold in the State of Maine should be required to be approved by a laboratory, such as Underwriter's Laboratory, or somebody who is qualified to evaluate the construction of the stoves being sold on the market.

They looked at it primarily from the viewpoint of consumer protection. I was wondering if somebody from the Committee on Business Legislation could address us as to why they deleted that particular portion of the Bill.

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

Senator CLARK: Thank you, Mr. President. Mr. President, Men and Women of the Senate, I would be happy to attempt to respond to the concerns as expressed by the good Senator from Androscoggin, Senator Minkowsky, on behalf of the Committee on Business Legislation.

It was unanimous consensus of our Committee that, that deletion would be appropriate at this time because of what is perceived by the Committee as not only the backlog and the time consumed in the testing process, the location of which by the way, is located as SMVTI in South Portland, but the extremely high cost of testing.

At this point, it was the judgment of the Joint Standing Committee on Business Legislation that those people who testified before our Committee, were satisfied and had good records regarding the safety of the units that they constructed, because most of them were all Maine manufacturers. They all expressed some concern about the process involved in the testing laboratory located at SMVTI, and extreme concern about the cost.

The Committee on Business Legislation's interest has been raised relative to the location, cost and time consuming aspect of the testing process. I think you probably may find that concern expressed in the form, if not in a study order, then in the form of some request from the Committee to investigate those costs.

If there was one unanimous request to the Committee at the public hearing on this issue, it was the request that, that section of the Bill be deleted. Because the Committee did inquire extensively as to why they requested the deletion of that section, and the answers were satisfactory to the Committee, it was our judgment that, that segment of the Bill be deleted at this time, since it was incorporated as a general recommendation. I think it's my judgment that we will be addressing that issue in the 111th.

Committee Amendment "A" was Adopted, in concurrence. The Bill, as amended, Tomorrow Assigned for Second Reading.

The Committee on Appropriations and Financial Affairs, on Bill, "An Act to Establish the Cost of the 1982 Spruce Budworm Spray Project." (Emergency) (H. P. 2049) (L. D. 1997)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-660).

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

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

The Committee on Public Utilities on, Bill, "An Act to Clarify the Regulation of Sewer Districts." (H. P. 1791) (L. D. 1781)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-614).

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

"A" (H-661).

Which Report was Read and Accepted, in concurrence, and the Bill Read Once. Committee Amendment "A" was Read.

On motion by Senator Trotzky of Penobscot, Committee Amendment "A" was Indefinitely Postponed, in concurrence.

House Amendment "A" was Read and Adopted, in concurrence. The Bill, as amended, Tomorrow Assigned for Second Reading.

## Senate

### Leave to Withdraw

Senator CLARK for the Committee on Business Legislation on, Bill, "An Act Relating to Review of Blue Cross and Blue Shield Subscriber Plans." (S. P. 841) (L. D. 1964)

Reported that the same be granted Leave to Withdraw.

Which Report was Read and Accepted.

Sent down for concurrence.

Senator AULT for the Committee on State Government on, Bill, "An Act to Provide for New Home Construction and Development." (S. P. 862) (L. D. 2003)

Reported that the same be granted Leave to Withdraw.

Which Report was Read.

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

Senator PIERCE: Mr. President and Members of the Senate: I would like to, at least, comment on this piece of legislation before we grant it. Leave to Withdraw.

Some months ago, as I traveled around the State, it became very apparent and it confirmed what I already knew and had read, that the housing industry was indeed in very deep trouble, not only nationwide, but especially here in the State of Maine. At that time I started to work with some people to put together a piece of housing legislation, because I felt that certainly if there was one subject that should be addressed and something done, our area that it should be accomplished in was housing.

I thought it was interesting some time later, when really by complete coincidence, I announced my housing proposal at a news conference in Bangor, the very same day the Governor was announcing his proposal at a news conference here in Augusta.

As the press is usually to do, they basically asked us both the same question, unbeknownst to either one of us. That was, well is this bill competing with Senator Pierce's? Is my bill competing with Governor Brennan's? I thought our answers were interesting in that we both were careful to point out that we were very pleased that the other was interested in this very important area, and that no they weren't competing measures, but obviously were different.

I was particularly looking at an area of housing that wasn't going to involve millions of dollars in subsidies. I wanted something that was immediate, for the building season in 1982, and that wouldn't create any new bureaucracy.

I set some other criteria forth at that time. I said all these things, at the legislative hearing on the Bill, the same day that the Governor's bill was heard. I, also, pointed out at that time that my bill wasn't competing with his. It was definitely different. I thought that his piece of legislation should be given full consideration by the Committee.

It was interesting I thought, that my bill was supported by the Maine Association of Realtors, by the Maine Manufactured Housing Association, and there was no opposition. At least there was no opposition up front. Behind the scenes there soon developed some blind opposition. I guess, since I am running for Governor, that doesn't surprise me very much. It distresses me somewhat, but certainly it is no surprise. I'm further distressed that some people running for some offices are so anxious to get them, they would be anxious to put politics

above people.

I was well aware that, although my bill had not even been printed yet, rumors were started and abounded that I wanted to rob the State Retirement System and use those funds. Nothing could be further from the truth, and the people spreading those rumors knew that. In fact, I've always been dead set against the Legislature ever touching any of those retirement funds for any reason. When my bill was printed, it certainly never mentioned the retirement fund whatsoever. It was clear that, that wasn't my intention.

So yesterday, I had to arrive at a decision, whether I wanted to go with a Divided Report on this piece of Legislation or take a Leave to Withdraw. While my first inclination, I guess, was to see the bill passed through the Senate, I knew what its fate would be in the other Body for a variety of reasons. Clearly the Bill would pass the Senate and die in the House.

In that, I saw not so much the end of my piece of legislation, but a danger to the only other piece of legislation that we had left dealing with housing. That was the Governor's Bill. I've been around here long enough to see the danger of having this bill go through the House and die in the Senate. If ever there was a piece of legislation that didn't deserve retaliation, but instead deserve reason, I think it's in the area of housing.

I think, obviously, to anyone who has looked at my bill, and I've had no one, including those who opposed it, tell me that there was anything wrong with it, their opposition is for different reasons. I am concerned that at the federal level the status of tax exempt housing bonds is very, very unsettled at this moment. Interest rates right now are beginning to run against issuance of such bonds.

I don't think it makes very good sense for the people of the State of Maine to put all our eggs in one basket. I think my piece of legislation along with the Governor's, would give the Governor another option. I think he ought to have that option.

The housing industry is in need of bipartisan support, with various options available in a changing economic environment. In this case, I think the housing industry and the people of Maine were clearly shortchanged. Thank you.

Which Report was Accepted.

Sent down for concurrence.

#### Ought to Pass — As Amended

Senator NAJARIAN for the Committee on Appropriations and Financial Affairs on, Bill, "An Act to Amend the Maine Medical Compact." (S. P. 766) (L. D. 1824)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-416).

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 VIOLETTE for the Committee on State Government on, Bill, "An Act to Facilitate Acquisition, Improvement and Construction of Housing Financed through the Maine State Housing Authority." (S. P. 867) (L. D. 2015)

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

Which Report was Read and Accepted, and the Bill Read Once. Committee Amendment "A" was Read.

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

Senator CONLEY: Mr. President, I present Senate Amendment "A" to Committee Amendment "A" and move its Adoption.

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

"A" and moves its Adoption.

Senate Amendment "A" (S-421) to Committee Amendment "A" was Read.

The PRESIDENT: The Senator has the floor.

Senator CONLEY: Mr. President and Members of the Senate, the Amendment that I have just presented is one of a technical nature that clears up some of the drafting, an error in the drafting, when it was sent down to Research.

Senate Amendment "A" to Committee Amendment "A" was Adopted. Committee Amendment "A" as amended by Senate Amendment "A" Thereto, was Adopted. The Bill, as amended, Tomorrow Assigned for Second Reading.

#### Divided Report

The Majority of the Committee on Agriculture on, Bill, "An Act to Provide for the Storage and Disposal of Illegal and Obsolete Pesticides and Handling Empty Pesticide Containers." (Emergency) (S. P. 905) (L. D. 2047)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-417).

Signed:

Sensors:

HICHENS of York  
WOOD of York  
SHUTE of Waldo

Representatives:

MAHANY of Easton  
CALLAHAN of Mechanic Falls  
CONARY of Oakland  
SMITH of Island Falls  
LISNIK of Presque Isle  
MICHAEL of Auburn  
LOCKE of Sebec  
SHERBURNE of Dexter

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass as amended by Committee Amendment "B" (S-418).

Signed:

Representatives:

NELSON of New Sweden  
McCOLLISTER of Canton

Which Reports were Read.

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

#### Divided Report

The Majority of the Committee on Health and Institutional Services on, Bill, "An Act to Require Mandatory Reporting of Elderly Abuse." (S. P. 779) (L. D. 1847)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-414).

Signed:

Sensor:

BUSTIN of Kennebec

Representatives:

NELSON of Portland  
BRODEUR of Auburn  
McCOLLISTER of Canton  
RICHARD of Madison  
KETOVER of Portland  
MANNING of Portland

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass as amended by Committee Amendment "B" (S-415).

Signed:

Sensors:

GILL of Cumberland  
HICHENS of York

Representatives:

RANDALL of East Machias  
WEBSTER of Farmington  
MacBRIDE of Presque Isle  
PINES of Limestone

Which Reports were Read.

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

#### Divided Report

Nine members of the Committee on Energy and Natural Resources on, Bill, "An Act to Require Municipal Approval Prior to Issuing Permits to Discharge Petroleum Products into the Tidal Waters of the State." (S. P. 762) (L. D. 1820)

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

Signed:

Sensors:

McBREAIRTY of Aroostook  
REDMOND of Somerset

Representatives:

JACQUES of Waterville  
DEXTER of Kingfield  
HUBER of Falmouth  
AUSTIN of Bingham  
MITCHELL of Freeport  
MICHAUD of East Millinocket  
MICHAEL of Auburn

Three members of the same Committee on the same subject matter reported in Report "B" that the same Ought to Pass as amended by Committee Amendment "B" (S-420)

Signed:

Representatives:

HALL of Sangerville  
KIESMAN of Fryeburg  
DAVIES of Orono

One member of the same Committee on the same subject matter reporting in Report "C" that the same Ought Not to Pass.

Signed:

Sensor:

O'LEARY of Oxford

Which Reports were Read.

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

Sensor O'LEARY: I move the Ought Not to Pass Minority Report.

The PRESIDENT: The Senator from Oxford, Senator O'Leary, now moves that the Senate Accept the Minority Ought Not to Pass Report "C" of the Committee.

Is this the pleasure of the Senate?

The Chair recognizes the Senator from Waldo, Senator Shute.

Sensor SHUTE: Mr. President, Ladies and Gentlemen of the Senate, this is a Bill I put in this year concerning a problem that we had in my District last year. It was hopefully to clarify the procedure that the DEP might go through, or an applicant might go through, rather, before they spilled oil in the tidal waters of the State.

I think last year I referred several times to an oil spill in Penobscot Bay, that the applicant was given a waiver by the DEP to spill 500 gallons of oil into Penobscot Bay.

What the Majority Committee Report would do is to require the applicant first to go to the municipality 90 days prior to applying for his waiver from the DEP, and have a public hearing if that municipality wanted a public hearing. If there was a public hearing requested of the applicant prior to his applying for a waiver to the DEP, the only way the municipality would be able to reject the applicant on his application would be, if they found that the project would not, they would have to approve his application, rather, if they found that the project would not constitute a hazard to the health, safety, and welfare of the residents of the community.

This is only one small step an applicant might have to make prior to dumping oil in the tidal waters of the State, petroleum products, not fish oil or sardine oil. This is for petroleum products only. I think this is a reasonable solution to the problem. Probably we'll hear debate that this is setting a lot of precedents for the DEP, but I can tell you we already have this

precedent set in many other areas. It's already set in the disposal of sewerage, septic waste. It's set in the Great Ponds Permit Act. It's set in the Coastal Wetlands Permit Act. So we're not setting a precedent here.

I don't think most people here would think it unreasonable if they were going to put a nuclear storage site facility in their District from out-of-state, or in their state, that that municipality or that state shouldn't have a little input into the federal government making the decision of putting a nuclear storage facility in their state or District. So, I think this is a reasonable compromise, the Majority Report. I would hope we would reject the Ought Not to Pass Report, and then Accept the Majority Ought to Pass Report.

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

Senator O'LEARY: Mr. President and Members of the Senate: You heard this argument or the statements by the good Senator from Waldo, Senator Shute, on the Senate floor before about this oil experiment in Searsport. I would just remind you that Searsport wants to be an oil terminal, and perhaps will be shortly, so this experiment perhaps wasn't all that bad.

You're all familiar with the type of bill LD 1820 represents. Every committee hears bills that are put in because one person, or a small group of people, does not like a decision made by a State agency. The decision is legal, but not very popular.

Normally a committee sees these bills for what they are and convinces the sponsor Leave to Withdraw, or failing this report the bill out Ought Not to Pass.

I think if the Department had been just a little more firm in their position and not standing wishy-washy, this Report would have been a lot different. This Bill is a result of dissatisfaction by people in the Searsport area with the decision of the Department of Environmental Protection, which was based on technical, legal criteria. The project was a controlled placement of oil in tidal waters to see if certain chemicals would disperse the oil and keep it from falling to the bottom and smothering living things.

I am told the project was a success, and caused no environmental harm. It did not close their clam flats, nor did it keep any clam flats closed. The project did irritate a lot of people. It did meet the tests of the statutes and was scientifically and technically, as well as environmentally, sound.

Unfortunately, the Energy and Natural Resources Committee was unable to sort out the wheat from the chafe. It reacted to the cry of more local control, and let's tuck it to the DEP. We all wanted to do both, but only the former is worthy of the dignity of this Legislature, especially this Senate.

Let's take a minute and look at the degree of local control offered by this Bill. If the cities and towns you represent are not on the coast, you are not providing any local control for the people you represent. Even if your communities are on the coast, you are giving them very little. This LD only applies to projects dealing with one shot, experimental projects, dealing with oil that's to be put into the tidal waters.

In the history of the Oil Conveyance Law, there has been only one project. I will remind you. Members of the Senate, that is one project in just 10 years. There's not much local control here.

If you believe that the Department of Environmental Protection should not have the authority to issue experimental permits, then we should write a law that would make this authority, takes this authority away from them. If you believe that the DEP should make decisions based on hysteria and emotions rather than on technical criteria, then we should write a law that allows decisions to be made on them. If you believe the DEP should be rebuked, we

should write a resolve.

What we should not do is write a law which, as a practical matter, will prevent a State agency from carrying out its responsibilities.

When an experiment is made, it has to be made under controlled circumstances, in controlled areas. Everything can not be experimented with in the lab. For all practical purposes, experiments have to be conducted somewhere, and I can not see any reason to let the public do what we ask the agency to do.

I hope you will accept the Minority Ought Not to Pass Report.

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

Senator SHUTE: Mr. President, Ladies and Gentlemen of the Senate, evidently there was quite a change of heart since the hearing on this Bill, because the good Senator from Oxford told me this was probably the best Bill he had ever heard, right after the hearing. Evidently, it has slid downhill some since then.

I think to be a little closer to the situation, and know how the project was carried out, it certainly wasn't carried out in a very scientific manner. There wasn't one bit of the dispersed oil that was supposed to come ashore in a boomed off area, that did come to shore in the boomed off area. We have photographs, all the TV people were down there taking pictures showing it going down river from where it was supposed to go. It all went under the booms and down river.

The area adjacent to the oil spilled area was just opened for clam digging, both sides of it, this year, but that area wasn't opened. It probably won't be opened.

As far as this being just a coastal bill, I suggested to the Committee, at the public hearing, that if they wanted to include inland waters in the State, I'd be glad to have inland waters included in the Bill. I don't know why somebody on the Committee didn't include that in there, if that's an objection they had.

This Amendment is also approved by DEP. They helped write the Amendment. They rewrote the Amendment for me. Previously, the Bill required the DEP to get approval from the town. DEP was opposed to that and suggested that the applicant go to the town, have a hearing, then go to DEP for their waiver. That's what the Amendment does.

I don't see what the problem is with the Amendment.

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

Senator PRAY: Mr. President, Ladies and Gentlemen of the Senate, I've been following the debate with great interest. I have been sitting here looking at the two amendments, and particularly Report "B", which hasn't been discussed at this time. I would like to pose a question to a member of the Committee, or perhaps to the Senator from Waldo, Senator Shute, himself, in reference to Committee Amendment "B", which requires a showing of financial responsibility for any liabilities from an experiment which may be, if his Report is Accepted, Report "A", or the Report of the majority members of the Committee, or not, why is not the financial responsibility required in Report "A" that is listed in Report "B"? Could someone answer that question?

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

Senator SHUTE: I can tell you why it would be unacceptable to most of the people that I represent. Originally, the Commissioner of Marine Resources opposed the project at Searsport, dumping the oil. Then, after a while, he talked to the professors that were doing the job, and talked to the DEP and then he softened his position.

When I was in high school, there was about 20 or 25 people who dug clams in that cove every day. They'd get 4 to 6 bushels of clams every day. Now, if we went with the bonding, as you are suggesting, and the Commissioner ap-

proved a project, do you think next year the Commissioner would come in and say, gee, we made a mistake, and we've denied 25 people a living for 10 years, and now you're going to come up with \$1,500,000 to right the wrong that the Department did. I think that's unrealistic, that somebody, a bureaucrat is going to admit, a year later, that he made a mistake, and he's going to require somebody to pay \$1,000,000 or \$2,000,000 for lost income that the people might have had over a 10 years period.

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

Senator PRAY: Mr. President, perhaps I'm a little bit more confused now than I was before I asked the question. If Report "A" was Accepted, which would require the municipalities to have to say in this experimental discharge of petroleum products, and if, after they had approved it, a mistake was made, and that same clam bed was destroyed, is there any type of resource recovery or anything in the existing law that would be required in Report "B"? My question was, why was this not included, also, in Report "A", because I could see perhaps an instant of maybe where some town fathers, municipal officers, may determine that such an experiment would be advantageous and approve it, and for some unforeseen reason, the worst of the matter occurs, and that same clam bed that we were concerned about just a few moments ago could be wiped out for the next ten years. Then my understanding from this Report "A" versus even the present law, is that there would be absolutely no chance of any type of recovery from those running the experiments at this time.

My concern was not in opposition in Report "A", or in favor of Senator O'Leary's position, or anything else. It was a concern of that financial guarantee or security for those individuals who may make a living by digging the clams such as Senator Shute had pointed out.

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

Senator O'LEARY: Mr. President and Members of the Senate: the good Senator from Waldo, Senator Shute, was absolutely correct in his statement that it was one of the best bills that I had ever heard. I think it was perhaps the Department's perception of my attitude toward it that they were willing to compromise and write an amendment to the Bill. So I shall share some of the blame for being wishy-washy.

Mr. President, I want to reiterate once again that experiments have to be done under controlled circumstances. I don't think that we should attempt to in any way curtail the activities of the Department other than that which we already do by law.

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

Senator REDMOND: Thank you, Mr. President. I signed the Ought to Pass Report, as amended by Committee Amendment "A". I think this is a very important Bill, in view of the times that we're living, 1982, in view of the new federalists. I've heard the words pronounced here, "home rule," and I've heard that in many cases in the three terms I've been here.

I would like to express my views that the torch has now been passed and the new federalists is a reality. The federal government and the State government have realized the municipalities are entitled to have a chance to look before someone dumps some oil in their waters, because their people are in those clam beds, they're making a living. I don't live on the coast, I live inland, but I am very much concerned about some resource that people have been traditionally making a living off.

I think that it's only just, and I trust the judgment of the municipalities to get a little bit of input before they start tampering in the waters on the shore of their municipalities. This is why I signed the Ought to Pass Report.

I'm sure if this is not completely perfect, as some of my colleagues here would like to see it, I trust the Legislature and the municipalities would be able to iron these things out.

The PRESIDENT: Is the Senate ready for the question?

The Chair will order a Division.

Will all those Senators in favor of the motion by the Senator from Oxford, Senator O'Leary, that the Senate 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.

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

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

### Second Readers

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

#### House

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Piscataquis County for the Year 1982. (Emergency) (H. P. 2196) (L. D. 2075)

Resolve, Reimbursing Certain Municipalities on Account of Taxes Lost Due to Lands Being Classified under the Maine Tree Growth Tax Law. (Emergency) (H. P. 2194) (L. D. 2074)

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

#### House — As Amended

Bill, "An Act Relating to Informed Consent and Determination of Best Interest for Those Unable to Give Informed Consent for Sterilization." (H. P. 2179) (L. D. 2065)

Bill, "An Act to Ensure Consistency in State and Federal Laws Concerning Job Opportunities for Welfare Recipients." (H. P. 1811) (L. D. 1796)

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

Bill, "An Act Relating to the Closing of State Liquor Stores in Communities with One Store." (Emergency) (H. P. 1996) (L. D. 1972)

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

Sent down for concurrence.

#### Senate

Bill, "An Act to Equalize Health Insurance Benefits for Retired State Employees." (S. P. 850) (L. D. 1983)

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

Sent down for concurrence.

#### Senate — As Amended

Bill, "An Act to Address the Potential Conflict of Interest of the Board of Pesticides Control." (Emergency) (S. P. 738) (L. D. 1723)

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

Sent down for concurrence.

#### Enactors

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

AN ACT to Clarify Fish Inspection Responsibilities. (H. P. 1742) (L. D. 1731)

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

AN ACT to Provide a Data Input and Retrieval System for the Workers' Compensation Com-

mission. (H. P. 1901) (L. D. 1886)

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

AN ACT to Amend the Charter of the East Edgington Public Hall Company. (S. P. 792) (L. D. 1868)

AN ACT to Increase the Working Capital of the State Liquor Commission. (H. P. 1807) (L. D. 1792)

AN ACT to Allow Priority Social Service Program Funds to Match Appropriate Federal Funds. (H. P. 1835) (L. D. 1832)

AN ACT to Allow the Transfer of Aquaculture Leases. (H. P. 1955) (L. D. 1927)

AN ACT to Increase the Sardine Tax. (H. P. 2157) (L. D. 2057)

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 Eliminate Discrimination in Cases of Prostitution. (H. P. 2121) (L. D. 2040)

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

Senator COLLINS: Mr. President, the title of this particular Act leads me to make a couple of observations. I'm going to support the Act this year. I have opposed it in the past. I'd like to explain my position just a little bit, and hope for perhaps a little bit of comment from a member of the Judiciary Committee.

The word "discrimination" sometimes has a connotation that it's a matter of sex discrimination. The discrimination that was originally intended when this Bill was debated five years ago, on a basis of sex discrimination was promptly discerned to be erroneous because male prostitutes are subject to the same law that female prostitutes are subject to.

If we, supposedly, eliminate discrimination as between a buyer and a seller by passing this, at the same time, I wonder if we are creating a new form of discrimination, namely that those who do not pay for the service are not criminals, while those that do pay are criminals.

However, this is an area where logic has very little to do with it. It's a matter of sociological inquiry and perception. The City of Portland, where most of the problem prevails, has been to this Legislature four times, asking for help. The other three times we didn't give them all they asked for, but we did make some changes. We tightened up and rewrote the pimping section of the law. We changed some of the wording about solicitation to make it easier for the police force to understand. Then last year, we made the partner in any act that had to do with a juvenile a criminal. I certainly supported that part of it.

My question goes to something that has become a fairly common sociological condition in our times. Elderly people, not always elderly, but let's say over 65 as a rule, are sometimes living together today without marriage, sharing their meager resources, sometimes only Social Security checks, and sharing the same bedrooms and beds. Yet, society today doesn't look on that as a horrible crime as society did 40 or 50 years ago.

When I look at the wording of this particular Enactment, as a lawyer, and I see that the gist of the crime is the exchange of pecuniary benefit for sexual act, and I think of some of these people that are living together and exchanging pecuniary benefits, sometimes to survive without asking for extra help from the welfare department of their city. I would hope members of the Judiciary Committee, whose words are the authoritative ones here in the legislative history, might be able to assure me that this situation is not what the statute is aiming at. Because if it is, I would feel it is not a real contribution to the City of Portland's problems, or the problems of any other city. I pick on the City of Portland just a little bit, because it is

the new moral majority of the City of Portland that has so heavily influenced the Judiciary Committee this year.

So, I would hope that perhaps a member of the Judiciary Committee could reassure me on this. I expect to support the Act this year, because when the prevailing law is not working, when there is a sincere attempt to make something work better, and the leaders of an important city tell us this is the way to make it work better, I'm willing they have that opportunity. I hope that we'll make things go better in the City of Portland and elsewhere.

I have some misgivings as to whether that will happen because I have known some cities have tried this and the problem has simply gone underground and a new regime of organized crime, extortion and blackmail has come in its place, and very little has been accomplished.

So I hope that this will accomplish something for our system. I hope that I may be reassured a bit by those who have greater knowledge than I.

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

Senator DEVOE: Thank you, Mr. President. I thank the good Senator from Knox, Senator Collins, for his remarks on this Bill. There was no testimony before the Committee by anyone dealing with the particular concern that you expressed, Senator Collins. There were no representatives of the Maine Committee on Aging there who were expressing the concern. I do not believe that it was the considered opinion of the Committee that people who are elderly who may be living together, sharing quarters, sharing the same bed, sharing Social Security checks or other meager retirement income, were going to be the people affected by this Bill.

Rather, what we did hear, and I was at several of the hearings where this subject has come up before, when the Senator and I were privileged to serve on the Committee together. I found the Committee testimony very compelling this time. It was not sensational. It was extremely serious. We got testimony from law enforcement officials. We got testimony from businessmen, as to the extent and the nature of this problem.

I agree with the Senator that we are attempting to address a concern which perhaps is paramount in the largest city in this State, may not yet have hit other large communities.

I voted in the past against similar legislation such as this. I've only been here five years, going on my sixth year, but I am now persuaded that what we have to do is what we are trying to do in this Bill. That is, to in some way diminish the rampant solicitation which takes place on the streets in Portland.

I think this Bill will take a step in that direction. I don't believe anyone on the Committee is offering this Bill as the be all and end all of this problem. It probably will be back here in one variation or another in the years ahead. We will have to deal with it in the years ahead, depending on the shape of the problem at that time.

This is this Committee's sincere expression of opinion that for now, given the problem we had explained to us as existing in Portland, that this will take a step towards diminishing the problem. It's in that spirit that I think the entire Committee joined in what I believe was a unanimous Committee Report, in favor of this Bill. I would urge all the Senators here today to vote in favor of the Bill. Thank you very much, Mr. President.

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

Senator CONLEY: Mr. President and Members of the Senate: I guess I, too, have been in this Senate since the day that this Bill first arrived here, and it goes back several years. This bill has come exceedingly close to passage. It failed, I believe, in the Senate, by one vote.



Since the defeat of that legislation, the problem in Portland, and it is not, contrary to the fact, it's not limited to Portland at all. We had the District Attorney from Androscoggin County come down and speak in support of this Bill, with the problems they are now being confronted with in the City of Lewiston and other communities.

I think one of the most important reasons for passing this Bill was stated by the District Attorney from Androscoggin County, that under the present statute the hooker is brought to jail, the male is let off the hook. She is prosecuted, because of the profession that she's engaged in, while those who are compensating her for her services are let go free and clear.

Now, I know that was a big issue here the last time we had this legislation before us. I'll speak primarily to the City of Portland. It's funny about how the City of Portland always becomes involved. I was just speaking with the good Senator from Hancock, Senator Perkins, with respect to Portland and the intoxication, or the alcoholism bill we have in here, finally the City of Portland doesn't need any help financially.

I just get a little upset when I start hearing, because of the urban community, that it's easy to pinpoint us because we're the largest city in the State.

If you had an 18 year old daughter, and she was on her way to work in the morning, as was testified before the Committee, I've received many phone calls of girls going to work because they happen to live on Deering Street, or within that immediate area, which is one of the finest districts, I might say, in the City of Portland, and she's stopped on the street by some stud who asked her to provide services for him, how would you feel? If your wife is going to work, and she happens to walk down Congress Street and crosses at the corner of High and Congress, and she is stopped by some guy sitting in a Cadillac who gets out and asks her if he can purchase her services, how would you feel?

How humiliating and degrading for the fairer sex to have to go through this nonsense.

I have a concern with the Bill that we have before us. My concern was echoed before the Legislative Council before this Bill was allowed in, it was echoed with the Portland Police Department, and that would be one of entrapment. I don't want to see female police officers dressed up in civilian clothes, and using the reversal of what is going on now. That the good Senator from Knox, Senator Collins, comes into town, attending a convention, minding his own business, and walking down Congress Street, and this lovely looking chick comes up to him and says, my friend, could I be of service of entertainment to you for this evening? Sam, being the great man that he is, and obviously being able to restrain himself, but if he had one moment of weakness, that one moment, and said, yes, and then things went on and all of a sudden he passed a five, and when she was reaching for the five the handcuffs came out and Sam was escorted away.

That's what I fear and that's what I don't want to see take place under this legislation. We've been assured by the Gestapo that that won't happen. All they want to do is clean up this mess and stop what's going on.

Now I know the good Senator from York, Senator Hichens, can testify to this Senate that prostitution has gone on since the days of Mary Magdalene. I am aware of that, but there is no one in this Body or in the other Body that's ready to present legislation to make prostitution legalized. Because of that fact, because we have one statute that singles out the female to be prosecuted, which is totally unjust, totally unfair, that's why this Bill is here before us. That the scales of justice that the good Senator from Knox, Senator Collins, always makes reference to, becomes balanced, balanced.

Yes, they may go underground, but at least

the business community, my daughter, someone else's wife, will be able to travel the streets of Portland without being harassed by some idiot.

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

Senator KERRY: Mr. President, Ladies and Gentlemen of the Senate, I would also like to add my support for this legislation, primarily because most of the people who testified before our Committee indicated that this was probably one of the most pernicious forms of child abuse that is taking place in our State.

There were several counselors who came before our Committee who spoke most eloquently about young girls from all over the State coming into Portland, which unfortunately seems to be the center of discussion, but the fact of the matter is that they were speaking of how these young women were abused. Not only by the people who were trying to pimp them, if I may use that word, but also by the people who were using their services. That is the word that I think comes most to mind. It was the fact of the use of these young people for these means.

This specific Bill it was clear to us would not eradicate the problem, but what it would do, it would then send a message to all persons who obviously do not have any respect for these young women. Secondly, it would raise the consciousness of the community to the fact that there are many young women who unfortunately get tied into drugs, they get tied into a subculture of crime, and many of them are beaten severely and emotionally deprived.

It was very clear to me, also, that I was unaware of the pervasiveness of the problems of the children and virtually these are children many of them, they are not all adults, and they are certainly not senior citizens.

I think having served on the Health and Institutional Services Committee in the past and having been involved with child abuse and neglect, this one particular subject hit me very hard. I think that many of these young people, number one, have very poor diets. They have no home life. They are not wanted by anybody. They do it out of a deep seated need.

I think this Senate and this Legislature could bring forward to the community saying to the people who are perpetuating this problem saying, you are going to be penalized, therefore it is going to be a matter of equity and fairness. It is time that our Legislature, our public policy says to the men, primarily the men, who are using these people for fun realize how very important this subject is to all of us.

They are our children, they are our friends, and they are people that we have a responsibility to.

I can echo with the sentiments of Senator Conley and Senator Devoe that it was a very serious discussion before our Committee, and I felt a very emotional subject was handled very well. I commend Senator Devoe for his handling of it, because there was obviously some very emotional people who testified who had personal experiences that were very, very unseemly.

I would wholeheartedly hope that the Senate would endorse this measure. Thank you.

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

Senator REDMOND: Thank you, Mr. President. Mr. President, members of the Senate, seeing that I am not a lawyer, and I represent more of the rural areas, and I Chair Fisheries and Wildlife and the resource that is involved there when they have some sexual intercourse there is never any money exchanged and no one talks about it, because they just do it.

I am not familiar with what is going on in the City of Portland. I would like to pose a question to the Chairman of the Judicial Committee and that is, in this day and age where there are so many legal implications in everything, in all walks of life, everyday, in business if people

ask, if the seeker asks the other person to sign a disclaimer, have they checked out the statutes, and with the Attorney General to see if those who will continue to seek, if there are some tricky ways where they would be legal if they had the other person sign a disclaimer?

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

Senator DEVOE: Mr. President, to the extent that I grasped the meaning of the question of the good Senator from Somerset, we did not discuss nor consider anything to do with disclaimers.

The PRESIDENT: Is the Senate ready for the question?

The Chair will order a Division.

Will all those Senators in favor of Enactment of LD 2040, please rise in their places to be counted.

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

26 Senators having voted in the affirmative and 1 Senator having voted in the negative, LD 2040 was Passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

AN ACT Relating to the Compensation of Public Utilities' Commissioners. (H. P. 1921) (L. D. 1903)

Comes from the House, Failed of Enactment.

On motion by Senator Collins of Knox, Tabled for 1 Legislative Day, pending Enactment.

#### Emergency

AN ACT to Make the State Unemployment Tax Exemption for Individuals Engaged in Fishing Consistent with the Federal Unemployment Tax Exemption for such Individuals. (H. P. 2008) (L. D. 1979)

On motion by Senator Collins of Knox, Tabled for 2 Legislative Days, pending Enactment.

#### Emergency

AN ACT to Establish the Cost of Maine Forestry District in Fiscal Year 1982-83. (S. P. 842) (L. D. 1905)

On motion by Senator Pray of Penobscot, Tabled for 1 Legislative Day, pending Enactment.

#### Orders of the Day

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

Bill, "An Act to Provide Financial Assistance to Students of Osteopathic Medicine." (S. P. 831) (L. D. 1939)

Tabled—March 18, 1982 by Senator CONLEY of Cumberland.

Pending—Adoption of Committee Amendment "A" (S-412)

On motion by Senator Huber of Cumberland, Committee Amendment "A" (S-412) was Indefinitely Postponed.

The PRESIDENT: The Senator has the floor.

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

The PRESIDENT: The Senator from Cumberland Senator Huber now offers Senate Amendment "A" to LD 1939 and moves its adoption.

Senate Amendment "A" (S-422) Read and Adopted. The Bill, as amended, Tomorrow Assigned for Second Reading.

The President laid before the Senate:

Bill, "An Act to Change the Corporate Limits of the Kittery Water District." (H. P. 1872) (L. D. 1866) Tabled earlier in today's session on motion by the Senator from York, Senator Hichens, pending Acceptance of the Committee Report.

On motion by Senator Hichens of York, LD 1866, and all its accompanying papers was Indefinitely Postponed, in concurrence.



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

#### Orders

Expressions of Legislative Sentiment recognizing:

Joe Graziano, of Lisbon, who has earned a statewide reputation of serving the finest Italian cuisine and has been selected as Business Man of the Year by the Lisbon Chamber of Commerce. (S. P. 933) presented by Senator AULT of Kennebec (Cosponsors: Senator MIN-KOWSKY of Androscoggin, Senator PIERCE of Kennebec and Representative LaPLANTE of Sabattus).

Delia Rodrigue, of Sanford, recipient of the Jefferson Award for her work on behalf of Camp Waban. (S. P. 936) presented by Senator WOOD of York (Cosponsors: Representative TUTTLE of Sanford, Representative PAUL of Sanford and Representative RIDLEY of Shapleigh).

Gladys Newman, of Lakeview Plantation, who has been elected to a 42nd term of office as town clerk, for her outstanding record and distinguished service to that community. (S. P. 937) presented by Senator PRAY of Penobscot (Cosponsor: Representative MASTERMAN of Milo).

James and Edith McGrath, of Brownville Junction, who will celebrate their 40th wedding anniversary on June 5, 1982. (S. P. 938) presented by Senator PRAY of Penobscot (Cosponsor: Representative MASTERMAN of Milo).

Edward and Virginia Brown, of Greenville, on the occasion of their 50th wedding anniversary, April 2, 1982. (S. P. 939) presented by Senator PRAY of Penobscot (Cosponsor: Representative MASTERMAN of Milo).

Dale Andrews, State Commander of the Maine AMVETS, and his wife, Myra Andrews, State President of the AMVETS Auxiliary. (S. P. 940) presented by Senator USHER of Cumberland.

Which were Read and Passed.

Sent down for concurrence.

Expressions of Legislative Sentiment recognizing:

The Stags of Cheverus High School, winners of the Western Maine Class A Boys' Basketball Championship for the academic year 1981-82. (S. P. 934) presented by Senator CONLEY of Cumberland (Cosponsors: Senator NAJARIAN of Cumberland, Senator KERRY of York and Representative JOYCE of Portland).

The Stags of Cheverus High School, winners of the State Class A Boys' Basketball Championship for the academic year 1981-82. (S. P. 935) presented by Senator CONLEY of Cumberland (Cosponsors: Senator NAJARIAN of Cumberland, Senator KERRY of York and Representative JOYCE of Portland).

Which were Read.

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

Senator CONLEY: Mr. President, Members of the Senate, I know that the Senate takes particular pride this afternoon in offering these congratulatory salutations to Cheverus High School for their great deeds in winning the Class A Western Maine, and also, the State title last Saturday evening.

I went to Cheverus not too long, but I went there long enough to know that it is spelled CHEVERUS and I would hope that there would be a correction to this order.

Which were Passed.

Sent down for concurrence.

An Expression of Legislative Sentiment recognizing:

The Bangor High School Lady Rams, winners of the State Class A Girls' Basketball Championship for the 1981-82 academic year. (S. P.

941) presented by Senator TROTZKY of Penobscot (Cosponsors: Representative TARBELL of Bangor, Representative ALOUPIS of Bangor and Representative DIAMOND of Bangor).

Which was Read and Passed.

Sent down for concurrence.

The Adjournment Order having been returned from the House, Read and Passed, in concurrence, on motion by Senator Pierce of Kennebec, Adjourned until Tuesday, March 23, 1982 at nine o'clock in the morning.