

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Twelfth
Legislature***

OF THE

STATE OF MAINE

Volume II

FIRST REGULAR SESSION

December 5, 1984 - June 20, 1985

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STATE OF MAINE
One Hundred and Twelfth Legislature
First Regular Session
JOURNAL OF THE SENATE
In Senate Chamber
Wednesday
June 5, 1985
Senate called to Order by the President.

Prayer by Father Joseph Holland of the Augusta Mental Health Institute in Augusta.

FATHER HOLLAND: Our Father who art in Heaven, let Your presence fill our minds, our hearts and our souls at the beginning of this day, through it's continuance, to its conclusion.

In this momentary hush and cessation of all Legislative business, renew our spirits to go forward to the delicate and difficult examination of the issue that face us. While we may not all share the same philosophical ideals, never let us lose respect for one another in our daily battle for truth and justice for our people.

In our quest to achieve social goals that seem very important to us but that others may differ with, never let us shove off the rights of the many nor shatter the hopes of the few.

We ask, therefore, from You today, Lord, patience in our actions, tolerance towards the views of others, discretion in our argumentation and wisdom in our decision making. With justice and truth as our guiding lights, Lord, bless the work that we do today. Amen.

Reading of the Journal of Yesterday.

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Provide for Public Participation in the Development of Emergency Plans" (S.P. 554) (L.D. 1486) (S "A" S-187)

In Senate June 3, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-187).**

Comes from the House with the Bill and Accompanying Papers **INDEFINITELY POSTPONED IN NON-CONCURRENCE.**

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

Senator **CLARK:** Thank you, Mr. President. I move that the Senate Insist.

THE PRESIDENT: The Senator from Cumberland, Senator **CLARK,** moves that the Senate **INSIST.** Is this the pleasure of the Senate?

The Chair recognizes the Senator from Penobscot, Senator Maybury.

Senator **MAYBURY:** Thank you, Mr. President. I move we Recede and Concur.

THE PRESIDENT: The Senator from Penobscot, Senator **MAYBURY,** moves that the Senate **RECEDE** and **CONCUR.** Is this the pleasure of the Senate?

The Chair recognizes the Senator from Cumberland, Senator Clark.

Senator **CLARK:** I request a Division, Mr. President.

THE PRESIDENT: The Senator from Cumberland, Senator Clark, has requested a Division.

Will all those Senators in favor of the motion of the Senator from Penobscot, Senator Maybury, that the Senate Recede and Concur, please rise in their places until counted.

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

9 Senators having voted in the affirmative, and 17 Senators having voted in the negative, the motion of the Senator from Penobscot, Senator **MAYBURY,** to **RECEDE** and **CONCUR,** FAILS.

On motion by Senator **CLARK** of Cumberland, the Senate **INSISTED.**

Sent down for concurrence.

The Senator from Penobscot, Senator **PEARSON** was granted unanimous consent to address the Senate Off the Record.

Non-concurrent Matter

Bill "An Act to Establish Mandatory Energy Standards for Publicly-funded Buildings" (S.P. 568) (L.D. 1496) (C "B" S-175)

In Senate June 3, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-175).**

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-175) AS AMENDED BY HOUSE AMENDMENT "A" (H-326),** thereto in **NON-CONCURRENCE.**

The Senate **RECEDED** and **CONCURRED.**

Non-concurrent Matter

Bill "An Act to Modify and Update Certain Laws Pertaining to Inland Fisheries and Wildlife" (H.P. 408) (L.D. 561) (C "A" H-262)

In Senate June 3, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-262),** in concurrence.

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-262) AS AMENDED BY HOUSE AMENDMENT "A" (H-330),** thereto in **NON-CONCURRENCE.**

The Senate **RECEDED** and **CONCURRED.**

Non-concurrent Matter

Resolve, Authorizing the Somerset County Commissioners to Expend \$130,000 from Revenue Generated Through the Boarding of Prisoners for the Purpose of Making Modifications to the Somerset County Jail to Increase the Jails Rated Capacity (Emergency) (H.P. 1103) (L.D. 1611)

In Senate May 29, 1985, **PASSED TO BE ENGROSSED** without reference to a Committee, in concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-312)** in **NON-CONCURRENCE.**

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

Senator **PEARSON:** Mr. President, with reference to this particular item, these is some question that's been brought to my attention this morning and I would like some clarification on it from any Senator who might represent Somerset County.

In the Amendment to the Bill it talks about the refurbishing or whatever it is their doing to the jail, to come from money from the General Fund. I assume, and I would like verification, that that's from the County's General Fund and not from the State's.

THE PRESIDENT: The Senator from Penobscot, Senator Pearson, has posed a question through the Chair to any Senator who may respond if they so desire.

The Chair recognizes the Senator from Penobscot, Senator Emerson.

Senator **EMERSON:** I believe that that refers to the County General Fund. I read that and I'm sure that that's what it does.

The Senate **RECEDED** and **CONCURRED.**

Non-concurrent Matter

Bill "An Act to Authorize a Self-liquidating Bond Issue for the County of Cumberland to Raise Funds for the Construction of a Court-house Addition, Capital Improvements to the Existing Structure and a Related Parking Facility" (S.P. 547) (L.D. 1460) (C "A" S-160)

In Senate May 30, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-160).**

In House June 3, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-160) AS AMENDED BY HOUSE AMENDMENT "B" (H-251),** thereto in **NON-CONCURRENCE.**

In Senate June 4, 1984, **INSISTED AND ASKED FOR A COMMITTEE OF CONFERENCE.**

Comes from the House, that Body

ADHERED.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Baldacci.

Senator **BALDACCI:** Mr. President, I would just like to ask a question of any member of this Body who may wish to answer.

If the bond issues for Cumberland County are split between the court house and the parking garage, and those are two separate issues on the ballot, what happens if the people vote for the parking garage and don't vote for the court house?

THE PRESIDENT: The Senator from Penobscot, Senator Baldacci, has posed a question through the Chair to any member of the Senate who may respond if they so desire.

The Chair recognizes the Senator from York, Senator Tuttle.

Senator **TUTTLE:** Yes, Mr. President and Members of the Senate. In reference to that question I think that they would get one and they wouldn't get the other.

The Senate **RECEDED** and **CONCURRED.**

Non-concurrent Matter

Bill "An Act Relating to Disposition of State-owned Real Estate" (H.P. 884) (L.D. 1241) (C "A" H-243)

In Senate May 30, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-243),** in concurrence.

Comes from the House **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-243) AS AMENDED BY HOUSE AMENDMENT "A" (H-328),** thereto in **NON-CONCURRENCE.**

The Senate **RECEDED** and **CONCURRED.**

House Papers

Bill "An Act to Appropriate Funds for the State Railroad Program under the Department of Transportation" (H.P. 1135) (L.D. 1641)

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$850,000 for Acquisition of Certain Rail Liners in Maine" (H.P. 1136) (L.D. 1642)

Come from the House referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and **ORDERED PRINTED.**

On motion by Senator **PEARSON** of Penobscot, referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and **ORDERED PRINTED** in **CONCURRENCE.**

Bill "An Act to Provide a Sales Tax Exemption on Railroad Track Equipment and to Include Long-term Freight Car Leases in the Definition of Operating Investment for Railroad Excise Tax Purposes" (H. P. 1137) (L.D. 1643)

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.

Bill "An Act to Provide for Cost Sharing for Maintenance of Railroad Grade and Highway Bridge Crossings and the Allocation and Appropriation of Funds for Transportation Purposes" (H.P. 1138) (L.D. 1644)

Comes from the House referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED.**

Which was referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED,** in concurrence.

Under suspension of the Rules, there being no objections, all matters previously acted upon were sent forthwith.

COMMITTEE REPORTS

Senate Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**

on Bill "An Act to Implement the Recommendations of the State Compensation Commission" (Emergency) (S.P. 91) (L.D. 289)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-214)**.

Signed:

Senators:

PEARSON of Penobscot
DOW of Kennebec

Representatives:

CARTER of Winslow
CONNOLLY of Portland
LISNIK of Presque Isle
CHONKO of Topsham
NADEAU of Lewiston
MCGOWAN of Canaan

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "B" (S-215)**.

Signed:

Senator:

McBREAIRTY of Aroostook

Representatives:

HIGGINS of Scarborough
BELL of Paris
FOSTER of Ellsworth
SMITH of Mars Hill

Which Reports were **READ**.

The Majority **OUGHT TO PASS AS AMENDED** Report was **ACCEPTED**.

The Bill **READ ONCE**.

Committee Amendment "A" (S-214) **READ and ADOPTED**.

The Bill as **Amended TOMORROW ASSIGNED FOR SECOND READING**.

Divided Report

The Majority of the Committee on **EDUCATION** on Bill "An Act Relating to the Administration of Vocational Education" (S.P. 628) (L.D. 1645)

Reported that the same **Ought to Pass**, pursuant to Joint Order: (S.P. 622)

Signed:

Senators:

GAUVREAU of Androscoggin
BROWN of Washington

Representatives:

BROWN of Gorham
LAWRENCE of Parsonsfield
CROUSE of Caribou
BOST of Orono
HANDY of Lewiston
O'GARA of Westbrook
ROBERTS of Farmington
MATTHEWS of Caribou
SMALL of Bath
FOSS of Yarmouth

The Minority of the same Committee on the same subject reported that the same **Ought Not to Pass**, pursuant to Joint Order: (S.P. 622)

Signed:

Senator:

HICHENS of York

Which Reports were **READ**.

On motion by Senator **VIOLETTE** of Aroostook, Tabled until Later in Today's session, pending **ACCEPTANCE OF EITHER REPORT**.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Adopt the Uniform Conservation Easement Act" (S.P. 201) (L.D. 551)

Reported that the same **Ought to Pass in New Draft** under same title (S.P. 626) (L.D. 1640)

Signed:

Senators:

CHALMERS of Knox
CARPENTER of Aroostook
SEWALL of Lincoln

Representatives:

COOPER of Windham
PARADIS of Augusta

LEBOWITZ of Bangor
STETSON of Damariscotta
PRIEST of Brunswick
MacBRIDE of Presque Isle
ALLEN of Washington
KANE of South Portland

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

Signed:

Representatives:

DRINKWATER of Belfast
CARRIER of Westbrook

Which Reports were **READ**.

The Majority **OUGHT TO PASS IN NEW DRAFT** Report was **ACCEPTED**.

The Bill in **NEW DRAFT READ ONCE**.

The Bill in **NEW DRAFT TOMORROW ASSIGNED FOR SECOND READING**.

SECOND READERS

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

House

Bill "An Act Regarding Members of the Public Serving on State Licensing Boards" (H.P. 1125) (L.D. 1631)

Which was **READ A SECOND TIME**.

On motion of Senator **VIOLETTE** of Aroostook, Tabled until Later in Today's session, pending **PASSAGE TO BE ENGROSSED**, in **NON-CONCURRENCE**.

House As Amended

Bill "An Act Concerning Safety and Sanitary Conditions on Railroad Property" (H.P. 112) (L.D. 137) (C "A" H-320)

Bill "An Act Relating to the Maine Self-Insurance Guarantee Association" (H.P. 215) (L.D. 249) (C "A" H-319)

Bill "An Act to Control Acid Rain" (H.P. 263) (L.D. 317) (H "A" H-300 to C "A" H-273)

Bill "An Act to Implement Recommendations of the Maine Health Care Finance Commission's Hospital Advisory Committee" (H.P. 557) (L.D. 848) (C "A" H-323)

Resolve, Creating a Special Commission to Study Teacher Training in the University of Maine System (Emergency) (H.P. 664) (L.D. 914) (H "A" H-306) to C "A" H-302)

Bill "An Act to Protect Persons with Children from Discrimination in Mobile Home Rentals and Leases" (H.P. 816) (L.D. 1157) (C "A" H-321)

Bill "An Act Concerning the Provision of Certain Reports for Court-ordered Examinations" (Emergency) (H.P. 947) (L.D. 1356) (H "A" H-315)

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in Both the Unorganized Territory and the Municipalities of the State (H.P. 1099) (L.D. 1607) (C "A" H-313)

Which were **READ A SECOND TIME** and **PASSED TO BE ENGROSSED**, as Amended, in concurrence.

Senate As Amended

Bill "An Act to Encourage the Development of Solid Waste Energy Recovery Facilities in the State of Maine" (Emergency) (S.P. 498) (L.D. 1359) (C "A" S-207)

Which was **READ A SECOND TIME** and **PASSED TO BE ENGROSSED**, as Amended. Sent down for concurrence.

Bill "An Act to Establish Legislative Council Oversight of Expenditures for Joint Standing Committees, Joint Select Committees and Legislative Investigating Committees" (S.P. 587) (L.D. 1544) (C "A" S-210)

Which was **READ A SECOND TIME**.

On motion by Senator **VIOLETTE** of Aroostook, Tabled 1 Legislative Day, pending **PASSAGE TO BE ENGROSSED AS AMENDED**.

Senator **VIOLETTE** of Aroostook was granted unanimous consent to address the

Senate Off the Record.

Senator **PERKINS** of Hancock was granted unanimous consent to address the Senate Off the Record.

On motion by Senator **BROWN** of Washington, **RECESSED** until the sound of the Bell.

After Recess

Senate called to order by the President.

Off Record Remarks

Out of order and under suspension of the Rules, the Senate considered the following:

COMMITTEE REPORTS

House

Ought to Pass As Amended

The Committee on **STATE GOVERNMENT** on Bill "An Act to Provide Expanded Markets for Products and Services from Rehabilitation Facilities and Work Centers" (Emergency) (H.P. 1075) (L.D. 1564)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-327)**.

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-327)**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill **READ ONCE**.

Committee Amendment "A" (H-327) **READ and ADOPTED**, in concurrence.

The Bill as **Amended TOMORROW ASSIGNED FOR SECOND READING**.

ENACTORS

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

An Act to Restructure the Duties and Funding of the Maine Land Use Regulation Commission (S.P. 606) (L.D. 1600) (S "B" S-180)

An Act to Clarify the Rights of Tenants in Mobile Home Parks (H.P. 534) (L.D. 909) (C "A" H-278)

Which were **PASSED TO BE ENACTED** and having been signed by the President, were presented by the Secretary to the Governor for his approval.

Out of order and under suspension of the Rules, the Senate consider the following:

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Protect Railroad Rights-of-way" (H.P. 414) (L.D. 581)

In Senate May 6, 1985, Placed in the Legislative Files pursuant to Joint Rule 15, in concurrence.

RECALLED from the Legislative Files pursuant to Joint Order: (H.P. 1134)

Comes from the House referred to the Committee on **TRANSPORTATION** in **NON-CONCURRENCE**.

The Senate **RECEDED** and **CONCURRED**.

ORDERS OF THE DAY

The President laid before the Senate the Tabled and Specially Assigned matter:

Bill "An Act Authorizing a Bond Issue in the Amount of \$3,500,000 for the Purpose of Historic Preservation and Main Street Projects" (H.P. 1100) (L.D. 1608)

Tabled — June 4, 1985, by Senator **VIOLETTE** of Aroostook.

Pending — **PASSAGE TO BE ENGROSSED**, without reference to a Committee in **NON-CONCURRENCE**.

(In Senate May 29, 1985, **READ A SECOND TIME**, without reference to a Committee.)

(In House May 24, 1985, referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and **ORDERED PRINTED**.)

On motion by Senator **VIOLETTE** of Aroostook, Tabled Unassigned, pending **PASSAGE TO BE ENGROSSED**, without reference to a Committee in **NON-CONCURRENCE**.

The President laid before the Senate the Tabled and Specially Assigned matter:

Bill "An Act to Revise Rules Governing Certification of Seed Potatoes" (H.P. 1080) (L.D. 1572)

Tabled — June 4, 1985, by Senator **VIOLETTE** of Aroostook.

Pending — **PASSAGE TO BE ENGROSSED** in **NON-CONCURRENCE**.

(In Senate May 29, 1985, the Minority **UGHT TO PASS IN NEW DRAFT** under same title Report **READ** and **ACCEPTED** in **NON-CONCURRENCE** and the New Draft **READ A SECOND TIME**.)

(In House May 28, 1985, the Majority **UGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

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

Senator **CARPENTER:** Mr. President and Ladies and Gentlemen of the Senate. This Bill has been on the Table now for about two weeks while the various parties involved tried to work out some sort of agreement that would somewhat please all the parties.

We find now that we have been unable to do that but because of the time involved and the lateness of the Session, it does not appear that we should waste any more time on this particular issue. Therefore, I would move in opposition to my original signature on the Committee Report, which was for the Bill, I would now move that this Bill and all its accompanying papers be indefinitely postponed.

On motion by Senator **CARPENTER** of Aroostook, the Bill and all its accompanying papers **INDEFINITELY POSTPONED**, in concurrence.

Under suspension of the Rules, there being no objections, all matters previously acted upon were sent forthwith.

The President laid before the Senate the Tabled and Specially Assigned matter:

Emergency

An Act to Amend the Wood Measurement Laws (H.P. 960) (L.D. 1381) (C "A" H-272)

Tabled — June 4, 1985, by Senator **VIOLETTE** of Aroostook.

Pending — **ENACTMENT**

(In House June 4, 1985, **PASSED TO BE ENACTED**.)

(In Senate June 3, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-272)**, in concurrence.)

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

SENATOR CARPENTER: Mr. President and Ladies and Gentlemen of the Senate, I oppose Enactment of this particular measure and I would ask you to vote against Enactment.

Mr. President, when the vote is taken I request Yeas and Nays.

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

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

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

The Chair recognizes the Senator from Aroostook, Senator **McBreairty**.

Senator **McBREAIRTY:** Mr. President and Honorable Members of the Senate. My decision to oppose the Committee Amendment for the wood measurement law has not been an easy

decision for me to make.

All of the sponsors of both original bills are Legislators I respect very much. Within my Senate district there is a very large chip mill and many saw mills, including Pinkham's Mill, which is, I understand, the largest saw mill operation east of the Mississippi. I don't pretend to be an expert on wood measurement. I have been around for awhile and I have some experience in cutting, measuring and handling wood.

I started getting my experience when I was 10 years old, on the end of a cross-cut saw. I ended about 12 years ago when I sold my skidder and wood lots. As I said before, I am not an expert on wood measurement. I do believe I have experience enough to know that with the budworm problem, clear cutting, and our many new methods of utilization for both low and high grade forest resources, we can and must have a more uniform method of measuring wood throughout the State of Maine.

The Wood Measurement Law we passed last year was not thought up overnight. The Agriculture Committee and the Legislature has worked several years on the issue. In 1983, a Joint Select Committee was established, out of that committee extensive hearing and work sessions which were held, the law we have on the books today was enacted.

As you know, the law was enacted in April, 1984. It became effective on last July 25th. The statute directed the Department of Agriculture to promulgate rules that would become effective on April 30, 1985. Under the present wood measurement law, service contractors, wood cutters, truckers, people who are paid for their work are paid for all of the work they do. They don't get paid less if the wood they're assigned to cut is of a lower quality. These workers remain responsible for the quality of the work they do. They aren't responsible for the quality of the wood and they should not be. They didn't manage the forest or wood lot and they have no control over the marketing of the wood. These workers and the people they work for are free to negotiate wages. That is the proper and reasonable thing for workers and the people they work for to negotiate.

Greater accountability to workers for the wood they worked on is required. That means record keeping. The record keeping that's required is also of benefit to the employers as a good business practice. Copies of some records, not all, must be provided to the worker. That is their assurance of accountability and is only fair. Wood is not required to be measured at the cutting site. If it is hauled before being measured, a record of what is hauled must be kept and must be available to the workers. They don't have to be given a copy.

In contrast to the argument that the law will mean that lower quality wood will simply be left in the woods, the law should encourage utilization. If all wood must be paid for, there is an incentive to find a market for it. Also, there is in general, a very great emphasis being put on poor utilization of the forest resource, which means wood of all types and quality.

It's true that some familiar practices and ideas must be adjusted or changed. The result, given good faith efforts, would be a simpler, more fair system which would benefit everyone in the industry.

Quality deductions are allowed where wood is bought and sold. In any sale transaction, the seller is responsible for the quality of the product. In this case, the quality of the wood.

Remember, in the services transaction, the worker is responsible for the quality of his work and should be paid for all the work he does that meets requirements of the job. Where a worker's work does not meet the job requirements, the cutting specifications, the wood may be culled and not measured at all. The worker need not be paid when he has not done his job well.

The wood measurement rules are long because the industry demanded detail. The longest section, almost half of the booklet, lays out details of the 10 measurement systems which the industry has used for a long time and insisted on continuing to use.

Where technical adjustments and rules are needed, they can and will be made in rule making proceedings. The Department has received and is considering rule making requests on several technical issues and is prepared to work with the industry toward greater clarity and simplicity consistent with the law.

Many people in the industry are working with them administratively now. Enforcement for at least the first year will be informational and educational. The Department sees its job as helping with the transition and is looking for a good faith effort to make the necessary adjustments. Many people in the industry are making the adjustments and are not at all unhappy with the results. I believe that would be the general result if efforts were spent in figuring out how to work within the framework and principles of the law and rules.

Great Northern Paper Company, I understand, has already worked out the contract for their cutters that complies with the new law. I spent 10 hours last Saturday in Allagash talking with truckers, cutters and contractors. One contractor didn't wait until April 30th, 1985 to comply with the new law. He worked out a system with his cutters last fall and the system is working well. The system he is using is patterned after Great Northern.

Another contractor, this past year, in Allagash worked under the old law. He sells by the ton and converts to cords for paying his cutters. He takes from 3200 pounds to 5250 pounds per cord, depending on which company he sells to. The Wood Measurement Law that was passed last year established the principle that payment for services must uniformly be based on the actual quantity of properly prepared wood without regard to whether it was high grade or low grade. It takes just as much work to prepare low grade wood as high grade.

The Committee Amendment to L.D. 1381 eliminates the principle of a uniform standard for measuring payment for services for cutting wood. After 30 days on the job, it allows quality deductions to be taken when calculating the wood cutters production. The Amendment says this can only be done where the wood cutter agrees to have deductions taken when calculating his wages. The problem is that many workers will agree to accept deductions from their total production because they are afraid not to. Why else would they agree. Wood cutters know that if they don't agree there are other wood cutters to replace them.

The Committee Amendment does say that it is against the law to retaliate against a worker who does not want his production to be deducted based on the quality of the wood. But in the real world there is always a way to make things hard for a worker who stands up for his rights. He will wonder whether next year he will be unable to find a job or maybe he will be treated as a trouble-maker. The person who owns the stumpage should take into account the quality of the wood when they had the contractor set stumpage rates and wages. Equal work deserves equal pay. It should not make a difference whether the worker was assigned to cut high grade or low grade wood or both.

We have a law on the books that was worked out by cutters, contractors and industry just last year. They all had input in both the law and the regulations. Some say the law won't work, some who have tried say it is working. The law may not be perfect for everyone and may need some changes. The regulations may need some changes, the amendment before us completely guts the law we have and will create more problems than it will solve.

I strongly believe the new wood measurement law should be tried for at least one year, and if it doesn't work and we decide we cannot make it work, it should be repealed. Both the woodcutters and potato farmers in my area have to compete with the Canadians. Canadian woodcutters can afford to take a discount for quality because every American dollar they get is worth one-third more in Canadian money.

Thank you.

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

Senator **CARPENTER:** Mr. President, Ladies and Gentlemen of the Senate. I'll be brief, as brief as I can be.

Those of you who were here last year, either in this Body or the other, remember the tremendous battle that was put on by a group of woodcutters, many of whom traveled hundreds of miles from Aroostook County or Hancock County, they came and sat in the hallways and they worked the bill, they lobbied, they had very little assistance in passing this wood measurement bill. For the first time in the history of the woods industry they were put into a position where they would be paid for the fruits of their labor rather than being told to go cut those 48 trees in the back of this Chamber and then when the trees were brought in only be paid for 38 of them. That is the way it has been in the woods business for as long as I can remember, and my father and, when I was a youngster, I cut a lot of wood in the winter time when things were slow on the farm.

We got the bill through, it was unheard of. The woodcutters, those same woodcutters, who lived and slept in Senator McBreairey's room because they couldn't afford rooms of their own, for whom I had to go to bat at the local bank so they could cash their IRS refund check so they could stay around a little longer, who the gentlemen whose seat I sit in today, Senator Frank Wood, worked tirelessly on their behalf. Those people beat the biggest and the best lobbyists in this State and it was quite phenomenal.

Part of that law required the Bureau of Weights and Measures to come up with rules. Promulgate rules to implement the new law. The rules were effective, I'm not exactly sure of the time frame, but for six or seven days when the public hearing on this Bill were being held. I've talked to Clayton Davis from the Bureau of Weights and Measures, he implored the people who had problems with the rules that were being drafted to meet with him, to work with him — nothing happened.

You have a letter on your desk right now, distributed this morning, that I find absolutely incredible. One of the largest wood contractors in the western Maine area says, and I would say obviously for our benefit but extensively to his employees, "Boys, because of those wood measurement rules, I'm going to close down my operation after 40 years." I find this letter incredible.

I personally wrote to Dick Wallingford in January of this year because he had written to us about the wood measurement bill and I said "please, come to Augusta, meet with me, we'll get Clayton Davis, we'll get the woodcutters, we'll sit down. We want to make this think work. I never heard from him. I met him at the public hearing when he came in and testified for the bill that you have before you, for the original bill. Met him at the public hearing, shook my hand and said "Hi, how you doing." I said, "Please, let's sit down and talk about this. He said, "Well, lets see how this bill goes first." That is the kind of cooperation you've had from the other side. That's the kind of cooperation you've had from the other side.

Those woodcutters aren't here this year, it is not because they like this Bill, it's not because they don't want you to support my motion, it's because they couldn't afford to, because they just flat couldn't afford a second

year of coming down here with their families, with their children in some instances, and sitting around these hallways until the fifth day of June when this Bill finally comes out.

I ask you, I implore you, not to vote for this Bill, which as the good Senator from Aroostook, Senator McBreairey has already told you, effectively guts the law we have on the books. If you look at the Amendment to the Bill, under Filing Number H-272, it now takes out the green wood measure, allows them to go back to either a green wood or an oven-dried basis, so no matter how much effort you put into that wood to cut it down, you're going to be paid on a different scale, and then, and this is what I find really offensive, then, you are saying to the woodcutters, "we want you to sit down with the contractors, we want you to sit down with the people who have controlled your destiny for 200 years and come up with a mutual agreement. We want you to sit down and dicker with these people. With 1,000 Canadian woodcutters standing in the wings, so that if you can't reach something mutually agreeable, no deal. NO DEAL. We go to a new woodcutter." That is what is going to happen.

If you look at House Amendment 272, it lists all the criteria that has to be followed before this agreement can be reached. It must specify what area you're going to be cutting in, reasonable deduction must be in writing and signed by both parties.

We're talking bargaining power here, we're not talking about some big union or some big organization which has a central voice, you met them all last year. Amongst themselves they probably couldn't agree on what day of the week it was but they agreed that they were being ripped off in the woods. That is the one thing they could agree to. They must sit down with the Irving Oil, Great Northern Paper, Seven Islands, Richard Wallingford, all of your big woods operations, they've got to sit down and come up with a mutually acceptable agreement, and then, in anticipation of problems, the Bill calls for the woodcutters to be able to have recourse if somebody retaliates against them, not if somebody tries to impose something on them, but if somebody tries to retaliate against them. Now, do you really think that these woodcutters are going to have any recourse against these land owners and large businesses that I just listed for you? The amendment looks as though it provides equality in the bargaining process, but I want you to stop and think about the people that you are dealing with here and the entities that you are dealing with here.

Please don't vote to Enact this Bill. Let's find out if Mr. Wallingford truly is going to go out of business. I submit to you that a letter that finds it way to this Chamber four or five days before the enactment, I'm sorry, a DAY before the enactment of this bill is written not for the use of his employees, but for the use of this Chamber, and I find that an insult to the legislative process.

Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Usher.

Senator **USHER:** Thank you Mr. President. Mr. President and Members of the Senate. I would oppose the pending motion of Indefinite postponement.

This is a redraft of two wood measurement bills that came before our Committee, we had over 150 people who attended the hearings, there were so many that they were out in the hallway, so there was good attendance. We also received petitions from the Aroostook County group who could not be there. It was presented by Senator Carpenter. We took into consideration all the testimony that was given to us. It is a very strong issue. It was probably one of the toughest pieces of legislation we had before us because of the fact that our Committee was handling this legislation this year and last year it was in another committee which

was Agriculture. So, we weren't that familiar with the issue.

I know after we completed the hearings that the compromise that was reached and agreed by both parties, both parties, and there was a lot of negotiations done. This is protecting the independent cutter, the small cutter, the guy that has a major investment out there. He has got over \$100,000 invested in it, all types of equipment, or the guy that owns one truck and one loader and everything, and does all his own work. This will give him an opportunity to negotiate and protect himself.

I realize in the Aroostook County area that they're organized and they don't have to worry about so many things because they've got spokesmen for them and those qualified people do work for them, but these people have to be concerned about all the investments that they have and this compromise was reached and agreed on and I don't think it is very difficult to live with this. We know there is a new set of laws that came out in March, the hearing was about four or five days after the new set of laws and rules came out and it was difficult to find out if there was any complaints.

I would hope that the Agriculture Department would have a little bit more education on these rules and regulations because that seemed to be a major problem with the independent people that couldn't have the opportunity to open the green book, so called, that everybody refers to. It was very difficult and we see all the little problems now and we would like to resolve this by putting in this amendment and we think that it will work fine with all the small woodlot owners.

THE PRESIDENT: The Chair would restate the question. The pending question is **ENACTMENT.**

The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Senator **CARPENTER:** Mr. President, Ladies and Gentlemen of the Senate. Just to respond to what the good Senator from Cumberland, Senator Usher, said, and I certainly don't impune the process by which his committee worked on this bill.

I would just say that in terms of the rules and regulations, again, I will reiterate both as told to me by Clayton Davis, the man in charge of putting these rules together and as seen by myself in corresponding not only with Mr. Wallingford, but with others at the hearing that day, I said "I don't want to throw out the baby with the bath water, let's sit down and work out the problems in these rules." To date, I have not heard from one of them. I have not received any correspondence from Mr. Wallingford, I've not heard from any of the other contractors. I'm not impuning the process that went through here, I know that there was a discussion also in the Committee on sunseting this particular Bill and trying this particular route for a year. I would be more comfortable with that. I would not, at this point, think that we could accept that, but I would be more comfortable with that because at least, that puts the woodcutters in a position where they have a right a couple of years down the road to get this thing off the books.

What happened a year ago is not likely to happen again. Them being here and them defeating the paper companies, but it did happen and let's not undo what they worked so hard for last year. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator McBreairey.

Senator **MCBREAIREY:** Mr. President and Honorable members of the Senate.

When Senator Usher says that both sides agreed, he is not speaking for the people in my District. Some of them did come to the hearing, as everybody knows, it was a huge crowd, it was sandwiched between two sessions of the legislature and many of those people had to go home without testifying because the hearing time ran out.

I was in Allagash last Saturday and I have a petition here from people from all over the area with many names that are opposed to this amendment.

Let me tell you how it works now. You have a contractor, so he has to hire cutters and he has to hire truckers and they have to haul wood to the mills. Now, I don't blame these contractors for being against the law we passed last year, I don't blame them being for this amendment. Because now, without using the new law, whatever the mill gives them, they pass back to the trucker and the cutter. They don't have to take any risk at all, they're just in between, they take their cut and that is it.

Now, with this new law, they're going to have to be conscious of quality too, and the mill owner is going to have to be conscious of quality too. I've hauled logs to mills, mills that were run by good friends of mine, when lumber was scarce their scale matched mine. When lumber was too plentiful it took 1500 feet of my scale to make a thousand feet of theirs. So, this is not all white and black, there are some gray areas also, believe me.

THE PRESIDENT: A Roll Call has been ordered. Is the Senate ready for the question?

The pending question before the Senate is Enactment.

A Yes vote will be in favor of Enactment.
A No vote will be opposed.

The Doorkeepers will secure the Chamber. Senator **CLARK** of Cumberland who would have voted Yea requested and received permission to pair her vote with Senator **ANDREWS** of Cumberland who would have voted Nay.

Senator **KANY** of Kennebec who would have voted Yea requested and received permission to pair her vote with Senator **NAJARIAN** of Cumberland who would have voted Nay.

The Secretary will call the Roll.

ROLL CALL

YEAS:—Senators, Baldacci, Black, Danton, Diamond, Dow, Dutremble, Emerson, Erwin, Maybury, Pearson, Perkins, Sewall, Shute, Twitchell, Usher, Violette, Webster, The President — Charles P. Pray

NAYS:—Senators, Berube, Brown, Bustin, Carpenter, Chalmers, Gauvreau, Matthews, McBreairty, Stover, Tuttle

ABSENT:—Senators, Gill, Hichens, Trafton
18 Senators having voted in the affirmative and 10 Senators having voted in the negative, with 4 Senators Pairing their votes, and 3 Senators being absent, the Bill **FAILS ENACTMENT** in non-concurrence.

Send down for concurrence.

Off Record Remarks

The President laid before the Senate the Tabled and Specially Assigned matter:

An Act to Implement the Recommendations of the Maine Land and Water Resources Council Ground Water Review Policy Committee (S.P. 353) (L.D. 961) (H "A" H-295; H "A" H-244 to C "A" S-132)

Tabled — June 4, 1985, by Senator **CLARK** of Cumberland.

Pending — **ENACTMENT**
(In House June 4, 1985, **PASSED TO BE ENACTED.**)

(In Senate June 3, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-132) AS AMENDED BY HOUSE AMENDMENT "A" (H-244)**, thereto **AND HOUSE AMENDMENT "A" (H-295)**, in concurrence.)

On motion by Senator **USHER** of Cumberland, the Senate **SUSPENDED THE RULES.**

On further motion by the same Senator, the Senate **RECONSIDERED** its action whereby this Bill was **PASSED TO BE ENGROSSED AS AMENDED.**

On further motion by the same Senator, Senate Amendment "A" (S-213) **READ.**

Senator **USHER:** Thank you, Mr. President

and Members of the Senate. This originally went to the Appropriations Committee and it was D.O.T., Department of Transportation's problem, which concerned the salt piles within the State.

Then, we had to have a new fiscal note, so it was referred back and we put the appropriations under D.O.T. because it is a D.O.T. problem.

Senate At Ease

Senate called to Order by the President.

Senate Amendment "A" (S-213) **ADOPTED.**

On further motion by the same Senator, the Senate **RECONSIDERED** its action whereby it **ADOPTED** House Amendment "A" (H-295).

On further motion by same Senator, House Amendment "A" (H-295) was **INDEFINITELY POSTPONED** in **NON-CONCURRENCE.**

On further motion by the same Senator, Tabled until Later in Today's session, pending **PASSAGE TO BE ENGROSSED AS AMENDED**, in **NON-CONCURRENCE.**

Senate At Ease

Senate called to Order by the President.

Off Record Remarks

The President laid before the Senate the Tabled and Specially Assigned matter:

SENATE REPORTS — from the Committee on **UTILITIES** on Bill "An Act to Require Public Utilities Commission Approval of Significant Agreements and Contracts by Public Utilities" (S.P. 436) (L.D. 1203)

Majority Report — **Ought Not to Pass**
Minority Report — **Ought to Pass as Amended by Committee Amendment "A" (S-212)**

Tabled — June 4, 1985, by Senator **VIOLETTE** of Aroostook.

Pending — Motion of Senator **BALDACCI** of Penobscot to **ACCEPT** the Majority **Ought Not to Pass** Report

(In Senate June 4, 1985, Reports **READ.**)

On motion by Senator **VIOLETTE** of Aroostook, Tabled 1 Legislative Day, pending the motion of Senator **BALDACCI** of Penobscot to **ACCEPT** the Majority **Ought Not to Pass** Report of the Committee.

The President laid before the Senate the Tabled and Specially Assigned matter:

Bill "An Act to End Subsidized Early Retirement Payments Under the Maine State Retirement System Laws" (S.P. 471) (L.D. 1274)

Tabled — June 4, 1985, by Senator **VIOLETTE** of Aroostook.

Pending — Motion of Senator **BUSTIN** of Kennebec to **ADHERE.**

(In Senate June 4, 1985, Bill and Accompanying Papers **INDEFINITELY POSTPONED.**)

(In House June 4, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-164)** in **NON-CONCURRENCE.**)

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Gauvreau.

Senator **GAUVREAU:** Mr. President, I move the Senate Recede and Concur and would speak briefly to my motion.

Thank you, Mr. President, Men and Women of the Senate. I don't want to prolong what has already been a pretty lengthy and comprehensive debate on this matter. I would simply reiterate what was expressed yesterday that L.D. 1274, the Bill which pertains to reducing prospectively subsidized early retirement for State employees, is a very prudent and a very cautious measure which will, prospectively, provide substantial savings to the State of Maine by reducing future contributions on the part of the State to subsidize early retirement.

As I said yesterday, we have to make some major, hard decisions on how we're going to manage limited financial resources available to the State. It's clear with the trend in

Washington that the states will have more and more responsibilities and yet we seem to have a dwindling financial base to prudently and properly manage those responsibilities.

So, for these reasons I would urge you to go along with the motion to Recede and Concur. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Diamond.

Senator **DIAMOND:** Mr. President and Members of the Senate. I would ask for a Roll Call on that motion and I would ask you to defeat the motion to Recede and Concur.

I would remind you again without going to any length that this Bill is not good for our State workers. It's not good for our teachers, it's not good for our State employees. It is an incentive now that we have, it's one of the few benefits that they have that they can rely on. I think that we should reject this motion so that we can reject this Bill and agree with the other Body.

I would say to you, also, that the urgency here, the immediacy here, that we've heard really is contradictory in the fact that this is going to grandfather everybody in the system now and it's going to start with all those who are employed in 1986. And, I maintain that if it is that serious of a problem to take someone's benefit away then I think we have to do it instead of putting it off for twenty-five years.

I think we all know about this, our intent is to keep this Retirement System solvent. We all want to do that and I suggest if there is a problem, which this Bill really hasn't shown there is going to be a financial loss of any kind of great depth, then I would suggest that we would want to reject this motion.

That would be my request of you and done in a Roll Call fashion. Thank you, Mr. President.

THE PRESIDENT: The Senator from Cumberland, Senator Diamond, has requested a Roll Call. 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 in order.

The pending question before the Senate is the motion of the Senator from Androscoggin, Senator **GAUVREAU**, that the Senate **RECEDE** and **CONCUR.**

A Yes vote will be in favor of the motion to Recede and Concur.

A No vote will be opposed.

The Doorkeepers will secure the Chamber. Senator **VIOLETTE** of Aroostook who would have voted Nay requested and received permission to pair his vote with Senator **TRAF-TON** of Androscoggin who would have voted Yea.

Senator **PERKINS** of Hancock who would have voted Nay requested and received permission to pair his vote with Senator **GILL** of Cumberland who would have voted Yea.

The Secretary will call the Roll.

ROLL CALL

YEAS:—Senators, Berube, Brown, Clark, Emerson, Gauvreau, Kany, Maybury, Sewall

NAYS:—Senators, Black, Bustin, Carpenter, Chalmers, Danton, Diamond, Dow, Dutremble, Erwin, Hichens, Matthews, McBreairty, Pearson, Shute, Tuttle, Twitchell, Usher, Webster, The President—Charles P. Pray

ABSENT:—Senators, Andrews, Baldacci, Najarian, Stover

8 Senators having voted in the affirmative and 19 Senators having voted in the negative, with 4 Senators Pairing their votes and 4 Senators being absent, the motion to **RECEDE AND CONCUR, FAILS.**

On motion by Senator **BUSTIN** of Kennebec, the Senate **ADHERED.**

The President laid before the Senate the

Tabled and Specially Assigned matter:

Bill "An Act to Establish the State Employee Assistance Program" (S.P. 501) (L.D. 1362) (C "A" S-173)

Tabled—June 4, 1985, by Senator VIOLETTE of Aroostook.

Pending—**PASSAGE TO BE ENGROSSED AS AMENDED**

(In Senate June 3, 1985, **READ A SECOND TIME.**)

On motion by Senator VIOLETTE of Aroostook, Tabled until Later in Today's session, pending **PASSAGE TO BE ENGROSSED AS AMENDED.**

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act Relating to Absentee Voting" (S.P. 32) (L.D. 33) (S "A" S-144 to C "A" S-129)

In Senate May 29, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-129) AS AMENDED BY SENATE AMENDMENT "A" (S-144)**, thereto.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-129) AS AMENDED BY SENATE AMENDMENT "A" (S-144) AND HOUSE AMENDMENT "B" (H-322)**, thereto, in **NON-CONCURRENCE.**

The Senate **RECEDED AND CONCURRED.**

Under suspension of the Rules, there being no objections all matters previously acted upon, with the exception of those items previously held, were sent forthwith.

ORDERS OF THE DAY

On motion by Senator VIOLETTE of Aroostook, the Senate removed from the Table the Tabled and Specially Assigned matter:

Bill "An Act to Establish the Maine Vocational-technical Institutes Administration" (H.P. 1132) (L.D. 1639)

Tabled—June 4, 1985, by Senator VIOLETTE of Aroostook.

Pending—**PASSAGE TO BE ENGROSSED.** (In Senate June 4, 1985, **READ A SECOND TIME.**)

(In House June 3, 1984, **PASSED TO BE ENGROSSED.**)

On motion by Senator KANY of Kennebec, Senate Amendment "B" (S-220) **READ and ADOPTED.**

Senate At Ease

Senate called to Order by the President.

On motion by Senator DANTON of York, Senate Amendment "A" (S-206) was **READ and ADOPTED.**

THE PRESIDENT Is it now the pleasure of the Senate that this Bill be **PASSED TO BE ENGROSSED in NON-CONCURRENCE?**

The Chair recognizes the Senator from Washington, Senator Brown.

Senator **BROWN**: Mr. President, I request a Division and wish to speak to my motion.

Thank you, Mr. President, Men and Women of the Senate. I would hope that you would vote today not to Pass this Bill to be Engrossed and the reason is that there is another issue that's coming along very shortly, which is L.D. 1645 on today's Calendar, dealing with the same idea of the Administration of Vocational Technical Institutes.

The Bill that is currently before us which comes to us from the State Government Committee, is one that they've spent a great deal of time working on and put a great deal of effort into. It may ultimately mean the best for the Vocational Technical Institutes in the long run. However, I'm convinced and a number of other people are convinced that that's not the best idea at the present time

The State Government Committee this year

has been very much concerned with economic development within the State. When this measure was initially referred to them for consideration the Education Committee watched very carefully what was developing within that committee in terms of policy changes that might effect the Department of Education. When it became clear to us that their intent was to pull off and establish an entirely new department to deal with vocational technical institutes, we met and decided that that would not be, in our minds, the best idea, and by the way, there is a 12 to 1 report. The only difference is the good Senator from York, Senator Hichens, serves on both Committees and consequently, it previously signed off the Bill that is currently before us, but it was a unanimous decision with the remainder of the Committee that the best idea would be to take a lesser step than that currently.

Now, the two issues that face us within the vocational schools that legitimately needs to be addressed is one that deals with personnel and the other that deals with budget. Presently the number of people that are employed in vocational technical institutes is 401, and if a program existed in my own area of Eastern Maine that was not filled to capacity and for some reason that program needed to be phased out and moved to another location or phased out completely and a new one established, there's a great reluctance presently to do that because of this inflexibility that exists within the structure. That's one problem.

The second problems deals with budgetary concerns. The State School Board does not have the flexibility to deal with the lump sum budget dealing with vocational technical institutes. What we've tried to do in L.D. 1645, which I hesitantly and I don't want to refer to it as a competing measure because it is not a competing measure. Again, I have the highest regard for all the tremendous work that's been done by the State Government Committee and what we have done, frankly, is to pull out the best of their ideas and to put them in the light of an intermediate step to give the State Board of Education additional authority to deal with those two problems that we've identified.

Now, the question has been proposed by Members of this Chamber and elsewhere that the State Board of Education has too much to respond to, that they can't deal effectively with K through Vocational Technical Institutes, even pre-K. The fact is that they have never had the authority and opportunity to deal with this measure.

We have nine Members on the Board of Education, three that are very active and successful businessmen, one who used to reside as president of this Chamber. There are three former teachers, there was a former college president and two active and extremely well qualified volunteers. We have graduates on the State Board of Education from Swathmore, from Smith, Husson, UMO, USM, Colby and Bowdoin. We have the talent on the Institutes very effectively. What they need is some new authority to deal with them in the manner that I've outlined. The Bill, L.D. 1645, which is the one from the Education Committee, gives them that authority.

I might point out the similarities that both proposals are clearly defined in the role of their respective boards and administrative staff, both proposals give their boards control over the budget of all VTI's and authority to transfer monies among programs and to establish their own spending priorities. The difference is that the State Government Committee proposal established a separate and independent entity entirely.

You are going to hear from the very able Chair of the State Government Committee, Senator Kany, and she'll be talking a great deal about the present structure, the problems that we presently have. I would like to urge you to please not think about the present structure

and the problems that are there, but think about the proposed structure that's going to be in L.D. 1645, the measure that will be coming along shortly.

The fact is that the idea that we'll be voting here shortly has an executive director which will serve at the pleasure of the Governor the exact same way the Commissioner of Education serves, nothing corrected there. They'll have to be dealing with the same sort of bureaucracy, the accounting functions, J.T.P.A. Services, veteran services, affirmative action, adult education, federal vocational education monies. They'll also have to develop relationships with outside agencies like the Maine Advisory Council, Vocational Department of Education, State Board. In short, they're going to have a lot of the same problems to deal with that we currently have.

Mr. President, I'd like to inquire if there is a quorum present at the present time?

THE PRESIDENT: The Chair would inform the Senator in the Affirmative.

Senator **BROWN**: Thank you, Mr. President. There was a concern that I've lost the audience entirely there for a moment and I don't want to speak that long, I'm going to stop very shortly before I have done that. It may just be that I've over extended my comments at the present time.

I guess what I want to establish and summarize here is that we've tried to breathe a new breath of life into the structures that presently exist. We'd like the opportunity to have the State Board of Education to respond to the problems that I've outlined and if in fact that is impossible for them to do with the extremely qualified people that I've told you about, then maybe two years down the road the next step would be to form a whole separate department. And, in fact, if that is the case then I'll be the first to suggest such a change and support it.

With that, Mr. President and Ladies and Gentlemen, I'll sit down and would urge that you not pass the present Bill before us so that we can pass a later one. Thank you.

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

Senator **HICHENS**: Mr. President and Members of the Senate. The good Senator from Washington, Senator Brown, was entirely correct when he said that I have the unique position of having served on both committees this year. I didn't realize that when I was appointed to these committees that I was going to be the center of such debate as this VTI problem, but I have learned a terrific amount of information, education, so to speak and I am firmly convinced that this Bill which we have before us now is the right direction in which to go.

I have been concerned because of reports I have heard in the past from people in my own area, people throughout the State, that something had to be done for the VTI problem. I think that this Bill is the correct way in which we should go. Currently, the Vocational Technical Institutes are within the Department of Education and Cultural Services which is primarily concerned with Kindergarten to 12th grade education in the public schools. The Vocational Technical Institutes for the most part are completely outside the scope of the orientation and policies of the Department of Education and Cultural Services.

As the good Senator states, their new draft will correct some of these problems, but, I don't think they're going nearly far enough. The Vocational Technical Institutes are very important, the economic growth and development of the State. The institutes must be able to provide short term and long term training programs to meet the needs of a changing economy in the private sector.

This new draft which you have before you and has just been amended establishes the Maine Vocational Technical Institute administration with the powers and privileges of

an independent agency. The purpose for establishing the Maine Vocational Technical Institutes with the flexibility required to respond to the changing needs of the State's economy, and for the needs of the students of the institutes.

The good Senator from Washington has stated that the financial problem would be a big problem. I think that's been taken care of in the amendment which you have just accepted and I hope that you will vote in favor of the Bill.

THE PRESIDENT: The Chair recognizes the Senator from Knox, Senator Chalmers.

Senator **CHALMERS:** Mr. President thank you very much. In response to what the good Senator from Washington, Senator Brown, has said, it appears to me that this issue has been studied to death.

Back in 1966 there was a Coles Commission that recommended that the VTI's and the State colleges should be under separate boards. Back in 1973 there was a Longley Commission which also recommended that the VTI's should be under separate boards. And then in 1984 the Statutes of Education Commission, one of the alternatives was to place the VTI's under a separate board. Therefore, I wonder whether we need to give this back to the Department of Education to respond to the problem.

The State Government had several role models to follow. New Hampshire, Massachusetts, Connecticut, Missouri and most states have their technical colleges in higher education posture. But, one of the most important things, it seems to me, is that we need business, industry and education to work together, not just retired teachers but we need people from business actively in business and in industry, from the metal trades, from the medical services and from labor. We need all of these people working together on the VTI's.

Maine is 50th in the Nation in the percentage of people who do go on to college from High School. What we need to do, and our dropout rate is over 23%, what we need to do is to separate Kindergarten through 12th grade, where the Department of Education should concentrate on that problem and on raising education, teaching, reading, math, science and computer science now. What the State Board of Education should concentrate on that and the 210,000 students and the 15,000 teachers we have. But we need, also, to concentrate on our vocational technical schools. We need to blend together business, industry and medical sciences to work for that.

I would summarize, if I may Mr. President, that we need a partnership in job training. In Maine, we've got to train and retrain our workers for our industry and our needs here. We have not met the needs of the VTI's. Last year in 1984, there were 3,400 full time students. There were 4,949 applicants and only 1,900 accepted. We've got 3,000 students who were not served. I submit that L.D. 1639 does address the problem and the need of the State of Maine.

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

Senator **CLARK:** Thank you, Mr. President. Mr. President, Men and Women of the Senate. A minor concentration for the Record, the Commission on the Status of Education in Maine, in which I had the pleasure and honor of serving, made in its recommendation, number 16, the following: we recommended the Commissioner of the Department of Educational and Cultural Services and the State Board of Education develop and implement a management strategy for the VTI's which includes a clear statement of goals, a clear delineation of responsibility and a clear method for period review of programs. We recommended that the Commissioner and the Board report to the Governor on their progress by June 1, 1985.

Further in the recommendations was an in-

dications of that Commission's support for the VTI bond issue which was overwhelmingly passed by the citizens of the State in the referendum of November, 1984.

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

Senator **KANY:** Mr. President, I ask for a Roll Call.

THE PRESIDENT: The Senator from Kennebec, Senator Kany, has requested a Roll Call. 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 in order.

The Chair recognizes the Senator from Androscoggin, Senator Gauvreau.

Senator **GAUVREAU:** Thank you, Mr. President and Men and Women of the Maine Senate. Although I've spent the better part of the last two days debating issues relating to aging and retirement, I also serve on the Education Committee as the alternate, the Democratic alternate, to the good Senator from Washington, Senator Brown, and I was pleased to have had a chance to work with him and with the Committee on their very thorough and comprehensive analysis of the problems which beset the VTI system here in the State.

I would also compliment the work of the Committee on State Government, they have, in fact, recognized significant problems in the VTI system and have made a good faith and conscientious effort to address those problems. I'm not suggesting today when I urge you to defeat the Report of the Committee on State Government adopting L.D. 1639, I'm not suggesting that that approach may not at some point in time be required, that is to set up a whole new separate department in Maine State Government dealing expressly with the vocational training institutes, but I do think that to take that major step at this time would be premature and in fact, would not be required by the circumstances we have before us.

The problems which the VTI system has and can be summarized as follows. First of all, there is a basic problem with their overall budget of the Department of Education and Cultural Services. Now, the way to resolve that is to establish a lump sum budget to deal with the problems of the VTI's and have that go directly to the Committee on Appropriations. Now, the measure, the Bill, which the Education Committee has prepared, L.D. 1645, in fact, provides for that, and I think in so doing it provides for the visibility that the VTI's so clearly require so that their needs, their interests, can be considered separately and distinct from those on budget matters pertaining to K through 12.

Another significant problem which has plagued VTI traditionally is the problem whereby personnel cannot be routinely transferred between various institutes, and the draft, L.D. 1645, which Education has prepared, deals expressly with that problem as well, so that, for example, the program is being offered in Auburn and it appears that there is no significant demand for that program but there is a demand in other parts of the system, in Washington County, in Portland, whatever, that that personnel can be transferred to provide course offerings where the demand is greatest.

I think that if we were to accept the State Government Committee Report at this time we would actually be going against the prevailing sentiment of the people of this State. And that is the clear directive that we streamline and make more efficient our Government. You may recall in the late 60's and early 70's, under the leadership of Governor Curtis, the State of Maine did, in fact, coordinate State agencies

into twelve basic departments. There was a purpose for that, so that the Governor, whomever it might be, might be able to clearly focus and direct policy, that if we go the way that is being suggested today, away from that direction, and decentralize authority in yet another area of State Government, will actually be limiting the Chief Executive's appropriate policy making authority and in so doing will be defusing clear lines of authority and actually exacerbating the problems that we have now. Will people feel that we can't really focus accountability or responsibility upon matters pertaining to VTI, I suggest the way to do that is to streamline their operations as the Committee on Education is calling for in its draft rather than to set up a whole new department.

It is a very important matter and I will leave one final thought with you. The State Board on Education is clearly charged now with coordinating overall State Education policies so that the left hand doesn't conflict with the right hand. It seems to me that if we're going to be having the State Board responsible for K through 12 and a whole separate department of State Government dealing with the VTI's, those department may in fact run in opposite directions which would create substantial problems for us.

So, for these reasons, I suggest that the more prudent action for us to take at this time is to oppose L.D. 1639 with recognition for the hard work of the Committee on State Government so that we can go on at a later point in the Session and adopt the recommendation of the Committee on Education, on L.D. 1645. Thank you.

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

Senator **HICHENS:** Mr. President and Members of the Senate. As an alternate member of the National Conference of State Legislators Committee on Labor and Education, it was my privilege to attend a conference in South Carolina back in February, which debated on these various, or concentrated, on these various issues which we have before us today.

We were told the, as the good Senator from Knox, Senator Chalmers, has brought to your attention, that there are many states who have set their Vocational Technical Institutes under separate supervision from the Departments of Education because it strengthens them and helps them in preparing these young people into the field of labor in which there are so many problems which we are confronting in this present day in which we live.

As the good Senator has also stated, this has been well studied. There have been recommendations down through the past decade to do this very thing and I disagree with the Senator from Androscoggin, Senator Gauvreau, when he says that we should, again, put this on the back burner so to speak. This is the time in which we should act and I hope that you will go along with the motion to put this Bill along where it belongs.

THE PRESIDENT: The pending question is **PASSAGE TO BE ENGROSSED AS AMENDED IN NON-CONCURRENCE.** A Roll Call has been ordered.

The Chair recognizes the Senator from Kennebec, Senator Kany.

Senator **KANY:** Mr. President and Senators, I'll try to be very brief.

First of all, I hope everyone has a copy of this memorandum on their desks and I wish to draw your attention to it because on the face of it is the current statutes and current governance organizational chart regarding the VTIs. Isn't it an absolute mess!!! What a maze!!! And the wildest part of it is I don't even think you can get there from here!

I urge you to look at Page 2. Page 2 would show you the suggested governance organization that is contained within this Bill, which is the unanimous Ought to Pass Bill reported

out by the State Government Committee. Now, two of the three Senators on that Committee are present today and I must say I'm so sorry that the good Senator from Cumberland, Senator Andrews is not present, for many reasons, I'm sorry that the event which caused his absence and I'm sorry that he isn't here because I miss his eloquence. His is articulate and I know that he could help convince the Senate that they definitely should go along with this excellent Bill.

We had a very thorough hearing on this topic. We rejected a bill that I put forth which would have combined a number of things and created a Bureau of Vocational Technical Institutes and combined FAME and the State Development office. Instead, we became convinced, persuaded, that this was the way to go, creating a separate entry so that, finally, there could be the appropriate focus on the Vocational Technical Institutes.

I think it is interesting that today on our Calendar the Appropriations Committee had to take the initiative itself to put forth a bond issue so that, finally, the VTI's could get some equipment. That initiative did not even come from the Department of Education or from the State Board of Education, believe it or not, isn't that something. It has been the Appropriations Committee that has had to serve as the advocate for the VTI's. They have not had the advocacy that every other portion of State Government has had. It has simply been inadequate.

I know the State Board of Education has attempted to do a good job. We have fine people serving on that, but after all, they have the responsibility for Kindergarten through 12th grade in addition to attempting to deal with post-secondary vocational technical education. So, they certainly can't do all that, too.

The Commissioner of Education has the responsibility to administer programs for Kindergarten through 12th grade and he certainly hasn't had sufficient time and energy to focus on the important area of training our adult population so that they can hold a job that they deserve.

Looking further at this mimeographed paper, I hope you read at least the Statement of Fact, if not the Bill, and look at the final page. Senator Chalmers stated earlier that many of the people who want to gain skills are not able to do it. We are simply not properly serving our population and I know that business and labor agree with that.

In fact, it is interesting, in New Hampshire, I understand, they have recently enacted such an entity as we are proposing here. Separate entity for their Vocational Technical Colleges, as they call them and the reason was is that their State Board of Education and their Department of Education simply were not able to give those Vocational Technical Colleges the appropriate focus they deserved. They have done just what we are attempting, separately, came to that conclusion.

If you had heard all of the debate, gotten all of the data, all the information that Senator Chalmers named, some of the existing facts. The fact that we are 50th in the United States as to the percent of our high school graduates who go on to post-secondary education, and many other facts. I'm sure that you would already be convinced as we were, persuaded as we were, that this is definitely the way to go.

I urge you to allow this Bill to go on to Enactment. Thank you.

Off Record Remarks

Senator **DUTREMBLE** of York who would have voted Nay requested and received permission to pair his vote with Senator **ANDREWS** of Cumberland who would have voted Yea.

Senator **VIOLETTE** of Aroostook who would have voted Nay requested and received per-

mission to pair his vote with Senator **TRAF-TON** of Androscoggin who would have voted Yea.

Senator **CLARK** of Cumberland who would have voted Nay requested and received permission to pair her vote with Senator **NA-JARIAN** of Cumberland who would have voted Yea.

Off Record Remarks

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

Senator **BROWN:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just a further thought or two on this issue before we make the final determination here.

The good Senator from Knox, Senator Chalmers, in here prepared remarks has talked about the fact that this is another study and that we don't need another study. Ladies and Gentlemen, the issue that's coming along here, 1645, is not another study.

This Bill has sections in it that deals with the State Board working with the private sector. It has a section in there to expend, allocate and transfer funds among the VTI's, allocate and transfer personnel on Page 4. On Page 8, a non-lapsing, revolving fund that's going to be used for equipment. Ladies and Gentlemen, this is not another study that's coming along here in a moment.

All the comments that has been directed a moment ago by the good Senator Kany deals with what presently exists in the Department, not with what we are proposing under the new Bill that will be coming along.

We talked about the dropout rate. You know, my own County is 32% Senator Chalmers' dropout rate as opposed to the State-wide dropout rate, so I'm very familiar. The only County that has more is Aroostook County with a 34% dropout rate.

Now I submit to you that this proposal that you are voting on now is not going to do a great deal about the dropout rate in the State of Maine. The Commissioner will be forming a study commission very soon to try to figure out what we can do about the dropout rate. With Maine being 50th in those that go on to further education, I submit to you that the proposal that you are voting on now is not going to do a great deal as far as being 50th and correcting that. There is a lot of factors involved in that particular issue.

So, I would urge that you not pass this Bill to be engrossed so that later on you can pass the measure that is necessary to correct the problem that currently exists. That's what you'd have coming along if you didn't pass this particular Bill. Thank you, Ladies and Gentlemen.

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

Senator **HICHENS:** Mr. President, I am reluctant to prolong this debate, but I must answer the good Senator from Washington.

We have a comparison sheet between the two bills and it explicitly states that the "Education Committee's proposal retains the present structure of administrative authority and responsibility on dealing with the specific problems of flexibility and allocating funds and personnel. The proposal includes a State Board Study in cooperation with the Department of Personnel and Finance and Administration regarding flexible personnel issues and program development."

Senator **GAUVREAU** of Androscoggin who would have voted Nay requested and received permission to pair his vote with Senator **GILL** of Cumberland who would have voted Yea.

The pending question before the Senate is **PASSAGE TO BE ENGROSSED, AS AMENDED, IN NON-CONCURRENCE.**

A Yes vote will be in favor of **PASSAGE TO BE ENGROSSED AS AMENDED.**

A No vote will be opposed.

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

ROLL CALL

YEAS:—Senators, Black, Chalmers, Diamond, Dow, Emerson, Hichens, Kany, Matthews, Maybury, McBreairty, Perkins, Sewall, Shute, Stover, Tuttle, Webster, The President — Charles P. Pray

NAYS:—Senators, Berube, Brown, Bustin, Carpenter, Danton, Erwin, Pearson, Twitchell, Usher

ABSENT:—Senator, Baldacci
President **PRAY** of Penobscot changed his vote from **NAY** to **YEA**.

Senator **EMERSON** of Penobscot, was granted permission to change his vote from **NAY** to **YEA**.

17 Senators having voted in the affirmative and 9 Senators having voted in the negative, with 8 Senators having Paired their votes, and 1 Senator being absent, the Bill was **PASSED TO BE ENGROSSED AS AMENDED, IN NON-CONCURRENCE.**

Sent down for concurrence.

Senate At Ease

Senate called to Order by the President.

On motion by Senator **VIOLETTE** of Aroostook, **RECESSED** until the sound of the Bell.

After Recess

Senate called to Order by the President.

Under suspension of the Rules, all matters previously acted upon were sent forthwith to the House.

ORDERS OF THE DAY

On motion by Senator **VIOLETTE** of Aroostook, the Senate voted to remove from the Later Today Assigned Table:

Bill "An Act to Establish the State Employee Assistance Program" (S.P. 501) (L.D. 1362) (C. "A" S-173)

Tabled—June 4, 1985, by Senator **VIOLETTE** of Aroostook.

Pending—**PASSAGE TO BE ENGROSSED AS AMENDED.**

(In Senate June 3, 1985, **READ A SECOND TIME.**)

Tabled earlier in today's Session, on motion by Senator **VIOLETTE** of Aroostook, pending **PASSAGE TO BE ENGROSSED AS AMENDED.**

On motion by Senator **VIOLETTE** of Aroostook, tabled 1 Legislative Day, pending **PASSAGE TO BE ENGROSSED AS AMENDED.**

Off Record Remarks

On motion by Senator **VIOLETTE** of Aroostook, the Senate voted to remove from the Later Today Assigned Table:

Bill "An Act to Implement the Recommendation of the Maine Land and Water Resources Council Ground Water Review Policy Committee" (S.P. 353) (L.D. 961) (S. "A" S-213; H. "A" H-244 to C. "A" S-132)

Tabled—June 5, 1985, by Senator **USHER** of Cumberland.

Pending—**PASSAGE TO BE ENGROSSED AS AMENDED, IN NON-CONCURRENCE.**

(In House June 4, 1985, **PASSED TO BE ENACTED.**)

(In Senate June 5, 1985, **RECONSIDERED ENGROSSMENT.** Senate Amendment "A" (S-213) **READ AND ADOPTED.** House Amendment "A" (H-295) **INDEFINITELY POSTPONED IN NON-CONCURRENCE.**)

Tabled earlier in Today's Session, on motion by Senator **USHER** of Cumberland, pending **PASSAGE TO BE ENGROSSED AS AMENDED IN NON-CONCURRENCE.**

On motion by Senator **VIOLETTE** of Aroostook, Tabled 1 Legislative Day, pending

PASSAGE TO BE ENGROSSED AS AMENDED in NON-CONCURRENCE.

On motion by Senator **VIOLETTE** of Aroostook, the Senate removed from the Later Today Assigned Table the following:

SENATE REPORTS—from the Committee on **EDUCATION** on Bill "An Act Relating to the Administration of Vocational Education" (S.P. 628) (L.D. 1645)

Majority Report — **OUGHT TO PASS** pursuant to Joint Order S.P. 622

Minority Report — **OUGHT NOT TO PASS** pursuant to Joint Order S.P. 622.

Tabled — June 5, 1985, by Senator **VIOLETTE** of Aroostook.

Pending—**ACCEPTANCE OF EITHER REPORT.**

(In Senate June 5, 1985, **REPORTS READ.**)

THE PRESIDENT: Is it now the pleasure of the Senate to **ACCEPT** the Majority **OUGHT TO PASS** Report of the Committee?

The Chair recognizes the Senator from York, Senator Hichens.

Senator **HICHENS:** I would request a Division.

THE PRESIDENT: The Senator from York, Senator Hichens, has requested a Division.

Will all those Senators in favor of **ACCEPTING** the Majority **OUGHT TO PASS** Report, please rise in their places until counted.

The Chair recognizes the Senator from Washington, Senator Brown.

Senator **BROWN:** Mr. President, I request a Roll Call.

THE PRESIDENT: The Senator from Washington, Senator Brown, has requested a Roll Call. 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 in order.

The Chair recognizes the Senator from Washington, Senator Brown.

Senator **BROWN:** Mr. President, I would hope that we could Pass the Majority Ought to Pass Report that we're dealing with at the present time.

The good Senator from Kennebec, Senator Kany, has mentioned numerous times to met that there is no reason whatsoever for both of these issues not to go along concurrently and that one, perhaps, would be an intermediate step for the next one. So, I would hope that you would allow that to happen today and Pass the Majority Ought to Pass Report. Thank you, Mr. President.

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

Senator **VIOLETTE:** Mr. President, and Ladies and Gentlemen of the Senate, very briefly, I would rise to concur with the comments of the good Senator from Washington, Senator Brown.

There is absolutely no reason why both of these Bills cannot be sent down to the other Body. There is no reason why this Senate cannot pass both of these Bills. They are not necessarily in conflict with one another, and I would hope that the Senate would do so this morning. Thank you.

THE PRESIDENT: The pending question before the Senate is the **ACCEPTANCE** of the Majority **OUGHT TO PASS** Report of the Committee. A Roll Call has been ordered.

A Yes vote will be in favor of **ACCEPTING** the Majority **OUGHT TO PASS** Report.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS:—Senators, Beruben Brown, Bustin, Chalmers, Clark, Diamond, Dow, Dutremble, Emerson, Erwin, Gauvreau, Matthews,

Maybury, McBreairty, Pearson, Stover, Twitchechell, Usher, Violette, The President — Charles P. Pray

NAYS:—Senators, Black, Higgins, Kany, Perkins, Sewall, Shute, Webster

ABSENT:—Senators, Andrews, Baldacci, Carpenter, Danton, Gill, Najarian, Trafton, Tuttle

20 Senators having voted in the affirmative and 7 Senators having voted in the negative, with 8 Senators being absent, the motion to **ACCEPT** the Majority **OUGHT TO PASS** Report **PREVAILS.**

Under suspension of the Rules, the Bill **READ TWICE** and **PASSED TO BE ENGROSSED.**

Under suspension of the Rules, sent down forthwith for concurrence.

Senate At Ease

Senate called to Order by the President.

On motion by Senator **VIOLETTE** of Aroostook, the Senate voted to remove from the Later Today Assigned Table:

Bill "An Act Regarding Members of the Public Serving on State Licensing Boards" (H.P. 1125) (L.D. 1631)

Tabled—June 5, 1985, by Senator **VIOLETTE** of Aroostook.

Pending—**PASSAGE TO BE ENGROSSED.** (In Senate June 5, 1985, **READ A SECOND TIME.**)

On motion by Senator **VIOLETTE** of Aroostook, tabled 1 Legislative Day, pending **PASSAGE TO BE ENGROSSED.**

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

Senator **PERKINS** of Hancock was granted unanimous consent to address the Senate Off the Record.

On motion by Senator **CARPENTER** of Aroostook,
ADJOURNED until 9:00 a.m. tomorrow.