

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eleventh  
Legislature***

OF THE

STATE OF MAINE

**Volume I**

**FIRST REGULAR SESSION**

**December 1, 1982 to May 13, 1983**

STATE OF MAINE  
 One Hundred and Eleventh Legislature  
 First Regular Session  
 JOURNAL OF THE SENATE  
 Augusta, Maine  
 March 29, 1983  
 Senate called to order by the President.

Prayer by the Reverend John E. Fickett of the North Vassalboro Baptist Church of North Vassalboro.

REVEREND FICKETT: Great God in heaven, Thou has said in Thy Holy Word that the governments are ordained by Thee and Thou has given permission for people to be governed by their Representatives. So we call upon Thee, O God, and ask Thee that Thou will be with this group of men and women, who have been chosen and called to this duty to consider and to make the laws that will govern and judge the people of the State of Maine.

We pray, God, that You will be with them, bless them, guide them, and help them in every way, that they may do first of all, Thy will; because we know that You have a vital and a special interest in all that they do.

We leave this day to You. Grant, O God, that they may have wisdom and counsel from Thee in everything. We ask it in Thy Name and to Thy glory, O Lord, God, Amen.

Reading of the Journal of yesterday.

**Papers From The House  
 Non-concurrent Matter**

BILL, "An Act to Amend the Statute Relative to the Appointment of the Commissioner of Educational and Cultural Services." (S. P. 416) (L. D. 1263)

In the Senate, March 23, 1983, Passed to be Engrossed.

Comes from the House, Passed to be Engrossed as amended by House Amendment "A" (H-91) in non-concurrence.

On motion by Senator Carpenter of Aroostook, the Senate voted to Recede and Concur with the House.

**House Papers**

BILL, "An Act Concerning Late Filing Under the Referendum Campaign Reporting Law." (H. P. 984) (L. D. 1289)

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

Which was referred to the Committee on Election Laws and Ordered Printed in concurrence.

BILL, "An Act to Regulate the Season on Coyotes." (H. P. 985) (L. D. 1290)

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

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

**(Off Record Remarks)**

BILL, "An Act Relating to the Establishment of Clear Title to Real Estate." (H. P. 986) (L. D. 1291)

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

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

BILL, "An Act to Reform the Workers' Compensation System." (Emergency) (H. P. 1019) (L. D. 1322)

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

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

BILL "An Act to Clarify Certain Provisions of the Marine Resources Laws." (Submitted by the

Department of Marine Resources pursuant to Joint Rule 24.) (Emergency) (H. P. 987) (L. D. 1292)

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

Which was referred to the Committee on Marine Resources and Ordered Printed in concurrence.

BILL, "An Act to Increase the Borrowing Capacity of the Winterport Water District." (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27) (Emergency) (H. P. 988) (L. D. 1293)

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

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

BILL, "An Act to Increase Sales Tax Equity." (H. P. 989) (L. D. 1294)

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

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

**Communications**

The Following Communication: (S. P. 453)  
**111th Maine Legislature**  
 March 28, 1983

Honorable Paul Violette  
 Honorable Dan Gwadosky  
 Chairs  
 Joint Standing Committee on  
 State Government  
 State House  
 Augusta, Maine 04333  
 Dear Chairs Violette and Gwadosky:

Please be advised that on March 25, 1983, Governor Joseph E. Brennan nominated Joseph D. Mokarzel of Old Orchard Beach for appointment 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/GERARD P. CONLEY  
 President of the Senate  
 S/JOHN L. MARTIN  
 Speaker of the House

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

The Following Communication:  
**State of Maine  
 House of Representatives  
 Augusta 04333**

March 28, 1983

Honorable Joy J. O'Brien  
 Secretary of the Senate  
 111th Legislature  
 Augusta, Maine 04333  
 Dear Madam Secretary:

The House voted today to Adhere to its action whereby it Indefinitely Postponed Bill "An Act Concerning Sales Prices of Spirituous and Vinous Liquors, Except Table Wine, Sold by State Agency Liquor Stores" (S. P. 385) (L. D. 1165)

Sincerely,  
 S/EDWIN H. PERT  
 Clerk of the House

Which was Read and Ordered Placed on File.

**Senate Papers**

BILL, "An Act to Create a Commission on the Financial Needs of Maine Small Businesses." (S. P. 443) (Presented by Senator PRAY of Penobscot.)

Which was referred to the Committee on Business Legislation and Ordered Printed.  
 Sent down for concurrence.

BILL, "An Act Relating to the Cutting of Wood on Public Lots." (S. P. 444) (Presented by Senator CARPENTER of Aroostook) (Cosponsor: Senator PEARSON of Penobscot)

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

Sent down for concurrence.

BILL, "An Act to Limit Future Increases in the Cost of Hospital Care in Maine." (Submitted by the Department of Human Services pursuant to Joint Rule 24.) (S. P. 446) (Presented by Senator NAJARIAN of Cumberland) (Cosponsors: Representative BRANNIGAN of Portland, Representative HALL of Sangerville and Representative GWADOSKY of Fairfield.)

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

Sent down for concurrence.

BILL, "An Act to Establish an Office of Foster Parent Advocate." (S. P. 445) (Presented by Senator WOOD of York)

Reference to the Committee on Health and Institutional Services suggested.

On motion by Senator Carpenter of Aroostook, Tabled for 1 Legislative Day, pending Reference.

BILL, "An Act to Make Extreme Anger or Extreme Fear Brought About by Adequate Provocation an Affirmative Defense which Reduces Murder to Manslaughter, and to Create the Crime of Intentional or Knowing Manslaughter." (S. P. 447) (Presented by Senator PEARSON of Penobscot) (Cosponsors: Senator DIAMOND of Cumberland, Representative CASHMAN of Old Town and Representative COOPER of Windham)

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

Sent down for concurrence.

BILL, "An Act to Remove Minimum Weekly Charge for Handicapped Workers under the Workers' Compensation Act." (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.) (S. P. 448) (Presented by Senator SHUTE of Waldo) (Cosponsor: Representative KELLY of Camden)

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

Sent down for concurrence.

BILL, "An Act to Permit the Sale of Liquor after 11 a.m. on Certain Sundays." (S. P. 449) (Presented by Senator CHARETTE of Androscoggin) (Cosponsor: Representative COTE of Auburn)

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

Sent down for concurrence.

BILL, "An Act to Further Clarify the Right of Citizens to Petition for Special Town Meetings." (S. P. 450) (Presented by Senator WOOD of York)

Which was referred to the Committee on Local and County Government and Ordered Printed.

Sent down for concurrence.

BILL, "An Act to Expand the Tourism Promotion Program." (Submitted by the State Development Office pursuant to Joint Rule 24.) (Emergency) (S. P. 451) (Presented by Senator CLARK of Cumberland) (Cosponsors: Representative HIGGINS of Portland, Senator PRAY of Penobscot and Representative INGRAHAM of Houlton)

Reference to the Committee on State Government suggested.

On motion by Senator Carpenter of Aroostook referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

**BILL, An Act to Restrict Noise Levels on Motorcycles.** (S. P. 452) (Presented by Senator WOOD of York)

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

Sent down for concurrence.

#### Joint Resolution

On motion of Senator PEARSON of Penobscot, the following Joint Resolution: (S. P. 455) (Cosponsors: Senator DIAMOND of Cumberland, Representative LISNIK of Presque Isle and Representative MacEACHERN of Lincoln) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 27)

#### JOINT RESOLUTION MEMORIALIZING THE 97TH CONGRESS OF THE UNITED STATES TO TAKE ACTION TO ADDRESS THE PROBLEMS POSED BY ACID PRECIPITATION.

WE, your Memorialists, the Senate and House of Representatives of the State of Maine in the First Regular Session of the One Hundred and Eleventh Legislature, now assembled, most respectfully present and petition the members of the 97th Congress of the United States of America, as follows:

WHEREAS, hundreds of lakes in the northeastern United States and eastern Canada are devoid of animal and plant life due to the effects of acidic precipitation, so-called acid rain; and

WHEREAS, the same acid rain continues to pose a similar threat to the lakes and rivers and animal and plant life of this region; and

WHEREAS, in Maine the acidity in some of our lakes has increased eightfold in the last 40 years; and

WHEREAS, acid rain poses an enormous economic burden on those regions it affects producing an estimated cost of \$250 million in damages annually to lakes and rivers east of the Mississippi River; and

WHEREAS, the effects of acid rain are not limited to aquatic resources, but also seriously affect local flora; and

WHEREAS, 90% of Maine is forested and 30% of all of its manufacturing jobs are in forest related industries which produce more than \$2.5 billion worth of products, or 43% of the value of all products produced in this State; and

WHEREAS, the potential loss to Maine's economy posed by the effects of acid rain is enormous; and

WHEREAS, in a more general and yet more important regard the United States and Canada share a common stewardship of the resources, flora and fauna of one of the richest land masses in the world for the benefit of future generations and in derogation of our stewardship responsibilities; and

WHEREAS, the American response to this problem has succeeded only in causing a serious strain on our relationship with our Canadian neighbors; and

WHEREAS, more responsible and responsible actions on the part of the American Government are required now to eliminate this problem before the damage done is totally irreversible; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the 97th United States Congress take prompt action to make significant reductions in sulfur dioxide emissions in the 31-state region east of or bordering on the Mississippi River; and be it further

RESOLVED: That a duly authenticated copy of this memorial be immediately submitted by the Secretary of State to the President of the Senate and the Speaker of the House of the Congress of the United States and to each member of Congress from this State.

Which was Read.

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

Senator PEARSON: Mr. President, Ladies and Gentlemen of the Senate, I'm presenting this Joint Memorial to Congress on acid rain and before I begin I'd like to thank the Legislative Council for allowing this to be heard and that thanks is extended to both the Republicans and Democrats on that Council, because it was a bipartisan vote of those whom were present.

I'd like to present you with some interesting facts about acid rain as I've researched them over the last several weeks in preparation for this particular memorial order.

As of February 10, 1982, two hundred and twelve lakes in the Adirondack Mountains of New York were no longer able to support any life. One hundred and seven rivers in Pennsylvania has seen increased acidity and in 58% of them the fish species have declined drastically. Fishing tallies in the lake district north of Quebec City have declined between 30% and 40% between 1970 and 1978, 56% of the lakes tested in Quebec have found to be extremely sensitive to acid deposition and 17% were actually acidified.

In Nova Scotia, salmon are extinct in nine rivers and eleven others in the Province are considered to be extremely threatened.

I quote those solemn statistics in order to make one point, and that is that we need to look only at our geographic neighbors to see the dilemma of acid rain is extremely serious and important to us; probably devastating and increasingly eminent for Maine.

I don't want to mislead you, the destruction caused by acid rain is not confined to our northeastern neighbors. The effects of acid rain have already been seen to grow as a natural resource in the State of Maine. The acidity of Maine lakes has increased eight times over the last forty years; native brook trout, those that were once so plentiful in Maine waters are now unable to reproduce in Maine's high altitude lakes and the first nearly fishless bodies of water have been reported in Maine.

Now for the bad news. Evidence is piling up to suggest that the damage caused by acid precipitation are not limited to water resources in Maine; in fact, experts are convinced that the forest areas may be jeopardized by the affects of acid rain.

Nearly 30% of all the manufacturing jobs in this State are related to the forests of this State. Industry of pulp, paper, wood and lumber, and these industries produce over 2.5 million dollars worth of products annually; 43% of the value of all the products produced in the State of Maine.

Consider, if you will, the economic consequences if we continue to prevent acid precipitation to invade and injure our forest lands. Consider the future of Maine's economy without healthy water, healthy air or healthy land. Consider the affects that acid rain could have on tourism, fishing, farming, and our industry.

As the soil grows increasingly acidic in the forest areas of Vermont, the density of red spruce has declined by a startling 45%, and on and on the figures go.

All of these unfortunate aspects of acid rain are increasingly more damaging to the State of Maine as time goes by. We cannot provide a state solution to this particular problem; it must be done on the National level and that is the reason for the introduction of this Memorial to Congress.

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

Senator MINKOWSKY: Mr. President and Members of the Senate, I listened very attentively to the remarks made by the good Senator from Penobscot, and I guess what he says from the statistics he gathered, they seem quite relevant, at least, what I've been reading in newspapers and other papers, as well as other

reports and trade magazines and everything else, but I'm just wondering, we are talking about acid rain but there's been a more recent report about acid smog, which is more deleterious to the health of people living in our environment other than the Aquatic life.

What does this accomplish, other than telling Congress what it already knows, that is trying to resolve the present time? I guess the intent is pretty good, but I don't really think that we are going to solve anything by sending a Joint Resolution to Congress memorializing them to act on something they've already been acting upon.

The good Senator brought out the acidity as far as it affects the fish life, especially trout, but there's another report I just read recently where the acidity from the natural elements in the background of an area created more havoc to the aquatic life or the animal life in the area compared to acid rain. Now I know my United States Senator, Senator George Mitchell has been at the forefront of this entire thing and has done one commendable job. I don't really see how we, as a Legislative Body, can add any more significance to what he is already doing in Congress with their counterparts by memorializing them especially when you get into the point of a Resolve that we are involving ourselves with thirty-one other state regions, east of the bordering of the Mississippi River.

I really believe that the intent is fine but I don't think it is going to accomplish a heck of a lot.

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

Senator PEARSON: Mr. President, Men and Women of the Senate, I don't think that anyone thing is ever going to accomplish a lot. This is simply in attempt to put the State of Maine on the Record, as far as I know, for the very first time, to strengthen the hands of the people who represent us in Congress; to say that we are concerned about acid rain. We're not the only ones, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania and all the states that lie east of the Mississippi River who are the targets of this particular, omissions, from mostly coal fired plants in the mid-west are struggling to try to get that situation cleaned up, and not only that, but our relations with our Canadian neighbors, in our particular case, Nova Scotia, New Brunswick and Quebec, are being affected.

It is an attempt to put the State of Maine on the Record in the Congress, telling everybody how concerned we are and asking for action.

Which was Adopted.

Sent down for concurrence.

#### Committee Reports House Ought Not to Pass

The following Ought Not to Pass reports shall be placed in the legislative files without further action pursuant to Rule 15 of the Joint Rules:

BILL, "An Act to Guarantee Teachers the Right to Negotiate Seniority Clauses in Collective Bargaining Agreements." (H. P. 557) (L. D. 708)

BILL, "An Act to Encourage Small Businesses to Participate in Apprenticeship Programs." (H. P. 763) (L. D. 994)

#### Leave to Withdraw

The following Leave to Withdraw reports shall be placed in the legislative files without further action pursuant to Rule 15 of the Joint Rules:

BILL, "An Act to Establish a Voluntary System of Shared-Work Unemployment Compensation." (H. P. 831) (L. D. 1069)

BILL, "An Act to Provide for Local Option on the Issue of Seniority for Teachers." (H. P. 485) (L. D. 582)

BILL, "An Act to Conserve the Marine Re-

sources of the Medomak River." (H. P. 489) (L. D. 586)

BILL, "An Act Relating to the Statute of Limitations for the Probate of Estates under the Maine Probate Code." (H. P. 441) (L. D. 534)

BILL, "An Act Concerning the Statute of Limitations for the Probate of Estates Under the Maine Probate Code." (H. P. 442) (L. D. 535)

BILL, "An Act Clarifying the Authority of the District Court's Violations Clerk." (H. P. 731) (L. D. 940)

BILL, "An Act Concerning Processing Fees for Loan Applications Filed with the Maine Guarantee Authority." (H. P. 740) (L. D. 949)

BILL, "An Act to Establish the Least Cost Principle." (H. P. 741) (L. D. 950)

BILL, "An Act Establishing a Commission to Study the Defense of Insanity and the Treatment of Persons Adjudged Not Guilty by Reason of Insanity." (Emergency) (H. P. 443) (L. D. 536)

BILL, "An Act Relating to Insanity as a Defense in Criminal Proceedings." (H. P. 482) (L. D. 579)

BILL, "An Act Concerning the Plea of Innocent by Reason of Insanity." (H. P. 484) (L. D. 581)

BILL, "An Act to Permit a Verdict of Guilty but Suffering from Mental Disease or Defeat." (H. P. 551) (L. D. 702)

#### Ought to Pass

The Committee on Taxation on BILL, "An Act Relating to Motor Fuel Taxes." (H. P. 130) (L. D. 138) Reported that the same Ought to Pass.

Comes from the House with the Report Read and Accepted and the Bill Passed to be Engrossed as amended by House Amendment "A" (H-92)

Which Report was Read and Accepted in concurrence. The Bill Read Once.

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

The Committee on Local and County Government on RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Franklin County for the Year 1983 (Emergency) (H. P. 1025) (L. D. 1326) Reported that the same Ought to Pass pursuant to Joint Order (H. P. 159)

Comes from the House with the Report Read and Accepted and the Resolve Passed to be Engrossed.

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

The Committee on Local and County Government on RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Knox County for the Year 1983 (Emergency) (H. P. 1026) (L. D. 327) Reported that the same Ought to Pass pursuant to Joint Order (H. P. 159)

Comes from the House with the Report Read and Accepted and the Bill Passed to be Engrossed.

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

The Committee on Energy and Natural Resources on BILL, "An Act to Include Water and Sewer Districts in the Local Government Energy Conservation Program." (H. P. 476) (L. D. 573) Reported that the same Ought to Pass.

Comes from the House with the Report Read and Accepted and the Bill Passed to be Engrossed.

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

The Committee on Aging, Retirement and Veterans on BILL, "An Act to Clarify the Defini-

tion of Child or Children and to Delete Restrictions on Death Benefits to Spouses in the Retirement System Statutes" (H. P. 766) (L. D. 996) Reported that the same Ought to Pass.

Comes from the House with the Report Read and Accepted and the Bill Passed to be Engrossed.

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

#### Ought to Pass as Amended

The Committee on Judiciary on BILL, "An Act Limiting Positions of Trust for Prisoners in Jail to those Prisoners Sentenced or Transferred to that Particular Jail." (H. P. 170) (L. D. 200) Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-87).

Comes from the House with the Report Read and Accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A" (H-87).

Which Report was Read and Accepted, in concurrence. The Bill Read Once. Committee Amendment "A" (H-87) was Read and Adopted, in concurrence. The Bill, as amended, Tomorrow Assigned for Second Reading.

#### Ought to Pass in New Draft Under New Title

The Committee on Agriculture on BILL, "An Act to Establish Mandatory Minimum Fines on Agricultural or Forestry Products Theft." (H. P. 531) (L. D. 684) Reported that the same Ought to Pass in New Draft under New Title BILL, "An Act to Establish Mandatory Minimum Fines for Unauthorized Taking of Agricultural or Forestry Products" (H. P. 1017) (L. D. 1314)

Comes from the House with the Report Read and Accepted and the New Draft Passed to be Engrossed.

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

#### Senate

##### Leave to Withdraw

The following Leave to Withdraw report shall be placed in the legislative files without further action pursuant to Rule 15 of the Joint Rules:

BILL, "An Act to Extend Consumers Freedom of Choice Regarding Insured Mental Health Services." (S. P. 278) (L. D. 843)

##### Ought to Pass in New Draft

Senator VIOLETTE for the Committee on State Government on BILL, "An Act to Require Campaign Contributions to be Reported in the Lobbyist Disclosure Law." (S. P. 247) (L. D. 768) Reported that the same Ought to Pass in New Draft under same title (S. P. 456) (L. D. 1352)

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

#### Second Readers

##### House

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

BILL, "An Act to Make Allocations from the Alcoholism Prevention, Education Treatment and Research Fund for the Fiscal Year Ending June 30, 1983." (Emergency) (H. P. 513) (L. D. 638)

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

BILL, "An Act to Provide for Voluntary Inspection of Trailers and Semi-trailers under the Motor Vehicle Laws." (Emergency) (H. P. 911) (L. D. 1161)

Which was Read a Second Time.

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

Senator DANTON: I offer Senate Amendment "A" to L. D. 1161 and move its Adoption.

The PRESIDENT: The Senator from York, Senator Danton, offers Senate Amendment "A" (S-40) and moves its Adoption.

Senate Amendment "A" (S-40) was Read.

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

Senator DANTON: Mr. President and Members of the Senate, just a bit of explanation on this Amendment; it's a new program on inspecting trailers and what this allows is for the revenues to be dedicated by the department to be used to administer this program and that will be only for two years. The Committee on Transportation will review the program and report back to the Legislature during the 112th, so you can deal with it accordingly at that time.

Senate Amendment "A" was Adopted.

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

#### House — As Amended

BILL, "An Act to Remove the Superintendent of the Governor Baxter School for the Deaf from Classified Service and Clarify the Law Relating to State Educational Personnel." (Emergency) (H. P. 769) (L. D. 999)

BILL, "An Act to Provide for Establishment of Employee Cooperative Corporations." (H. P. 215) (L. D. 258)

BILL, "An Act to Permit Young Children to Accompany their Parents into the Voting Booth." (H. P. 543) (L. D. 695)

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

#### Senate

BILL, "An Act Relating to Training Penobscot Law Enforcement Officers." (S. P. 81) (L. D. 192)

BILL, "An Act to Revise the University of Maine Arbitration Procedures." (S. P. 440) (L. D. 1319)

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

Sent down for concurrence.

#### Senate — As Amended

BILL, "An Act Relating to Business, Travel or Recreation on Sunday." (S. P. 29) (L. D. 84)

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 Amend the Maine Statutes to Provide for the Sale of Kerosene or Similar Illuminating or Fuel Oils which Flash over 100 degrees Fahrenheit, Open Cut Test (H. P. 154) (L. D. 179)

An Act to Provide Consistency in the Filing of Mechanics' Liens (H. P. 263) (L. D. 323)

An Act Raising the Limit on Speeding Violations which can be Processed by the District Court Traffic Violations Bureau (S. P. 151) (L. D. 442)

An Act to Prohibit the Commercial Sale on Chain Saws and Skidders not Equipped with Spark Arresters (H. P. 379) (L. D. 462)

An Act to Clarify the Definition of Chiropractic. (S. P. 164) (L. D. 519)

An Act to Increase the Penalty for Nonpayment of Reportable Wages under the Unemployment Compensation Laws. (H. P. 506) (L. D. 604)

An Act to Prohibit Skiing in Out-of-bounds Areas. (H. P. 524) (L. D. 649)

An Act to Strengthen the Enforcement of the Collection Agency Law (H. P. 666) (L. D. 849)

An Act to Amend the Fraud Provisions of the Maine State Retirement System Statutes (H. P. 693) (L. D. 882)

An Act Limiting the Cost of Local Pay Telephone Calls (H. P. 943) (L. D. 1213)

An Act Concerning the Use of Purse Seines in Washington County. (H. P. 944) (L. D. 1214)

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 License the Harvest of Seaweeds. (S. P. 388) (L. D. 1171)

The PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Sewall.

Senator SEWALL: Thank you, Mr. President and Members of the Senate, this Bill, "An Act to License the Harvest of Seaweeds" helps me comprehend how the Egyptians worshiped an insect.

What this Bill does is: first off, it gets rid of the Sea Moss License and then it decides that every single marine algae should be watched and regulated. Of course some people are exempted, so you've no idea of exactly who's going to be getting away with what, because you've exempt some people and then you go after it in another way, and say that you have to get a seaweed permit if you're going to harvest seaweed; doesn't say how much. If you're doing it for commercial purposes, this can be a bucket full or it could be a skool full.

Then, of course, if you have an employee working for you that person gets a supplemental seaweed license, and heaven forbid, you should be arrested in the possession of seaweed. What kind of seaweed, what species are we talking about? When we registered Sea Moss, we're talking about one particular species, something we used before. This is all marine algae.

For commercial purpose they'd like to say that's just mass harvesting. I'd like to suggest that the commercial purpose could be quite a bit more than that.

I would think that if it was important to register your marine algae, of all types, that perhaps you'd look at the types you're worrying about; perhaps you'd look at this giant industry we're having such a fine time in regulating all the others, and maybe you'd wonder, I mean whose going to enforce this? Are we going to have seaweed wardens? Are the seaweed wardens going to be around? If we're looking after everything, is it then going to get to the point where we have dandelion wardens? We sell those, after all, commercially and I think as many people eat seaweed, I think probably more people eat dandelions than eat seaweed.

I sent this Bill out to some people in my area. Most of them didn't know whether to laugh or cry. They said, "are you really dealing with that? At the very least, Charlotte, tell us you'll get up on the floor and say that there's someone from the coast who can see this for what it is, absolutely ridiculous!" When the vote taken I asked if it be taken by the Yeas and Nays.

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

Senator MINKOWSKY: Mr. President and Members of the Senate, let me set the Record straight insofar as our Committee on Marine Resources work on this particular Bill.

Marine Resource statutes currently require a license to harvest one particular type of seaweed, called "Sea Moss."

In recent years there has been an increased interest in harvesting other types of seaweed for use including human consumption, secondly as a fertilizer, and even as a possible source of energy production.

There is little information available on how much seaweed is being presently harvested on the Maine coast. Seaweed is an important part of the intertidal system and if over harvested it could disrupt the growth of other marine animals, including lobsters, because of this the Department of Marine Resources has recommended expanding the Sea Moss license to include all types of seaweed. To obtain a list of all persons who are engaged in this activity for commercial purposes. I repeat for commercial

purposes.

The original bill L. D. 528 was not intended to generate revenue but rather as a simple and effective way to get more information about seaweed harvesting. So we are talking about gathering information.

The Marine Resources Committee reported out the Bill in New Draft, 1171, the Bill reduced the resident license fee from thirteen dollars to three dollars just enough to cover the administrative costs, and exempted marine worm dealers and wholesale shell licensees who may commercially harvest some seaweed in the course of their other activities, that is license activities.

The New Draft, also, provides for low cost supplemental licenses for family members and employees.

Various amendments were offered to the Committee, amendments had been proposed to the Bill exempting other particular license holders and proposing other license requirements.

This really is a very simple Bill, creating an easy to obtain low-cost permit for anyone who wants to commercially harvest seaweed, again, commercially harvest seaweed. It would be unusual for others than Marine Resource license holders to commercially harvest seaweed, and if they do this Bill does not impose any undo administrative or financial burdens upon them.

It is really only intended to find out who is in the business of harvesting seaweed. To establish methods in the future of determining how much seaweed is being harvested on the Maine coast and nothing more than that.

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

Senator PEARSON: Mr. President, I would like to pose a question to the Senator from Androscoggin, Senator Minkowsky. Who cares who's harvesting seaweed? Why do we need to license them?

The PRESIDENT: The Senator from Penobscot, Senator Pearson has posed a question through the Chair to the Senator from Androscoggin, Senator Minkowsky, who may respond if he so desires.

The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Senator MINKOWSKY: Thank you very much, Mr. President. Members of the Senate, presently people are licensed who commercially harvest seaweed, it is a very important insofar as the ecological balance in sustaining the marine life along the coast of Maine. In areas it could actually be over harvested which has been the case in some areas. It is just a matter of having inventory of who is out there. It is nothing more than a long-range projection of making that determination of protecting our natural environment, our natural resource along Maine's coast.

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

Senator PERKINS: Mr. President, Ladies and Gentlemen of the Senate, I thought that perhaps this was a Bill that while it concerned me that I didn't have to rise on, but I find that I, along with the good Senator from Penobscot, Senator Pearson, find myself of some concern on this.

Last week we had agriculture day, here, and I found myself with a lot of people from my area who are organic farmers. I think that the good Senator from Androscoggin mentioned that seaweed is used for fertilizer with the organic farmers. Then I look at the fees that are going to be charged and there is a fee schedule of twenty-five dollars for a non-resident.

I guess that I am at a loss to see what the difference in processing would be to a non-resident or a resident in the licensing fee. I have several people who do pay taxes within my area who are indeed non-residents but who employ people, caretakers and others who do some gardening. In the process of their garden-

ing they would then probably fall in the area of being commercial because if they had a good year in potatoes, or a good year in harvesting peas they might indeed supply to the local market, some corn or other produce raised on this garden which was fertilized by seaweed. So, I suspect that this then puts them in the area of being commercial with the area of using seaweed for a commercial process.

I guess twenty-five dollars, while I'm in full favor of the gasoline taxes and our other taxes being paid by the non-residents and by our tourists, a twenty-five dollar fee for the non-resident does seem to me to be a little exorbitant and if you don't want anyone but the natives to be able to touch the seaweed then let's post signs along the coast that say, "only natives must touch seaweed, keep your hands off".

If a non-resident should come along and decide that he would like to dig a few clams or something and would like to cover that with seaweed, even though it would not be a commercial thing, has he got to prove to the Marine Resources Warden that it is a non-commercial purpose, or will he be interrogated, or would he have to go to the county seat to maybe be interrogated to see that he indeed is using the seaweed for a non-commercial purpose?

I find myself more and more agreeing with my seatmate that this Bill, while it maybe well intentioned at its start and maybe serving some small purpose, has greater area for damage then for good.

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

Senator COLLINS: Mr. President, I am one of these weekend farmers who utilizes seaweeds that wash up on my beach, I very seldom scrape them from the rocks, but of course the tide brings up a lot of different algae. I take that seaweed and spread it on my asparagus patch and on my raspberry patch to enhance the nutrition. I will admit that most of the product the asparagus and the raspberries I give away, but once in awhile I sell a box of raspberries or I use a box of raspberries as in-kind payment for labor performed by friends, or youngsters in the neighborhood. So, I wonder if that makes me a commercial user of seaweed. Literally I would suppose that it did, I hope that I don't have to be licensed and inspected and persecuted for that kind of activity.

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

Senator DANTON: Mr. President and Members of the Senate, I don't want to get into any speechmaking, but I see that the Chairman of the Committee is eager to get up, again, so I am going to ask him a few questions.

On page 2, it says on line 18 of the Bill it says: "Fee, The fee for a seaweed permit is:" and then it goes to line 19 it says, "A. \$3 for a resident; \$25 for a nonresident; and \$1 for supplemental".

I would like to have two questions answered by the good Senator from Androscoggin, Senator Minkowsky the first question is, who had the idea to come up with this nugget, number one? Number two, what do we do with the tourist that just happen to come into my particular area, and on a stormy day we get a lot of seaweed on the beach, and maybe some of them want to take some back to Connecticut, or Rhode Island, or Massachusetts do they have to have a license? Number three, who is going to enforce this? They always tell us that they do not have enough people to do the work that they are suppose to do. What are they suppose to do run around picking up people for picking up a couple of pails of seaweed?

I'd like to have to good Senator get up and answer those questions?

The PRESIDENT: The Senator from York, Senator Danton has posed numerous questions through the Chair to the distinguished Senator from Androscoggin, Senator Minkowsky who may respond if he so desires.

The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Senator MINKOWSKY: Mr. President, Ladies and Gentlemen of the Senate, there has been such a multitude of questions, I think that I'll start with Senator Collins first, and say to the good Senator that unless he holds a license to the State of Maine, a sales tax license, then I think he'd be having a problem insofar as selling his raspberries for other than commercial purposes, I thought that that would be a very good point to stress.

For the infinitesimal amount of seaweed that he would use for his garden to cover his raspberries or other vegetables that he might have, this doesn't apply in any form, shape or manner.

This is strictly that if he was in business in harvesting tons, and tons, and tons of seaweed, we would expect a registration at that particular point, but for the general use or even for a person who puts on a clam bake this does not apply to them at all.

So, you can feel free that if you are putting on a clam-bake or taking seaweed for covering your vegetables, even though you might illegally sell your vegetables for commercial purposes, it will not apply to you.

To my good friend from York County, Senator Danton, I can assure him that summer residents who come in and pick up seaweed along the Maine coast for whatever purpose they want to use it for, for fertilizer or whatever it may be, there is no enforcement insofar as that is concerned.

We are just trying to inventory the large out-of-state commercial operations that are coming into the State of Maine, presently now, and possibly in the future that will register with the Department in which to let us know where they are harvesting seaweed and the quantities that they are harvesting along the coast, and possibly we can check as to what effect it has upon the marine life in the area and nothing more than that.

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

Senator KANY: Mr. President and Members of the Senate, I would like to add one more question to that long list, I would like to ask the Chairman of the Committee if there is any evidence, or are there any rumors that our seaweed supply is diminishing?

The PRESIDENT: The Senator from Kennebec, Senator Kany has posed a question through the Chair to the Senator from Androscoggin, Senator Minkowsky who may respond if he so desires.

The Senator from Androscoggin, Senator Minkowsky asks Leave of the Senate to speak a fourth time.

Is there objection?

The Senator has the floor.

Senator MINKOWSKY: Mr. President, thank you. In response to Senator Kany's question, there are areas along the coast that have, in my estimation been over-harvested. This will allow the Department and its biologist to look over the area and make a determination if the commercial harvesters of seaweed are imposing a very serious threat to the marine life in that area.

I am not at liberty, nor do I know specifically which areas along the coast, but I was told in the area of Cumberland County, in the area of Washington County, and through the Rockland area there is areas where there are large commercial operations and we just want to protect the interests of the people of the State of Maine by having these commercial operators, I reiterate commercial operators only, report to us.

(Off Record Remarks)

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

Senator HICHENS: Thank you, Mr. Presi-

dent, Members of the Senate, I would just like to answer a statement, or respond to a statement from the good Senator from Androscoggin that the good Senator from Knox does not break any laws by selling his vegetables and not paying a sales tax. There is no sales tax on any home grown produce or any food sold in the State of Maine.

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

Senator PRAY: Thank you, Mr. President. Mr. President and Ladies and Gentlemen of the Senate, the Chamber has had a little bit of humor today in talking about the licensing of harvesting of seaweeds, and I have heard a number of questions raised by a number of the members of this Chamber who have been here for a number of years, so I would like to ask those who have been raising objections to this proposal, where were they in 1979 and 1982 when we passed a law that licensed the harvesting of Sea Moss?

I can't remember hearing any objections to that bill when it went through when the Department expressed some concerns about the fact that Sea Moss was being harvested at a rather questionable rate.

Now we have a proposal before us today talking about the resource of Maine seaweed and the possible affect that it may have upon the coastal industries. The sea food industry, the aquaculture industry and so-forth.

I think that if one would look in the existing statutes, one of the problems, is that when we have LD's and we have enactors before us it doesn't tell us what precedes or what follows the proposal or the legislation that is going to be changing in the law, it only gives us that one change.

If one looks there, one would find that the harvesting of Sea Moss it is thirteen dollars for residents and twenty-five dollars for non-residents, and the rest of the language dealing with licensing requirements and activities are exactly the same as it is in this proposal, here, dealing with seaweed.

I think that we should put a few things in perspective and put some of the humor aside on this proposal.

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

Senator BROWN: Thank you, Mr. President. Ladies and Gentlemen of the Senate, me thinks we are getting tired earlier in the week, this week regarding this issue and the levity that is being raised concerning it.

I appreciate it very much the good Senator from Lincoln Senator Sewall's humorous remarks about this Bill and all that has followed since then.

The good Senator from Androscoggin, Senator Minkowsky has explained, I think, quite adequately, the good Senator from Penobscot, Senator Pray has mentioned the fact that this is not a unique Bill, in the sense that we have never done something like this in the past.

All this piece of legislation is attempting to do, is simply give the Department of Marine Resources the opportunity and the mechanism whereby they can gather information on the harvesting of a resource in this State which we may need to look at in terms of what affect it has on the ecology of a lot of other things surrounding it.

So, in spite of all of the fun that we are having with this Bill, right now, I hope that you'll, when it comes time to vote on the issue, that you won't allow the humorous remarks that has been made by various members of this Chamber today, to rule the day. I am quite concerned in talking to the people close by me here that this is probably a dead Bill right now. They way that it is looking, with the comments that have been made thus far, but I want you to think about the fact that this Bill has gone through a Committee of thirteen people it is a revised draft, it is a Bill that the Department has looked at very seriously, it is not going to

cause any terrible harm to the raspberries that people are raising in their backyard, nor is it going to cause any real problem of driving our tourists out of the State, or not encouraging them to enjoy the beauty of the Maine coast.

It is simply a Bill to allow the Department of Marine Resources to gather information concerning a resource which could develop, and is developing every year into much more of a resource for the people of the State of Maine.

So, I would trust that we'll have a Division, Mr. President, when the time comes to vote on this and that despite all of the comments that may have been made in this Chamber today concerning this piece of Legislation, this nugget of Legislation, I hope that we can allow the Department to gather that necessary information. They need to be able to determine what other kinds of controls may be necessary down the road on that or any other resource that we have got, whether we are talking about strip bass, or moose, or anything else that we have got. Thank you, Mr. President.

The PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Sewall.

Senator SEWALL: Thank you, Mr. President. To set the Record straight concerning Sea Moss and where I was, which is right in the House and Senate during those times. Sea Moss is one particular algae, there has been an established commercial use of it particularly making "carrageen", Marine Colloids uses it, there is a market there, and frankly, I haven't seen a market for the current seaweed being so overwhelming that we need to go to these limits.

As far as the Department going down to look at the purported shortages of seaweed, and I do live on the coast and I spend a good deal of time there, I haven't noticed any great shortage of seaweed, the Department can investigate that at this time. There is no need to go about licensing some people and exempting other people, and having supplemental licenses and doing all that sort of thing, they can investigate that now.

Then there was one other thing, when the Chairman of the Committee answered Senator Collins, he said that this only refers to people who take tons, and tons, and tons of seaweed, well here's the Bill, there is no amount listed, no amount whatsoever listed.

I suppose that if you did seaweed sculptor and you were selling then, you would come under this Bill.

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

Senator SHUTE: Mr. President, Ladies and Gentlemen of the Senate, I probably shouldn't be speaking on this Bill, but I did want to get in a couple of words, as I am a Member of the Committee.

The testimony that I remember hearing in this Committee. There weren't very many people involved in the harvesting of seaweed. I think it was probably less, between fifty and maybe a hundred people. This probably could bring into the State upwards of two-hundred dollars if we can hang on to it for awhile longer.

I did hear some testimony in Committee, as I remember, that probably the ice and tide, remove more seaweed from the State each year than any number of harvesters could.

As far as enforcing the law, the Department now doesn't have enough people to enforce a two inch clam law, that's what they told us, at least, which is a several million dollar business in the State now.

It was suggested that we could have aerial photographs of the entire State coastline, several thousand miles of coastline and by the aerial photographs we could determine where the seaweed was removed from, but that probably wouldn't be a very viable idea. I didn't think it would.

Where this Bill doesn't seem to exempt any certain amount of seaweed, I would hope that the Senate might reject the Bill this morning.

It doesn't exempt a person that is selling old lobster traps; they put seaweed on the lobster traps for commercial purposes, and that goes over pretty good along the coast in my area.

I would hope the Senate might spend their time on something that might bring in more information and more revenue to the State.

The PRESIDENT: The Senator from Androscoggin, Senator Minkowsky, asks leave of the Senate to speak a fifth time.

Is there objection?

The Senator has the floor.

Senator MINKOWSKY: Thank you very much, Mr. President. This number one, was not designed as a revenue producing measure. Bear in mind, one other fact, that comes into play seaweed comes with many different varieties, and we're talking of some seaweed that does not regenerate along Maine's coast to any degree. You can cut it and the end result is it doesn't grow. We are concerned about those other varieties in the algae class of seaweed; not just seaweed per se. Apparently what you misconstrued, is readily misconstrued by some people in this Body. I emphasize only one particular final point and as we are talking not of the individual lobsterman or the several hundred, sixteen hundred licensee along the coast of Maine that use seaweed that cover their lobsters, we're not talking about the clambakes along the coast of Maine where there are several during the course of the season that use seaweed. We are talking about large, singular, commercial operations of the various algae along Maine's coast. This is nothing more than a long-range projection in which to get a handle on, who is taking seaweed and the amount that is being harvested along Maine's coast?

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

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

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

The pending question before the Senate is, Passage to be Enacted?

A Yes vote will be in favor of Enactment.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

#### ROLL CALL

YEA—Brown, Bustin, Carpenter, Charette, Clark, Danton, Diamond, Dow, Dutremble, Erwin, Hayes, Kany, Minkowsky, Najarian, Pearson, Pray, Trafton, Usher, Violette, Wood, The President, Gerard P. Conley.

NAY—Baldacci, Collins, Emerson, Gill, Hichens, McBreairty, Perkins, Sewall, Shute, Teague, Twitchell.

ABSENT—Redmond.

A Roll Call was had.

21 Senators having voted in the affirmative and 11 Senators in the negative, with 1 Senator being absent, the Bill 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.

SENATE REPORTS from the Committee on State Government — Bill, "An Act Granting State Employees Full Political Rights" (S. P. 67) (L. D. 173)

Majority Report — Ought to Pass in New Draft under New Title, BILL, "An Act Pertaining to the Political Rights of State Employees" (S. P. 439) (L. D. 1318)

Minority Report — Ought to Pass in New Draft under New Title, BILL, "An Act Pertaining to Political Rights of State Employees" (S. P. 438) (L. D. 1317)

Tabled—March 25, 1983 by Senator CARPENTER of Aroostook

Pending—Motion of Senator VIOLETTE of Aroostook to Accept Majority Report.

The PRESIDENT: Is it the pleasure of the Senate to Accept the Majority Ought to Pass Report?

The Chair recognizes the Senator from York, Senator Hichens.

Senator HICHENS: Mr. President and Members of the Senate, I hope that you'll vote against the Majority Report. I do not feel that State employees should have political rights because of that position which they hold. I come from southern York County where there are several Federal installations, and the people down there who work for the Federal Government in the Navy Yard, the Airforce Base, cannot participate in political activities, except to vote.

I do not feel that the State employees should be granted privileges not granted Federal employees, because I think it sets a very good example of discrimination. I know there would be a lot of feeling if we pass a Bill like this, amongst the Federal employees down in Kittery, Eliot, in that area in which I serve.

The Bill which I have come out with a Minority Report permits classified State employees to run for political offices in municipalities through partisan elections. There are two towns in my district who have partisan elections; the others do not, people in these two towns are restricted because of the fact that they work for the Federal Government or for the State Government.

I feel that this may be a little breakthrough and I feel it is a good breakthrough but to Accept the Majority Report grants too many rights to State employees. I think someone else is going to speak on the editorial which was put on your desk this morning, which expresses my opinions to the fullest, even though the Majority of the Committee have retracted a little bit from their original Bill. I think this is just a foot in the door in a few years the State employee will be granted all full political rights which I do not think they are entitled to.

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

Senator COLLINS: Thank you, Mr. President, I would support the version of the Committee's work that is represented in the Minority Report, because that has been kept strictly at the local level.

Today, however, we are debating a classic issue concerning the political activity of Government personnel. An issue on which I take my stand along side that patron saint of the Democratic party, Thomas Jefferson. In 1801, our third president issued a circular stating, "the President of the United States has seen with dissatisfaction officers of the general government taking on various occasions active parts in the elections of public functionaries, whether the general or state governments. The right of any officer to give his vote at elections as a qualified citizen is not meant to be restrained nor however given, shall it have any affect to his prejudice, but it is expected that he will not attempt to influence the votes of others, nor take any part in the business of electioneering." When important policy decisions are to be made in the basic context of public service, it behooves us to take a look at history, lest we be doomed to repeat that history. We can all recall from your history lessons that excesses under President's Jackson and Grant and the assassination of President Garfield by a disappointed office seeker brought about "Civil Service Reform." From 1883, when the "Pendleton Civil Service Act" was passed by Congress until 1939, the Federal bureaucracy grew in size and influence. The prevailing principal when civil service activity was embodied in the executive order by President Theodore Roosevelt in 1907 forbidding employees of the classified civil service from taking an active part

in political management or in political campaigns. The new deal of the 1930's saw Federal positions multiply dramatically and many of the new jobs in Government were created so as to be outside the classified civil service and beyond the reach of the neutrality rule. A Democrat Congress feared the growth of a partisan political machine run with Federal employees, and in 1939 adopted the "Hatch Act," which expanded political activity restrictions to both classified and nonclassified employees.

In Maine, the Legislature adopted a Personnel Law in 1937 with many of the "Hatch Act" features and later strengthened the Act. All states followed the Federal lead and these laws became known as the "Little Hatch Act."

The Maine State Employees overt effort to politicize the civil service goes back to 1974, when David Carnevale was executive secretary and Art Valpey had been hired to research the area.

As so often happens, the cue came from Washington. Congress was tinkering with the "Hatch Act," which had for nearly forty years prohibited Federal employees from taking any part in partisan politics. The first steps taken by the Congress enlarged the participation in local, nonpartisan, political electioneering and office seeking. The second breach was in a provision that states could allow partisan activity, even among its employees who were paid largely with Federal money. The final effort to repeal the Federal "Hatch Act" completely was vetoed by President Ford in 1976 and Congress failed to override.

Meanwhile, a series of articles ran in the Maine Stater the publication that we all receive courtesy of MSEA. As I read these articles I gained the impression that MSEA thought that Congress had issued a strong invitation to throw out the window all restraints on partisan activity. The 1975 Legislature accepted most of MSEA's carefully lobbied argument and repealed the essence of the "Baby Hatch Act."

The political fund raising activity was in a separate section of the statutes and the repeal effort in this section met resistance in the Maine Senate. Democrats joined with Republicans in recognizing the evils which might follow.

Senator Charette's predecessor in office, the Senator from Androscoggin, Senator Robert Clifford, now Judge Robert Clifford, moved to Table measure. Senators Cianchette of Somerset, Graham of Cumberland, a predecessor of our esteemed colleague the Senator from Cumberland, Senator Clark, Senator Merrill of Cumberland, and Senator Conley of Cumberland agreed that this matter needed second thoughts. In the Committee of Conference with the House the able Minority Leader, now President of this Body designated his chief aid, William Bell to assist the Committee. Mr. Bell remembered that in another jurisdiction where he had previously worked in Government, he had been leaned on to buy tickets to fund raisers. The Conference Committee effectively killed the bill.

A couple years later, in 1977-78, Senator Philip Merrill of Portland was running for the Governorship. He had championed the viewpoint of MSEA in restructuring the "Torts Claim Act". He had been Senator Muskie's 1976 campaign manager, and he became the hero of the MSEA activist. He knew the importance of fund raising in politics and saw a golden opportunity if he could repeal the Maine statute prohibiting political fund raising on the part of classified State employees.

Our debate was vigorous. Senator Merrill's effort failed by a narrow margin and he remarked to a fellow Senator as he left the Chamber, that we had just deprived him of ten thousand dollars for his primary campaign.

Turning to the two Legislative Documents before us, I must compliment Joe Mackey of MSEA and the staff of the Committee on State



Government, on an artful performance in draftsmanship. They commence with four common sense prohibitions that would be as acceptable to Andrew Jackson and Richard Nixon, as to Thomas Jefferson, but then comes the seduction of section 2B, which states: that a State employee may solicit funds for political candidates, committees or parties. The fruit of the seduction appears in the Statement of Fact as follows, "it would not permit State employees to campaign for the Legislature" The Legislature, "and retain their State jobs."

May I ask through the Chair why this prohibition against running for the Legislature does not appear in the text of the printed Bill? When I asked Joe Mackey this question, he said, it was a matter of Constitutional Law regarding the separation of powers, but I hope to have a more official answer from the State Government Committee.

The passage of this Bill will not further good Government in Maine. It will consolidate union power over the Democratic party. That power of a million dollar union of perhaps ten thousand people, that power over the Democrat party is already so massive that a mere threat of a picket line cancels a Jefferson/Jackson Day dinner. Andrew Jackson favored the spoils system, but even he, would catapult from his grave if he knew about that.

When by a single phone call Craig Higgins can stop the use of a public building by a Committee of this Legislature transacting the public business, we ought to stop and think about the distribution of power in our times.

The restraint upon the individual classified State employee in Maine is very modest. We in this Legislature accept some restraints when we run for office. Is it too much to ask that our classified employees accept a small measure of discipline?

Against this move for absolutely complete political freedom for our classified employees, we must weigh these considerations: one, peer pressure in Government employment it is quiet, silent, insidious.

Two, public employees should be protected in their jobs from political coercion. Employees subject to pressure are not likely to complain because of the likelihood of reprisal;

Three, promotion and merit raises should relate only to capacity and performance, not to party affiliation or success in fund-raising;

Four, unbiased administration of the laws is much more difficult when you have undertaken the emotional involvement of political fund-raising solicitation;

Five, if Government is to enjoy the respect of the people, its servants should avoid even the appearance of bias.

If we vote in favor of LD 1318, the pending motion, we'll be voting to transform public servants into union servants. Shall we align ourselves today with Andrew Jackson and with Richard Nixon? I hope not.

Ladies and Gentlemen of the Senate, let us take our stand with Thomas Jefferson and Theodore Roosevelt and David Graham. Let us vote No. Thank you.

On motion by Senator Pray of Penobscot, Recessed until the sound of the Bell.

**Recess**

**After Recess**

The Senate called to Order by the President.

The PRESIDENT: The question before the Senate is the motion of the Senator from Aroostook, Senator Violette, to Accept the Majority Ought to Pass, in New Draft, Report of the Committee.

The Chair recognizes the Senator from Aroostook, Senator Violette.

Senator VIOLETTE: Mr. President, would the Secretary please Read the Committee Report?

The Committee Report was Read.

Senator VIOLETTE: Mr. President, Ladies and Gentlemen of the Senate, the Committee on State Government in a very bipartisan spirit, the Senator from Knox, Senator Collins has attempted to deal with this important piece of legislation today in a rather partisan fashion.

The Committee on State Government in its attempt to deal with this matter, and having worked on it on several occasions in work session in a bipartisan spirit, a twelve to one report - five of the six Republicans on that Committee having voted in favor of this New Draft, felt that it was only right and proper that we no longer discriminate against State employees by denying them certain rights which other citizens in this State have the opportunity to exercise.

The Senator from York, Senator Hichens, makes mention of the employees that might work for the Federal Government. Well, it is not for the State of Maine to establish its policy on what the Federal Government does, it's for the State of Maine to do what it thinks is proper for its own employees. If the Federal Government wishes to continue to discriminate against its own employees, then so be it, but it would be my hope that this State would do what is only right and proper.

The Senator from Knox, Senator Collins, has elaborated at great length today in giving us a great dissertation and obviously spent innumerable hours reviewing the records over the past years and spoke of numbers of people. I think what the Senator has shown us here today is that the Legislative Body is a Body that moves and changes over the years, it reflects the mood and the feelings of the people in its own State. As the years have gone, there have been changes in this area, and this is only a continuation of that natural process by which this Legislature, which is not a static Body, but a Body which makes changes over the years. It is for that reason, that this Legislature is before us today. It is for that reason, as well, that I would hope that we would Accept the Majority Report. The Committee on State Government felt that it was only appropriate at this time that we extend to our own employees these rights.

What have we done here? This Bill allows State employees to run for local and county offices of a partisan nature. That is on the second page of the LD, starting in line twenty six, "an officer or employee of the State may be a candidate for elective office, in partisan and non-partisan public election, for municipal or county offices.

Why have we done this? We have done this because present State Law discriminates against State employees who happen to reside in communities where local elections are held on a partisan basis. Why is it that somebody who reside in the cities and towns of Biddeford, Waterville, Westbrook, North Berwick and others, can not run for local office? Where, if they lived in Van Buren, or in other such communities, they can. It was for this reason that the Committee felt as Senator Hichens draft, that they be extended this right.

We all understand the political process, it is one, naturally, of compromise. I'm sure that the Senator from Knox, Senator Collins over his long tenure in this Legislature has from time to time, on Legislative matters felt it necessary to compromise. That is exactly what the Committee on State Government did, when it came to its decision, whereby to achieve a more unanimous report, it decided at this time to extend these rights only to this extent. For that reason, decided at this time, it would not extend these rights to State employees to run for the Legislature. It was in the same spirit of compromise and a feeling by twelve members of that Committee, that it was appropriate that State employees be granted the right to run in partisan election at local

and county levels.

In addition, to finally have the right to solicit. As presently is the case only unclassified employees may solicit contributions. State employees are not capable of soliciting amongst themselves, they may contribute to candidates of their choice. The MSEA which represents them may solicit from them and make contributions, but those very same employees do not have the right amongst themselves to solicit contributions for candidates that the MSEA itself may not wish to give contributions to.

I don't see this as being Legislation, which is in a sense going to improve or necessarily make the MSEA as some kind of an omnipotent body of this State. If we have reached such a point where this organization has such clout, I think that's ridiculous to imply that that is the situation. The MSEA has never done anything to help this Senator get elected, it's never contributed a penny to this Senator, or for that matter, when I was a member of the other Body. I would dare say that that was probably true in the majority of the cases of those here in this Body today.

So, it is for these reasons, Ladies and Gentlemen of this Senate, that the State Government Committee, in a twelve to one report, felt that it was appropriate at this time, and this date, to extend these additional rights and responsibilities and duties to State Employees.

This Legislation goes further. The Senator from Knox, Senator Collins, makes light of the prohibitions that we have placed in this Legislation. We haven't placed these prohibitions there as some kind of smoke screen, Senator Collins. We've put these prohibitions there because they don't exist now. What we've done, we've made a violation of any of these sections, a Class "E" Crime. If somebody were to violate the fact that they cannot solicit amongst themselves now, they're not subject to a Class "E" penalty.

We have placed within this Legislation constraints, as well as rights. State employees are just as human as you and I, and I expect that they will exercise these rights in an honorable fashion. I'm not going to find them guilty today for something that they haven't even begun to do.

So, Ladies and Gentlemen of this Senate, I would hope today we would Accept this Majority Report. Thank you very much.

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

Senator HICHENS: Mr. President and Members of the Senate, I feel very inadequate getting up here to speak after listening to the eloquent speeches by trained attorneys. I won't have such a lengthy speech as both of these Gentlemen have made, but I would like to disagree with the good Senator from Aroostook when he said this is a nonpartisan issue, it is a very partisan issue.

Two years ago a very similar bill was passed in the House and defeated by a seventeen to sixteen vote in the Senate, which had a seventeen to sixteen Republican majority at that time. He has, also, stated that the Committee, in its wisdom, the majority, in the best interest of the people of the State of Maine voted this way. I would like to quote from one Representative's opinion that lives in the city of Augusta and that he wouldn't dare vote against the MSEA, because he wouldn't be coming back again next time, and he was helped by State employees in his campaign this last election.

One other Representative said, well this issue isn't as important as some of the others, and I'll go along just to get some votes later on an issue which I feel is much more important. If that isn't partisan, I don't know what partisan is. I'm not going to keep this debate going on any longer as far as I am concerned, but I still hope you will vote against the motion that has been made now to Accept the Majority Report.

The PRESIDENT: The Chair recognizes the

Senator from Kennebec, Senator Kany.

Senator KANY: Mr. President and Members of the Senate, I wanted to respond to a few of the earlier comments by the highly respected Minority Leader from Knox.

One is that he referred to Thomas Jefferson and those times. I just wanted to point out that since then, we've had a much greater participation in our Democracy of value, I believe, that all people share; women have been allowed to vote; Indians living on reservations just recently have been allowed to vote and participate, and so too, have our young adults, our eighteen through twenty year olds. In my opinion, participation in our Democracy is something we want to encourage, particularly, anything dealing directly with that right to vote, because it is our basic right as the U.S. Supreme Court has stated, in which I'm sure we all believe, because it is so preservative of all other of our rights. I do not believe you will find any abuse by passage of this Legislation.

I wanted to point out too, that we do have a civil service system and that those employees, under a law, such as this would be protected from abuse by politicians, perhaps, and encouraging them to find funds for them.

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

Senator MINKOWSKY: Mr. President and Members of the Senate, I think at the offset I'll say that I will go along with the Committee Report, but one fact that comes to mind that I read in the Bangor Daily News back in January or early February, the lack of respect that the Maine State Employees Association has for Legislators because apparently some do not get up on their feet to articulate their points of view.

I can say, also, I'm one of those Legislators that never has been supported by the officers of the Maine State Employees Association, nor, do I ever want their support. I'd rather go to the individual members of the association, our State employees and get their approval, compared to the strategy used by, what I refer to as... heads of that organization.

What I'm saying this morning on this entire Bill is yes, I believe in equity and fair play. Yes, I believe that State employees do have a right to participate as elected officials in the Legislative or municipal process. I don't want my vote to be misconstrued as giving tacit approval to some of these people who represent themselves to be, what I really don't think they are. That article, and I wish I could lay my hands on it this morning, was a classic. I think it went somewhere to the affect of referring to Legislators in the other Body as faceless wonders.

I don't believe that this particular organization has the authority to start condemning and criticizing those Members of either Body that maybe, for good reasons of their own, don't get up and articulate, either that point of view or anybody else's point of view, regardless of party affiliation.

My only apprehension with this particular piece of Legislation is not the employees who will be running for elective office, as much as how these employees might be manipulated by certain people in the Maine State Employees Association. I want to make these points very clear on the floor of this Body, even though I am for the Bill, as it stands.

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

Senator TRAFTON: Mr. President and Members of the Senate, I rise somewhat selfishly today to blow the smoke away from Senator Collins' guns to look at an issue a little more closely.

Senator Collins pointed out that a mere telephone call from a union member forced a relocation of a Committee Hearing and he cited that example to show what massive power the unions have in the Legislative halls. I find it somewhat ironic that he raises this particular

example before us today.

The Judiciary Committee did have a public hearing scheduled for the Civic Center. As a matter of fact, that Committee Hearing was for Senator Hichens' Bill, the Obsenity Bill, which the Committee is currently studying and there was in fact a threat of the union strike. As any Committee Chairman might do, I was concerned that the general public have access to that Committee Hearing, in order to present their views. I was, also, concerned that Committee members would also attend the hearing to hear all the views that were to be expressed at that hearing. Consequently, I took it upon myself for the Committee to relocate that public hearing, to assure that we have a full and adequate input for consideration of this most important Bill.

I find it ironic that Senator Collins complains of this effort to give his cohort, Senator Hichens fair treatment and consideration of this Bill.

I rise simply to clarify Senator Collins' statement. Thank you.

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

Senator COLLINS: I request a Division.

The PRESIDENT: A Division has been requested.

The Chair recognizes the Senator from Penobscot, Senator Pray.

Senator PRAY: I request a Roll Call.

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

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

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

The pending question before the Senate is the motion by the Senator from Aroostook, Senator Violette, that the Senate Accept the Majority Ought to Pass, in New Draft, Report of the Committee.

A Yes vote will be in favor of Accepting the Majority Report.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

#### ROLL CALL

YEA—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Danton, Diamond, Dow, Duremble, Erwin, Hayes, Kany, McBreairty, Minkowsky, Najarian, Pearson, Pray, Shute, Trafton, Twitchell, Usher, Violette, Wood, The President-Gerard P. Conley.

NAY—Collins, Emerson, Gill, Hichens, Perkins, Sewall, Teague.

ABSENT—Redmond.

A Roll Call was had.

25 Senators having voted in the affirmative and 7 Senators in the negative, with 1 Senator being absent, the motion to Accept the Majority Ought to Pass, in New Draft, Report of the Committee Prevailed.

The Bill, the New Draft under New Title, Read Once and Tomorrow Assigned for Second Reading.

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

HOUSE REPORT from the Committee on Election Laws — BILL, "An Act to Expedite the Handling of Changes in Voter Registration (H. P. 12) (L. D. 8)

Ought to Pass as amended by Committee Amendment "A" (H-83)

Tabled—March 28, 1983 by Senator Pray of Penobscot

Pending—Acceptance of Committee Report (In House March 25, 1983, Passed to be Engrossed as amended by Committee Amendment "A" (H-83)

Which Report was Accepted, in concurrence. The Bill Read Once. Committee Amendment

"A" was Read and Adopted in concurrence.

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

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

BILL, "An Act to give Alternates the right to Vote on a School Board (H. P. 626) (L. D. 778)

Tabled—March 28, 1983 by Senator CARPENTER of Aroostook

Pending—Enactment

(In House March 24, 1983 Failing of Passage to be Enacted)

On motion by Senator Carpenter of Aroostook, Retabled for 2 Legislative Days.

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

#### Paper From The House House Paper

BILL, "An Act to Establish the Cost of the 1983 Spruce Budworm Suppression Project. (Emergency) (H. P. 1028) (L. D. 1342)

Reference to the Committee on Appropriations and Financial Affairs, suggested.

Comes from the House under suspension of the rules, Read Twice and Passed to be Engrossed without reference to a committee.

The PRESIDENT: Is it the pleasure of the Senate that Under Suspension of the Rules, LD 1342 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.

#### Committee Reports House

Ought to Pass in New Draft Under New Title

The Committee on Taxation on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide that the State may Enact Property Tax Exemptions not Subject to Fifty Percent Reimbursement so Long as the Exempt Property is Subject to an Excise Tax and Municipalities Receive the Excise Tax Revenues (H. P. 679) (L. D. 862) Reported that the same Ought to Pass in New Draft under New Title, RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide that the State may Enact Property Tax Exemptions Relating to Watercraft not Subject to Fifty Percent Reimbursement. (H. P. 1042) (L. D. 1349)

Comes from the House with the Report Read and Accepted and the New Draft Passed to be Engrossed.

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

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

#### Papers from the House House Papers

BILL, "An Act to Apportion the Maine Senate, House of Representatives and Congressional Districts" (H. P. 1020) (L. D. 1320) (Submitted by the Apportionment Commission pursuant to the Constitution of the State of Maine, Article IV, Part Third, as amended (Section 1-A and M.R.S.A. 21 § 1571-A)

Comes from the House, Passed to be Engrossed.

Which was Read and Accepted, in concurrence.

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

**Committee Reports  
House**

**Ought to Pass**

The Committee on Education on BILL, "An Act to Clarify the Use of Vocational-technical Institutes' Facilities by Others" (H. P. 771) (L. D. 1001) Reported that the same Ought to Pass.

Comes from the House, the Report Read and Accepted and the Bill Passed to be Engrossed.

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

The Committee on Business Legislation on BILL, "An Act to Change the Jurisdiction for Regulation of Schools of Barbering and Schools of Hairdressing and Beauty Culture." (H. P. 712) (L. D. 903) Reported that the same Ought to Pass.

Comes from the House, the Report Read and Accepted and the Bill Passed to be Engrossed.

Which Report was Read and Accepted in concurrence.

The Bill Read Once and Tomorrow Assigned for Second Reading.

**Ought to Pass — As Amended**

The Committee on Business Legislation on BILL, "An Act to Create the Maine Lemon Law" (H. P. 665) (L. D. 848) Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-93)

Comes from the House, the Report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-93)

Which Report was Read and Accepted in concurrence. The Bill, Read Once. Committee Amendment "A" (H-93) was Read and Adopted in concurrence.

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

**Ought to Pass in New Draft**

The Committee on Labor on BILL, "An Act to Provide for the Negotiation of Seniority Provisions for Teachers" (Emergency) (H. P. 304) (L. D. 363) Reported that the same Ought to Pass in New Draft under same title (H. P. 1043) (L. D. 1350) (Emergency)

Comes from the House, the Report Read and Accepted and the Bill, in New Draft, Passed to be Engrossed.

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

**Divided Report**

The Majority of the Committee on Education on BILL, "An Act to Prohibit Hazing on College Campuses and on Property Used for Educational Purposes" (H. P. 384) (L. D. 467)

Reported that the same Ought to Pass in New Draft and Under New Title, BILL, "An Act to Prohibit Hazing at Post-Secondary Institutions" (H. P. 1023) (L. D. 1324)

Signed:

Senators:

HICHENS of York  
HAYES of Penobscot

Representatives:

MURPHY of Kennebunk  
MATTHEWS of Caribou  
LOCKE of Sebec  
THOMPSON of South Portland  
SMALL of Bath  
RANDALL of East Machias  
BOTT of Orono  
BROWN of Gorham

The Minority of the same Committee on the same subject matter

Reported that the same Ought Not to Pass.

Signed:

Senator:

CLARK of Cumberland

Representatives:

CROUSE of Washburn  
SOUCY of Kittery

Come from the House with the Majority Report Read and Accepted and the bill, in New Draft, Passed to be Engrossed.

Which Reports were Read and the Majority Ought to Pass, Report of the Committee was Accepted, in concurrence.

The Bill, in New Draft under New Title Read Once and Tomorrow Assigned for Second Reading.

**Senate at Ease**

The Senate called to order by the President.

**(Off Record Remarks)**

On motion by Senator Carpenter of Aroostook, Recessed until 3:30 this afternoon.

**Recess**

**After Recess**

Senate called to order by the President.

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

**Enactors**

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

**Emergency**

An Act to Establish the Cost of the 1983 Spruce Budworm Suppression Project. (H. P. 1028) (L. D. 1342)

This being an emergency measure and having received the affirmative votes of 27 members of the Senate, with 1 Senator 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**

On motion by Senator Pray of Penobscot the Senate removed from the Table:

BILL, "An Act to Establish the Cost of the 1983 Spruce Budworm Suppression Project." (S. P. 386) (L. D. 1169)

Tabled—March 25, 1983 by Senator PRAY of Penobscot.

Pending—Enactment

In the Senate March 16, 1983 Passed to be Engrossed.

In the House March 17, 1983 Passed to be Engrossed in concurrence.

On motion by Senator Pray of Penobscot, Indefinitely Postponed, along with all accompanying papers, in non-concurrence.

Sent down for concurrence.

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

**Committee Report**

**House**

**Ought to Pass in New Draft**

The Committee on Taxation on BILL, "An Act to Provide a Uniform Excise Tax on Watercraft" (Emergency) (H. P. 582) (L. D. 730) Reported that the same Ought to Pass in New Draft under same title (H. P. 1041) (L. D. 1343)

Comes from the House, the Report Read and Accepted and the New Draft Passed to be Engrossed as amended by House Amendment "B" (H-95).

Which Report was Read and Accepted in concurrence. The Bill Read Once. House Amendment "B" was Read.

On motion by Senator Wood of York House Amendment "B" Indefinitely Postponed, in non-concurrence.

The Bill Passed to be Engrossed, in non-

concurrence.

Sent down forthwith for concurrence.

**(Off Record Remarks)**

On motion by Senator Pray of Penobscot, Adjourned until 9 o'clock tomorrow morning.