

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eighth  
Legislature***

OF THE

STATE OF MAINE

**1978**

**Second Regular Session**

January 4, 1978 — April 6, 1978

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**Senate Confirmation Session**

June 14, 1978

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September 6, 1978 — September 15, 1978

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December 6, 1978

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APPENDIX

## SENATE

March 24, 1978

## After Recess

Senate called to order by the President.

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

Mr. HEWES: Mr. President and Members of the Senate: We are never too old to learn. Maybe things have changed as the Senator from York says, Senator Danton, said that during the past 15, 20, or 30 years. I have no personal knowledge of any family violences as have been described, but during the last few minutes, I have spoken with some people, two of whom apparently have been victims and I do not mean to be insensitive and I think that I have compassion. I hope that if this Bill does pass that the \$200,000 is not spent just for administration in making another bureaucracy and not doing a benefit for the victims of any violence. In short Mr. President, I would like to withdraw my motion to indefinitely postpone this Bill.

The PRESIDENT: The Senator from Cumberland, Senator Hewes, now requests leave of the Senate to grant this leave? It is a vote.

The Chair recognizes the Senator from Androscoggin, Senator Snowe.

Mrs. SNOWE: Mr. President, I now move enactment of this legislation.

The PRESIDENT: The Senator from Androscoggin, Senator Snowe, now moves that L. D. 2074 be Passed to be Enacted.

The Chair recognizes the Senator from York, Senator Hichens.

Mr. HICHENS: I ask for a Division.

The PRESIDENT: A Division has been requested.

The Chair recognizes the Senator from Kennebec, Senator Pierce.

Mr. PIERCE: Mr. President and Members of the Senate: This has been a most interesting piece of legislation and one which has undergone a great deal of discussion obviously today and many days past and as a member of the Human Services Council, and also as President of Kennebec Valley Community Action Program, I have taken a, I think a, special interest in this piece of legislation. I think that it is a good piece of legislation and one which is a very positive step in the right direction.

Certainly an awful lot of people had a great deal to do with passing this Bill and by taking nothing away from the sponsor and the people I have talked to about this, I would especially like to say certainly that in our discussions tonight that the Senator from Androscoggin, Senator Snowe, I think made the final decision on this Bill whether or not this piece of legislation would pass with her support, it is going to pass, I believe, and I would ask for the yeas and nays on this Bill.

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

Mr. MERRILL: Mr. President and Members of the Senate: Watching what has happened to this bill today, I cannot help but be reminded of that scene in the movie Patton when the general looks over the carnage of war and walks over the battle field and says, "God help me I love it so".

The PRESIDENT: A Roll Call has been requested. In order for the Chair to order a Roll Call it must be the expressed desire of one-fifth of those Senators present and voting. Will all those Senators in favor of a Roll Call please rise in their places to be 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 Androscoggin, Senator Snowe, that L. D. 2074 be Passed to be Enacted.

A yes vote will be in favor of enactment.

A nay vote will be opposed.

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

## ROLL CALL

YEA — Carpenter, Chapman, Collins, D.; Conley, Cummings, Danton, Farley, Greeley, Hewes, Huber, Levine, Mangan, Martin, Merrill, Minkowsky, Morrell, O'Leary, Pierce, Snowe, Speers, Trotzky, Usher,  
NAY — Collins, S.; Hichens, Katz, McNally, Pray, Redmond, Wyman

ABSENT — Curtis, Jackson, Lovell  
22 Senators having voted in the affirmative and 7 Senators in the negative, with 3 Senators being absent, this Bill is Passed to be Enacted.

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

(See Action Later Today)

## Emergency

"An Act to Allow Intermediate Care Facilities to be Reimbursed under the Medically Needy Program." (H. P. 1915) (L. D. 1976)

This being an emergency measure and having received the affirmative vote of 28 Members of the Senate, was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Out of order and under suspension of the rules, the Senate voted to consider the following:

Paper from the House  
Non-concurrent Matter

Bill, "An Act to Revise the Method of Computing Legislators' Expenses." (H. P. 1996) (L. D. 2077)

In the Senate, March 21, 1978, Failed of Passage to be Engrossed in non-concurrence.

Comes from the House, Passed to be Engrossed as amended by Committee Amendment "A" (H-1166), in non-concurrence.

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

Mr. CONLEY: I move that the Senate Recede and Concur with the House.

The PRESIDENT: The Senator from Cumberland, Senator Conley, now moves that the Senate Recede and Concur with the House.

The Chair recognizes the Senator from Kennebec, Senator Pierce.

Mr. PIERCE: I would ask for a Division.

The PRESIDENT: A Division has been requested.

The Chair recognizes the Senator from Aroostook, Senator Collins.

Mr. COLLINS: Mr. President, I request permission to pair my vote with the Senator from York, Senator Lovell, if he were here he would vote nay and I would vote yea.

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

Mr. PIERCE: I would ask for the Yeas and Nays.

The PRESIDENT: A Roll Call has been requested.

The Senator from Aroostook, Senator Collins, now requests leave of the Senate to pair his vote with the Senator from York, Senator Lovell, who if he were here would vote nay on the pending question and the Senator from Aroostook, Senator Collins, would vote yea. Is it the pleasure of the Senate to grant this leave? It is a vote.

The Chair recognizes the Senator from Penobscot, Senator Trotzky.

Mr. TROTZKY: Mr. President, I request permission to pair my vote with the Senator from Cumberland, Senator Jackson, who if he were here would vote nay and I would vote yea.

The PRESIDENT: The Senator from Penobscot, Senator Trotzky, now requests leave of the Senate to pair his vote with the Senator from Cumberland, Senator Jackson, who if he were here would vote nay and the Senator from Penobscot, Senator Trotzky, would vote yea. Is it the pleasure of the Senate to grant this

leave? It is a vote.

A Roll Call has been requested. In order for the Chair to order a Roll Call it must be the expressed desire of one-fifth of those Senators present and voting.

Will all those Senators in favor of a Roll Call please rise in their places to be counted.

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

The Chair recognizes the Senator from Sagadahoc, Senator Chapman.

Mr. CHAPMAN: Mr. President and Members of the Senate: We have discussed this issue before. In my view this Bill in its present posture is not an expense reimbursement Bill, it is an enrichment Bill. This body voted down an amendment that would have this Bill responsibly reimburse for actual incurred expense. In its present posture it is going to give sums whether expenses are incurred or not. And I do not feel that we are really addressing the needs of those who really at present are being discriminated under the present setup. By directing our attention to those who need it, we are making a blanket across the board change whether the needs are there or not. I would hope that the Senate would support the defeat of this Bill.

The PRESIDENT: Is the Senate ready for the question?

The pending question before the Senate is the Motion by the Senator from Cumberland, Senator Conley, that the Senate recede and concur with the House.

A yes vote will be in favor of the motion to recede and concur. A nay vote will be opposed.

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

## ROLL CALL

YEA — Carpenter, Conley, Danton, Farley, Hichens, Levine, Mangan, Martin, Merrill, O'Leary, Pray, Usher.

NAY — Chapman, Collins, S.; Cummings, Greeley, Hewes, Huber, McNally, Minkowsky, Morrell, Pierce, Redmond, Snowe, Speers, Wyman.

ABSENT — Curtis, Katz.

12 Senators having voted in the affirmative and 14 Senators in the negative, with 2 Senators being absent, and 4 pairing their votes, the Motion to Recede and Concur does not prevail.

The Senate voted to Adhere.

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

Mr. PIERCE: Mr. President, having voted on the prevailing side, I now ask for reconsideration and ask the Senate to vote against me.

The PRESIDENT: The Senator from Kennebec, Senator Pierce, having voted on the prevailing side, now moves that the Senate reconsider its action whereby it voted to Adhere.

Will all those Senators in favor of reconsideration please say yes.

Will those opposed please say no.

A viva voce vote being had, the motion to reconsider does not prevail.

## Joint Resolution

Joint Resolution memorializing the President, the Administrator of Veterans Affairs for the United States, the Maine Congressional Delegation, the Governor, and the Director of the Maine Bureau of Veterans Services concerning the current hardships faced by Maine Veterans.

We, your Memorialists, the Senate and House of Representatives of the State of Maine in the One Hundred and Eighth Legislative Session assembled, most respectfully present and petition the President of the United States, the Administrator of Veterans Affairs for the United States, the Maine Congressional Delegation, the Governor of the State of Maine and the Director of the Maine Bureau of Veterans Services as follows:

WHEREAS, many veterans in Maine, especially disabled Vietnam-era veterans, face con-

tinuing hardships and discrimination in employment; and

WHEREAS, many veterans attempting to attend institutions of higher education, including the University of Maine or the vocational technical institutes, face great hardships when financial aid promised by the United States Veterans Administration is delayed for weeks; and

WHEREAS, these delays severely affect their abilities to sustain basic necessities, such as food, housing, transportation and school supplies; and

WHEREAS, continuing public attitudes about the Vietnam War and the veterans of that war often result in employment discrimination; and

WHEREAS, there is a lack of communication between many Vietnam-era veterans and the United States Veterans Administration; and

WHEREAS, the foregoing and other factors produce severe demoralization and a sense of frustration on the part of many Maine citizens who are Vietnam-era veterans; now, therefore, be it

RESOLVED: That we, your Memorialists, respectfully urge that these difficulties and hardships should not be allowed to continue; and be it further

RESOLVED: That we respectfully urge and encourage the President of the United States and the Administrator of Veterans Affairs for the United States to make additional efforts to effectively serve Maine Vietnam veterans; and be it further

RESOLVED: That we respectfully request each member of the Maine Congressional Delegation to support these federal efforts; and be it further

RESOLVED: That we encourage the Governor and the Maine Bureau of Veterans Services to make every effort to alleviate any delay in administering the benefit programs for Vietnam-era veterans; and be it further

RESOLVED: That we further encourage the Governor and the Maine Bureau of Veterans Services to provide active assistance in discouraging discrimination in employment and educational opportunities for Vietnam-era veterans; and be it further

RESOLVED: That we recognize that there is a need for a strong advocate for individual veterans; and be it further

RESOLVED: That suitable copies of this Resolution be transmitted immediately to the Honorable Jimmy Carter, President of the United States, to Max Cleland, Administrator of Veterans Affairs for the United States, to each member of the Maine Congressional Delegation, to the Honorable James B. Longley, Governor of the State of Maine and to the Honorable Robert R. Washburn, Director of the Bureau of Veterans Services. (H. P. 2332)

Comes from the House, Read and Adopted. Which was Read and Adopted in concurrence.

#### Enactor

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

#### Emergency

"An Act Authorizing the Issuance of Bonds by the Town of Houlton to Acquire Certain Assets of Ricker College." (H. P. 2314) (L. D. 2208)

This being an emergency measure and having received the affirmative votes of 27 Members of the Senate, was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Out of Order and Under Suspension of the Rules; On Motion of Mr. Collins of Knox,

ORDERED, the House concurring, that the Joint Rules be amended by adding a new Joint Rule 19-A to read as follows:

19-A. Reporting out of errors and inconsisten-

cies' legislation. Prior to reporting out any bill entitled "An Act to Correct Errors and Inconsistencies in the Laws of Maine" or any other bill that is intended to correct technical errors or inconsistencies in prior legislation which includes corrections in 2 or more Titles in the Maine Revised Statutes, the Joint Standing Committee on Judiciary shall, after giving notice and an opportunity to be heard, hear proposed amendments and determine which amendments shall be included in the bill reported out. All floor amendments to the bill shall be submitted to the Director of Legislative Research not later than the 90th legislative day of the first regular session or not later than the 40th legislative day of the second regular session. No floor amendment shall be entertained in either House unless the amendment only deletes one or more sections of the bill, or unless the amendment has been reported in writing to the Judiciary Committee at least 2 legislative days prior to introduction, or unless the rules be suspended for each amendment. No action shall be taken on the committee report on the bill until one day's previous notice of the committee report has been given and entered on the journal. (S. P. 769)

Which was Read and Passed.

Sent down forthwith for concurrence.

Out of order and under suspension of the rules, the Senate voted to consider the following:

#### Enactors

The Committee on Engrossed Bills reports as truly and strictly engrossed the following: "An Act to Provide for Reform of the State Tax Laws, Including the State Sales Tax and the State Income Tax." (H. P. 1891) (L. D. 1948)

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

#### Emergency

"An Act Adjusting Appropriations and Allocations for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary for the Proper Operations of State Government for the Fiscal Years Ending June 30, 1978 and June 20, 1979." (S. P. 740) (L. D. 2195)

This being an emergency measure and having received the affirmative vote of 27 Members of the Senate was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Out of Order and Under Suspension of the Rules;

On motion of Mr. Huber of Cumberland, ORDERED, the House concurring, that when the Senate and House of Representatives adjourn, they both adjourn to ten in the morning on Thursday, April 6th; at which time the Senate and House of Representatives shall meet for one legislative day for the purpose of considering possible objections of the Governor to any Bill or Resolve presented to him by the Legislature under the Constitution, Article IV, Part Third, Section 2. (S. P. 770)

Which was Read and Passed.

Sent down forthwith for concurrence.

Out of order and under suspension of the rules, the Senate voted to consider the following:

#### Papers from the House Joint Order

ORDERED, the Senate concurring, that the Clerk of the House and Secretary of the Senate be authorized to furnish 100 13¢ postage stamps for each member of the House and Senate for the purpose of distributing various reports of the departments of state and other public doc-

uments such as they may desire to mail to the citizens of the State. (H. P. 2333)

Comes from the House, Read and Passed.

Which was Read.

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

Mr. PRAY: Mr. President, I move the indefinite postponement of this Joint Order.

The PRESIDENT: The Senator from Penobscot, Senator Pray, now moves that this Joint Order, H. P. 2333, be indefinitely postponed.

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

Mr. O'LEARY: Mr. President, I promised my leadership that I would not get up and speak on anything this evening, however, I find it unconscionable to have this Joint Order postponed when I know that there are people in this legislature that have perhaps abused some of our mailing privileges. So I would ask for a Division.

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

Mr. PRAY: Mr. President and Members of the Senate: I have for the last four years in this Legislature, in this Body, spent many long hours in this Chamber, many evenings sitting around here until nine and ten o'clock at night taking care of my constituents, doing the work and preparing myself for the next day. I sat in here and I would suspect on a day to day basis I perhaps put more hours in this Chamber than almost anybody in here and I have seen the abuse of the mailing that my seatmate has just talked about and that is the reason that I am moving the indefinite postponement of this. I have sat in this chamber and I have watched thousands and thousands and thousands and thousands of letters go out and they are not answering constituents' problems. I think that it is an abuse. I think that it is a rip off to the people of the State of Maine. I have in my draw stamps that were given to me last session and I have another envelope from this session that I have not touched because all you have to do is drop it over there and you do not have to put a stamp on it. Some individuals who are in this session Body, in this Chamber I think have abused it, and I do not think they need the stamps because they are not going to go home and use it to distribute reports. If they do, they are going to abuse it because they are going to send out hundreds of them to people who are going to get them either through particular business interest groups that they belong to or other avenues. I sat here a year ago when we discussed the drinking bill and as a liquor licensee received a letter from a member of this Chamber about an amendment that he offered. I think that is waste.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion by the Senator from Penobscot, Senator Pray, that this Joint Order, H. P. 2333, be indefinitely postponed.

A Division has been requested.

Will all those Senators in favor of the indefinite postponement of this Joint Order please rise in their places to be counted.

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

19 Senators having voted in the affirmative and 9 Senators in the negative, this Joint Order is indefinitely postponed in non-concurrence.

Sent down forthwith for concurrence.

#### Enactor

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

#### Emergency

"An Act to Make Necessary Corrections in the Knox County and Lincoln County Budget, the Errors and Inconsistencies Act and the Administrative Procedure Act." (S. P. 760) (L. D. 2205)

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

Mr. MERRILL: Mr. President, I think that it might be prudent for us to keep this Bill for another hour or so, I am sure that we will make a few more errors in that time period and we might want to put another amendment on it.

This being an emergency measure and having received the affirmative vote of 26 members in the affirmative and 2 members voting 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.

"An Act to Appropriate Funds for the York County Community College." (H. P. 1978) (L. D. 2073)

"An Act to Provide for Refunding of Municipal Claims under the Maine Tree Growth Tax Law." (H. P. 1969) (L. D. 2049)

"An Act to Establish Training Requirements for Corrections Officers." (H. P. 2039) (L. D. 2104)

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

#### Orders of the Day

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

Mr. HUBER: Mr. President, I move that L. D. 1912 and L. D. 2086 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table:

L. D. 1912 RESOLVE, to Appeal the Decision of State Claims Board Regarding Property Damage Claims from Collapse of Building at Northern Maine Vocational-Technical Institute.

and  
L. D. 2086 RESOLVE, to Appeal the Decision of the State Claims Board Regarding Property Loss Suffered by Henry E. Ripley of Liberty Because of Theft at the Augusta Mental Health Institute.

Is it the pleasure of the Senate? It is a vote.  
Mr. HUBER: Mr. President, I move the pending question.

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

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

Mr. HUBER: Mr. President, I move that L. D. 1922, L. D. 1945, L. D. 1952, and L. D. 2005 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table:

L. D. 1922 "An Act to Increase State Reimbursement for the Net Costs of Local General Assistance."

L. D. 1945 "An Act to Increase Retirement Benefits for Teachers who Taught Prior to July 1, 1942."

L. D. 1952 "An Act to Increase the Reimbursement for Small-size Boarding Homes and Adult Foster Homes." and

L. D. 2005 "An Act to Provide for Programs to Aid School Administrative Units to Identify and Provide Special Educational Programs for Gifted and Talented Children."

Is it the pleasure of the Senate? It is a vote.  
The Chair recognizes the Senator from Kennebec, Senator Pierce.

Mr. PIERCE: Mr. President, I would ask that L. D. 2005 be set aside.

L. D. 1922 "An Act to Increase State Reimbursement for the Net Costs of Local General Assistance."

L. D. 1945 "An Act to Increase Retirement Benefits for Teachers who Taught Prior to July 1, 1942."

L. D. 1952 "An Act to Increase the Reimbursement for Small-size Boarding Homes and Adult Foster Homes."

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

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Pierce in reference to L. D. 2005 "An Act to Provide Funding for Programs to Aid School Administrative Units to Identify and Provide Special Educational Programs for Gifted and Talented Children."

Mr. PIERCE: Mr. President, I move the pending question.

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

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

Mr. HUBER: Mr. President, I move that L. D. 1923, L. D. 1959, L. D. 1969, L. D. 1983, and L. D. 2013 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table:

L. D. 1923 "An Act to Restore Matching Funds to the Maine Criminal Justice Planning and Assistance Agency."

L. D. 1959 "An Act Providing that Student Scholarships Under the Maine Student Incentive Scholarship Program Shall Not be Lowered from One School Year to the Next and Appropriating Funds to Carry Out that Intent."

L. D. 1969 "An Act to Facilitate Central Licensing and Concerning Membership on the Maine Athletic Commission."

L. D. 1983 "An Act Relating to Assessment for Public Services Tax on Unorganized Townships," and

L. D. 2013 "An Act Relating to Certificate of Need."

Is it the pleasure of the Senate? It is a vote.  
These being emergency measures and having received the affirmative votes of 26 members of the Senate, were Passed to be Enacted and having been signed by the President, were by the Secretary presented to the Governor for his approval.

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

Mr. HUBER: Mr. President, I move that L. D. 2015, L. D. 2055, L. D. 2061, and L. D. 2109 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate take from the Special Appropriations Table:

L. D. 2015 "An Act to Improve the Administration of the Industrial Accident Commission,"

L. D. 2055 "An Act to Provide a \$250,000 Grant to the New England College of Osteopathic Medicine,"

L. D. 2061 "An Act to Improve the Short-term Investment Capabilities and Debt Management of the State", and

L. D. 2109 "An Act Relating to Abandoned Property."

Is it the pleasure of the Senate? It is a vote.

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

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

Mr. HUBER: Mr. President, I move that L. D. 2089 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cum-

berland, Senator Huber, now moves that the Senate take from the Special Appropriations Table:

L. D. 2089 RESOLVE, Reimbursing Certain Municipalities on Account of Taxes Lost Due to Lands being Classified under the Tree Growth Tax Law.

Is it the pleasure of the Senate? It is a vote.

This being an emergency measure and having received the affirmative vote of 25 members of the Senate and 1 member voting in the negative, this Resolve was finally passed and having been signed by the President was by the Secretary presented to the Governor for his approval.

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

Mr. HUBER: Mr. President, I move that L. D. 2106 and L. D. 2204 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate take from the Special Appropriations Table:

L. D. 2106 "An Act Concerning Pilot Projects for more Effective and Efficient Delivery of Services to Preschool Handicapped Children," and

L. D. 2204 "An Act Creating an Interim Education Finance Commission."

Is it the pleasure of the Senate? It is a vote.

These being emergency measures and having received the affirmative vote of 26 members of the Senate, were Passed to be Enacted and having been signed by the President, were by the Secretary presented to the Governor for his approval.

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

Mr. HUBER: Mr. President, I move that L. D. 2136, L. D. 2137, L. D. 2143, and L. D. 2145 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate take from the Special Appropriations Table:

L. D. 2136 "An Act to Establish the Health Facilities Information Disclosure Act,"

L. D. 2137 "An Act to Reconstruct the Fuel Adjustment Clause,"

L. D. 2143 "An Act to Require the Judicial Department to Reimburse Counties Quarterly for the Expenses of Bailiffs and Other Court and Jury Officers," and

L. D. 2145 "An Act to Conform State Statutes to the Maine Administrative Procedure Act."

Is it the pleasure of the Senate? It is a vote.

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

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

Mr. HUBER: Mr. President, I move that L. D. 2172, L. D. 2190, and L. D. 1970 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate take from the Special Appropriations Table:

L. D. 2172 "An Act Creating a Statehouse Commission."

L. D. 2190 "An Act Relating to the Place of Filing Under the Uniform Commercial Code."

L. D. 1970 "An Act to Provide for Alternative Election Procedures for School Budgets on a Local Basis."

Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the Senator from Kennebec, Senator Pierce.

Mr. PIERCE: Mr. President, I move that L. D. 1970 be set aside.

The PRESIDENT: L. D. 1970 will be set aside.

In reference to: L. D. 2172 "An Act Creating a State House Commission."

L. D. 2190 "An Act Relating to the Place of Filing Under the Uniform Commercial Code."

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

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Pierce, in reference to L. D. 1970.

Mr. PIERCE: Mr. President and Members of the Senate: I now move that L. D. 1970 be indefinitely postponed.

The PRESIDENT: The Senator from Kennebec, Senator Pierce, now moves that L. D. 1970 be indefinitely postponed.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I would request a division on the motion and again I would just state that this L. D. is nothing more than a pilot project set up within three SAD communities for the sole purpose of giving communities the opportunity of improving school budgets within those SAD's.

This is a Bill that was before the Senate on several occasions. It eventually ended up in a Committee of Conference. The Committee of Conference came back with the unanimous report in acceptance of this Bill and I think that it is a very minimal price to pay, \$6,000, and I would request a division when the vote is taken.

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

Mr. PRAY: Mr. President and Members of the Senate: As I read over the enactor and as the good Minority Floor Leader I guess a little bit of wishful thinking in the leaning days of the session, the Minority Floor Leader has pointed out that the Bill as we now have it went through the grueling process of the Legislature and finally came out of the Committee of Conference Report and if my memory serves me wrong which in this early hours of the morning may, I believe that the Senator from Kennebec, Senator Pierce was on that Committee and signed out the Committee of Conference Report.

And I would like to know if he would like to enlighten some of his colleagues of the Senate as to what has happened between the time that he has signed out that Committee of conference Report and today.

The PRESIDENT: The Senator from Penobscot, Senator Pray, has posed a question through the Chair to the Senator from Kennebec, Senator Pierce.

The Chair recognizes that Senator.

Mr. PIERCE: Mr. President and Members of the Senate: I can think of nothing at this late hour that would give me more pleasure than enlightening the good Senator from Penobscot, Senator Pray.

I was indeed on that Conference Committee. I certainly did not sign it out. I opposed the measure. When it first came through here, I opposed the measure in the Conference Committee and I think that it is \$6,000 down the drain and a complete waste to the people of the State of Maine, and I hope that you will pass my indefinite postponement motion.

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

Mr. CONLEY: Mr. President, I would ask the Secretary of the Senate to read the Committee of Conference Report.

The PRESIDENT: The Secretary will read the report.

Which report was read.

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

Mr. MERRILL: Mr. President and Members of the Senate: I think that it is pretty machiavellian trick trying to kill this conference report when the good Senator from Kennebec, Senator Katz is not here. I just hope that I can have the same success now that I had this morning in summoning up the good Senator from Kennebec, Senator Katz so he can come forward and defend this Conference Report

which I know his full heart is in.

The PRESIDENT: The pending question before the Senate is the motion by the Senator from Kennebec, Senator Pierce, that L. D. 1970 be indefinitely postponed.

A Division has been requested.

Will all those Senators in favor of the Motion to indefinitely postpone please rise in their places to be counted.

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

11 Senators having voted in the affirmative and 17 Senators in the negative, the Motion to Indefinitely Postpone, does not prevail.

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

(See Action Later Today)

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

Mr. HUBER: Mr. President, I move that L. D. 2059 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senator take from the Special Appropriations Table:

L. D. 2059 "An Act to Correct the Inequitable Taxation of Mobile and Modular Homes."

Is it the pleasure of the Senate? It is a vote.

Mr. HUBER: Mr. President, I now move indefinite postponement of this Bill and all its accompanying papers.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that L. D. 2059 be indefinitely postponed.

The Chair recognizes the Senator from Cumberland, Senator Jackson.

Mr. JACKSON: Mr. President and Members of the Senate: I rise to oppose the motion of the good Senator from Cumberland, to indefinitely postpone L. D. 2095.

I am sure that many members of this body, and many members of the Senate here are aware that the town of Oxford which is in my Senatorial District Number 5 is the mobile home capital, or manufactured housing capital of Maine. We have three manufacturing plants in Oxford. We also have three places which sell manufactured housing in that community and I think that it is time that the State of Maine recognizes that manufactured housing represents a large segment of the housing which is stationed or put on stationary foundations in this state. I am sure that many of the members of this Body are aware of the amounts of money which are concerned in this area.

We call, because it does not have the emergency measure on the piece of legislation for \$18,100 in this year and approximately \$56,000 in the fiscal year of 1979. The figures you see represent the figures that have been represented in the past because we have a few members of our society which exist in this state, which cross the state border, such as some other members of various economic communities, and acquire certain pieces of equipment and, we will say, manufactured housing, to avoid the sales tax.

All we are asking for in L. D. 2059 is sales tax relief of approximately 50 percent and I think that that is equitable. We allow the construction people, the contractors who build houses, we do not tax them on labor, we do not tax them on transportation and registration fees. We tax them on the materials that go into building these places and I think that what we are asking here today and what I am asking when the vote is taken, that you people consider the same thing that we provide for these contractors be provided for these people who manufacture housing to be transported.

Gentlemen it is no secret that manufactured housing is less expensive than stick built housing and with our present economic situation and the population of the state and that we have

heard earlier in debates consisting, I will not say consisting, but relating to the tax package which I can immediately recall and I am sure that other pieces of legislation that Maine people are not the highest paid people there are in New England or in the United States. We are talking about housing which people in Maine can afford to buy, afford to pay the taxes on, afford to heat and pay their electricity bills, people who like and have the pride of self ownership and I know that probably there are people in this body who feel that 50 percent of the sales tax on one of these units does not represent very much money, but I can remember a fellow appearing before the Taxation Committee approximately four years ago that indicated that a one cent increase in the gas tax could bankrupt some people and that I would assume, I think that it was about two weeks later or three weeks later we were discussing at that time an increase in the transfer tax and the possibility of \$10 or \$15 to circumvent the sale of real estate. Well we are talking a unit which might cost \$17,000, \$12,000, \$14,000, you multiply that times five percent and divide it in half and any of you related to the instances that I just put forth.

I think that L. D. 2059 on its own merit deserves the consideration of this body and I am sure that it deserves the vote of confidence and passage to be enacted into law to provide the same equity which we provide for those fellows or those contractors or those corporations which stick build houses in this state.

Mr. President, when the vote is taken, I request a Division.

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

Mr. HUBER: Mr. President and Members of the Senate: Throughout the various meetings and caucuses and so on that we have had this session, I have had to say that we have been having hard decisions to make. The fact is that there would be a lost revenue of \$537,600 estimated on this Bill and the fact is simply that we do not have that much money left after passing the bills that have already received passage in this Legislative session. Therefore, I will have to stick by the vote of the Legislative Leadership and hopefully have the Senate go along with the indefinite postponement of this Bill.

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

Mr. JACKSON: Mr. President, I hate to belabor the debate on this thing, this piece of legislation, but I see a few other pieces of legislation which we funded this evening that I do not feel that personally would have any more importance than this piece of legislation has.

One of them "An Act to Establish a Solar Water Heater Demonstration Program." Another new program, I do not know if it has been funded yet or not but, the Emergency Shelter for Family Members who are Victims of Violence, and I probably can name a few more here. I just think that this is a problem that has existed for many, many years between the manufactured housing industry in this state and the industry of stick build or the individual building houses and what not. I just think that we need a little equity in this field and I think that it is time that we provided it.

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

Mr. PRAY: Mr. President and Members of the Senate: I rise to support the comments of the Senator from Cumberland, Senator Jackson, but I remember only a day or so ago when we concerned ourselves with the tax package that it was that same Senator that raised the point as to the L. D.'s on the Appropriations Table which I may support. In conversation afterwards, I pointed out that my only concern was the \$150,000 Bill dealing with pre-school handicapped that was my number one priority, my, only major concern.

But as I sit here and listen to his debate, I become convinced that this also is a worthwhile matter. I look at the price tag on the sheet that has been passed out to us and I see in 1978-1979 a loss of revenue of \$537,000 and a few other dollars in there also and I ponder over the comments made by that Senator and my concern to be fiscally responsible but also to be equitable and fair. Listening to the rhetoric that we have had the past few days as to the financial condition of the state I have also become convinced the points of views that have been betrayed by the Majority Party here and that Senator being a member of that Majority Party has again convinced me that this is a worthwhile piece of legislation and that we should put equity before we put responsibility if there is a concern there. I think he has made the point that the money is there and that we are giving unnecessary relief to the individuals who need it and for that reason I would urge the members of this Body to follow his lead and defeat the motion to indefinitely postpone and then pass this piece of legislation.

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

Mr. CONLEY: Mr. President and Members of the Senate: I do not question the merits of this particular piece of legislation, in fact I support it. This item as one of those that should be passed. However, Leadership, the Appropriations Committee itself in listing its priorities did not list this as one of the top priorities because again of the lack of revenue. The good Senator from Cumberland, Senator Huber stated quite emphatically as to what the loss of revenue is going to be concerning this Bill if it is passed. Now if we have the money it is fine, but the question is and the answer to that question is, we do not have the money. That we have allocated something like \$6.7 million off the table, it has been funded and to pass this it would just be irresponsible.

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

Mr. O'LEARY: Mr. President, I think that I would take exception to the remarks of the good Senator from Cumberland, Senator Conley. I think that anyone should listen and listen very carefully to the remarks of the Senator from Cumberland, Senator Jackson because he laid it right on the line, but there was something that was not said here tonight that should perhaps be addressed.

What we are talking about here is a sales tax on labor. And that is really what it boils down to when we talk about this piece of legislation. Now we have in the past indefinitely postponed and if my memory serves me correctly legislation that would tax services and that is what this Bill is all about. I think that the Senator from Cumberland, Senator Jackson, has laid it right out on the line to you that this is a good Bill and it should pass. However, if it does not pass, I am worried about what may happen when we go to the courts and I am observing the Senator from York, Senator Danton fine. But if we do go to the courts and they fine against us, we may have to pay a bill that is extremely more detrimental to the taxpayers of the State of Maine than anything that we are ever going to pass.

The PRESIDENT: Is the Senate ready for the question?

A Division has been requested.

The pending question before the Senate is the motion by the Senator from Cumberland, Senator Huber, that L. D. 2059 be indefinitely postponed.

Will all those in favor of indefinite postponement please rise in their places to be counted.

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

8 Senators having voted in the affirmative and 16 Senators in the negative, the Motion to Indefinitely Postpone does not prevail.

The Chair recognizes the Senator from Cumberland, Senator Huber.

Mr. HUBER: Mr. President, I would again like to state as simply as I can, that if this bill passes we will have spent more money than we have. This will be cutting into the surplus that people have been spending so jealously recently with statements that it is inadequate and so on. It will be going beyond the limit that I think that we had general agreement on in terms of money available for bills. I would hope that the Senate would reconsider its action whereby it did not indefinitely postpone this Bill and would change its mind.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate reconsider its action whereby it passed this Bill.

The Chair recognizes the Senator from Cumberland, Senator Jackson.

Mr. JACKSON: I request a Division.

The PRESIDENT: A Division has been requested.

The Chair recognizes the Senator from York, Senator Farley.

Mr. FARLEY: I Request a Roll Call.

The PRESIDENT: A Roll Call has been requested. In order for the Chair to order a Roll Call it must be the expressed desire of one-fifth of those Senators present and voting.

Will all those Senators in favor of a Roll Call please rise in their places to be counted.

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

The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: I would pose a question to the Chair. Is the motion before the body enactment of this Bill?

The PRESIDENT: The Chair would answer in the negative. The pending question before the Senate is the motion by the Senator from Cumberland, Senator Huber, that the Senate reconsider its action whereby this Bill failed of indefinite postponement.

The Chair recognizes the Senator from Cumberland, Senator Jackson.

Mr. JACKSON: Parliamentary inquiry.

The PRESIDENT: The Senator may state his inquiry.

Mr. JACKSON: Mr. President, I do not believe the good Senator from Cumberland was on the prevailing side to move reconsideration.

The PRESIDENT: The Chair would answer the Senator from Cumberland, Senator Jackson that he is absolutely correct.

Mr. JACKSON: I move the pending question Mr. President.

The PRESIDENT: The Senator from Cumberland, Senator Jackson, now moves the pending question. The pending question is enactment of L. D. 2059.

The Chair recognizes the Senator from Cumberland, Senator Huber.

Mr. HUBER: I request a Roll Call.

The PRESIDENT: A Roll Call has been requested. In order for the Chair to order a Roll Call it must be the expressed desire of one-fifth of those Senators present and voting.

Will all those Senators in favor of a Roll Call please rise in their places to be counted.

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

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

Mr. TROTZKY: I move that this be tabled until later in today's session.

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

Mr. JACKSON: I request a Division.

The PRESIDENT: A Division has been requested on the Tabling Motion.

Will all those Senators in favor of tabling this matter until later in tonight's session please rise in their places to be counted.

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

7 Senators having voted in the affirmative and 19 Senators in the negative, the Motion to Table does not prevail.

Is it now the pleasure of the Senate that this Bill be Passed to be Enacted?

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

#### ROLL CALL

YEA — Carpenter, Chapman, Collins, F.; Danton, Hichens, Jackson, Katz, Merrill, Minikowsky, Morrell, O'Leary, Pierce, Redmond, Snowe, Trotzky, Wyman,

NAY — Collins, S.; Conley, Cummings, Farley, Greeley, Hewes, Huber, Levine, Mangan, Martin, McNally, Pray, Speers, Usher,

ABSENT — Curtis, Lovell

16 Senators having voted in the affirmative and 14 Senators in the negative, with 2 Senators absent, this Bill is Passed to be Enacted.

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

Mr. MERRILL: Having voted on the prevailing side, I now move reconsideration.

The PRESIDENT: The Senator from Cumberland, Senator Merrill, having voted on the prevailing side now moves reconsideration whereby this Bill was Passed to be Enacted.

Will all those Senators in favor of reconsideration please say yes. Will all those opposed please say no.

A viva voce vote being had, the Motion to Reconsider does not prevail. Having been signed by the President was by the Secretary presented to the Governor for his approval.

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

Mr. HUBER: Mr. President, are we through with action on this Bill?

The PRESIDENT: The Chair would answer in the distinct affirmative.

Mr. HUBER: I move that L. D. 2139 and L. D. 2169 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate take from the Special Appropriations Table, "An Act Relating to Appropriating Funds for Certain Municipal Governments." (L. D. 2139) and "An Act To Provide Interpreter Service for the Hearing Impaired." (L. D. 2169)

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

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

Mr. GREELEY: Mr. President, I move that the Senate take from the Special Highway Appropriations Table L. D. 1977.

The PRESIDENT: The Senator from Waldo, Senator Greeley, now moves that the Senate remove from the Special Highway Appropriations Table, L. D. 1977, "An Act Allocating Funds to Construct an Access Road to the Phase 2 Housing Project on the Penobscot Tribal Reservation."

Is it the pleasure of the Senate? It is a vote.

Mr. GREELEY: I move the pending question.

The PRESIDENT: The Senator from Waldo, Senator Greeley, now moves the pending question on L. D. 1977 which is enactment.

The Chair recognizes the Senator from Penobscot, Senator Pray.

Mr. PRAY: I move the Indefinite Postponement of this Bill and all its accompanying papers.

The PRESIDENT: The Senator from Penobscot, Senator Pray, now moves that this Bill and all its accompanying papers be Indefinitely Postponed.

The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President, I request a Division.

The PRESIDENT: A Division has been requested. Is the Senate ready for the question? The pending question before the Senate is the

Motion by the Senator from Penobscot, Senator Pray, that this Bill L. D. 1977 be Indefinitely Postponed.

The Chair recognizes the Senator from Penobscot, Senator Pray.

Mr. PRAY: I request permission to withdraw my motion for Indefinite Postponement and ask for a Division upon the enactment.

The PRESIDENT: The Senator from Penobscot, Senator Pray now requests leave of the Senate to withdraw his motion to Indefinitely Postpone this Bill. Is it the pleasure of the Senate to grant this leave? It is a vote.

A Division has been requested.

Will all those Senators in favor of Enactment of this Legislation please rise in their places to be counted.

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

20 Senators having voted in the affirmative and 6 Senators in the negative, this Bill is Passed to be Enacted and Having been signed by the President, was by the Secretary presented to the Governor for his approval.

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

Mr. GREELEY: Mr. President, I move that the Senate take from the Special Highway Appropriations Table L. D. 2135.

The PRESIDENT: The Senator from Waldo, Senator Greeley, now moves that the Senate take from the Special Highway Appropriations Table, L. D. 2135 "An Act Providing Allocations from the Unappropriated Highway Fund Surplus for Fiscal Year Ending June 30, 1979."

Is it the pleasure of the Senate? It is a vote.

Mr. GREELEY: Mr. President, I move the pending question.

The PRESIDENT: The Senator from Waldo, Senator Greeley, now moves the pending question which is enactment.

This being an emergency measure and having received the affirmative votes of 28 Members of the Senate, was Passed to be Enacted and having been signed by the President, was by the Secretary presented to the Governor for his approval.

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

Mr. SPEERS: Mr. President, I move that the Senate take from the Specially Assigned Table L. D. 2098.

The PRESIDENT: The Senator from Kennebec, Senator Speers, now moves that the Senate take from the Specially Assigned Table:

House Report — From the Committee on Taxation — Resolve Directing the Bureau of Taxation to Provide Income Tax Rebates. (Emergency) (H. P. 2034) (L. D. 2098) Majority Report — Ought to Pass; Minority Report — Ought not to Pass.

Tabled — March 22, 1978 by Senator Speers of Kennebec

Pending — Acceptance of Either Report  
On Motion of Mr. Speers of Kennebec, the Minority Ought Not to Pass Report Accepted.

Sent down forthwith for concurrence.

Mr. SPEERS: I move that the Senate take from the Unassigned Table L. D. 1910

The PRESIDENT: The Senator from Kennebec, Senator Speers, now moves that the Senate remove from the Unassigned Table:

Senate Report — From the Committee on Taxation — Bill, "An Act to Establish a Retirement Income Tax Credit that is Equal to 20% of the Federal Credit. (S. P. 622) (L. D. 1910) Leave to Withdraw.

Tabled — March 6, 1978 by Senator Jackson of Cumberland

Pending — Acceptance of Report  
On motion of Mr. Speers of Kennebec, the Leave to Withdraw Report Accepted in concurrence.

The PRESIDENT: The Chair recognizes the

same Senator.

Mr. SPEERS: Mr. President, I move that the Senate take from the Unassigned Table, L. D. 1994.

The PRESIDENT: The Senator from Kennebec, Senator Speers now moves that the Senate take from the Unassigned Table.

Senate Report — From the Committee on Taxation — Bill, "An Act Exempting Electricity from Taxation under the Sales and Use Tax Law." (S. P. 635) (L. D. 1994) Leave to Withdraw

Tabled — March 7, 1978 by Senator Speers of Kennebec

Pending — Acceptance of Report.  
Mr. SPEERS: Mr. President, I move the pending question.

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

Mr. KATZ: Mr. President, may I ask the identification of what Bill it is that we are dealing with please.

The PRESIDENT: The Chair would answer the Senator that we are now dealing with L. D. 1994, "An Act Exempting Electricity from the Taxation under the Sales and Use Tax Law."

Is it now the pleasure of the Senate to accept the Leave to Withdraw report of the Committee? It is a vote.

Sent down forthwith for concurrence.

The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: I move that the Senate take from the Unassigned Table, L. D. 2099.

The PRESIDENT: The Senator from Kennebec, Senator Speers, now moves that the Senate take from the Unassigned Table: House Reports — From the Committee on Taxation — Bill, "An Act to Reduce the Current Maine Individual Income Tax Rates." (H. P. 2035) (L. D. 2099) Majority Report — Ought Not to Pass; Minority Report — Ought to Pass.

Tabled — March 10, 1978 by Senator Speers of Kennebec.

Pending — Acceptance of Either Report.  
On Motion of Mr. Speers of Kennebec, the Majority Ought Not to Pass Report Accepted in concurrence.

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

Mr. SPEERS: I move that the Senate take from the Unassigned Table, L. D. 1988.

The PRESIDENT: The Senator from Kennebec, Senator Speers, now moves that the Senate take from the Unassigned Table. House Report — From the Committee on Taxation — Bill "An Act to Expand Eligibility Under the Elderly Householders Tax and Rent Refund Act." (H. P. 1927) (L. D. 1988); Ought to Pass With Committee Amendment "A" (H-1157).

Tabled — March 16, 1978 by Senator Jackson of Cumberland.

Pending — Acceptance of Report.  
Is it the pleasure of the Senate? It is a vote.

On Motion of Mr. Speers of Kennebec, Indefinitely Postponed in non-concurrence.  
Sent down forthwith for concurrence.

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

Mr. SPEERS: Mr. President, I move that the Senate take from the Unassigned Table the following Joint Orders:

H. P. 1994, H. P. 2004, H. P. 2128, H. P. 2168, H. P. 2180, H. P. 2177, H. P. 2225, H. P. 2251, H. P. 2250, S. P. 745, H. P. 2262, H. P. 2271, H. P. 2281, S. P. 762, H. P. 2277, and S. P. 764.

The PRESIDENT: The Senator from Kennebec, Senator Speers, now moves that the Senate remove from the Unassigned Table:

Joint Order — Relative to Fisheries and Wildlife Committee reporting out a bill revising the statutes relating to Inland Fisheries and Wildlife. (H. P. 1994)

Tabled — January 17, 1978 by Senator Speers of Kennebec

Pending — Passage

Joint Order — Relative to State Government Committee Studying the Feasibility of Establishing a State Department of Housing and Community Development. (H. P. 2004)

Tabled — January 18, 1978 by Senator Speers of Kennebec

Pending — Passage  
Joint Order — Relative to Legal Affairs Committee Studying the Present Law Enforcement Situation in Maine. (H. P. 2128)

Tabled — February 24, 1978 by Senator Speers of Kennebec

Pending — Passage  
Joint Order — Relative to the Health and Institutional Services Committee Studying the County Jail System. (H. P. 2168)

Tabled — March 2, 1978 by Senator Speers of Kennebec

Pending — Passage  
Joint Order — Relative to Labor Committee Studying the Employment Security Act and the State Unemployment Compensation Fund. (H. P. 2180)

Tabled — March 6, 1978 by Senator Speers of Kennebec

Pending — Passage  
Joint Order — Relative to Natural Resources Committee Studying Improved Methods to Prevent or Control Erosion. (H. P. 2177)

Tabled — March 6, 1978 by Senator Speers of Kennebec

Pending — Passage  
Joint Order — Relative to Transportation Committee Studying, Reviewing and Evaluating the Subject of Revenues Produced at Private Air Strips. (H. P. 2225)

Tabled — March 13, 1978 by Senator Speers of Kennebec

Pending — Passage  
Joint Order — Relative to Establishing a Joint Study Commission on Insurance Laws to Study and Recommend Revisions of the Insurance Laws. (H. P. 2251)

Tabled — March 15, 1978 by Senator Speers of Kennebec

Pending — Passage  
Joint Order — Relative to Health and Institutional Services Committee Studying the Principles of Reimbursement and Their Provisions for Rehabilitative and Restorative Services (H. P. 2250)

Tabled — March 15, 1978 by Senator Speers of Kennebec

Pending — Passage  
Joint Order — Relative to Agriculture Committee Studying the Subject of Arborists Taking Down Trees by Topping or Sections (S. P. 745)

Tabled — March 16, 1978 by Senator Speers of Kennebec

Pending — Passage  
Joint Order — Relative to Judiciary Committee be Authorized to Study, Receive and Print the Recommendations, Report and Draft Legislation of the Probate Law Revision Commission (H. P. 2262)

Tabled — March 16, 1978 by Senator Speers of Kennebec

Pending — Passage  
Joint Order — Relative to Taxation Committee Studying the Tree Growth Tax Law. (H. P. 2271)

Tabled — March 17, 1978 by Senator Speers of Kennebec

Pending — Passage  
Joint Order — Relative to a Joint Select Committee be Created to Study the Vocational-Technical Institutes and the Maine School of Practical Nursing. (H. P. 2281)

Tabled — March 21, 1978 by Senator Speers of Kennebec

Pending — Passage  
Joint Order — Relative to Performance Audit Committee Studying the Methods and Procedures for Computing and Collecting the Excise Tax on Motor Vehicles Among the Various Municipalities. (S. P. 762)

Tabled — March 21, 1978 by Senator Speers of Kennebec

Pending — Passage  
Joint Order — Relative to Performance Audit Committee Studying the Methods and Procedures for Computing and Collecting the Excise Tax on Motor Vehicles Among the Various Municipalities. (S. P. 762)

Tabled — March 21, 1978 by Senator Speers of Kennebec

Pending — Passage  
Joint Order — Relative to Performance Audit Committee Studying the Methods and Procedures for Computing and Collecting the Excise Tax on Motor Vehicles Among the Various Municipalities. (S. P. 762)

Tabled — March 21, 1978 by Senator Speers of Kennebec

Pending — Passage  
Joint Order — Relative to Performance Audit Committee Studying the Methods and Procedures for Computing and Collecting the Excise Tax on Motor Vehicles Among the Various Municipalities. (S. P. 762)



Tabled — March 22, 1978 by Senator Speers of Kennebec

Pending — Passage

Joint Order — Relative to a Joint Select Committee on Health and Education Reviewing the Progress of Local Educational Units in Establishing Comprehensive School Health Programs. (H. P. 2277)

Tabled — March 22, 1978 by Senator Speers of Kennebec

Pending — Passage

Joint Order — Relative to a Joint Select Committee on Domestic Violence be Established to Study the Problem of Domestic Violence. (S. P. 764)

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ: Mr. President, I ask that H. P. 2281 be set aside.

The PRESIDENT: H. P. 2281 will be set aside.

The Chair recognizes the Senator from Hancock, Senator McNally.

Mr. McNALLY: Mr. President, I ask that S. P. 745 be set aside.

The PRESIDENT: SP 745 will be set aside.

The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President, in making the motion that I am about to make I want to assure the members of this Body that these matters; it is contemplated that these matters will be presented to the Legislative Council and that in the statutory authority given to the Council to direct the Committees as to the various studies will be conducted during the summer these will be reviewed and so decided upon. Of course, if this body desires something different with any one of these orders it is entirely within the power of the body to do something different with them, but with that in mind with the items accepted I would move that the other orders be indefinitely postponed.

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

Mr. PIERCE: Mr. President, I would ask for the Yeas and Nays.

The PRESIDENT: A Roll Call has been requested. In order for the Chair to order a Roll Call it must be the expressed desire of one-fifth of those Senators present and voting.

Will all those Senators in favor of a Roll Call please rise in their places to be counted.

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

The Chair recognizes the Senator from Hancock, Senator McNally.

Mr. McNALLY: Would it be proper for me to state that at this time what I have against S. P. 745?

The PRESIDENT: The Chair would advise the Senator that this item has been set aside and if he would defer his debate for a few moments the Chair would appreciate it.

The pending question before the Senate is the Motion by the Senator from Kennebec, Senator Speers that the following Joint Orders be indefinitely postponed: H. P. 1994, H. P. 2004, H. P. 2128, H. P. 2168, H. P. 2180, H. P. 2177, H. P. 225, H. P. 2251, H. P. 2250, S. P. 745, H. P. 2262, H. P. 2271, H. P. 2281, S. P. 762, H. P. 2277, and S. P. 764.

The Chair recognizes the Senator from Kennebec, Senator Speers.

On Motion of Mr. Speers of Kennebec, Recessed until the sound of the Bell.

Recess

After Recess

Senate called to order by the President.

The PRESIDENT: The Chair understands that the Senator from Kennebec, Senator Speers, now requests leave of the Senate to withdraw his motion to indefinitely postpone the several Joint Orders.

Is it the pleasure of the Senate to grant this leave? It is a vote.

The Chair recognizes the Senator from Penobscot, Senator Cummings.

Mrs. CUMMINGS: Mr. President, the other fair Legislator and I would like to grant permission to whichever gentlemen would like to remove their jackets.

The PRESIDENT: The Senator from Penobscot, Senator Cummings, now moves that the various Senators in the Chamber be allowed to remove their jackets if they so desire. Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the Senator from Aroostook, Senator Collins.

Mr. COLLINS: Mr. President, having voted on the prevailing side, I move that we reconsider our action whereby we enacted L. D. 2074.

On Motion of Mr. Speers of Kennebec, Tabled until later in Today's Session, pending the motion to reconsider.

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

Mr. TROTZKY: Mr. President, I move that the Senate reconsider its action whereby L. D. 1970 was Passed to be Enacted.

On Motion of Mr. Speers of Kennebec, Tabled until later in Today's Session, pending motion to reconsider.

The President laid before the Senate:

Joint Order — Relative to Fisheries and Wildlife Committee Reporting out a Bill Revising the Statutes Relating to Inland Fisheries and Wildlife. (H. P. 1994)

Tabled — January 17, 1978 by Senator Speers of Kennebec

Pending — Passage

On Motion of Mr. Speers of Kennebec, Indefinitely Postponed in non-concurrence.

Sent down forthwith for concurrence.

The President laid before the Senate:

Joint Order — Relative to State Government Committee Studying the Feasibility of Establishing a State Department of Housing and Community Development. (H. P. 2004)

Tabled — January 18, 1978 by Senator Speers of Kennebec

Pending — Passage

On Motion of Mr. Speers of Kennebec, Indefinitely Postponed in non-concurrence.

Sent down forthwith for concurrence.

The President laid before the Senate:

Joint Order — Relative to Legal Affairs Committee Studying the Present Law Enforcement Situation in Maine. (H. P. 2128)

Tabled — February 24, 1978 by Senator Speers of Kennebec

Pending — Passage

On Motion of Mr. Speers of Kennebec, Indefinitely Postponed in non-concurrence.

Sent down forthwith for concurrence.

The President laid before the Senate:

Joint Order — Relative to the Health and Institutional Services Committee Studying the County Jail System. (H. P. 2168)

Tabled — March 2, 1978 by Senator Speers of Kennebec

Pending — Passage

On Motion of Mr. Speers of Kennebec, Indefinitely Postponed in non-concurrence.

Sent down forthwith for concurrence.

The President laid before the Senate:

Joint Order — Relative to Labor Committee Studying the Employment Security Act and the State Unemployment Compensation Fund. (H. P. 2180)

Tabled — March 6, 1978 by Senator Speers of Kennebec

Pending — Passage

On Motion of Mr. Speers of Kennebec,

Passed in concurrence.

The President laid before the Senate:

Joint Order — Relative to Natural Resources Committee Studying Improved Methods to Prevent or Control Erosion. (H. P. 2177)

Tabled — March 6, 1978 by Senator Speers of Kennebec

Pending — Passage

On Motion of Mr. Speers of Kennebec, Passed in concurrence.

The President laid before the Senate:

Joint Order — Relative to Transportation Committee Studying Reviewing and Evaluating the Subject of Revenues Produced at Private Air Strips (H. P. 2225)

Tabled — March 13, 1978 by Senator Speers of Kennebec

Pending — Passage

On Motion of Mr. Speers of Kennebec, Passed in concurrence.

The President laid before the Senate:

Joint Order — Relative to Establishing a Joint Study Commission on Insurance Laws to Study and Recommend Revisions of the Insurance Laws. (H. P. 2251)

Tabled — March 15, 1978 by Senator Speers of Kennebec.

Pending — Passage

Joint Order — Relative to Health and Institutional Services Committee Studying the Principles of Reimbursement and Their Provisions for Rehabilitative and Restorative Services (H. P. 2250)

Tabled — March 15, 1978 by the Senator Speers of Kennebec

Pending — Passage

On Motion of Mr. Speers of Kennebec, Indefinitely Postponed in non-concurrence.

Sent down forthwith for concurrence.

The President laid before the Senate:

Joint Order — Relative to Agriculture Committee Studying the Subject of Arborists Taking Down Trees by Topping or Sections. (S. P. 745)

Tabled — March 16, 1978 by Senator Speers of Kennebec

Pending — Passage

On Motion of Mr. Speers of Kennebec, Indefinitely Postponed.

The President laid before the Senate:

Joint Order — Relative to Judiciary Committee be Authorized to Study, Receive and Print the Recommendations, Report and Draft Legislation of the Probate Law Provision Commission (H. P. 2262)

Tabled — March 16, 1978 by Senator Speers of Kennebec

Pending — Passage

On Motion of Mr. Speers of Kennebec, passed in concurrence.

The President laid before the Senate:

Joint Order — Relative to Taxation Committee Studying the Tree Growth Tax Law. (H. P. 2271)

Tabled — March 17, 1978 by Senator Speers of Kennebec

Pending — Passage

On Motion of Mr. Speers of Kennebec, Indefinitely Postponed in non-concurrence.

Sent down forthwith for concurrence.

The President laid before the Senate:

Joint Order — Relative to a Joint Select Committee be Created to Study the Vocational-Technical Institutes and the Maine School of Practical Nursing. (H. P. 2281)

Tabled — March 21, 1978 by Senator Speers of Kennebec

Pending — Passage

On Motion of Mr. Speers of Kennebec, Passed in concurrence.

The President laid before the Senate:

Joint Order — Relative to a Joint Select Committee on Health Education Reviewing the Progress of Local Educational Units in Establishing Comprehensive School Health Programs. (H. P. 2277)

Tabled — March 22, 1978 by Senator Speers of Kennebec  
Pending — Passage

The President laid before the Senate:

Joint Order — Relative to Performance Audit Committee Studying the Methods and Procedures for Computing and Collecting the Excise Tax on Motor Vehicles Among the Various Municipalities. (S. P. 762)

Tabled — March 22, 1978 by Senator Speers of Kennebec.

Pending — passage.

Joint Order — Relative to a Joint Select Committee on Domestic Violence be Established to Study the Problem of Domestic Violence. (S. P. 764)

Tabled — March 22, 1978 by Senator Speers of Kennebec.

Pending — Passage.

The President laid before the Senate:

Joint Order — Relative to a Joint Select Committee on Property Taxation of Utilities be Established to Study the Question of the Benefits Conferred upon Municipalities and Utility Ratepayers by Property Taxes Paid by Utilities. (H. P. 2325)

Tabled — Earlier in the Day by Senator Speers of Kennebec

Pending — Passage

On Motion of Mr. Speers of Kennebec, Passed in concurrence.

The President laid before the Senate:

Joint Order — Relative to the Business Legislation Committee Studying the Problem of Insurance in the Vocational Schools. (H. P. 2305)

Tabled — Earlier in the Day by Senator Speers of Kennebec

Pending — Passage

House Amendment "A" Read and Adopted. On Motion of Mr. Speers of Kennebec, this Joint Order, as amended, Passed in concurrence.

Out of order and under suspension of the rules, the Senate voted to consider the following:

#### Paper from the House Joint Order

An Expression of Legislative Sentiment recognizing that:

Chief Lyman J. Kane is entering retirement after 31 years of dedicated law enforcement services to the Town of Bar Harbor, (H. P. 2331)

Comes from the House, Read and Passed. Which was Read and Passed in concurrence.

#### Joint Order

Joint Order Re: 19-A. Reporting out of Errors and Inconsistencies. (S. P. 769)

In the Senate, March 24, 1978, Read and Passed.

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

The Senate voted to Recede and Concur.

#### Enactor

The Committee on Engrossed Bills reports as truly and strictly engrossed the following: "An Act to Facilitate Recruitment and Retention of Outstanding Persons for Policy-making Positions in State Service." (Emergency) (S. P. 672) (L. D. 2076)

Comes from the House, Bill and Papers, Indefinitely Postponed.

Which was passed to be Enacted and signed by the President.

Sent down forthwith for concurrence.

On Motion of Mr. Speers of Kennebec, Re-

cessed until the sound of the Bell.

#### Recess

#### After Recess

Senate called to order by the President.

The President laid before the Senate: Bill, "An Act to Provide for Alternative Election Procedures for School Budgets on a Local Basis." (H. P. 1909) (L. D. 1970)

Tabled — Earlier in the day by Senator Trotzky of Penobscot

Pending — the Motion to reconsider.

The PRESIDENT: Is it the pleasure of the Senate to reconsider its action?

Will all those in favor of reconsideration please say yes.

Will all those opposed please say no.

The Chair is in doubt and will order a Division.

Will all those Senators in favor of reconsideration please rise in their places to be counted.

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

16 Senators having voted in the affirmative and 12 Senators in the negative, the Motion to reconsider does prevail.

The Chair recognizes the Senator from Penobscot, Senator Trotzky.

Mr. TROTZKY: Mr. President, I move that L. D. 1970 be indefinitely postponed.

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

Mr. MERRILL: Mr. President and colleagues of the Senate, I would request that when the vote is taken that it be taken by the yeas and nays.

The PRESIDENT: A Roll Call has been requested. In order for the Chair to order a Roll Call it must be the expressed desire of one-fifth of those Senators present and voting.

Will all those in favor of a Roll Call please rise in their places to be 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 Penobscot, Senator Trotzky, that L. D. 1970 and all its accompanying papers be Indefinitely Postponed.

A yes vote will be in favor of Indefinite Postponement.

A nay vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

#### ROLL CALL

YEA — Chapman, Collins, D; Collins, S; Cummings, Greeley, Hewes, Hichens, Huber, Jackson, McNally, Morrell, Pierce, Redmond, Snowe, Speers, Trotzky, Wyman.

NAY — Carpenter, Conley, Danton, Farley, Katz, Levine, Mangan, Martin, Merrill, Minowsky, O'Leary, Pray, Usher.

ABSENT — Curtis, Lovell.

17 Senators having voted in the affirmative and 13 Senators in the negative, with 2 Senators being absent, the Motion to Indefinitely Postpone in non-concurrence, does prevail.

Sent down forthwith for concurrence.

On Motion of Mr. Huber of Cumberland, Receded until the Sound of the Bell.

#### Recess

#### After Recess

Senate called to order by the President.

Mr. Conley of Cumberland, was granted unanimous consent to address the Senate on the record.

Mr. CONLEY: Mr. President and Members of the Senate: I have been a member of the Legislature, as many of you know, for approximately 14 years and I have never been so humiliated or ashamed to be a member of this

legislature after what I have just heard while listening to what was going on at the other end of the hall. For a member of my party to attack the personality of the presiding officer of this Body unfoundly charging him with alleged intoxication made me sick to my stomach.

I have known the presiding officer for many years. I have served on the Appropriations Committee with him for four of those years. He has been the presiding officer here, I believe, for four years. I had the occasion of being out to supper with him and in the period of time, and I know that you are all aware of the fact that I do not indulge, but never on any occasion that I have been in the presence of this presiding officer has he ever been out of line in any way outside, never mind to mention within these Chambers. And I think that it is an outright disgrace that anyone would ever make the remarks or imply through innuendo what was stated in the House of Representatives a few moments ago.

Mr. President, I wish to apologize to you for the action taken by that individual.

The PRESIDENT: The Chair thanks the Senator.

Mr. Danton of York was granted unanimous consent to address the Senate on the record.

Mr. DANTON: Mr. President, and Members of the Senate: I have served in this Legislature for four terms. I like to believe that I have served with honor and dignity. I would like to believe that the men and women that I have served with for the last eight years have also served with honor and dignity. To hear remarks like I just heard a few moments ago were certainly out of line. To begin with, they should not have been allowed to carry on any further perhaps than the first few words.

I have been a member of the minority party in this Senate Chamber. The first President I served with was Kenneth MacLeod, I found him as the presiding officer of this body to be an honorable man. For the last two terms, President Sewall, you have been the presiding officer and I have found you to be nothing but the same. I want you to know that if you feel that the Democratic Party attacked you, that is not so, maybe one or two individuals did but not my party. I am sure you can appreciate the fact that we Democrats can have different views, can take different positions, but I do not think that we Democrats in toto are going to resort to some of the rhetoric that I heard come from the other body.

So I too Mr. President want to apologize to you for some members of my party who, for attacking you in the manner in which they did.

The PRESIDENT: The Chair thanks the Senator.

Mr. Merrill of Cumberland was granted unanimous consent to address the Senate on the record.

Mr. MERRILL: Mr. President and Members of the Senate: The first session that I was in this body as we came near the end of the session the good Senator from Kennebec, Senator Katz took me aside and warned me of the pressures that come with the end of the legislative session and told me when in doubt that good council would be to say nothing. Well, I am sure that I am standing testimony of the fact that I did not follow the advice as rigorously as some would have had me do so, but it was good advice and I think that we saw tonight an example of why that advice is well taken. There are pressures and there are concerns in the last hours of the session. People said some things that I am sure they will regret much more than the people who were the targets of what was being said.

My only hope would be that the people who remember this session and the people who report it will focus on the truly important things and will put what was said here tonight in the context that I think is proper context and

that is that people were speaking intemperately and I think that I would hope that the press would focus on what this Legislature has accomplished. It has accomplished a significant amount of tax relief for the people of Maine and I hope that will be a story that will certainly be more important than the intemperate remarks here at the end of the session. We responded to the challenge school funding problem as opposed to us by the voters last December and I hope that will be noted. We finally have taken some steps to deal with the automatic fuel adjustment charge in response to the consumers of electricity around the state and I hope that that will be an important story as to what we have done here. We provided significant help for the mentally retarded in our state and I would hope that that would be a more important story for them than a few intemperate words and we provided for an improved elderly drug program and I would hope that that would be a more important story.

In short, I think that there are a lot of things of significance that happened here today and have happened here in the last few weeks and I hope that those will be focused upon and those will be the important issues that people would remember this Legislature for and not the fact that a few people in the early hours of the morning said some things that were obviously represented of bad judgment, inaccurate, and unnecessary. There is no way to erase what is said, but there is certainly the ability to put it in the context of what you belong and I think that in that context it should be given very little credence either way.

Mr. Carpenter of Aroostook was granted unanimous consent to address the Senate on the record.

Mr. CARPENTER: Mr. President and Ladies and Gentlemen of the Senate: I guess I want to echo the remarks of my colleague, the Senators from Cumberland, Senator Merrill and Conley and the Senator from York, Senator Danton about what has gone on here. Earlier this evening I was quite disturbed about the actions of this Body. Actions which had absolutely unequivocally had nothing to do with any allegations that came down from the other Body.

I think what concerns me more than anything else is exactly what the Senator from Cumberland, Senator Merrill just commented on, the positive things that will perhaps now be overlooked by the people of the State of Maine and it sort of reflects a pet fear of mine. Each election it seems like we have fewer and fewer people that get involved with the election process. I was thinking about it today as I was over at the Secretary of State's Office looking at blank page after blank page of candidates running for office and I go back home and no matter what we did today we all know what the topic of conversation will be when we all get back home. I think that is just so sad and I feel. I have only been here four years and I am extremely saddened by the events this morning and I would add my apologies to the presiding officer of this Body along with those who have already been echoed and I just implore the people that are in this Chamber both members and here as guests observing the actions tonight and the reporters to accentuate the positive, the things that have been done by this and previous Legislatures and future Legislatures. We are in a legislative system by design is imperfect. We strive for perfection. I consider the 184 members of this Body, this Legislative Body to be the most honorable and forthright hard working and dedicated people and I say this back home people look at me and they wonder how young and naive I am and I come down here, and I came down here four years ago and I am as idealistic now as I was when I came down and it bothers me, it scares me when things happen such as happened this morning. I wonder how many people now will

be turned off on what has proven to be, as far as I am concerned, the finest governmental process ever on the face of this earth and I just deplore what has happened and I guess the anger that I felt earlier over the issues has now been clouded by a sadness over issues that in fact were not the reality and I want to emphasize that to all the people of the State of Maine. I am very sad and I apologize.

The PRESIDENT: The Chair thanks the Senator.

Mr. Farley of York was granted unanimous consent to address the Senate on record.

Mr. FARLEY: Mr. President and Members of the Senate: I too would like to apologize for the members of my party and the members of the other body who have made such damaging remarks.

I can only bring to mind a little phrase that was quoted to me by a nun 20 to 25 years ago, and it went something like this, "big people talk about ideas, average people talk about themselves, and small people talk about other people".

Out of Order and under suspension of the rules, the Senate voted to consider the following:

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

Bill, "An Act to Provide for Alternative Election Procedures for School Budgets on a Local Basis." (H. P. 1909) (L. D. 1970)

In the House, March 21, 1978, Passed to be Enacted.

In the Senate, March 24, 1978, Indefinitely Postponed, in non-concurrence.

Comes from the House, that Body having Adhered.

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

Mr. KATZ: Mr. President, the Committee on Education set its usual record at having more bills before this session than any other committee. Of all the Bills that we had, there was probably none that was smaller in scope than the ones that caused this big flap.

Mr. President if I seem to be a little unsteady on my feet it is because I notice that the sun is getting ready to rise and I am quite tired.

This Bill came before our Committee and it had to do with an alternate way of adopting school budgets. I did not like anything about it, I felt that it was the kind of bill that would hurt rather than help. When a conference committee was proposed I served on the Conference Committee and it was in one of my good days when I was very obliging, the sponsor was a fine young man about to get married and in one of my rare bursts of good humor I said to myself I am going to try to help this young man develop a bill that will not hurt the state and might conceivably help it. So along came L. D. 1970 in its present form, and the Senate may notice that I have continued to vote for this bill all through this long night although between me and thee I really do not like it at all, but it seemed to be the best effort that I could to lend a helping hand to a young man who I felt was going to be around and develop into a good legislator so I have voted for it consistently and I guess that is about all I want to say, except that I move that the Senate recede and concur.

On Motion of Mr. Katz of Kennebec, the Senate voted to Recede and Concur.

Presented by the Secretary to the Governor.

The President laid before the Senate:  
"An Act Appropriating Funds to Establish Emergency Shelters for Family Members who are Victims of Family Violence." (H. P. 1979) (L. D. 2074)

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

Mr. COLLINS: Mr. President, I request leave of the Senate to withdraw my motion.

The PRESIDENT: The Senator from Aroos-

took, Senator Collins, now requests leave of the Senate to withdraw his motion to reconsider. Is it the pleasure of the Senate to grant this leave? It is a vote.

Presented by the Secretary to the Governor for his approval.

On Motion of Mr. Speers of Kennebec,  
Adjourned until 10:00 in the morning, Thursday, April 6, 1978.