

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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 24, 1982

Senate called to order by the President.

Prayer by the Reverend George C. Bland, Jr., of South Parish Congregational Church of Augusta.

REVEREND BLAND: Let us pray. Almighty God, You have created and sustained the world in goodness, and You have placed everything You have made in relationship. We pray that seeing Your goodness, we may be imitators of it, that sensing the goodness of life in itself, we may be led to do what is good.

O God, knowing You to be in relationship to us, we confess our calling to be faithful in all our relationships, relationships to all people, family and friends, colleagues and public which must never be faceless; and faithful to our relationships to all created things, things inanimate, or what we presume to call inanimate, as well as animate.

For You call us in all our relationships to be centered in the spirit, to be candid in pursuit of the truth, and to be compassionate. Make us then good stewards of the life You have given us. Hear our prayer. Amen.

Reading of the Journal of yesterday.

(Off Record Remarks)

Communication
Senate Chamber
President's Office

March 23, 1982

Honorable David R. Ault
Honorable Judy C. Kany
Chairmen
Committee on State Government
State House
Augusta, Maine
Dear Committee Chairmen:

Please be advised that Governor Joseph E. Brennan is nominating Robert P. Bahre of South Paris for reappointment to the Maine Guarantee Authority.

Pursuant to Title 10 MRSA Section 751, this nomination will require review by the Joint Standing Committee on State Government and confirmation by the Senate.

Sincerely,
S/JOSEPH SEWALL
President of the Senate
S/JOHN L. MARTIN
Speaker of the House
(S. P. 947)

Which was Read and referred to the Committee on State Government.
Sent down for concurrence.

Order
Joint Resolution

A Joint Resolution in Memoriam:
WHEREAS, the Legislature has learned with deep regret of the death of Captain Elmer Hadlock, of Islesford, a beloved public servant in that community. (S. P. 948) presented by Senator PERKINS of Hancock (Cosponsor: Representative BORDEAUX of Mount Desert).

Which was Read and Adopted.
Sent down for concurrence.

Committee Reports
House

Leave to Withdraw

The Committee on State Government on, Bill, "An Act to Increase the Salary of the Governor." (H. P. 1951) (L. D. 1975)

Reported that the same be granted Leave to Withdraw.

(Rep. HOLLOWAY of Edgecomb-abstained)
Comes from the House, the Report Read and Accepted.

Which Report was Read and Accepted, in concurrence.

Ought to Pass

The Committee on Energy and Natural Resources on, Bill, "An Act to Create a State Set-aside System for Petroleum Products." (H. P. 2088) (L. D. 2022)

Reported that the same Ought to Pass.

Comes from the House, the Bill Passed to be Engrossed, as amended by House Amendment "A" (H-674).

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

Ought to Pass — As Amended

The Committee on Public Utilities on, Bill, "An Act to Allow the Chairman to Appoint Members of the Public Utilities Commission to Serve as Hearing Examiners." (H. P. 1755) (L. D. 1745)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-673).

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

Which Report was Read.

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

Senator COLLINS: Mr. President, I have a question for any member of the Committee on Public Utilities about this Bill. In reading the Committee Amendment, I note that the Chairman of the Public Utilities Commission would have authority to send any commissioner to any place that he chose on any assignment on the Commission's work.

This introduces a new power to the Chairman of the Commission that is broader than we have seen before, and of course, would permit a Commission chairman to assign a member to the far reaches of the State to hear testimony, thus keeping that member from perhaps another important assignment in another part of the State.

Thus, the Chairman of the Commission is vested with a great deal of authority. I am interested in knowing the thinking of the Committee about the wisdom of this.

The PRESIDENT: The Senator from Knox, Senator Collins, 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, there have been hearings where no commissioners have attended during rate hearing increases, and so on. It was the feeling of the Committee that Public Utilities Commissioners are asking for an increase in salary, and that there should be a commissioner at every one of these public hearings rate hearings.

The only way we could guarantee that some commissioner was there was by giving responsibility to the Chairman of the Public Utilities Commission, to assign a member to attend a hearing. Or otherwise, no one seems to be responsible for who goes where.

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

Senate

Leave to Withdraw

Senator EMERSON for the Committee on Taxation on, Bill, "An Act to Clarify the Tax Status of Time-sharing Condominiums." (S. P. 758) (L. D. 1816)

Reported that the same be granted Leave to Withdraw.

Senator EMERSON for the Committee on

Taxation on, Bill, "An Act to Allow Municipalities to Withdraw from the Maine Forestry District." (S. P. 808) (L. D. 1906)

Reported that the same be granted Leave to Withdraw.

Which Reports were Read and Accepted.
Sent down for concurrence.

Ought to Pass—As Amended

Senator CONLEY for the Committee on Judiciary on, Bill, "An Act to Implement the Single Trial Law." (S. P. 814) (L. D. 1910)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-428).

Senator AULT for the Committee on Local and County Government on, Bill, "An Act to Authorize Municipalities to Establish and Maintain Employment Offices." (S. P. 860) (L. D. 1993)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-431).

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

Divided Report

Ten Members of the Committee on Judiciary on, Bill, "An Act to Establish a Small Claims Court." (S. P. 743) (L. D. 1746)

Reported in Report "A" that the same Ought to Pass as amended by Committee Amendment "A" (S-426).

Signed:
Senators:

DEVOE of Penobscot
CONLEY of Cumberland
KERRY of York

Representatives:

HOBBINS of Saco
REEVES of Newport
JOYCE of Portland
LUND of Augusta
O'ROURKE of Camden
BENOIT of South Portland
SOULE of Westbrook

Two members of the same Committee on the same subject matter reported in Report "B" that the same Ought Not to Pass.

Signed:

Representatives:

CARRIER of Westbrook
LIVESAY of Brunswick

One member of the same Committee on the same subject matter reported in Report "C" that the same Ought to Pass as amended by Committee Amendment "B" (S-427)

Signed:

Representative:

DRINKWATER of Belfast

Which Reports were Read, and the Majority Ought to Pass, as amended, Report of the Committee was Accepted, and the Bill Read Once. Committee Amendment "A" was Read.

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

Senator COLLINS: Mr. President, in reading Committee Amendment "A", I note that the requirement is inserted therein that a notice be given by registered mail, according to the explanation. I am curious why registered mail is more valuable to the process than certified mail. I know it's more expensive. I'm interested in knowing the Committee's reason for changing that procedure.

The PRESIDENT: The Senator from Knox, Senator Collins, has posed a question through the Chair relative to the Amendment.

The Chair recognizes the Senator from Penobscot, Senator Devoe.

Senator DEVOE: Thank you, Mr. President. Mr. President and Members of the Senate, we have no particular reason for inserting the word "registered" in there in addition to "certified." If somebody would be willing to Table

this until later in the day, I'll have an amendment prepared to delete the word "registered", because certified mail will accomplish the same thing, as registered mail.

On motion by Senator Conley of Cumberland, Tabled until later in today's session, pending Adoption of Committee Amendment "A".

Second Readers

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

House

Bill, "An Act to Amend the Charter of the Lincoln Water District." (H. P. 2119) (L. D. 2041)

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Oxford County for the Year 1982. (Emergency) (H. P. 2199) (L. D. 2078)

Bill, "An Act to Establish the Discount Rate for the Tree Growth Tax Law." (H. P. 2177) (L. D. 2069)

Bill, "An Act to Amend the Law Establishing the Maine Self-Insurance Guarantee Association." (H. P. 2223) (L. D. 2082)

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Franklin County for the Year 1982. (Emergency) (H. P. 2219) (L. D. 2081)

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Somerset County for the Year 1982. (Emergency) (H. P. 2218) (L. D. 2080)

RESOLVE, Authorizing the Commissioner of Marine Resources to Convey an Easement over Certain State Land. (H. P. 2159) (L. D. 2059)

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

Bill, "An Act Relating to the Board of Harbor Commissioners and its Powers for the Harbor of Portland." (H. P. 2198) (L. D. 2077)

Which was Read a Second Time.

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

Senator PIERCE: Mr. President, I present Senate Amendment "A" under filing number S-430 and move its adoption.

The PRESIDENT: The Senator from Kennebec, Senator Pierce, now offers Senate Amendment "A" to LD 2077 and moves its adoption.

Senate Amendment "A" (S-430) was Read and Adopted.

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

Sent down for concurrence.

House—As Amended

Bill, "An Act to Revise the Charter of the Brunswick Sewer District." (H. P. 2097) (L. D. 2031)

Bill, "An Act Enabling the Department of Educational and Cultural Services to Administer the Education Block Grant Program." (H. P. 2086) (L. D. 2028)

Bill, "An Act to Make Additional Allocations from the Regulatory Fund, Public Utilities Commission for the Fiscal Year Ending June 30, 1983." (Emergency) (H. P. 1908) (L. D. 1897)

Bill, "An Act Excluding Wages of Certain Temporary Alien Workers from Unemployment Compensation Tax." (H. P. 1972) (L. D. 1947)

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

Senate

Bill, "An Act Appropriating Funds for the Agent Orange Information Committee" (S. P. 945) (L. D. 2084) (Emergency)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Authorize the Credit of the State to be Loaned to Secure Funds for Loans to Parents of Maine Students Attending Institutions of Higher Education. (S. P. 920) (L. D. 2061)

Which were Read a Second Time and Passed

to be Engrossed.

Sent down for concurrence.

Bill, "An Act to Amend the Banking Code Regarding the Investment and Lending Powers of Thrift Institutions and Regarding Service Corporations." (S. P. 942) (L. D. 2083)

Which was Read a Second Time.

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

Senator MINKOWSKY: Mr. President and Members of the Senate, I was looking over this Bill, from an inquiry I had relevant to it yesterday. I was wondering if somebody from the Committee on Business Legislation might give me a brief explanation as to what the major difference is between the draft before us this morning, which is L. D. 2083, and the original Bill itself, which was L. D. 1928?

On motion by Senator Sutton of Oxford, Tabled until later in today's session, pending Passage to be Engrossed.

Senate — As Amended

Bill, "An Act to Revise the Allocation of Funds to Provide Photographic Nonalterable Driver's Licenses and Identification Cards." (Emergency) (S. P. 823) (L. D. 1923)

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

Sent down for concurrence.

Bill, "An Act Authorizing Husson College to Confer a Degree of Bachelor of Science in Nursing." (S. P. 786) (L. D. 1851)

Which was Read a Second Time.

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

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

The PRESIDENT: The Senator from Cumberland, Senator Conley moves that L. D. 1851 be Tabled until later in today's session.

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. 1851 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.

17 Senators having voted in the affirmative, and 8 Senators having voted in the negative, L. D. 1851 was Tabled until later in Today's session, pending Passage to be Engrossed.

Enactor

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

Emergency

AN ACT Making Appropriations, Authorizations and Allocations Relating to Federal Block Grants for the Expenditures of State Government for the Fiscal Years Ending June 30, 1981, June 30, 1982 and June 30, 1984. (S. P. 946) (L. D. 2085)

This being an emergency measure and having received the affirmative vote of 27 members of the Senate, with No Senators having voted in the negative, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

Orders of the Day

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

Bill, "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) (Emergency)

Tabled—March 19, 1982 by Senator COLLINS of Knox

Pending—Enactment

On motion by Senator Collins of Knox, Retabled until later in today's session.

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

Bill, "An Act to Establish the Cost of the Maine Forestry District in Fiscal Year 1982 — 83" (S. P. 842) (L. D. 1965) (Emergency)

Tabled—March 23, 1982 by Senator TEAGUE of Somerset

Pending—Enactment

On motion by Senator Teague of Somerset, Retabled for 1 Legislative Day.

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

HOUSE REPORT—from the Committee on Fisheries and Wildlife—Bill "An Act Pertaining to Inland Fisheries and Wildlife Laws." (H. P. 1731) (L. D. 1716) Ought to Pass in New Draft under New Title, An Act to Clarify and Make Corrections in the Inland Fisheries and Wildlife Laws" (H. P. 2200) (L. D. 2079)

Tabled—March 23, 1982 by Senator PRAY of Penobscot

Pending—Acceptance of Report

On motion by Senator Usher of Cumberland, Retabled until later in today's session.

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

HOUSE REPORTS—from the Committee on Energy and Natural Resources—Bill "An Act Concerning the On-Site Storage of Spent Nuclear Fuel." (H. P. 1928) (L. D. 1911)—Majority Report Ought to Pass; Minority Report Ought Not to Pass.

Tabled—March 23, 1982 by Senator REDMOND of Somerset

Pending—Acceptance of Majority Report

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

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

SENATE REPORT—from the Committee on Agriculture—"Bill, An Act Relating to Harness Racing at Agricultural Fairs, the State Stipend and Pari-mutuel Pools." (Emergency) (S. P. 864) (L. D. 2006)—Ought to Pass as Amended by Committee Amendment "A" (S-424)

Tabled—March 23, 1982 by Senator HICHENS of York.

Pending—Acceptance of Report

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

Senator HICHENS: Mr. President, I now move that the Bill be substituted for the Report and referred to the Committee on Taxation.

The PRESIDENT: The Senator from York, Senator Hichens, now moves that the Bill be substituted for the Committee Report, and that the Bill then be referred to the Committee on Taxation.

Is this the pleasure of the Senate?

The Chair recognizes the Senator from Kennebec, Senator Pierce.

Senator PIERCE: Mr. President, a parliamentary inquiry. If this is done, does that mean we have to go through the whole public hearing procedure again, with another Committee, and the expense of doing that?

The PRESIDENT: The Chair would answer the Senator in the affirmative, in the opinion of the Chair. It may be short-circuited somewhat, but by and large, the procedure would have to be followed.

The Chair recognizes the Senator from Kennebec, Senator Pierce.

Senator PIERCE: Mr. President, I wonder if we could have an explanation of why it is necessary to go through this whole procedure this late in the session?

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

The Chair recognizes the Senator from York, Senator Hichens.

Senator HICHENS: Mr. President and Members of the Senate: The Committee on Agriculture reported this Bill out with the Committee Report, and it was asked that it be referred to Taxation, for their consideration. We did not realize that they were going to want the Bill and to have a public hearing, which I understand they have advertised for tomorrow, which I, too, felt was unnecessary, but the Chairman of the Committee insisted that they have the Bill to work with on their own. On a compromise basis, our Committee has reluctantly gone along with their suggestion.

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

Senator TEAGUE: A question on procedure. Would it be possible to Table this for two days? The Taxation Committee has the hearing tomorrow, Thursday, at 1:30, and take up the problem at that time.

The PRESIDENT: The Chair would advise the Senator that it is possible to do anything that the Senate wants to do. If somebody makes the proper motion, then the Chair will entertain it.

On motion by Senator Conley of Cumberland, Retabled until later in today's session, pending the motion by the Senator from York, Senator Hichens.

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

JOINT ORDER—relative to Taxation Committee reporting out a Bill regarding the State Tax Code. (S. P. 922)

Tabled—March 23, 1982 by Senator COLLINS of Knox.

Pending—Consideration.

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

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

Bill, "An Act to Require Mandatory Reporting of Elderly Abuse." (S. P. 779) (H. P. 1847)

Tabled—March 23, 1982 by Senator COLLINS of Knox.

Pending—Adoption of Committee Amendment "A" (S-414)

On motion by Senator Collins of Knox, Retabled until later in today's session.

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

Bill, "An Act Relating to the Compensation of Public Utilities' Commissioners." (H. P. 1921) (L. D. 1903)

Tabled—March 23, 1982 by Senator COLLINS of Knox

Pending—Enactment

Which was Passed to be Enacted in non-concurrence and was signed by the President.

Sent down for concurrence.

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

Bill, "An Act to Regulate the Harvest of Antlerless Deer Within the Western Deer Zone." (H. P. 1754) (L. D. 1744)

Tabled—March 23, 1982 by Senator COLLINS of Knox

Pending—Adoption of Committee Amendment "A" (H-653)

The PRESIDENT: In the opinion of the Chair, the Committee Amendment is germane.

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

Senator PRAY: A parliamentary inquiry to the Chair.

The PRESIDENT: The Senator may state his inquiry.

Senator PRAY: Mr. President, is this pro-

posal in violation of Joint Rule 37?

The PRESIDENT: The Chair would advise the good Senator that a similar measure has been discussed in the Senate, but not the same measure. So, therefore, it is not in violation, in the opinion of the Chair.

Committee Amendment "A" was Adopted, in concurrence.

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

There being no objection all matters previously acted upon were sent forthwith.

Senate at Ease

The Senate called to order by the President.

Senator Carpenter of Aroostook was granted unanimous consent to address the Senate, Off the Record.

Senator Hichens of York was granted unanimous consent to address the Senate, On the Record.

Senator HICHENS: Following up on the comments of the good Senator from Aroostook, as Chairman of the Agricultural Committee I was concerned yesterday when I heard the television reports of what was going on up there. I discussed it with my House Chairman, Mr. Mahany, who comes from Aroostook County and was informed that he felt that this was the wrong measure, that they were doing yesterday, patrolling along the borders, because at the same time these farmers were protesting up there buyers were sitting in their offices and they were giving more orders for Canadian potatoes to be brought into the United States. It seems a ridiculous situation when you have the farmers up there fighting for their rights, yet the buyers are up there trying to undermine them by ordering potatoes from Canada.

(Off Record Remarks)

On motion by Senator Pierce of Kennebec, Recessed until 3 o'clock this afternoon.

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:

Enactors

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

AN ACT to Amend the Maine Medical Compact. (S. P. 766) (L. D. 1824)

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

AN ACT to Equalize Health Insurance Benefits for Retired State Employees. (S. P. 850) (L. D. 1983)

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

AN ACT to Provide that Procedures Covered by the Maine Medical Assistance Program (Catastrophic Illness) Shall be Reimbursable Whether Performed by a Physician or Dentist. (H. P. 1838) (L. D. 1835)

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

AN ACT to Authorize the Treasurer of State to Issue Tax Exempt Commercial Papers. (H. P. 2021) (L. D. 1986)

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

pending Enactment.

AN ACT to Authorize the Repair, Maintenance and Improvement of the Building and Grounds of the Statehouse. (H. P. 2144) (L. D. 2050)

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

AN ACT to Ensure Continuance of the Residential Conservation Service. (H. P. 1936) (L. D. 1916)

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

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)

AN ACT Concerning Revisions in the Maine Juvenile Code. (H. P. 2007) (L. D. 1978)

AN ACT to Regulate the Materials, Construction and Installation of Chimneys, Fireplaces, Vents and Solid Fuels Burning Appliances. (H. P. 1733) (L. D. 1718)

AN ACT to Clarify the Regulation of Sewer Districts. (H. P. 1791) (L. D. 1781)

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)

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

Emergency

AN ACT to Provide for the Storage and Disposal of Illegal and Obsolete Pesticides and Handling Empty Pesticides Containers. (S. P. 905) (L. D. 2047)

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

Emergency

AN ACT to Address the Potential Conflict of Interest of the Board of Pesticides Control. (S. P. 738) (L. D. 1723)

Emergency

AN ACT to Facilitate Acquisition, Improvement and Construction of Housing Financed through the Maine State Housing Authority. (S. P. 867) (L. D. 2015)

Emergency

AN ACT to Establish the Cost of the 1982 Spruce Budworm Spray Project and Amend the Spruce Budworm Suppression Act. (H. P. 2049) (L. D. 1997)

Emergency

AN ACT to Provide Staggered Expiration Dates for Terms of Inland Fisheries and Wildlife Advisory Council Members. (H. P. 2055) (L. D. 2002)

Emergency

AN ACT Converting Grand Lake Stream Plantation into the Town of Grand Lake Stream. (H. P. 2068) (L. D. 2009)

These being emergency measures and having received the affirmative votes of 28 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.

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

Papers from the House Non-concurrent Matter

Bill, "An Act Relating to Assigned Risk Plans in Workers' Compensation Insurance." (H. P. 1995) (L. D. 1971)

In the House, March 23, 1982, Passed to be Engrossed as amended by Committee Amendment "A" (H-659)

In the Senate, March 23, 1982, Minority Ought Not to Pass Report Read and Accepted, in non-concurrence.

Comes from the House, that Body Having Adhered.

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

Senator SUTTON: Mr. President, I move that the Senate Adhere.

The PRESIDENT: The Senator from Oxford, Senator Sutton, moves that the Senate Adhere. Is this the pleasure of the Senate?

The motion prevailed.

House Paper

Bill, "An Act to Adjust Levels of Compensation for Constitutional Officers, Members of the Legislature and the Senate Secretary and House Clerk." (H. P. 2233) (L. D. 2091)

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

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

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 Provide that Administrative Employees of School Superintendents' Offices be Recognized as Members of the Maine State Retirement System." (H. P. 1769) (L. D. 1759)

Ought to Pass

The Committee on Local and County Government on, RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Knox County for the Year 1982. (Emergency) (H. P. 2229) (L. D. 2087)

Reported that the same Ought to Pass pursuant to Joint Order (H. P. 1846).

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

The Committee on Local and County Government on, RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Hancock County for the Year 1982. (Emergency) (H. P. 2230) (L. D. 2088)

Reported that the same Ought to Pass pursuant to Joint Order (H. P. 1846).

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

The Committee on Local and County Government on, RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Penobscot County for the Year 1982. (Emergency) (H. P. 2231) (L. D. 2090)

Reported that the same Ought to Pass pursuant to Joint Order (H. P. 1846).

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

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

The Committee on Local and County Government on, Bill, "An Act to Adjust Salaries of Officers of Knox and Hancock Counties for 1981." (Emergency) (H. P. 2232) (L. D. 2089)

Reported that the same Ought to Pass pursuant to Joint Order (H. P. 2180).

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

Which Report was Read and Accepted, in concurrence, and the Bill Read Once. Under Suspension of the Rules, the Bill Read a Second Time and Passed to be Engrossed, in concurrence.

Sent forthwith to the Engrossing Department.

Ought to Pass — As Amended

The Committee on Local and County Government on, Bill, "An Act to Revise the Greater Portland Public Development Commission."

(H. P. 1970) (L. D. 1945)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-676).

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

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

Ought to Pass in New Draft

The Committee on Judiciary on, Bill, "An Act to Amend the Certification Process for Admission into Public Mental Retardation Institutions and to Clarify the Jurisdiction of the District Court." (H. P. 1968) (L. D. 1943)

Reported that the same Ought to Pass in New Draft under Same Title. (H. P. 2228) (L. D. 2086)

Comes from the House, the Bill, in New Draft, Passed to be Engrossed.

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

Senate

Ought to Pass — As Amended

Senator HUBER for the Committee on Appropriations and Financial Affairs on, Bill, "An Act to Provide State Funding for Literacy Volunteers." (S. P. 847) (L. D. 1982)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-434).

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

Communication Senate Chamber President's Office

March 24, 1982

Honorable Thomas Teague

Honorable Daniel Hickey

Chairmen

Committee on Aging, Retirement & Veterans

State House

Augusta, Maine

Dear Committee Chairmen:

Please be advised that Governor Joseph E. Brennan is withdrawing his nomination of Patricia M. McDonough of South Portland for reappointment as a member of the Maine State Retirement System Board of Trustees.

The Secretary of State's Office has made a correction on the expiration date of Ms. McDonough's term in order to be consistent with the staggering of terms mandated under Chapter 696 of the Public Laws of 1977.

Sincerely,

S/JOSEPH SEWALL

President of the Senate

S/JOHN L. MARTIN

Speaker of the House

(S. P. 949)

Which was Read and referred to the Committee on Aging, Retirement and Veterans.

Sent down forthwith for concurrence.

Committee Report Senate

Leave to Withdraw

Senator CONLEY for the Committee on Judiciary on, Bill, "An Act to Clarify the Authority of the Courts to Remand Persons to Alcohol Shelters." (S. P. 888) (L. D. 2034)

Reported that the same be granted Leave to Withdraw.

Which Report was Read and Accepted.

Sent down for concurrence.

Orders of the Day

The President laid before the Senate:

Bill, "An Act to Establish a Small Claims Court." (S. P. 743) (L. D. 1746)

Tabled—Earlier in the Day by Senator CONLEY of Cumberland.

Pending—Adoption of Committee Amendment "A" (S-426)

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

Senator DEVOE: Mr. President, I move this be Tabled until later in today's session. We're in the process of having an amendment reproduced. It's about to come out. We will be ready very shortly, Mr. President. Thank you for your consideration.

On motion by Senator Conley of Cumberland, Retabled until later in today's session.

The President laid before the Senate:

Bill, "An Act to Amend the Banking Code Regarding the Investment and Lending Powers of Thrift Institutions and Regarding Service Corporations." (S. P. 942) (L. D. 2083)

Tabled—Earlier in the Day by Senator SUTTON of Oxford.

Pending—Passage to be Engrossed.

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

Senator SUTTON: Thank you, Mr. President. There was a question from the good Senator from Androscoggin, Senator Minkowsky, on how the New Draft differed from the original Bill.

When we had the hearing on this particular Bill, the only opponent was the representative from the Superintendent of Banking, who had a few problems with the Bill, and brought in an amended version of the Bill, correcting some technicalities, one area in particular, which is the main area that is addressed in the New Draft other than the technicality.

That has to do with the total lending, commercial lending limitation of a savings bank. It is now a total of 30% of their assets. The original Bill sought to move that to 50%. The Banking Commissioner, along with the whole Committee, felt that that was too much for a savings institution. It was moved back to 40%.

So the new aggregate loan limitation is one of the main changes, other than the technical ones in the redraft, moving it from 30% to 40%, rather than 50%.

There was one further change in the New Draft, presented by the Maine Banker's Association. That had to do with real and personal property, in that it allowed, in addition to real estate owned for offices and facilities to allow a savings institution to have a trust company that could acquire real estate and other interests. This is in a new section 641.

Other than the technicalities, the aggregate loan limitation, and the real estate provisions are the two substantive changes in the New Draft.

Which was Passed to be Engrossed.

Sent down for concurrence.

The President laid before the Senate:

Bill, "An Act Authorizing Husson College to Confer a Degree of Bachelor of Science in Nursing." (S. P. 768) (L. D. 1851)

Tabled—Earlier in the Day by Senator CONLEY of Cumberland.

Pending—Passage to be Engrossed.

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

Senator TROTZKY: Mr. President, I present Senate Amendment "A" to LD 1851 and move its adoption.

The PRESIDENT: The Senator from Penobscot, Senator Trotzky, now offers Senate Amendment "A" to LD 1851 and moves its adoption.

Senate Amendment "A" (S-432) was Read.

The PRESIDENT: The Senator has the floor.

Senator TROTZKY: Mr. President and Members of the Senate, this is an extremely important Bill. It's important to the nursing profession in the State of Maine, to public health. The Bill has been heavily lobbied right from the beginning of this session. When January 1, I arrived down here, the third or whatever it was, and found lobbyists in the halls lobbying for this Bill, and people being committed before even a public hearing was had on the Bill.

I've learned one thing in the Senate, it always doesn't make friends, but it helps me, and that's not to commit myself until the final words are said on the Senate floor, so I can find out about both sides of an issue.

The Bill you have before you states that Husson College is hereby granted authority to confer a degree of Bachelor of Science in Nursing on all who shall satisfactorily complete courses in academic and clinical study jointly prescribed by its trustees and Eastern Maine Medical Center.

In other words, the Bill links two institutions, Husson College and Eastern Maine Medical Center.

The first thing, you have a letter on your desks which is on Eastern Maine Medical Center stationery. It is signed by the Chief of all the divisions, the doctors, from Eastern Maine Medical Center, the Chiefs of Pediatrics, Psychology, Radiology, Rehabilitation, Medicine, Pathology, Anesthesiology, Orthopedics, Family Practice, Gynecology, and Emergency Services. In it they state, the medical staff of the Center, "we strongly urge that a final agreement with Husson College be postponed pending further discussions with the University of Maine." There is concern of the medical staff with this affiliation.

The Maine State Nurses Association came in, and I have on most of your desks, a copy of the testimony given by the Maine State Nurses Association. Now, they state on page 2, and this is the important point. Before I go on, I want to just say that, if we want an institution granting Bachelor of Science Degrees in Nursing, we want an institution that is accredited by the National League of Nursing. That's the important issue here, that's accredited. It states here, the Maine State Nurses Association testimony, on the bottom of page 2, and I put in brackets, "Of course in LD 1851 is Husson College's joint prescription of the program with Eastern Maine Medical Center. It is a fact that to date there is no Bachelor of Science in Nursing Program, which has been jointly formed by a hospital and an academic institution that has gained National League of Nursing accreditation. The National League of Nursing emphasizes the need for clear control of the academic institution. In other words, all faculty, both upper and lower divisional must be employed and paid for by the academic institutions in order to meet the criteria of the National League of Nursing."

At the end of their testimony, the Maine State Nurses Association submitted the following substitution for 1851, and that is the Amendment which I'm offering today. The Amendment which I'm offering today is the amendment which was presented to the Committee by the Maine State Nurses Association.

What that does is it takes out Eastern Maine Medical Center. It states that Husson College is granted the authority to confer a degree of Bachelor Science in Nursing. Academic integrity demands that the institution that offers the degree also control the program.

The way the setup is being proposed today is that Eastern Maine Medical Center will hire the clinical faculty, pay for the clinical faculty, and fire the clinical faculty. That's the powers they have. Husson College will control another part of the program.

The Maine State Nurses Association is just stating here that no combination of a hospital and a degree granting institution has been ac-

credited.

So what does this mean? That if this program starts going with the two together, we go four years, and we have nursing students who go four years, at that time, when they're ready for graduation, we see whether the institution is going to be accredited.

Well, there's a very good chance, according to the Maine State Nurses Association, that it's not going to be accredited. Then what have we done to the students who have gone through four years of a nursing program?

So, consequently, the Amendment that they're offering, which I'm offering today is saying that if Husson College is going to offer the program, then they control the program, and this is what is called "academic integrity."

In the southern part of the State, near the Portland area, it's the University of Southern Maine which offers the Bachelor in Science Nursing program. Yes Maine Medical Center is affiliated with them, in terms of the clinical facilities, but yet, they have full control, the University of Southern Maine, of the program.

Consequently, what this Amendment does, it says if Husson College wants to offer the degree, they should control the entire program, meaning hiring all the faculty and being able to fire the faculty, also.

I hope the Amendment will be Adopted.

One other thing that is important. Some of you have received letters from nurses. Most of the letters that have been sent out by nurses are coming from the faculty of the RN school in Eastern Maine Medical Center. They have a school which has registered nurses, and most of the letters are coming from those people who are on that faculty, because basically, they're trying to protect their own jobs, because they want to continue to be hired by Eastern Maine Medical Center, whereas in this other situation, they would have to be hired by Husson College.

So, I would hope that the Senate would adopt this Amendment.

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

Senator PIERCE: Mr. President and Members of the Senate: I can appreciate the remarks of the Chairman of the Education Committee. I know that this is a piece of legislation that he has looked at long and hard, and agonized over to make the right decision.

However, I was not one of those who did make early commitments on this piece of legislation. It was obvious from the beginning that there was going to be heavy lobbying on both sides. So, I certainly made every effort to keep an open mind, since I do serve on the Education Committee and knew that we would be making some important decisions in this Bill.

Last year, I co-sponsored a piece of legislation for Mid-State Business School, which would allow them to grant an additional degree. At that time, one of the controversies that flared up was around the methods that the visitation committee used, and perhaps the make-up of the visitation committee. That concerned me.

One of the controversies that has flared up over this piece of legislation, which again, is allowing an institution to grant a degree, is the make-up and the quality of the visitation committees. I think that's important to note that both these pieces of legislation ran across some of the same ground and some of the same problems. I think that, that's something I would urge the Department of Education that is responsible for these visitation committees, to look very hard at.

However, we do have a process that we have to go through before the Legislature grants degrees. I think basically it's a pretty solid process, whereby the Legislature just doesn't come in and say yes, this school, we'll grant one, or no they won't. There are many people involved, many people at political arm's

length.

It's important that we protect that process and that we really have an overriding reason to turn down the people who are involved in that process. They have recommended to us, to the Legislature, and the State Board has, that we grant this degree.

If we adopt this Amendment, it will, in essence, destroy the financial basis of the agreement between Husson and Eastern Maine Medical Center, and in essence, will destroy any potential program.

I haven't been particularly pleased with the politics that I have seen from many, many sides on this whole issue, because to me, the quality education that will be forthcoming is the bottom line. There's been a lot in the press from a lot of different people, both publicly and privately, on whether or not we should have this legislation.

The Senator from Penobscot pointed out that this Amendment, that he presents before us today, was considered by the Committee. It was rejected by the Majority of the Committee. It was rejected by the Senator from Penobscot. But it has reared its head once again here. I would think it certainly would be in order for us, as a Senate Body, to reject it once again.

Husson College has a very clear track record. I think that's important, a very clear track record of positive, working, good programs. In every single case that the Legislature has allowed them to grant an additional degree, they have produced a good quality program as a result. Sure, there are always some doubts whether it's this program or some others, whether or not this bill be a good one. I think the odds are and the chances are that it will be. I think, it would behoove us to give them the opportunity to prove that.

I would urge you to reject this Amendment.

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

Senator MINKOWSKY: Mr. President and Members of the Senate: Just to follow up a question which has come to mind relevant to the statement by Senator Pierce, just exactly what is the financial arrangement between Eastern Maine Medical Center and Husson College at the present time, insofar as this Bill is concerned?

The PRESIDENT: The Senator from Androscoggin, Senator Minkowsky, has posed a question through the Chair.

The Chair recognizes the Senator from Penobscot, Senator Trotzky.

Senator TROTZKY: The financial arrangements that would take place under the original Bill is that the clinical faculty for the program would be hired, dismissed, and paid for by the officials of the Eastern Maine Medical Center. The liberal studies faculty for the program would be hired, dismissed, and paid for by officials of Husson College.

There's, also, another issue here which jeopardizes accreditation, and that's the use of Medicaid funds. When we produce engineers in this State, yes the taxpayers, at the university, paying for subsidizing university, they subsidize engineers, teachers, chemists, and so on. Yet, what we're asking for is we're saying, let's use the Medicaid funds, let's saddle the sick with educating nurses. Educating nurses is a public responsibility.

Therefore, what you've got here is you've got, number one, you've got the clinical faculty being paid for by Eastern Maine Medical Center. So Husson College doesn't have the academic control.

Another thing you have is you have overlapping trustees. The trustees of Eastern Maine Medical Center, three of them are, also, trustees of Husson. A gentleman has been down here lobbying here all day who works for the Medical Center, and he's, also, a trustee for Husson.

When we allow an institution to grant a

degree, that institution we're saying, has the abilities to grant the degree, has the abilities to choose the faculty and maintain the quality and the excellence of the program.

Here, we're getting a combination which the Maine State Nurses Association, which represents the nurses of the State of Maine is saying, has a very good chance of not getting accredited.

Now I asked, I asked that the Bill be Tabled for two days because there was somebody coming from the National League of Nursing to look at the program up there. I called, and I asked could Senator Devoe and I speak with that person to see whether you can get accredited with this combination this affiliation.

I was told by the officials from the two institutions that she would not speak with us.

I think, when we're going to start allowing two institutions to offer a degree, that we have an obligation to the nursing students, these kids who are going to be nurses four years down the road, to make certain there is a chance for accreditation. They won't even say that.

I think we at least have the courtesy to be able to speak with this person. Yet, we were not allowed to speak with this person.

This Bill hasn't been lobbied both ways. The truth of the matter is, this Bill has been lobbied only one way. It's been lobbied by lobbyists, a Democrat and a Republican, very prominent, to lobby for the Husson College situation. The only lobbyists on the other side has been this State Senator.

Eastern Maine Medical Center is in my District. So is Husson College. You people who come from southern Maine, the University of Southern Maine runs a nursing program. It's accredited. It's just been accredited for 8 years. Your Maine Medical Center, the finest instant medical center down there, is affiliated with the University of Southern Maine, but the University of Southern Maine School of Nursing has full control.

All I'm saying to you is up in our area of the State, allow us to have a program which is going to be accredited. The fact is, the University of Maine at Orono is going to have a program, a four year program. They just stated that, and the accreditation coming from, the accreditation of the University of Southern Maine has an umbrella effect. It will cover the school in Orono.

Yet, we have a large institution up there called Eastern Maine Medical Center. If this Bill passes in its present form, Eastern Maine Medical Center is going to throw all its marbles in with Husson College. What's that going to do? It's going to jeopardize the program that's going to be started at Orono.

It's also going to mean four years down the line when the National League of Nursing comes to take a look at the program at Husson College, there's a very good chance that it's not going to be accredited. If it's not accredited, what service have we provided to our students?

Our obligation, I feel, in the Senate here, is to the students. It's not the directorship of Eastern Maine Medical Center. It's not to the board of trustees of Husson College. Our obligation is to the students. That's where it is. I feel that we totally destroy the concept of academic integrity when we go ahead and approve, allow Husson College to grant a degree, when they don't have control. They don't have control. They need this program, financially. They'd like this program, financially.

So, if we're going to pass this Bill, then at least let's pass it with some kind of academic integrity, allow Husson to grant the degree, and if they can do it, fine. They have a chance of accreditation. If they can't do it, we'll have a good program at the University of Maine in Orono.

Our obligation is to the students of this State. This Bill has not been lobbied heavily both ways. It's been lobbied heavily only one way. Before the Committee hearing, I had members

of my Committee who were already committed. And every one of you, I know, or most of you, have been lobbied. I feel it's important as Chairman of this Education Committee, and this is in my district, this school. I've got a lot of political problems because of positions I take here. I feel this is the right position to take. That is essentially to maintain some kind of academic integrity.

I have letters in here which I didn't make copies of, from 20 different doctors. I showed you the letter coming from the chief of each division of the Medical Center, but I have letters from doctors all over the Bangor area who are opposing this affiliation with Husson.

The Maine State Nurses Association, which represents the nurses, is opposing this concept of joint control because of the fact that no school with joint control offering the Bachelor of Science in Nursing has gotten accreditation.

I hope, if we're going to, I personally would prefer an Ought Not to Pass, and that's what I signed on this Bill. I know I don't have a chance on that, so I'm offering this Amendment here, which I think, at least, maintains some kind of academic integrity.

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

Senator NAJARIAN: Mr. President and Members of the Senate: listening to the debate here this afternoon, I think I understand that Eastern Maine Medical Center will be financing this four year baccalaureate program, at least in part, and that that will be billed to hospital patients.

My question is to anyone who can answer it, it sounds to me like a new service that the hospital is offering. If it is, I think it's required that it go through the Certificate of Need process. I wonder if they have filed a letter of intent and if they plan to pursue that route?

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

The Chair recognizes the Senator from Cumberland, Senator Clark.

Senator CLARK: Thank you, Mr. President. Mr. President, Men and Women of the Senate, I feel as I stand before you this afternoon that I'm going to be standing here for some time, so I would not only ask for your attention, but indulgence in what will probably comprise much more lengthy remarks than normally I would share with you.

First of all, in response to the question, which was tendered by the good Senator from Cumberland, Senator Mary Najarian, I do not know the answer to that question. That was not my intention in standing.

My intention, Mr. President, is to move Indefinite Postponement of this Amendment, and when the vote is taken, wait a minute, I would. Mr. President, I oppose the pending motion, and would hope that my colleagues in this Chamber would accompany me in voting against Adoption of the Amendment that is proposed by the good Senator from Penobscot, Senator Trotzky. Mr. President, when that vote is taken, I request a Roll Call.

There are numbers of issues before you. The issue of the Amendment as proposed by Senator Trotzky is one that was addressed by the Joint Standing Committee on Education and summarily rejected. The good Senator from Kennebec very logically and reasonably expressed his position relative to that Amendment and some of the background surrounding this issue.

The fact of the matter is this Bill has been lobbied and politicked way beyond the scope and thrust of this little innocent Bill. The good Senator from Penobscot, individually, lobbied each member of the Committee on Education prior to the hearing. The Bill was tentatively scheduled to be heard at a date and time certain, and because the good Senator from Penobscot, Senator Trotzky, was the prime

sponsor, and have evidenced a change of mind from the prime sponsorship of the original Bill, the hearing date was postponed and moved forward.

Again, that good Senator lobbied intensely not only members of the Committee on Education, but most of the colleagues within earshot or eye vision, not only in this Chamber but in the other Chamber.

While I recognize that many of us who sponsor pieces of legislation or are opposed to legislation exercise that prerogative, I simply think that it is important to bring that before you.

There are other issues which have been tendered and/or suggested, and couched in rather subtle ways. I would take this opportunity at this time to address one. That is namely, my colleagues in this Chamber, that the Senator from Cumberland, Senator Clark, stands before you in opposition to the proposed Amendment and in support of the Bill, as amended, in conflict of interest, for I serve as a trustee on Husson College, on the Husson College Board of Trustees.

Obviously, I take exceeding umbrage with that allegation, and do wish that perhaps, even though it was casually mentioned to me this morning, by the good Senator from Penobscot, that perhaps he had been a little more open and honest about it. I am a trustee of Husson College in Bangor, Maine. I am, also, a graduate of Husson College in Bangor, Maine. I stand before you, stating to you as honestly and openly as I can that investigating all of these statutes surrounding governmental ethics and conflicts of interest that I am not in conflict of interest.

We all know that the Joint Rules, or the Senate Rules, relate to conflicts of interest. Those Rules are, specifically, number 24 and, I believe, 32. Neither of them apply to me. Conflict of interest, in and of itself, statutorily, is contained, I believe, in Chapter 25, Legislative Ethics. Those sections of that Chapter in Subchapter 2, which would pertain to the issue before us, as suggested, not on the floor, Members of the Senate, but in the corridors and in the back of this Chamber, and in the Committee on Education, on the fourth floor, that I am representing a conflict.

So I took it upon myself to check Legislative Ethics since I had not been invited, as it was suggested by the good Senator from Penobscot this morning, that I might find myself before the Ethics Commission. I looked up the definition of the statement of purpose of the Legislative Ethics, and I would read to you in part, "the adoption of broader standards of ethics for legislators does not impugn either their integrity or their dedication. Rather, it recognizes the increasing complexity of government and private life", and so forth.

Under Definitions, in Subsection 1012, we read, in Sub 1, "Close Economic Association. Close economic association includes the employers, employees, partners, or clients of the legislator, or a member of his immediate family, corporations in which the legislator or a member of his immediate family is an officer, director, agent, or owns 10% or more of the outstanding capital "stock", and so forth.

Then we also have in Sub 1014, Conflict of Interest, "where a legislator or a member of his immediate family has or requires a direct substantial personal financial interest, distinct from that of the general public, in an enterprise which would be financially benefitted by proposed legislation, or derives a direct substantial personal financial benefit from close economic association with a person known by the legislator to have a direct financial interest in an enterprise affected by proposed legislation."

And E, "where a legislator or a member of his immediate family accepts or engages in employment which could impair the legislator's judgment, or where the legislator knows that there is a substantial possibility

that an opportunity for employment is being afforded him or a member of his immediate family."

The only money that has ever, or pecuniary gain, that has ever transpired between the institution of Husson College and this Senator from Cumberland is one way, from me to them, as a student paying books, tuition, board and room. As an alumna of that fine institution, which is being so unwarrantedly blemished in this hallowed Chamber, hallowed Chamber, excuse me.

I paid \$9 to attend a Portland area alumni dinner in the next month. I did receive an honor from that institution. I paid money to attend homecoming functions. There is no financial gain.

Why do I take our time this afternoon? Because I am responding to the allegations, which members of this Body have shared with me, which originated, obviously, not from me. I wonder who. Isn't it interesting that the Chancellor of the University of Maine is Director, is Chairman of the Board at St. Joseph's Hospital in Bangor? That for example, and I tender this, with no malice of forethought, that one of the administrative officers or employees of St. Joseph's is related by marriage to a Senator from Penobscot.

Senate Rules 24 and 35 apply to conflict of interest, and these Rules, in our own Chamber, do not affect my position on this Bill.

The issue before us is narrow. A one page Bill, amended by the Joint Standing Committee on Education, which says, in part, "clinical studies shall be provided by Eastern Maine Medical Center, the entire nursing program shall be prescribed within the accreditation guidelines of the New England Association of Schools and Colleges, Inc., and the National League of Nursing."

Yesterday, the good Senator from Penobscot, Senator Devoe, asked two questions, seeking reassurance that the proposed program would be accredited by the National League of Nursing. I responded then, and I reiterate today, that Husson College has an institutional accreditation from the New England Association of Secondary Schools and Colleges. It is my conclusion, and my faith in the dedication and commitment, and long years of service that Husson College has provided for the citizens of this State, that that College, with our blessing, will in four years, earn, and justifiably so, accreditation from the National League of Nursing.

Bill was amended, so that it would include these words, "the entire nursing program shall be prescribed within the accreditation guidelines." Shall be prescribed. If it shall be prescribed, even a lay person like myself can conclude that accreditation will be the result of such prescription.

The good Senator from Penobscot, Senator Troitzky, has alluded in a very negative fashion that upon a request to meet with the consultant, who is here on-site, in Maine, in Bangor, working with the institutions involved in this Bill, that he was denied a meeting, denied a meeting. Dr. Mary F. Liston, Deputy Director of the National League of Nursing, Program Affairs, shared this, this letter is to communicate the fact that on March 22 and 23, 1982, she served as the National League of Nursing consultant to the proposed nursing program of Husson College and Eastern Maine Medical Center. Representatives of both agencies have previously met with the National League of Nursing consultants in the New York headquarters office to discuss the proposed program. They had indicated their interest at that time in applying for National League of Nursing accreditation of the program at the appropriate time.

The appropriate time, Members of the Senate, is not until the first class is graduated. Accreditation is not possible until the first class is graduated. As a result, should that ac-

creditation be forthcoming, all of the graduates will have that accreditation attached to their diplomas, their baccalaureate degree in nursing.

That is the way the process works, whether it is for the University of Southern Maine, and parenthetically I share with you, that all received the University of Maine Chancellor's newsletter which I hold in my hand, dated March 16, 1982, which says; the USM nursing program is now going State-wide.

There was no benefit to be to the meeting as proposed by Senator Troitzky, because the National League of Nursing and the two institutions are in consultation at this time. What was to be the benefit? It wasn't EMMC who said they couldn't meet. It wasn't Husson College who said they couldn't meet, for they set the meeting up. It was the consultant who said "there is no benefit to be realized," and I quote Dr. Liston.

I've served in this Legislature for 10 years. I know of no issue before us that impacts so strongly on advancement within the profession, and which provides career opportunities for young adults, that has warranted the negative reaction that we have seen on this issue. If there is one thing I would hope, is that we would collectively apologize to those two fine institutions in Bangor, Maine, for the hoops through which we have forced them to jump.

The issue before us is narrow. The good Senator from Kennebec, Senator Pierce, synthesized it reasonably and beautifully. If the Amendment as proposed is adopted, it will void all of the process through which this particular Bill was developed and the process by which it is before us. All of those efforts, months and years in preparation, will go down the drain.

LD 1851, as currently amended, is simply: An Act Relating to the Conferring of a Bachelor of Science Degree in Nursing by Husson College. It is, on the face of it, a simple enough proposition, and leads to one narrow issue.

The issue is whether or not Husson College should be authorized to confer the degree of Bachelor of Science in nursing. That's all.

In December 1981, a visiting committee appointed by the State Board of Education, those members that this Chamber confirms, and made up of six prominent educators and professionals, spent three days on the Husson College campus, and the Eastern Maine Medical Center, evaluating the proposed program of study. The consensus of the members was a unanimous recommendation that the two institutions could provide a quality program. A unanimous recommendation. Has there ever been precedent in the Halls of this Legislature that we have ever denied a unanimous recommendation? Has there ever been precedent where the State Board of Education has denied a unanimous recommendation?

The few recommendations that, that Committee share with the two institutions were immediately attended to, and that is what resulted in the unanimous recommendation. On February 10, at the Augusta Civic Center, 1982, the State Board of Education examined the proposed nursing program, and gave it a positive and unanimous endorsement. Has there ever been precedent in this Chamber or any other Chamber, where those two unanimous recommendations have been turned down? I suggest to you, and submit to you, that there have been none.

When the authorization is granted by this 110th Legislature in the Second Regular Session, the two private institutions, EMMC and Husson College, intend, as prescribed by the legislation, to implement a four year program in nursing, to commence in the fall of 1983. The clinical courses would be the responsibility of the Medical Center, and would be integrated throughout the curriculum. Husson College would assume responsibility for the liberal studies portion of the requirement of the degree, which leads me to almost my last

point.

That is, the organizational chart and diagram of this program ultimately rests with the Board of Trustees of Husson College, rests, singularly, with the Board of Trustees of Husson College.

Today, hospitals throughout the United States are experiencing an acute shortage of registered nurses. The Eastern Maine Medical Center recognized the inevitability of the demise of their diploma program, as have their sister institutions across the State. To this end, that Medical Center initiated action to implement an alternative, to address the challenge of the shortage of nurses. Because of the close proximity of the Medical Center with Husson College in the City of Bangor, the two institutions developed an innovative program in nursing, which will combine the best of the two institutions, clinical practice and liberal studies.

Yes, this proposed program differs from what is currently available in both the timing and the depth of the clinical involvement. It will also include upward mobility opportunity which will allow registered nurses who have graduated from the two and three year programs to earn a Bachelor's Degree in Nursing.

Innovative as it is, this Legislature has drawn the guidelines closely. I repeat, the entire nursing program shall be prescribed within the accreditation guidelines of the New England Association of Schools and Colleges, Inc., and the National League of Nursing.

I can not, in blood, guarantee anything in this life. If I could, on this issue, you may be assured that I would.

I urge you and invite you to join me in defeating the proposed Amendment.

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

Senator TROTZKY: Mr. President and Members of the Senate: the good Senator from Cumberland doesn't remember last year, when a visitation committee visited Mid-State Business School, and unanimously recommended against this Legislature authorizing a degree. That's not recalled.

Then, through lobbying of the State Board of Education, heavy lobbying. The State Board ignored the visitation committee. It turned around and went to 3 to 2 against it, and then heavily lobbied the Legislature, putting some prominent legislators sponsoring that Bill.

There are politics involved in this, too, and I do not think we should be naive to that.

The visitation committee that visited Husson College and Eastern Maine Medical Center, I have the make-up over here. There were no representatives from a baccalaureate program in nursing, no representatives. There was a director of the School of Practical Nursing of Central Maine Vocational Technical Institute. That Institute offers an LPN. The LPN is the lowest nursing degree. So you didn't have people experienced with the baccalaureate in nursing.

The second thing, I think it's important to understand that the only question that Senator Devoe and I had to this Mrs. Liston was, with this provision of Eastern Maine Medical Center and Husson College together, joint control can this program be accredited in four years, when the first class graduates? We didn't even have access to her, although the trustee from Husson College does have a letter from her telling her that this meeting would have been beneficial.

I think it's important to us, as Senators, as people involved in the Education Committee, that we should know just one simple answer, a yes or no. Do we have possibilities of accreditation?

Again, I refer you to the Maine State Nurses Association, which represents the nurses of the State of Maine, that are interested in the welfare of the nurses, the education of nurses, continuing education, and they back this

Amendment.

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

Senator DEVOE: Thank you, Mr. President. Members of the Senate, several weeks ago, the second or third week in January, Senator Trotzky and I and some other Legislators from the Penobscot County area were invited to a meeting with members of the administrative staff at EMMC, and with the Director of Nursing and his wife to discuss this Bill.

Prior to that time I had been doing some talking with people in the State who had reviewed nursing education programs around the country. One of the points which had been brought out to me prior to the meeting and which was confirmed at the meeting, was that the joint academic control of this program to be given at Husson College was rather unique.

Now they drew a chart for us and described how this chart really vested control in Husson. They, also, admitted that people at EMMC were going to have a great deal of control. They were going to share in and perhaps have final decision-making as to who will be on the staff, perhaps, who will be the students admitted to the program.

One of the questions that I asked of Doctor Lee Bennett and his wife Mary Bennett was, of all the nursing programs that are being given around the country today, that involve B.S. degrees at the end of the 4 year program, how many of these programs have joint academic control that is being proposed for the Husson/EMMC Bill? After thinking a few seconds, Doctor Mary Bennett said to me, well, there is a program, I think, in Kansas and there is a program either in Long Beach, California or Oakland, California.

I said to her at that time, can you fined out for me and provide me information as to how many other schools of nursing have the shared academic control mechanism that you are proposing to engage in with Husson College? Yes, I would be glad to. I am still waiting for the letter.

So if we are going to talk about the concept of academic integrity that the Senator from Penobscot, Senator Trotzky, has raised in this discussion, I think, that we have to start with the admission of one of EMMC's own staff people that this probably, this concept of shared control, is rather unique, and is in a very small minority when you consider what the control mechanism is in other nursing education programs around the country.

I, second the Senator from Penobscot, Senator Trotzky's concern, that we are not necessarily just talking about Husson and EMMC. The end beneficiary is the general public, the end beneficiary is the student. I do not believe that there has yet been a response to the question of whether or not the National League of Nursing does or does not have guidelines that say when you have joint academic control between the hospital and the educational institution does that joint academic control lead to accreditation?

Now if we can consider an analogous situation. Let us say that we are not talking about a nursing education program at Husson, but that we are talking about an electrical engineering program at the University of Maine at Orono, just for an example. We are talking about accrediting a program for electrical engineers. As I analyze the proposal that is being made that there will be a sharing of control of this program by both the university and by the hospital, it is as if a power company or General Electric, had a share in the academic program by which electrical engineers were trained. Now look at that way.

Would we like to have G/E, or Central Maine Power Company, or any utility, or any industry that uses electrical engineers having a share of control in the academic program that educates engineers to get into the business of working for an electrical industry?

That is the principle that we are talking about today. Let's try to divest ourselves of, well, the heavy lobbying that has taken place and talk about the principle that we are addressing here. As I see it, this is the principle. If you go for people in industry having a share in the academic control of the degree granting institution, if you would like to have General Electric, or Westinghouse, or Bell Telephone that must use a lot of electrical engineers to have a share in the academic control of the University of Maine program, which trains electrical engineers, then vote for this Bill, without approving this amendment that Senator Trotzky has proposed.

If, as you look at it dispassionately, you have a hesitation about letting the industry that is going to use the engineer or the nurse, to narrow it right down to this particular Bill; if you want the institution where the clinical training is going to take place, to have a significant portion of the academic control over the program; if you want that, then vote against the amendment. If you don't like the idea of the industry that is using the engineer to have a share in the say, or if we are turning out pulp and paper graduates of the 5 year program at the University at Orono, one of the leading programs in the country, how would you like it if International Paper and Scott Paper Company and Diamond International and all the other paper companies in the country had a share in the academic control of the program?

I don't think that we as a Legislature would like it.

That's the principle of shared academic control. Can somebody, not on faith, can somebody categorically tell us that the National League of Nursing has within its presently existing guidelines, criteria that will permit it to grant accreditation when there has been shared academic control? This is the issue that we are talking about. This is the issue on which I am basing my decision at this time to support the amendment Senator Trotzky is presenting. Thank you very much, Mr. President.

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

Senator CLARK: Thank you, Mr. President. Mr. President and Men and Women of the Senate, there is a remark that was shared with you by the good Senator from Penobscot, Senator Trotzky, which alleged that last year in a similar process such as that which is before us, that a unanimous report from the unanimously endorsed by the State Board of Education. I would simply want the record to show that the report of the visitation committee to Mid-State Business College located in Auburn, Maine was not unanimous in its recommendation that they be granted degree granting powers.

I do not think that it is untoward of the administration of Husson College in Bangor, Maine that, upon a request from two Senators from the County of Penobscot to meet with the consultant on-site at Husson College or EMMC or wherever they intended to meet, that communication go from those institutions to a trustee, namely me. For if that meeting had occurred guess who would have been there, travelling not only all the way from Freeport via Augusta, but back home the same day, me. I would also have been there, also.

The National League of Nursing consultation process which is currently in process is distinct and different from the accreditation process. Both agencies, EMMC and Husson College, are aware of this and are involved in an orderly and careful process in the planning of the new nursing program, to achieve accreditation, which is their goal.

I can not answer in the affirmative to the concern expressed again this afternoon by Senator Devoe of Penobscot that accreditation will be forthcoming in a nursing program where there is "shared academic control", but I would submit to you that of all the schools or

colleges under the umbrella of the University of Maine, namely at Orono, there is one the School of Forestry where the industry works cooperatively, yes, cooperatively, sharing its wisdom, its needs, and its skills and experience in continuing the process of presenting programs in the School of Forestry and the University bar none, in this country. Shared academic control, perhaps.

I believe in the philosophy of the proposed program. I believe that the Legislature has placed constraints, constraints, and perhaps, a better word would be direction that the program be within the guidelines of the National League of Nursing. Which is why the Committee on Education embraced the amended version.

I do believe in the philosophy of the proposed program, which in my opinion, is sound and is designed with foresight to prepare nurses not only academically, but clinically, to meet the challenge of their profession today and tomorrow.

This is a collaborative effort with Husson College, or between Husson College and Eastern Maine Medical Center. It is ultimately in the best interests of the student and the nursing profession.

Yes, at the public hearing the Maine Nurses Association tendered the proposal as advocated by Senator Trotzky of Penobscot. We have all received letters from nurses in our District who are in support of this proposal. The Maine Nurses Association is not in opposition to the Bill in its amended fashion. It represents a compromise on their part and reflects the concern of the nursing profession in this State.

Yes, we have all received a series of letters very similar in wording and tone from the medical doctors in the Bangor area, against this Bill. Yes, we all acknowledge that there are perhaps some politicking or politicking activities between the administration of the EMMC and some of its medical professional staff.

Let's put that aside this afternoon and give a college in eastern Maine and a medical center in eastern Maine an opportunity to serve the citizens of this State as they have done so admirably for almost the last 100 years. I believe that we can do no less.

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

Senator TROTZKY: Mr. President and Members of the Senate: I think that everyone knows those who control the purse strings are going to control in the end. The visitation committee's report states very clearly that the financial backing of Eastern Maine Medical Center is needed. There is no question. They are not going to be able to run a program without monies coming in from Eastern Maine Medical Center.

Senator Clark also knows, as trustee of Husson College, that the tuition at Husson College for the nursing student is going to be 3 times higher than what it would be at the University of Maine. So, if you have two programs, one at the University of Maine and one at Husson College, there is no way that the one in Husson College is going to survive with the tuition 3 times higher. Because they know, at Husson College they know full well that if Eastern Maine Medical Center puts all of its marbles in the Husson College program there is not going to be a viable program at the University of Maine in Orono.

The two programs which have possibilities of being offered, at Orono you have a faculty of 28 full-time faculty in zoology, 18 full-time faculty in physics, 7 full-time faculty in micro-biology, 12 full-time faculty in chemistry, 4 full-time faculty in bio-chemistry. They have a large well-based science program at Orono. Husson College is a top-notch business school, but it is not renowned for its science program.

The issue here is, Eastern Maine Medical Center wants Husson program because they control. I would like to read a very interesting

letter which comes from a Doctor William Wilson who testified at the hearing. I think it tells you what this whole program is about. He says, "What then are the advantages of this scheme?" That is the scheme that Senator Clark is proposing here. "There are no discernable advantages to the students."

Some at Eastern Maine Medical Center may see an advantage in leaving control of the clinical nursing education in the hands of various hospital administrators. I think that it is unlikely that such an arrangement will prove advantageous to the student.

I have heard this proposal aptly described as the company store school of nursing, the company store. The process is clear request all employees to lobby legislators in favor of the scheme."

Those are the most of the letters that you have received, people on the staff at the nursing school.

"Sell the product, education, at a high price. Three times the University of Maine costs, arrange for sick patients to make contributions through third party payers, lend money to the employees, those are the students that graduate to pay these high prices." Eastern Maine Medical Center is going to have the loan program for students to pay the high tuition at Husson College. "Make suitable arrangements for pay back, particularly if the student should pledge to work for the company store."

Whether they are accredited or not is not the importance here, the importance here is that they have got these students, in fact working for the hospital, not only Eastern Maine Medical Center, but something else called "Brandow Johnson Management Team," which has control over all the small hospitals all around the area.

My concern is the student, the concern of the State Nurses Association is the student, and they do not approve of this proposal, as Senator Clark states.

The issue is, if EMMC runs the program they want to train nurses for the hospital, but nursing is a boarder profession then just training to go into the hospital, there is something call, public health nursing, there is nursing which goes out to prevent disease, too.

The University of Southern Maine runs a program, an accredited program, were they have governance and full control and they produce nurses not only for acute care, for the hospital, but also to work in the public health field.

Senator Devoe and I are both from the greater Bangor area and both of us feel, as well as the Maine State Nurses Association and the doctors who work at that hospital, the medical community, that we would like to see the finest program for our area as you have in southern Maine with the University of Southern Maine running the program, with an affiliation with Maine Medical Center.

I would hope that you would accept this Amendment.

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 Adoption of Senate Amendment "A" (S-432).

A Yes vote will be in favor of Adoption of Senate Amendment "A".

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA—Carpenter, Devoe, Dutremble, Hichens, Trotzky, Violette.

NAY—Ault, Brown, Bustin, Charette, Clark, Collins, Conley, Emerson, Gill, Huber, Kerry, McBreairty, Minkowsky, Najarian, Perkins, Pierce, Pray, Redmond, Sewall, C.; Shute, Sutton, Teague, Trafton, Usher, Wood.

ABSENT—O'Leary.

A Roll Call was had.

6 Senators having voted in the affirmative, and 25 Senators in the negative, with 1 Senator being absent, Senate Amendment "A" Failed of Adoption.

The Bill, as amended, Passed to be Engrossed.

Sent down for concurrence.

The President laid before the Senate:

Bill, "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) (Emergency)

Tabled—Earlier in the Day by Senator COLINS of Knox

Pending—Enactment

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

(Off Record Remarks)

The President laid before the Senate:

HOUSE REPORT—from the Committee on Fisheries and Wildlife — Bill, "An Act Pertaining to Inland Fisheries and Wildlife Laws." (H. P. 1731) (L. D. 1716) Ought to Pass in New Draft under New Title, An Act to Clarify and Make Corrections in the Inland Fisheries and Wildlife Laws." (H. P. 2200) (L. D. 2079)

Tabled—Earlier in the Day by Senator Usher of Cumberland.

Pending—Acceptance of Report

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

The President laid before the Senate:

SENATE REPORT—from the Committee on Agriculture — Bill, "An Act Relating to Harness Racing at Agricultural Fairs, the State Stipend and Pari-mutuel Pools." (Emergency) (S. P. 864) (L. D. 2006) — Ought to Pass as Amended by Committee Amendment "A" (S-424)

Tabled—Earlier in the Day by Senator CONLEY of Cumberland.

Pending—Motion of Senator HICHENS of York to substitute the Bill for the report and refer to the Committee on Taxation.

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

Senator HICHENS: Mr. President, I withdraw my motion.

The PRESIDENT: The Senator from York, Senator Hichens, now requests Leave of the Senate to Withdraw his motion to substitute the Bill for the Report.

Is it the pleasure of the Senate to Grant this Leave?

It is a vote.

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

The President laid before the Senate:

Bill, "An Act to Require Mandatory Reporting of Elderly Abuse." (S. P. 779) (L. D. 1847)

Tabled—Earlier in the Day by Senator COLINS of Knox

Pending—Adoption of Committee Amendment "A" (S-414)

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

Senator GILL: Mr. President, I present Senate Amendment "A" to Committee Amendment "A". I'd like to speak on this.

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

Senate Amendment "A" (S-433) to Committee Amendment "A" was Read.

The PRESIDENT: The Senator has the floor.

Senator GILL: Thank you, Mr. President. What this Amendment does is it clarifies that the mandatory reporting would be for incapacitated adults only. The definition of incapacitated adults is "any adult who is impaired by a reason of mental illness, mental deficiency, physical illness, or disability to the extent that he lacks sufficient understanding or capacity to communicate or make responsible decisions concerning his person."

Those people, if they were abused, it would be reported by the professionals who we outlined in the Bill, who saw this abuse.

The other is the information given to the organizations of the profession that we listed in the Bill, and a public information campaign be developed, because people don't seem to know out there what abuse is and who should be reporting abuse.

The third thing is that the Fiscal Note is removed from the Bill. The Fiscal Note is removed from the Bill because in the Adult Protective Services Act that we passed a year ago, there was an appropriation for this particular year, 1982-1983, that was \$218,000. It allowed for 12 positions to be developed. In that time they have only put 10 people on-board, so there is funding within that account to take care of this particular Act.

We have asked that they come back and report to the Health and Institutional Committee, and perhaps next year, they will need some funding for that. That is this Amendment.

Senate Amendment "A" to Committee Amendment "A" was Adopted. Committee Amendment "A", as amended by Senate Amendment "A", Thereto, was Adopted.

On motion by Senator Conley of Cumberland, Under Suspension of the Rules, the Bill, as amended, Read a Second Time and Passed to be Engrossed.

Sent down for concurrence.

The President laid before the Senate:

Bill, "An Act to Establish a Small Claims Court." (S. P. 743) (L. D. 1746) Tabled earlier in the day by Senator Conley of Cumberland, pending Adoption of Committee Amendment "A".

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

Senator DEVOE: Thank you, Mr. President. Mr. President, I present Senate Amendment "A" to Committee Amendment "A" with a filing number of S-435 and would move its adoption.

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

Senate Amendment "A" (S-435) to Committee Amendment "A" was Read and Adopted. Committee Amendment "A", as amended by Senate Amendment "A", Thereto, was Adopted. 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:

Senate Paper

Senator DUTREMBLE of York (Cosponsors: Representative NORTON of Biddeford, Representative RACINE of Biddeford and Representative LAVERRIERE of Biddeford) present, Bill, "An Act Deleting the Requirement of a Federal Matching Share for the Expenditures of Funds for Expansion and Improvement of the Biddeford Municipal Airport." (Governor's Bill) (S. P. 951)

Which was referred to the Committee on

Transportation and Ordered Printed.
Sent down for concurrence.

Senate at Ease

The Senate called to order by the President.

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

Enactor

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

Emergency

AN ACT to Adjust Salaries of Officers of Knox and Hancock Counties for 1981. (H. P. 2232) (L. D. 2089)

This being an emergency measure and having received the affirmative votes of 27 members of the Senate, with No Senators having voted in the negative, was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

(Off Record Remarks)

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