

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred and Ninth
Legislature

OF THE
STATE OF MAINE

Volume II

First Regular Session

May 7, 1979 to June 15, 1979

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HOUSE

Friday, June 8, 1979

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Reverend George Hammond, United Baptist Church, Ellsworth.

Reverend HAMMOND: Our Heavenly Father, we thank Thee this morning that you watch over the affairs of men, that you trust us to do your work in this place for the people of our state.

We ask Thee, Lord, that you give us patience and understanding and wisdom that is far beyond that which we normally exercise on our own part, and that you will lead us to be effective leaders in our state and on behalf of our people. We ask it in the name of our gracious Master. Amen.

The journal of yesterday was read and approved.

Committee of Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Protect Management Personnel Where Unjustly Discharged or Involuntarily Retired" (H. P. 748) (L. D. 957) ask leave to report: that they are unable to agree

(Signed)

Messrs. THERIAULT of Rumford
BAKER of Portland
GRAY of Rockland

—of the House.

Messrs. SUTTON of Oxford
LOVELL of York
PRAY of Penobscot

—of the Senate.

The Report was read and accepted and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Papers from the Senate

The following Communication:
THE SENATE OF MAINE
Augusta

June 7, 1979

The Honorable Edwin H. Pert
Clerk of the House
109th Legislature
Augusta, Maine 04333
Dear Clerk Pert:

The Senate today voted to Adhere to its earlier action on Bill, An Act to Reestablish the Boundary Line between Winslow and China. (H. P. 834) (L. D. 1031)

Respectfully,
S/MAY M. ROSS
Secretary of the Senate

The Communication was read and ordered placed on file.

An Expression of Legislative Sentiment recognizing that: the Westbrook High School Girls' Track Team has won the State Class "A" Girls' Track Championship for 1979 (S. P. 615) Came from the Senate read and passed.

In the House, was read and passed in concurrence.

Non-Concurrent Matter

Bill, "An Act to Require that all Public Employees be Paid at Least the Federal Minimum Wage" (H. P. 435) (L. D. 552) (H. "A" H-258; C. "A" H-238) Passed to be Enacted in the House on May 2, 1979.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-238) as amended by Senate Amendment "B" (S-329) and House Amendment "A" (H-258) thereto in non-concurrence.

In the House: The House voted to recede and concur.

Messages and Documents

The following Communications:
MAINE ADVISORY COUNCIL
ON VOCATIONAL EDUCATION

June 7, 1979

To Members of the 109th Legislature

The Maine Advisory Council on Vocational Education (MACVE) is pleased to forward to the members of the 109th Legislature a copy of its Ninth Annual Report.

MACVE is a policy advisory body to the State Board of Education. It is mandated by Public Law 94-482, The Educational Amendments of 1976. Each year, the Annual Report is the vehicle which carries the recommendations to the State Board.

The Annual Report was presented to the State Board in December of 1978. The position papers were written in the spring and summer of 1978 and were presented to the State Board as they were developed. The position paper on the governance of the vocational technical institutes (VTI's) was also made available to the Joint Select Committee established by the Legislature to study the VTI's.

MACVE members are dedicated to helping Maine improve vocational education in order to develop Maine's best natural resources — its people.

Sincerely,

S/CHRISTINE SZIGETI-JOHNSON
Executive Director

The Communication was read and ordered placed on file.

MAINE STATE HOUSING AUTHORITY

June 6, 1979

Members of the 109th Legislature
State Capitol Building
Augusta, Maine 04333

Dear Members:

We are pleased to forward to you the 1978 Annual Report of the Maine State Housing Authority which describes our efforts and accomplishments during the past year. We hope you enjoy it.

Sincerely,

S/GENEVIEVE K. GELDER
Director

The Communication was read with accompanying Reports ordered placed on file.

Orders

The following Expressions of Legislative Sentiment, recognizing that: (H. P. 1516) Linda E. Abromson has served with devotion on the Portland School Committee,

Presented by Mrs. Beaulieu of Portland.

The Order was read and passed and sent up for concurrence.

(H. P. 1515) William R. Harris, South Portland, has retired after coaching for 25 years in the South Portland National Little League and dedicating his efforts and services to the physical and sportsmanlike conduct of the game of baseball and to the youth of South Portland,

Presented by Mr. Cloutier of South Portland.

The Order was read and passed and sent up for concurrence.

(H. P. 1514) The Town of Kennebunkport has been presented for the second time with a Tree City U. S. A. Award for excellence in its community forestry program,

Presented by Mr. Hanson of Kennebunkport.

The Order was read and passed and sent up for concurrence.

(H. P. 1513) Fort Kent Chapter of Maine Jaycees has been selected as the Number One Chapter in the State of Maine for 1979 by The Maine State Jaycees,

Presented by Mr. Barry of Fort Kent, (Co-sponsors: Mr. Martin of Eagle Lake and Senator Martin of Aroostook)

The Order was read and passed and sent up for concurrence.

(H. P. 1512) Virginia D. O'Keefe of Orono, is retiring after 25 years of dedicated service at the Orono Public Library and to the citizens of that community,

Presented by Miss Gavett of Orono.

The Order was read and passed and sent up for concurrence.

(H. P. 1511) Anna Marie Roberts recently retired after having worked in the Caribou municipal office, with splendid enthusiasm and dedication, since 1934,

Presented by Mr. Peterson of Caribou (Co-sponsors: Mr. Matthews of Caribou and Senator McBreairey of Aroostook)

The Order was read and passed and sent up for concurrence.

(H. P. 1510) the Town of Wells is dedicating a new 70 acre recreation area in honor of Walter Marsh who, as chairman of the Wells Recreation Department for the past 5 years, has worked on this project with great affection,

Presented by Mrs. Wentworth of Wells.

The Order was read and passed and sent up for concurrence.

(H. P. 1520) Garrett K. Tilton and Donald Varney both of Readfield, have been selected to share the honor of valedictorian of the graduating class of 1979 at Maranacook Community School,

Presented by Mrs. Damren of Belgrade.

The Order was read and passed and sent up for concurrence.

(H. P. 1521) Katherine E. Ault of Wayne, has been selected as salutatorian of the graduating Class of 1979 at Maranacook Community School,

Presented by Mrs. Damren of Belgrade.

The Order was read and passed and sent up for concurrence.

Later Today Assigned

On Motion of Mr. MacEachern of Lincoln, the following Joint Order: (H. P. 1517)

WHEREAS, the Department of Inland Fisheries and Wildlife is funded with dedicated revenues; and

WHEREAS, enactment of environmental laws and other statutory responsibilities have placed a great burden upon the personnel and financial resources of the department; and

WHEREAS, license revenues fluctuate dramatically, and generally do not keep up with inflation; and

WHEREAS, the department has almost expended its surplus account, and revenue shortfalls are imminent; now, therefore, be it

ORDERED, the Senate concurring, subject to the Legislative Council's review and determinations hereinafter provided, that a Select Committee on Fisheries and Wildlife be established, comprised of 9 members to be constituted and appointed as follows: One member of the Joint Standing Committee on Appropriations and Financial Affairs; one member of the Joint Standing Committee on Taxation; one member of the Joint Standing Committee on State Government; 2 members of the Joint Standing Committee on Fisheries and Wildlife; 2 members of the public representing sportsman's associations; and 2 members of the public representing environmental organizations, all of whom shall be appointed by joint agreement of the President of the Senate and Speaker of the House of Representatives; and be it further

ORDERED, that the committee meet with the Department of Inland Fisheries and Wildlife to review operation and finances of the department; and be it further

ORDERED, that the committee shall consider, among other issues, alternatives for the long-term financing of the department; and be it further

ORDERED, that the committee shall report

its findings and recommendations, together with all necessary implementing legislation in accordance with the Joint Rules, to the Legislative Council for submission in final form at the Second Regular Session of the 109th Legislature; and be it further

ORDERED, that the committee shall hold its organizational meeting upon the call of the President of the Senate, and shall choose a chairman from among its membership, and shall organize its study at that time; and be it further

ORDERED, that the members of the committee shall serve without compensation, but may be reimbursed for their reasonable expenses in attending meetings, procuring supplies, correspondence and other related and necessary expenditures; and be it further

ORDERED, that the Legislative Council, before implementing this study and determining an appropriate level of funding, shall first ensure that this directive can be accomplished within the limits of available resources, that it is combined with other initiatives similar in scope to avoid duplication and that its purpose is within the best interests of the State; and be it further

ORDERED, upon passage in concurrence, that a suitable copy of this Order be forwarded to each member appointed to the committee and to the Commissioner of Marine Resources.

The Order was read.

On motion of Mr. Tierney of Lisbon Falls, tabled pending passage and later today assigned.

Tabled Unassigned

On Motion of Mr. Morton of Farmington, the following Joint Order (H. P. 1522) (Cosponsors: Mrs. Reeves of Pittston, Senator Perkins of Hancock and Senator Pierce of Kennebec)

WHEREAS, the citizens of Maine have a substantial need to continue and, where possible, to expand the availability of social, rehabilitation and certain related health services provided by local community agencies for residents of all ages and various income levels; and

WHEREAS, the cost of providing such services has increased dramatically for community agencies not only as a direct result of inflation eroding the value of the dollar, but also due to actions mandated by the State and Federal Governments; and

WHEREAS, citizens, through municipal and county governments, are overburdened by high property taxes and demands to support such services are increasing, state government action is needed to provide greater flexibility to combine local funds with available state and federal funds; and

WHEREAS, the Maine Legislature has appropriated \$1,836,124 in the Priority Social Services and Title XX Contingency accounts which now pay up to 100% of the cost of certain services without fully utilizing federal funds; and

WHEREAS, the Maine Legislature, with the intent of authorizing state funds to be matched with available federal funds, has enacted the Maine Revised Statutes, Title 22, section 6111, subsection 5 and the Public Laws of 1977, chapter 712, Part B, Department of Human Services. Children's Protective Services and Title XX Contingency Accounts; and

WHEREAS, up to \$7,500,000 of federal funds, which are available to the State of Maine, may be more effectively used and coordinated by the State to benefit Maine residents; and

WHEREAS, Maine residents and community agencies should know about and be given reasonable access to available funds; and

WHEREAS, more effective use and coordination of available funds would continue and expand services without tax increases by municipal, county, state or federal governments; now, therefore, be it

ORDERED, the Senate concurring, subject to the Legislative Council's review and deter-

minations hereinafter provided, that the Department of Human Services, under the leadership of the Commissioner and the Deputy Commissioner for Social and Rehabilitation Services and without interfering with the performance of its statutory duties, shall prepare a document containing a set of implementation guidelines which describes how services are to be provided, dollars allocated and funds disbursed under various state plans, and includes a description of:

1. How to continue and, where possible, expand the availability of social, rehabilitation and certain related health services provided by local community agencies to Maine citizens by more effectively using and coordinating the expenditure of state funds, particularly those appropriated for priority social services and the Title XX Contingency accounts. The guidelines shall provide for matching funds, as appropriate and to the fullest extent possible, with federal funds, particularly those available under the United States Older Americans Act or the United States Social Security Act, Titles XIX and XX;

2. How the department intends to improve accountability and simplify oversight of policy and funding decisions affecting such services;

3. How the department proposes to respond to proposed redrafts of, to related policy and practice matters and to the subject matter of L. D. 1293, "An Act to Establish the Maine Title XX Social Services Act," and L. D. 1501, "An Act to Permit Priority Social Services Program Money to be Used as Matching Funds for Federal Money," which were presented before the First Regular Session of the 109th Legislature; and

4. Any legislation necessary to implement the report; and be it further

ORDERED, that the guidelines throughout their development and implementation shall be prepared by the Department of Human Services with the joint advice of the Maine Human Services Council and the Maine Committee on Aging. The council and committee jointly shall conduct hearings during July, 1979 in various areas of the State and they shall be a vehicle for affected parties to participate in preparation of the guidelines. The department shall report its guidelines no later than September 19, 1979 to the Joint Standing Committee on Appropriations and Financial Affairs; and be it further

ORDERED, that the Joint Standing Committee on Appropriations and Financial Affairs report its findings and recommendations, together with all necessary implementing legislation in accordance with the Joint Rules, to the Legislative Council for submission in final form at the Second Regular Session of the 109th Legislature; and be it further

ORDERED, that the Legislative Council, before implementing this study and determining an appropriate level of funding, shall first ensure that this directive can be accomplished within the limits of available resources, that it is combined with other initiatives similar in scope to avoid duplication and that its purpose is within the best interests of the State; and be it further

ORDERED, upon passage in concurrence, that a suitable copy of this Order shall be forwarded to members of the committee.

The Order was read.

On motion of Mr. Tierney of Lisbon Falls, tabled unassigned.

House Reports of Committees Ought to Pass in New Draft

Mr. Pearson from the Committee on Appropriations and Financial Affairs on Bill "An Act to Upgrade, Construct and Maintain Court Facilities" (H. P. 927) (L. D. 1167) reporting "Ought to Pass" in New Draft (H. P. 1519) (L. D. 1677)

The Report was read and accepted and the New Draft read once.

Under suspension of the rules, the New Draft was read the second time, passed to be engrossed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Ought to Pass Pursuant to Joint Order H. P. 1485 Later Today Assigned

Mr. Boudreau from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for the Pratt and Whitney Industry Training Program" (Emergency) (H. P. 1518) (L. D. 1676) reporting "Ought to Pass"—pursuant to Joint Order (H. P. 1485) The Report was read.

On motion of Mr. Tierney of Lisbon Falls, tabled pending acceptance of the Committee Report and later today assigned.

Consent Calendar First Day

(H. P. 1265) (L. D. 1514) Bill "An Act to Allocate Moneys for the Administrative Expenses of the Bureau of Alcoholic Beverages, Department of Finance and Administration and the State Liquor Commission for the Fiscal Years Ending June 30, 1980 and June 30, 1981" Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-695)

(H. P. 191) (L. D. 240) Bill "An Act to Provide More Adequate Compensation to Municipal Clerks and Municipalities for Certain Duties Performed for the State" Committee on Local and County Government reporting "Ought to Pass" as amended by Committee Amendment "A" (H-694)

No objections having been noted, under suspension of the rules, the above items were given Consent Calendar Second Day notification.

No objections having been noted to the Consent Calendar Second Day, under suspension of the rules, the House Papers were passed to be engrossed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Finally Passed Emergency Measure

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Kennebec County for the Year 1979 (H. P. 1481) (L. D. 1668)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 112 voted in favor of same and 3 against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Emergency Measure

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Cumberland County for the Year 1979 (H. P. 1482) (L. D. 1669)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the gentleman from Yarmouth, Mr. Jackson.

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: I think, at this point, a couple of things have to be said about the Cumberland County budget and I will try to make them brief. They have been bothering me for a number of years. I am going to vote against the budget. I am not going to ask for a roll call on it. If any of you feel that you have to do that, fine, I am sure it probably will pass, but I think these things should be said.

There has been a committee in this legislature that has worked on this budget and worked very hard on it. Mrs. Nelson from Portland has headed the thing, she has put in tremendous amount of time, she has had some

very good volunteers that have helped her from the other delegation and a tremendous amount of work and time have been put in, but what has happened is typical of this budget every single year that I have been here and it is getting worse every year.

The Commissioners are in the position where they don't even have to draw a budget, they give us a piece of paper, which purports to be some ideas, that they haven't even looked at critically, in my view, and they expect us to make the budget for them. We go through the whole process of taking the budget apart and trying to arrive at some kind of a reasonable solution. Very often, they then come in with more changes in the final hours and expect us to put them in.

The whole system is wrong, it doesn't work properly, it needs reform, it needs work done on it.

This particular budget, the way it has been worked around, there is a 24 percent increase in Human Services. Much of this has come where the City of Portland has tried to cut their budget and these things have found their way into the county budget. I don't object to what has been done because I think we have weighed and I think we have made some very hard decisions, but I don't think that we should have to build the Cumberland County budget from scratch, and we see this every single year and we go through this every year.

I feel a tremendous sense of frustration on it and I hope very much that we will see some reform in county budgets and the whole way they are handled, and I hope we are going to see it darn soon.

The SPEAKER: This being an emergency measure, it requires a two-thirds vote of all the members elected to the House. All those in favor of this Resolve being finally passed will vote; those opposed will vote no.

A vote of the House was taken.

111 having voted in the affirmative and 9 having voted in the negative, the Resolve was finally passed.

Signed by the Speaker and sent to the Senate.

Passed to be Enacted

An Act Relating to Nonprofit Hospital or Medical Service Organizations and Insurance Companies (S. P. 357) (L. D. 1105) (C. "A" S-286)

An Act to Conform Land Use Regulation in the Unorganized Territory to Statewide Standards (S. P. 415) (L. D. 1289) (C. "A" S-298)

An Act Relating to the Licensing of Auctioneers (S. P. 430) (L. D. 1379) (C. "A" S-292)

An Act to Protect Subcontractors from Non-payment on Certain Contracts with the Department of Transportation (S. P. 594) (L. D. 1667)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Later Today Assigned

An Act to Remove Restrictions on Eligibility under the Elderly Householders Tax and Rent Refund Act based on Marital Status (H. P. 24) (L. D. 41) (C. "A" H-653)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Brenerman.

Mr. BRENERMAN: Mr. Speaker and Members of the House: The Bureau of Taxation has supplied us with a revised appropriation for this bill and we are preparing an amendment to the bill. I would ask that someone table this until later in today's session.

On motion of Mr. Howe of So. Portland, tabled pending passage to be engrossed and later today assigned.

An Act to Exempt Used Machinery from the Sales Tax (H. P. 514) (L. D. 629) (C. "A" H-655)

An Act to Amend the Maine Traveler Information Services Law (H. P. 1179) (L. D. 1535) (C. "A" H-619)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

The second item of Unfinished Business was taken up out of order by unanimous consent:

Bill, "An Act Relating to Access, Copying and Release of Medical Records" (H. P. 935) (L. D. 1165) — In House, Passed to be Engrossed as amended by Committee Amendment "A" (H-491) as amended by House Amendment "B" (H-530) thereto (Minority Report) on May 30. — In Senate, Majority "Ought Not to Pass" Report Accepted.

Tabled—June 7 (Till Later Today) by Mr. Tierney of Lisbon.

Pending—Further Consideration.

On motion of Mrs. Kany of Waterville, the House voted to recede.

On motion of the same gentlewoman, House Amendment "B" to Committee Amendment "A" was indefinitely postponed.

On further motion of the same gentlewoman, Committee Amendment "A" was indefinitely postponed.

The same gentlewoman offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-696) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Tarbell.

Mr. TARBELL: Mr. Speaker, once again, I think out of courtesy, we ought to have an explanation of these amendments as they come along in the last few days, and I so request.

The SPEAKER: The Chair recognizes the gentlewoman from Waterville, Mrs. Kany.

Mrs. KANY: Mr. Speaker, Ladies and Gentlemen of the House: The amendment is a briefer portion of the original bill, L. D. 1165, which is "An Act Relating to Access, Copying and Release of Medical Records." If you have your amendment before you, and I know you have such a sea of amendments, but if you could pull out your blue amendment, filing number H-696, I think it would help. It shows the existing law and the changes to it.

Presently, ex-patients of hospitals are allowed two copies of their medical records, and if the institutions believe that it is medically contra-indicated, then that individual can have an authorized representative do that instead. Part of the problem with the existing law is that a juvenile could be the ex-patient and the existing law would allow another juvenile even to be the authorized representative. So, one of the suggestions is to make sure that that authorized representative would be an adult.

Does Representative Tarbell have any questions so far? Secondly, the bill would also allow copying of medical records for patients within nursing homes. We are not waiting until people are ex-patients in nursing homes because, unfortunately, some people never leave nursing homes, so it seemed only fair to allow them to have access to their medical records while they are patients within that nursing home.

Thirdly, and this is part of the original bill, and my favorite part, and one part in which no one within the medical profession or the hospital administration profession seemed to have any problems with, and that is, at the present time, someone seeking medical treatment will often, before they receive that medical treatment, particularly within a hospital, sign a release in which their medical records can be released to an insurance company or to anyone else and that release, generally, is for unlimited period of time.

The bill would call for the requirement that that release be limited to two years. I don't think that is unreasonable at all. I think that most of us would agree that that was fair.

Within that release by law, finally you could

specify to whom you wanted those medical records released. For instance, if you only wanted it released to your insurance company, you could so specify and it would require the institution to keep a list of just whom you have released those medical records about your personal medical problems.

I would hope that the House would accept this amendment. I think it is a fair one and that we do pass it on to the Senate.

One thing about release, we hear a lot about "informed consent" and I kind of get a kick out of it when it talks about release of medical records. Even here we aren't going quite all the way as far as medical record release for a patient within a hospital for informed consent, because how the heck can you give informed consent to release information about yourself when you don't even know what that information is, but this is an attempt and a start in that direction to work towards informed consent or release of your medical records.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Higgins.

Mr. HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose one additional question, if I could, to the gentlelady from Waterville. One thing she didn't mention in the amendment is that she has added a new little clause that says, "the records shall be made available within a reasonable time, not to exceed 24 hours," and I don't have any particular problem with that because I am not familiar with the administrative process of hospitals or institutions. But I am wondering if she has had feedback from those as to whether or not this is too restrictive or would cause some problems within the industry?

The SPEAKER: The Chair recognizes the gentlewoman from Waterville, Mrs. Kany.

Mrs. KANY: Mr. Speaker, Ladies and Gentlemen of the House: The Committee on Aging, of course, older people, are very much interested in this bill and strongly support it and actually, the Committee on Aging, really preferred having immediate access to medical records. Forty-eight hours seems more like a reasonable time. Of course, hospitals are open seven days a week, 24 hours a day and so are nursing homes and 48 hours just seems to be more reasonable, perhaps, than immediate access.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Morton.

Mr. MORTON: Mr. Speaker, I would like to pose a question through the Chair with respect to Section 3 on Page 3, called penalties — I presume that is new language because it is underlined. I am wondering if there are any possible outlets for mistakes of an inadvertent nature. Does this mean that if information were to be released, without the proper authorization, that it is an automatic civil violation or is there any escape clause in the bill anywhere or in the law anywhere else?

The SPEAKER: The gentleman from Farmington, Mr. Morton, has posed a question through the Chair to anyone who may respond if they so desire.

The Chair recognizes the gentlewoman from Waterville, Mrs. Kany.

Mrs. KANY: Mr. Speaker, Ladies and Gentlemen of the House: I apologize for being on my feet again, but naturally that would have to be proved. It would be a civil violation. Right now, records can be released to anyone and it seemed that this was a reasonable approach to beginning to have some sort of way of limiting the release of such medical records.

Thereupon, House Amendment "A" was adopted.

The Bill was passed to be engrossed as amended by House Amendment "A" and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

By unanimous consent, all matters acted

upon were ordered sent forthwith to the Senate.

Mr. Jalbert of Lewiston was granted unanimous consent to address the House.

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I have just been handed by House Chairman Mr. Pearson a book that has in it every bill that is on the Appropriation Table, a copy of the bill, the cost of every bill, the whole works, and this is going to facilitate the work of the Appropriations Committee by hours, in my opinion, in going over the sheets, going back and forth, and it is also going to facilitate the watchdogs, the leaders, when it comes time. Speaking as the ranking member of the Appropriations Committee and every member of the House, I think that Mr. Pearson ought to be commended for a very, very fine job. (Applause)

(Off Record Remarks)

On motion of Mr. Kiesman of Fryeburg, recessed until the sound of the gong.

After Recess
12:00 noon

The House was called to order by the Speaker.

The following items appearing on Supplement No. 1 were taken up out of order by unanimous consent.

Passed to be Enacted

An Act to Remove Moose River from the Maine Forestry District (S. P. 4) (L. D. 4) (C. "A" S-304)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith to the Senate.

Later Today Assigned

An Act Relating to the Identification and the Hazards of Chemicals in the Work Area (H. P. 750) (L. D. 958) (S. "A" S-309 to C. "A" H-598)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Mr. Wyman of Pittsfield, tabled pending passage to be enacted and later today assigned.

Later Today Assigned

An Act to Define Suitable Work after the First Twelve Consecutive Weeks of Unemployment (H. P. 823) (L. D. 1023) (C. "A" H-344)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Mr. Wyman of Pittsfield, tabled pending passage to be enacted and later today assigned.

Later Today Assigned

An Act to Provide for County Self-government (H. P. 831) (L. D. 1038) (C. "A" H-659)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Mrs. Lewis of Auburn, tabled pending passage to be enacted and later today assigned.

An Act to Revise the Van Buren Light and Power District Charter (H. P. 836) (L. D. 1068) (C. "A" H-604)

An Act to Encourage Free and Open Competitions in Insurance Funded Repairs (H. P. 874) (L. D. 1064) (H. "B" H-663)

An Act Regarding Laws Relating to Town Lines (H. P. 1281) (L. D. 1534) (S. "A" S-325 and C. "A" H-507)

An Act to Clarify the Administration of the Department of Manpower Affairs (H. P. 1470) (L. D. 1658)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker

and sent to the Senate.

By unanimous consent, ordered sent forthwith to the Senate.

Later Today Assigned

Resolve, Authorizing and Directing the State Director of the Bureau of Public Lands to Convey the Interest of the State in Certain Islands in Muscongus Bay (H. P. 566) (L. D. 712)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Mr. Tierney of Lisbon Falls, tabled pending passage to be enacted and later today assigned.

The following item appearing on Supplement No. 2 was taken up out of order by unanimous consent:

Non-Concurrent Matter

Resolution, Proposing an Amendment to the Constitution of Maine to Maintain and Protect the Integrity of the Maine State Retirement System" (H. P. 780) (L. D. 973) which was passed to be engrossed as amended by House Amendment "A" (H-679) in the House on June 7, 1979.

Came from the Senate with that Body having Adhered to its former action whereby the Bill was passed to be engrossed as amended by Committee Amendment "A" (H-424) in non-concurrence.

In the House: The House voted to adhere.

By unanimous consent, ordered sent forthwith to the Senate.

The following item appearing on Supplement No. 3 was taken up out of order by unanimous consent:

Bill, "An Act to Expand the Authority of the Maine Turnpike Authority to Convey Interests in Land" (Emergency) (S. P. 618) (L. D. 1680)

Came from the Senate referred to the Committee on Energy and Natural Resources and ordered printed.

In the House, was referred to the Committee on Energy and Natural Resources in concurrence.

By unanimous consent, the fourth item of Unfinished Business was taken up out of order:

Bill, "An Act to Provide a State Income Tax Credit for Installation of a Wood Stove" (H. P. 851) (L. D. 1051)

Tabled—June 7 (Till Later Today) by Mr. Tierney of Lisbon.

Pending—Adoption of Committee Amendment "A" (H-687).

Mr. Leonard of Woolwich offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" (H-697) to Committee Amendment "A" (H-687) was read by the Clerk and adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

Under suspension of the rules, the Bill was read a second time, passed to be engrossed as amended and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

The Chair laid before the House the following matter:

House Joint Order (H. P. 1517) relative to a Select Committee on Fisheries and Wildlife being established to study alternatives for the long-term financing of the Department of Inland Fisheries and Wildlife which was tabled earlier in the day and later today assigned pending passage.

Mr. MacEachern of Lincoln offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-698) was read by the Clerk and adopted.

On motion of Mr. Tierney of Lisbon Falls, tabled unassigned pending passage.

(Off Record Remarks)

On motion of Mr. Jalbert of Lewiston, recessed until two o'clock in the afternoon.

After Recess
2:00 p.m.

The House was called to order by the Speaker.

At this point, by unanimous consent, the rules were suspended for the purpose of allowing members to remove their jackets.

The following items appearing on Supplement No. 4 were taken up out of order by unanimous consent.

The following Communications:

The Senate of Maine

Augusta

June 8, 1979

The Honorable Edwin H. Pert

Clerk of the House

109th Legislature

Augusta, Maine 04333

Dear Clerk Pert:

The Senate today voted to Adhere to its former action whereby it accepted the Minority Ought Not to Pass report on Bill, An Act to Create an Office of Housing Affairs. (H. P. 962) (L. D. 1240)

Respectfully,
S/MAY M. ROSS

Secretary of the Senate

The Communication was read and ordered placed on file.

The Senate of Maine
Augusta

June 8, 1979

The Honorable Edwin H. Pert

Clerk of the House

109th Legislature

Augusta, Maine 04333

Dear Clerk Pert:

The Senate today voted to Adhere to its action whereby it Indefinitely Postponed Bill, An Act Concerning Maine's Maternal and Child Health Care Program. (H. P. 1128) (L. D. 1505)

Respectfully,
S/MAY M. ROSS

Secretary of the Senate

The Communication was read and ordered placed on file.

The Senate of Maine
Augusta

June 8, 1979

The Honorable Edwin H. Pert

Clerk of the House

109th Legislature

Augusta, Maine 04333

Dear Clerk Pert:

The Senate today voted to Adhere to its former action whereby it accepted the Majority Ought Not to Pass report on Bill, An Act to Authorize a General Fund Bond Issue in the Amount of \$16,500,000 to Assist Municipalities with Solid Waste Management. (H. P. 906) (L. D. 1131)

Respectfully,
S/MAY M. ROSS

Secretary of the Senate

The Communication was read and ordered placed on file.

The Senate of Maine
Augusta

June 8, 1979

The Honorable Edwin H. Pert

Clerk of the House

109th Legislature

Augusta, Maine 04333

Dear Clerk Pert:

The Senate today voted to Adhere to its former action whereby it accepted the Majority Ought Not to Pass report on Bill, An Act to Provide for the Licensing of Denturists. (H. P. 1365) (L. D. 1598)

Respectfully,
S/MAY M. ROSS
Secretary of the Senate

The Communication was read and ordered placed on file.

The Senate of Maine
Augusta

June 8, 1979

The Honorable Edwin H. Pert
Clerk of the House
109th Legislature
Augusta, Maine 04333
Dear Clerk Pert:

The Senate today voted to Adhere to its former action whereby it accepted the Minority Ought Not to Pass report on Bill, An Act to Place an Annual Limit on Capital Expenditures Approved in Accordance with the Provisions of the Maine Certificate of Need Act of 1978. (S. P. 477) (L. D. 1474)

Respectfully,
S/MAY M. ROSS
Secretary of the Senate

The Communication was read and ordered placed on file.

The Chair laid before the House the following matter:

An Act Relating to the Identification and the Hazards of Chemicals in the Work Area (H. P. 750) (L. D. 958) (S. "A" S-309 to C. "A" H-598) which was tabled earlier in the day and later today assigned pending passage to be enacted.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The Chair laid before the House the following matter:

An Act to Define Suitable Work after the First Twelve Consecutive Weeks of Unemployment" (H. P. 823) (L. D. 1023) (C. "A" H-344) which was tabled earlier in the day and later today assigned pending passage to be enacted.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The Chair laid before the House the following matter:

An Act to Provide for County Self-government (H. P. 831) (L. D. 1038) (C. "A" H-659) which was tabled earlier in the day and later today assigned pending passage to be enacted.

On motion of Mr. LaPlante of Sabattus, retabled pending passage to be enacted and later today assigned.

The Chair laid before the House the following matter:

An Act to Remove Restrictions on Eligibility under the Elderly Householders Tax and Rent Refund Act based on Marital Status" (H. P. 24) (L. D. 41) (C. "A" H-753) which was tabled earlier in the day and later today assigned pending passage to be enacted.

On motion of Mrs. Post of Owl's Head, under suspension of the rules, the House reconsidered its action whereby this Bill was passed to be engrossed.

On further motion of the same gentlewoman, under suspension of the rules the House reconsidered its action whereby Committee Amendment "A" was adopted.

The same gentlewoman offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" (H-700) to Committee Amendment "A" (H-753) was read by the Clerk.

Mrs. POST: Mr. Speaker, Ladies and Gentlemen of the House: This amendment simply puts on a new fiscal note which has been supplied to us by the Bureau of Taxation, and it reduces the fiscal note on the bill from \$800,000 to 450,000.

Thereupon, House Amendment "A" to Com-

mittee Amendment "A" was adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto in non-concurrence and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

The following items appearing on Supplement No. 6 was taken up out of order by unanimous consent:

Ought to Pass in New Draft

Committee on Appropriations and Financial Affairs on Bill, "An Act Establishing Expenditure Limits for Federal Funds Expended by State Departments and Agencies for the Fiscal Year Ending June 30, 1980" (Emergency) (S. P. 486) (L. D. 1678) reporting "Ought to Pass" in New Draft (Emergency) (S. P. 616) (L. D. 1678)

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed.

In the House, the Report was accepted and the Bill read once.

Under suspension of the rules, the Bill was read a second time and passed to be engrossed in concurrence.

By unanimous consent, ordered sent forthwith to Engrossing.

Non-Concurrent Matter

Bill, "An Act to Determine what Environmental Laws Apply to Radioactive Waste Materials" (H. P. 799) (L. D. 1004) (C. "A" H-549) which was Passed to be Enacted in the House on June 7, 1979.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-549) as amended by Senate Amendment "B" (S-331) thereto in non-concurrence.

In the House: On motion of Mr. Blodgett of Waldoboro, the House voted to recede and concur.

By unanimous consent, ordered sent forthwith to Engrossing.

Non-Concurrent Matter

Bill, "An Act to Make the Attorney General's Explanations of Proposed Constitutional Amendments and Statewide Referenda more Available to the Voters" (H. P. 183) (L. D. 235) (S. "A" S-177 to C. "A" H-336) which was passed to be Enacted in the House on May 18, 1979.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-336) as amended by Senate Amendment "B" (S-342) thereto in non-concurrence.

In the House: The House voted to recede and concur.

By unanimous consent, ordered sent forthwith to Engrossing.

The following items appearing on Supplement No. 7 were taken up out of order by unanimous consent.

Non-Concurrent Matter

Bill, "An Act Extending Reimbursement to Municipal Clerks and Municipalities for Revenue Loss Due to Amendment of the Uniform Commercial Code" (Emergency) (H. P. 335) (L. D. 434) (C. "A" H-222) which was Passed to be Enacted in the House on April 25, 1979.

Came from the Senate, Passed to be Engrossed as Amended by Committee Amendment "A" (H-222) as Amended by Senate Amendment "A" (S-343) in non-concurrence.

In the House: The House voted to recede and concur.

By unanimous consent, ordered sent forthwith to Engrossing.

Consent Calendar

First Day

(S. P. 303) (L. D. 893) Bill "An Act to Increase the Reimbursement Rate to Residential Child Care Facilities" Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-341)

No objections having been noted, under suspension of the rules, the above items were given Consent Calendar, Second Day, notification.

No objections having been noted to the Consent Calendar Second Day, under suspension of the rules, the Senate Paper was passed to be engrossed in concurrence.

By unanimous consent, ordered sent forthwith to Engrossing.

The Chair laid before the House the following matter:

An Act to Provide for County Self-Government (H. P. 831) (L. D. 1038) (C. "A" H-659) which was tabled earlier in the day and later today assigned pending passage to be enacted.

On motion of Mr. LaPlante of Sabattus, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be engrossed.

On further motion of the same gentleman, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" was adopted.

The same gentleman offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" (H-701) to Committee Amendment "A" (H-659) was read by the Clerk.

Mr. LaPLANTE: Mr. Speaker, Ladies and Gentlemen of the House: This is an amendment that was agreeable with MMA and many people had objections to this bill. I would hope for passage.

The SPEAKER: The Chair recognizes the gentlewoman from Cape Elizabeth, Mrs. Masterton.

Mrs. MASTERTON: Mr. Speaker, Ladies and Gentlemen of the House: I hope that we don't adopt this amendment. I think it is very sloppy government; it would certainly prolong the budget process. I think those of us who have been interested in county reform this session are more interested in making the county commissioner visible to the public, and in the budget process, we certainly want the municipalities to have input but we want the commissioners to be accountable to the people, not to the municipalities.

So, I would urge you to vote against this amendment and vote against the bill. I would ask for a roll call.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one-fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question before the House is on adoption of House Amendment "A" to Committee Amendment "A". Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA—Aloupis, Austin, Bachrach, Barry, Berry, Berube, Blodgett, Bordeaux, Boudreau, Bowden, Brodeur, Brown, A.; Brown, D.; Brown, K. C.; Call, Carroll, Carter, D.; Cloutier, Conary, Cunningham, Damren, Davies, Davis, Dellert, Dexter, Doukas, Drinkwater, Dutremble, L.; Elias, Fowlie, Garsoe, Gavett, Gould, Gray, Gwadosky, Hall, Hanson, Hickey, Hobbins, Hughes, Hunter, Hutchings, Jackson, Jacques, E.; Jacques, P.; Jalbert, Joyce, Kany, Kelleher, Kiesman, Laffin, Lancaster, LaPlante, Leighton, Leonard, Lewis, Lizotte, Locke, Lougee, Lowe, Lund, MacEachern,

Mahany, Marshall, Martin, A.; Masterman, Matthews, McHenry, McKean, McMahon, McPherson, McSweeney, Michael, Mitchell, Morton, Nadeau, Nelson, A.; Paradis, Paul, Payne, Pearson, Peterson, Post, Rolde, Rollins, Roope, Sherburne, Simon, Small, Smith, Soulas, Stover, Studley, Tarbell, Theriault, Tierney, Torrey, Tozier, Tuttle, Twitchell, Vose, Wentworth, Wood, Wyman, The Speaker.

NAY—Baker, Beaulieu, Benoit, Brannigan, Brennerman, Brown, K. L.; Carrier, Carter, F.; Connolly, Cox, Curtis, Dutremble, D.; Fenlason, Fillmore, Gillis, Gowen, Howe, Immonen, Kane, MacBride, Masterton, Nelson, M.; Norris, Peltier, Prescott, Reeves, J.; Sewall, Sprowl, Stetson, Vincent, Violette.

ABSENT—Birt, Bunker, Chonko, Churchill, Diamond, Dow, Dudley, Higgins, Huber, Nelson, N.; Reeves, P.; Silsby, Strout, Whittemore.

Yes, 106; No, 31; Absent, 14.

The SPEAKER: One hundred six having voted in the affirmative and thirty-one in the negative, with fourteen being absent, House Amendment "A" to Committee Amendment "A" is adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" as amended House Amendment "A" thereto in non-concurrence and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

(Off Record Remarks)

The following paper appearing on Supplement No. 19 was taken up out of order by unanimous consent:

Ought to Pass

Pursuant to Joint Order S. P. 577

Committee on Judiciary on Bill "An Act to Make Additional Corrections of Errors and Inconsistencies in the Laws of Maine" (Emergency) (S. P. 581) (L. D. 1639) reporting "Ought to Pass" pursuant to Joint Order (S. P. 577)

Came from the Senate, with the Report read and accepted and the Bill Passed to be Engrossed as Amended by Senate Amendment "B" (S-328) as Amended by Senate Amendments "A" (S-332), "B" (S-334), "C" (S-335), "D" (S-336) and "E" (S-337) thereto.

In the House, the Report was read and accepted in concurrence and the Bill read once.

Senate Amendment "B" (S-328) was read by the Clerk.

Senate Amendment "A" to Senate Amendment "B" (S-332) was read by the Clerk and adopted.

Senate Amendment "B" to Senate Amendment "B" (S-334) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Connolly.

Mr. CONNOLLY: Mr. Speaker, I move that Senate Amendment "B" to Senate Amendment "B" be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Waldoboro, Mr. Blodgett.

Mr. BLODGETT: Mr. Speaker, Ladies and Gentlemen of the House: I would urge you not to kill this bill but to pass it, because it is consistent with the rest of the school laws, education laws. The CST's were inadvertently left out over the years as SAD's and other school districts were developed. The legal staff would agree entirely that it is consistent with the present law.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Connolly.

Mr. CONNOLLY: Mr. Speaker and Members of the House: This particular amendment would give community school districts the power of eminent domain. Now, I don't know how most of you in this body feel about giving our governmental bodies the power of eminent domain, but I would just like to tell you that

this issue was never presented to the Education Committee when we had a bill before us, a very substantial bill, which I think Representative Tarbell questioned at final enactment, that dealt with the complete reorganization and governance of community school districts. This particular issue was never presented to the Education Committee at the hearing that we had when we dealt with our errors and inconsistencies law, the clarification bill.

The committee felt that this was a substantive change and that that issue should have a hearing unto itself and was not willing to put that matter on any of the bills we had in committee until we had a hearing on the issue. I would hope that since the issue is such a significant one, regardless of how you feel about the question of eminent domain, that you would indefinitely postpone this amendment.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Garsoe.

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: I hope we will not indefinitely postpone this amendment. I am aware of occasion after occasion where through some oversight in this legislature, admittedly, we keep finding the community school districts needing to be brought into line with the powers we have routinely granted to school administrative districts and to municipalities. So, I see no threat or problem. If you find a threat or problem in the way the SAD's are operating, or your municipalities, then you can decide it here, but this, as I understand it, is merely bringing the community school districts in line with the way the others have been operating for years.

The SPEAKER: The Chair recognizes the gentlewoman from Auburn, Mrs. Lewis.

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I serve on the Education Committee along with the gentleman from Portland, Mr. Connolly. When I first looked at this bill I was concerned, too, that it was a substantive change, but after realizing that the SAD's and the schools in municipalities have this power, it seemed to me that it was an error rather than a substantive change, so I would go along with this amendment.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. Connolly, that Senate Amendment "B" to Senate Amendment "B" be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

31 having voted in the affirmative, 82 in the negative, the motion to indefinitely postpone did not prevail.

Thereupon, Senate Amendment "B" to Senate Amendment "B" was adopted.

Senate Amendment "C" to the Senate Amendment "B" (S-335) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Hobbins.

Mr. HOBBS: Mr. Speaker, I would like to pose a parliamentary inquiry. Is this particular Senate Amendment in violation of Joint Rule 4?

The SPEAKER: The Chair would answer in the affirmative.

Senate Amendment "D" to Senate Amendment "B" (S-336) was read by the Clerk and adopted.

Senate Amendment "E" to Senate Amendment "B" (S-337) was read by the Clerk and adopted.

Mr. Marshall of Millinocket offered House Amendment "A" to Senate Amendment "B" and moved its adoption.

House Amendment "A" to Senate Amendment "B" (H-685) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Millinocket, Mr. Marshall.

Mr. MARSHALL: Mr. Speaker, Ladies and Gentlemen of the House: If you look at the Statement of Fact on this, under filing number H-685, "The purpose of this amendment is to

see that all law enforcement personnel of the Department of Public Safety have the necessary safety equipment when stopping vehicles for violation of the law. Currently, they don't and I believe they should in that this is inconsistent with our enforcement laws.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Tarbell.

Mr. TARBELL: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question through the Chair, particularly to anyone in the Transportation Committee that dealt with this particular section of our transportation motor vehicle laws and just ask what kind of a change this really represents in those laws that they really dealt with very carefully in the session?

The SPEAKER: The gentleman from Bangor, Mr. Tarbell, poses a question to any member of the Transportation Committee who may respond if they so desire.

The Chair recognizes the gentleman from Bangor, Mr. Tarbell.

Mr. TARBELL: Mr. Speaker, Ladies and Gentlemen of the House: If somebody can pick this up and take a look at it, it has got a filing number H-685. It regards blue lights. There were several bills on blue lights. I don't think this is identical to any of those, so I am not questioning it under that provision, but I am asking whether or not this is consistent with the policy that the transportation committee has attempted to maintain during the course of the session.

The SPEAKER: The gentleman from Bangor, Mr. Tarbell, poses a question to any member of the Transportation Committee who may respond if they so desire.

The Chair recognizes the gentleman from Limestone, Mr. McKean.

Mr. MCKEAN: Mr. Speaker, Ladies and Gentlemen of the House: I looked that amendment over carefully. I think the one thing that did bother me to start with was the fact, is this going to require those vehicles used by the Department of Public Safety in undercover work, who are not actually in the job of stopping vehicles on the road, is this going to cause them to have to have the blue lights affixed to their car? I think this is the problem that I had with it. However, the way it is worded, "lights used," I can assume from that that if the vehicle is going to use the lights to stop another vehicle, then they should be blue. In that particular light, I see nothing in here that is any different from what we have had in the past.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Hobbins.

Mr. HOBBS: Mr. Speaker Men and Women of the House: The Judiciary Committee met on four or five different occasions to ask members of the House and Senate to submit particular amendments to our committee. I have looked at this amendment and I think it raises some substantive issues, some factual questions, and I move for its indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Millinocket, Mr. Marshall.

Mr. MARSHALL: Mr. Speaker, Ladies and Gentlemen of the House: If you will notice, this amendment has been on your desks for a couple of days. I tried to get this into committee on time and missed the deadline by one hour. I did bring it over to Senator Collins and have him take a look at it and solicit his opinions on it. He saw no problems with it. Because we couldn't get it on at that point in time, before the committee on the errors and inconsistencies bill, he suggested I offer it as a House Amendment to Committee Amendment "B", which I did at this time.

I don't think we have not dealt with this subject this year. I don't see anything inconsistent with it. I think it is only a logical step in the requirement that these people pursue their duties with which they are charged. The statement of

fact is very simple, and if you will look at the amendment, if you have it on you, it is only a one-page amendment. It just includes the law enforcement personnel of the Department of Public Safety and does change the indication to wildlife wardens from game wardens, which I think is consistent with departmental policy. I ask for a division.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Tarbell.

Mr. TARBELL: Mr. Speaker, Ladies and Gentlemen of the House: I didn't really mean to cause alarm over this. I just know that the Transportation Committee has worked on this particular issue, they did establish a policy, I do appreciate Mr. McKean rising to my question and I think he answered the question satisfactorily and it satisfies me and I would be in favor of this particular amendment on that basis.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Joyce.

Mr. JOYCE: Mr. Speaker, Ladies and Gentlemen of the House: This bill would put blue lights in the liquor inspectors' cars. That bill has been around here longer than I have. I think if anybody wants to put blue lights, red lights or green lights on liquor inspectors, I think they should do what they have done over the past several years, right up an L. D. and give it a public hearing.

The SPEAKER: The Chair recognizes the gentleman from Yarmouth, Mr. Jackson.

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: One thing to point out, we accepted Amendment "A" to "B", which amends on the Coastal Patrol Warden, puts the new name on the wardens. Mr. Marshall's amendment uses the old name, so it would have to be corrected to bring it back into the amendment we have already put on. They are changing the name of the warden service to the Coastal Patrol and his amendment uses the old name.

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. McKean.

Mr. MCKEAN: Mr. Speaker, Ladies and Gentlemen of the House: It is my belief that the liquor enforcement people come under the Department of Alcoholic Beverages and not the Department of Public Safety. If that is so, then they are not included in this piece of legislation.

The SPEAKER: The Chair will order a vote. The pending question is on the motion of the gentleman from Saco, Mr. Hobbins, that House Amendment "A" to Senate Amendment "B" be indefinitely postponed. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

81 having voted in the affirmative and 28 having voted in the negative, the motion did prevail.

The SPEAKER: The Chair recognizes the gentleman from Yarmouth, Mr. Jackson.

Mr. JACKSON: Mr. Speaker, I would like to pose a question regarding Senate Amendment "B" before it is enacted so it will be in the record when it is looked back on.

I have a question in regard to Senate Amendment "B" in the errors and inconsistency bill, Page 18, Section 3732, MRSA, 7169 polygraph. I would like assurance that this amendment does not allow or encourage the use of polygraphs or PSE data as evidence in criminal, civil or administrative proceedings.

The SPEAKER: The Chair recognizes the gentleman from South Portland, Mr. Howe.

Mr. HOWE: Mr. Speaker and Members of the House: This is an amendment which I submitted to the Committee on Judiciary at the request of the office of the Attorney General. The answer to the gentleman's question is that this amendment is not in any way intended to encourage the use of the results of polygraphs or similar devices in either criminal or civil or administrative proceedings, not is it intended to change the present state of the law with

regard to the admissibility of such material.

Thereupon, on motion of Mrs. Mitchell of Vassalboro, tabled pending adoption of Senate Amendment "B" as amended by Senate Amendment "A" "B" "D" and "E" thereto.

(Off Record Remarks)

The following paper from the Senate was taken up out of order by unanimous consent:

From the Senate: the following Order:
ORDERED, the House concurring, that when the Senate and House adjourn they adjourn to Wednesday, June 13, 1979, at 8:30 o'clock in the morning. (S. P. 623)

Came from the Senate, read and passed.
In the House, was read and passed in concurrence.

The following papers appearing on Supplement No. 14 were taken up out of order by unanimous consent:

The following Joint Orders, Expressions of Legislative Sentiment:

(H. P. 1535) the Oak Hill High School Boys' baseball team, coached by Bill Fairchild, won the Mountain Valley Conference Division III Championship for 1979.

Presented by Mr. LaPlante of Sabattus.
The Order was read and passed and sent up for concurrence.

(H. P. 1536) the Oak Hill High School Boys' Tennis Team, coached by Jim Ford, won the Mountain Valley Conference Championship for 1979.

Presented by Mr. LaPlante of Sabattus.
The Order was read and passed and sent up for concurrence.

(H. P. 1537) Mark Johnson of Wales is Valedictorian of the Class of 1979 at Oak Hill High School.

Presented by Mr. LaPlante of Sabattus.
The Order was read and passed and sent up for concurrence.

(H. P. 1538) Amy Black of Litchfield is salutatorian of the Class of 1979 at Oak Hill High School.

Presented by Mr. LaPlante of Sabattus.
The Order was read and passed and sent up for concurrence.

(H. P. 1539) Bob Barrieault won 3rd place in the shotput and 4th place in the javelin, for Oak Hill High School, at the 1979 Class "C" Track meet.

Presented by Mr. LaPlante of Sabattus.
The Order was read and passed and sent up for concurrence.

(H. P. 1540) Central High School Girl's Softball Team is the Eastern Maine Class C Champion for 1979.

Presented by Mr. LaPlante of Sabattus.
The Order was read and passed and sent up for concurrence.

(H. P. 1541) Drummond Earley Jr., son of Drummond and Joy Earley of Hudson received high honors for 4 years and is Salutatorian of the Class of 1979 at Central High School.

Presented by Mr. Strout of Corinth.
The Order was read and passed and sent up for concurrence.

(H. P. 1542) Melody F. Blackwell, daughter of Delvin and Joan Blackwell of East Corinth, received High Honors for 4 years and is the Valedictorian of the Class of 1979 at Central High School.

Presented by Mr. Strout of Corinth.
The Order was read and passed and sent up for concurrence.

By unanimous consent, the preceding orders were ordered sent forthwith to the Senate.

The following paper appearing on Supplement No. 15 was taken up out of order by unanimous consent:

Tabled Unassigned

On motion of Mr. Blodgett of Waldoboro, the following Joint Order: (H. P. 1554)

WHEREAS, important resources are becoming increasingly scarce and expensive; and WHEREAS, encouraging less wasteful and more direct means of providing essential commodities, such as food and fuel, which are now imported, will be of benefit to the economy and welfare of the people of the State; and

WHEREAS, appropriate technology conserves energy, minimizes environmental harm and utilizes resources within the State to promote self-sufficiency; now, therefore, be it

ORDERED, the Senate concurring, subject to the Legislative Council's review and determinations hereinafter provided, that the Joint Standing Committee on Energy and Natural Resources, shall study the State's policy on appropriate technology, including research, experimentation, dissemination of information and marketing of the products of appropriate technology; and be it further

ORDERED, that the committee report its findings and recommendations, together with all necessary implementing legislation in accordance with the Joint Rules, to the Legislative Council for submission in final form at the Second Regular Session of the 109th Legislature; and be it further

ORDERED, that the Legislative Council, before implementing this study and determining an appropriate level of funding, shall first ensure that this directive can be accomplished within the limits of available resources, that it is combined with other initiatives similar in scope to avoid duplication and that its purpose is within the best interests of the State; and be it further

ORDERED, upon passage in concurrence, that a suitable copy of this Order shall be forwarded to members of the committee.

The Order was read.
On motion of Mrs. Mitchell of Vassalboro, tabled unassigned pending passage.

The following paper appearing on Supplement No. 16 was taken up out of order by unanimous consent:

Tabled Unassigned

On motion of Mrs. Post of Owl's Head, the following Joint Order: (H. P. 1550)

WHEREAS, there are introduced in each session of the Legislature bills seeking to allow various towns to leave the Maine Forestry District; and

WHEREAS, a principal impetus for leaving the district is a 4¼ mill assessment on a town's state valuation imposed on member towns; and

WHEREAS, the relation between the 4¼ mill assessment and the actual cost of providing forest fire protection is unclear and hence the need for and level of the assessment is difficult to justify; and

WHEREAS, if too many towns leave the forestry district, its funding may be in danger; and

WHEREAS, the method of determining state assistance to towns outside the forestry district imposes a burden on towns, if a fire occurs, that has greatly increased with the increase in the state valuation, now, therefore, be it

ORDERED, subject to the Legislative Council's recommendations, that the Joint Standing Committee on Taxation shall study state assistance to municipalities for forest fires both in and out of the forestry district, the use of the state valuation in determining assistance and assessment levels and the organization and financing of the Maine Forestry District, including the methods of entering and leaving the district and the sources of its funding; and be it further

ORDERED, that the committee report its

findings and recommendations, together with all necessary implementing legislation in accordance with the Joint Rules, to the Legislative Council for submission in final form at the Second Regular Session of the 109th Legislature; and be it further

ORDERED, that the Legislative Council, before implementing this study and determining an appropriate level of funding, shall first ensure that this directive can be accomplished within the limits of available resources, that it is combined with other initiatives similar in scope to avoid duplication and that its purpose is within the best interests of the State; and be it further

ORDERED, upon passage in concurrence, that a suitable copy of this Order shall be forwarded to members of the committee.

The Order was read.

On motion of Mrs. Mitchell of Vassalboro, tabled unassigned pending passage.

The following paper appearing on Supplement No. 17 was taken up out of order by unanimous consent:

Tabled Unassigned

On motion of Mrs. Post of Owl's Head, the following Joint Order: (H. P. 1551)

WHEREAS, a use tax is imposed on diesel fuel sold or used in this State when such fuel is used to propel motor vehicles on public highways and turnpikes; and

WHEREAS, this tax is not imposed on bulk fuel deliveries or deliveries to the retailer; and

WHEREAS, users of this fuel, including commercial trucking vehicles, are liable for this tax even when it has been purchased outside of the State as long as the fuel is used in a motor vehicle on this State's highways; and

WHEREAS, there is concern that persons are using methods of avoiding the use fuel tax on diesel fuel by, among other things, using untaxed home heating oil in motor vehicles; and

WHEREAS, the methods and procedures for collecting this tax may result in significant loss of tax revenues to the State; now, therefore, be it

ORDERED, the Senate concurring, that a Joint Standing Committee be directed to study the methods and procedures used to distribute diesel fuel, including No. 2 home heating oil, to study the purposes of the use fuel tax on diesel fuel and the methods employed to collect such tax, to investigate the potential loss of tax revenue which could be collected and is or may not be collected under the existing statutory procedures, and to recommend any appropriate changes in the use fuel tax on diesel fuel, including alternate methods of taxation, collection of the tax, or enforcement of the tax, that it shall find necessary; and be it further

ORDERED, that the committee shall consist of 7 members of the Joint Standing Committee on Taxation, 2 Senators and 5 Representatives, and 3 members of the Joint Standing Committee on Transportation 1 Senator and 2 Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives; and be it further

ORDERED, that the committee shall complete this study not later than December 1, 1978, and submit to the Legislative Council within the same time period its findings and recommendations including copies of any recommended legislation in final draft form; and be it further

ORDERED, upon passage in concurrence, that a suitable copy of this Order shall be forwarded to the Chairmen of the Joint Standing Committee on Taxation and the Chairmen of the Joint Standing Committee on Transportation.

The Order was read.

On motion of Mrs. Mitchell of Vassalboro, tabled unassigned pending passage.

The following papers appearing on Supplement No. 8 were taken up out of order by unanimous consent:

imous consent:

Committee of Conference Report — (L. D. 1069)

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Resident State Police Troopers" (H. P. 841) (L. D. 1069) ask leave to report: that the Senate recede from its action whereby it accepted the Minority Ought not to Pass Report; read the Bill once; read and adopted Conference Committee Amendment "A" (S-333), submitted herewith; and Pass the Bill to be Engrossed as amended by Conference Committee Amendment "A" (S-333); that the House recede from its action whereby it Passed the Bill to be Engrossed, as amended by Committee Amendment "A" (H-320); recede from its action whereby it adopted Committee Amendment "A" and indefinitely postpone same; read and adopt Conference Committee Amendment "A", submitted herewith; and Pass the Bill to be Engrossed as amended by Conference Committee Amendment "A", in concurrence.

(Signed)

Messrs. SHUTE of Waldo

PIERCE of Kennebec

— of the Senate.

(Signed)

Mrs. POST of Owl's Head

Messrs. WOOD of Sanford

GARSOE of Cumberland

— of the House.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Amendment "A" (S-333)

In the House:

On motion of Mrs. Post of Owl's Head, the Committee of Conference Report was accepted in concurrence.

The House receded from its action whereby the Bill was passed to be engrossed; receded from its action whereby Committee Amendment "A" was adopted and Committee Amendment "A" was indefinitely postponed.

Conference Committee Amendment "A" (S-333) was read by the Clerk and adopted in concurrence.

The Bill was passed to be engrossed as amended in concurrence.

By unanimous consent, ordered sent forthwith to engrossing.

Committee of Conference Report — (L. D. 1162)

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Allow Municipalities the Option of charging Reasonable Service Charges on Certain Tax Exempt Property" (H. P. 982) (L. D. 1162) ask leave to report: that they are unable to agree

(Signed)

Messrs. TEAGUE of Somerset

PERKINS of Hancock

USHER of Cumberland

— of the Senate.

Mrs. POST of Owl's Head

Messrs. BRENERMAN of Portland

MARSHALL of Millinocket

— of the House.

Came from the Senate with the Report read and accepted.

In the House, the Report was read and accepted in concurrence.

Committee of Conference Report — (L. D. 582)

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Assist School Administrative Units in Addressing Problems Associated with Alcohol, Tobacco and Drug Use and Abuse" (S. P. 209) (L. D. 582) ask leave to report: That they are unable to agree

(Signed)

Mrs. GILL of Cumberland

NAJARIAN of Cumberland

Mr. TROTZKY of Penobscot

— of the Senate.

Mrs. BEAULIEU of Portland

Messrs. NORRIS of Brewer

ROLDE of York

— of the House.

Came from the Senate with the Report read and accepted.

In the House, the Report was read and accepted in concurrence.

The following papers appearing on Supplement No. 9 were taken up out of order by unanimous consent:

Committee of Conference Report — (L. D. 1463)

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Concerning Arbitration Involving Municipal Fire and Police Departments" (H. P. 1191) (L. D. 1463) ask leave to report: that they are unable to agree

(Signed)

Messrs. TUTTLE of Sanford

NADEAU of Lewiston

McMAHON of Kennebunk

— of the House

Messrs. SUTTON of Oxford

TROTZKY of Penobscot

— of the Senate.

The Report was read and accepted and sent up for concurrence.

The following paper appearing on Supplement No. 10 was taken up out of order by unanimous consent:

Tabled Unassigned

On motion of Mrs. Prescott of Hampden, the following Joint Order (H. P. 1547) (Cosponsor: Senator Gill of Cumberland)

WHEREAS, the abuse of alcohol and the disease of alcoholism are major problems in our society, involving people in all walks of life and of all ages; and

WHEREAS, there is a substantial body of opinion that education can be of great assistance in preventing such abuse; and

WHEREAS, treatment for alcoholism and alcohol abuse must involve the subject of the disease and his family and workplace; and

WHEREAS, bills addressing the issue of alcohol education, funding and support for alcoholism treatment and rehabilitation and plans for prevention and treatment of alcoholism and alcohol abuse were not passed in this session of the Legislature; now, therefore, be it

ORDERED, the Senate concurring, subject to the Legislative Council's review and determinations hereinafter provided, that the Joint Standing Committee on Health and Institutional Services study the problem of alcoholism and alcohol abuse and methods of treatment and rehabilitation, including the client-oriented system; and be it further

ORDERED, that the committee report its findings and recommendations, together with all necessary implementing legislation in accordance with the Joint Rules, to the Legislative Council for submission in final form at the Second Regular Session of the 109th Legislature;

ORDERED, that the Legislative Council, before implementing this study and determining an appropriate level of funding, shall first ensure that this directive can be accomplished within the limits of available resources, that it is combined with other initiatives similar in scope to avoid duplication and that its purpose is within the best interests of the State; and be it further

ORDERED, upon passage in concurrence, that a suitable copy of this Order shall be forwarded to members of the committee.

The Order was read.

On motion of Mr. Tierney of Lisbon Falls, tabled unassigned pending passage.

The following paper appearing on Supplement No. 11 was taken up out of order by unanimous consent:

On motion of Mr. Rolde of York, the following Joint Order (H. P. 1552) (Cosponsor: Mrs. Gowen of Standish)

WHEREAS, the provision of equal educational opportunities for some exceptional children presently involves the efforts of 3 state departments, the Department of Educational and Cultural Services, the Department of Mental Health and Corrections and the Department of Human Services; and

WHEREAS, changes in individual department policies, funding levels and state laws relating to the placement of and reimbursement for some children eligible for special education have created both short and long term problems for special education services; and

WHEREAS, questions have been raised about the effectiveness of site visitations to schools for the purpose of determining compliance with special education standards; and

WHEREAS, the need for close coordination among several state departments and compliance with state standards by local units and other providers of special education is vital to assuring the continued provision of high quality services for exceptional children; and

WHEREAS, there is also a need for exploring special education opportunities available in vocational education, including potential pilot projects; now, therefore, be it

ORDERED, the Senate concurring, that the Joint Standing Committee on Education shall study the administration of the laws relating to special education, including, but not limited to, the policies relating to the source of funding and reimbursement for exceptional children, the effect of recent changes in laws relating to state wards, the effectiveness of site visits conducted to determine compliance with special education standards, the effectiveness of the existing methods of delivery of services to exceptional children and the coordination of the state and local agencies providing these services; and be it further

ORDERED, that the committee report its findings and recommendations, together with all necessary implementing legislation in accordance with Joint Rules, to the Legislative Council for submission in final form at the Second Regular Session of the 109th Legislature; and be it further

ORDERED, that the Legislative Council, before implementing this study and determining an appropriate level of funding, shall first ensure that this directive can be accomplished within the limits of available resources, that it is combined with other initiatives similar in scope to avoid duplication and that its purpose is within the best interests of the State; and be it further

ORDERED, that upon passage in concurrence, that a suitable copy of this Order shall be forwarded to members of the committee.

The Order was read.

On motion of Mrs. Mitchell of Vassalboro, tabled unassigned pending passage.

The following paper appearing on Supplement No. 12 was taken up out of order by unanimous consent:

Tabled Unassigned

On motion of Mr. Wood of Sanford, the following Joint Order: (H. P. 1548)

WHEREAS, the burden of property taxes rests ever heavier on the homes and businesses of Maine; and

WHEREAS, the base of the property tax has been severely reduced due to exemptions of certain types of property; and

WHEREAS, it is estimated that over \$2,000,000,000 worth of property is tax exempt; and WHEREAS, the standards that property must meet in order to qualify for a religious exemption are vague and uncertain; now, there-

fore, be it

ORDERED, the Senate concurring, subject to the Legislative Council's review and determinations hereinafter provided, that the Joint Standing Committee on Taxation study the various criteria and standards which a property owner must meet in order to receive a property tax exemption for religious reasons; and be it further

ORDERED, that the committee report its findings and recommendations, together with all necessary implementing legislation in accordance with the Joint Rules, to the Legislative Council for submission in final form at the Second Regular Session of the 109th Legislature; and be it further

ORDERED, that the Legislative Council, before implementing this study and determining an appropriate level of funding, shall first ensure that this directive can be accomplished within the limits of available resources, that it is combined with other initiatives similar in scope to avoid duplication and that its purpose is within the best interests of the State; and be it further

ORDERED, upon passage in concurrence, that a suitable copy of this Order shall be forwarded to members of the committee.

The Order was read.

On motion of Mrs. Mitchell of Vassalboro, tabled unassigned pending passage.

The following paper appearing on Supplement No. 13 was taken up out of order by unanimous consent:

Tabled Unassigned

On Motion of Mr. Wood of Sanford, the following Joint Order (H. P. 1549)

WHEREAS, the State collects special taxes on various industry products, such as blueberries and sardines; and

WHEREAS, the revenues of each of these product taxes are used to generally promote that product's industry; and

WHEREAS, the collection of taxes and paying out the revenues may be an unwarranted burden on State Government and intrusion into the market place; now, therefore, be it

ORDERED, that the Joint Standing Committee on Taxation study the following questions:

1. Is it appropriate for the State to collect these product taxes?

2. Should the state's involvement in such promotion of Maine products be changed? and be it further

ORDERED, that the committee report its findings and recommendations together with all necessary implementing legislation in accordance with the Joint Rules to the Legislative Council for submission in final form at the Second Regular Session of the 109th Legislature; and be it further

ORDERED, that the Legislative Council, before implementing this study and determining an appropriate level of funding, shall first ensure that this directive can be accomplished within the limits of available resources, that it is combined with other initiatives similar in scope to avoid duplication and that its purpose is within the best interests of the State; and be it further

ORDERED, upon passage in concurrence that a suitable copy of this Order shall be forwarded to members of the committee.

The Order was read.

On motion of Mrs. Mitchell of Vassalboro, tabled unassigned pending passage.

The Chair laid before the House the following matter:

Bill "An Act to Make Additional Corrections of Errors and Inconsistencies in the Laws of Maine" (S. P. 581) (L. D. 1639) which was tabled earlier in the day pending adoption of Senate Amendment "B" as amended by Senate Amendments "A", "B", "D" and "E".

Mr. Churchill of Orland offered House

Amendment "C" to Senate Amendment "B" and moved its adoption.

House Amendment "C" to Senate Amendment "B" (H-705) was read by the Clerk and adopted.

Senate Amendment "B" as amended by Senate Amendment "A", "B", "D" and "E" and House Amendment "C" thereto was adopted in non-concurrence.

Under suspension of the rules, the Bill was read the second time, passed to be engrossed as amended in non-concurrence and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

The following papers appearing on Supplement No. 18 were taken up out of order by unanimous consent:

The following Joint Orders, Expressions of Legislative Sentiment recognizing that:

(H. P. 1523) Donna Allen of Woodland has been selected salutatorian of the Class of 1979 at Woodland High School.

Presented by Mr. Gillis of Calais.

(H. P. 1524) Debbie Bires of Woodland has been selected valedictorian of the Class of 1979 at Woodland High School.

Presented by Mr. Gillis of Calais.

(H. P. 1525) Anthony Ezzy, a forth degree member of the Madawaska Council, Van Buren Knights of Columbus, has been in the order for 55 years.

Presented by Mr. Violette of Van Buren.

(H. P. 1526) David LaPlante is salutatorian of the Class of 1979 at Van Buren District Secondary School.

Presented by Mr. Violette of Van Buren.

(H. P. 1527) Louise Sirois is valedictorian of the Class of 1979 at Van Buren District Secondary School.

Presented by Mr. Violette of Van Buren.

(H. P. 1528) Matthew Cyr is salutatorian of the Class of 1979 at Van Buren District Secondary School.

Presented by Mr. Violette of Van Buren.

(H. P. 1529) William and Marguerite Church, of Biddeford, will celebrate their 70th wedding anniversary on July 3, 1979.

Presented by Ms. Brown of Gorham (Cosponsor: Senator Usher of Cumberland)

(H. P. 1530) Mrs. Charlene Espling has retired after 23 years of dedicated service in the New Sweden School System.

Presented by Mr. Nelson of New Sweden (Cosponsor: Senator McBreairey of Aroostook)

(H. P. 1531) Mrs. Kathryn Fox has retired after 39 years of dedicated service in the field of education, 30 years which was with the New Sweden School System.

Presented by Mr. Nelson of New Sweden (Cosponsor: Senator McBreairey of Aroostook)

(H. P. 1553) on July 1, 1979, Cape Neddick Light Station at York Beach will begin its 2nd century of service to the mariners who sail along the coast of Maine.

Presented by Mr. Rolde of York.

(H. P. 1546) Jill A. Hiltz, the daughter of Mr. and Mrs. Manley Hiltz of Chelsea, is the salutatorian of the 1979 graduating class at Erskine Academy.

Presented by Mr. Hunter of Benton.

Under suspension of the rules, the preceding Orders were read and passed and sent up for concurrence.

The following paper was taken up out of order by unanimous consent:

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Penobscot County for the Year 1979 (H. P. 1483) (L. D. 1670)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

Miss Aloupis of Bangor requested a roll call vote.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of one-

fifth of the members present and voting. All those desiring a roll call vote will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one-fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on final passage. All those in favor of this Resolve being finally passed will vote yes; those opposed will vote no.

ROLL CALL

YEA—Bachrach, Baker, Barry, Beaulieu, Benoit, Berube, Birt, Blodgett, Bordeaux, Brannigan, Brennerman, Brodeur, Brown, A.; Bunker, Call, Carrier, Carter, D.; Carter, F.; Churchill, Cloutier, Cox, Curtis, Damren, Davies, Dellert, Diamond, Doukas, Drinkwater, Dutremble, D.; Dutremble, L.; Elias, Fenslason, Fillmore, Fowlie, Garsoe, Gillis, Gowen, Gray, Gwadosky, Hall, Hanson, Hickey, Hobbins, Howe, Hughes, Hunter, Hutchings, Immonen, Jacques, E.; Jacques, P.; Joyce, Kane, Kany, Kiesman, Laffin, Lancaster, Leighton, Leonard, Lewis, Lizotte, Locke, Lougee, MacBride, Mahany, Masterman, Masterton, Matthews, Maxwell, McKean, McSweeney, Michael, Mitchell, Morton, Nadeau, Nelson, A.; Nelson, M.; Nelson, N.; Norris, Paradis, Paul, Payne, Peltier, Peterson, Post, Prescott, Rolde, Rollins, Roope, Sewall, Simon, Small, Stetson, Theriault, Torrey, Tozier, Tuttle, Violette, Vose, Wentworth, Wood, Wyman, Mr. Speaker.

NAY—Aloupis, Austin, Berry, Bowden, Brown, D.; Carroll, Conary, Cunningham, Davis, Dexter, Gavett, Gould, Jackson, Lowe, Lund, Marshall, McHenry, McPherson, Reeves, J.; Sherburne, Smith, Sprowl, Tarbell.

ABSENT—Boudreau, Brown, K.C.; Chonko, Connolly, Dow, Dudley, Higgins, Huber, Jalbert, Kelleher, LaPlante, MacEachern, Martin, A.; McMahon, Pearson, Reeves, P.; Silsby, Soulas, Stover, Strout, Studley, Tierney, Twitchell, Vincent, Whitemore.

Yes, 103; No, 23; Absent, 25.

The SPEAKER: One hundred three having voted in the affirmative and twenty-three in the negative, with twenty-five being absent, the Resolve is finally passed.

Signed by the Speaker and sent to the Senate.

The following paper appearing on Supplement No. 21 was taken up out of order by unanimous consent:

Ought to Pass in New Draft

Committee on Appropriations and Financial Affairs on Bill "An Act to Increase the Compensation for Legislators, Justices, Judges and District Attorneys" (Emergency) (S. P. 145) (L. D. 322) reporting "Ought to Pass" in New Draft (S. P. 617) (L. D. 1679)

Came from the Senate with the Report read and accepted and the New Draft Passed to be Engrossed.

In the House: The Report was read and accepted and the New Draft read once.

Under suspension of the rules, the New Draft was read a second time and passed to be engrossed in concurrence.

By unanimous consent, ordered sent forthwith to Engrossing.

The following paper was taken up out of order by unanimous consent:

On motion of Mr. Tuttle of Sanford, the following Joint Resolution: (H. P. 1543) (Cosponsor: Mr. Cloutier of South Portland)

State of Maine

Joint Resolution Requesting the State Principal's Association to Allow Participation in New England Championship Games and Ordering a Study by The Joint Standing Committee on Education

WHEREAS, the State Principal's Association adopted a resolution on April 28, 1978 forbidding Maine secondary school athletes from competing in New England Championship events; and

WHEREAS, the State Principal's Association met in April of this year, at which time they had the opportunity to reconsider the issue; and

WHEREAS, it is desirable that the State should encourage participation by qualified Maine secondary school athletes in New England championship events; now, therefore, be it

RESOLVED: That we, the members of the 109th Legislature, respectfully recommend and urge the State Principal's Association to reconsider its vote of April 28, 1979 and, at its April, 1979 meeting so as to allow qualified Maine secondary school athletes to compete in New England championship events; and be it further

RESOLVED: That, subject to the Legislative Council's recommendations, the Joint Standing Committee on Education shall study the feasibility of establishing an Interscholastic Athletic Association to regulate the activities of, and participation by, Maine secondary school athletes; and be it further

RESOLVED: That the committee shall complete this study no later than 90 days prior to the Second Regular Session of the 109th Legislature and submit to the Legislative Council, within the same time period its findings and recommendations, including copies of any recommended legislation in final draft form; and be it further

RESOLVED: That suitable copies of this Resolution be prepared and be transmitted by the Secretary of State to the State Principals' Association and the Joint Standing Committee on Education.

The Resolution was read and adopted and sent up for concurrence.

The following paper was taken up out of order by unanimous consent:

Ought to Pass as Amended

Mr. Carter from the Committee on Taxation on Bill "An Act Providing for Administrative Changes in the Maine Tax Law" (H. P. 1068) (L. D. 1326) reporting "Ought to Pass" as amended by Committee Amendment "A" (H-702)

The Report was read and accepted and the Bill read once.

Committee Amendment "A" (H-702) was read by the Clerk and adopted.

Under suspension of the rules, the Bill was read a second time, passed to be engrossed as amended and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

The following paper was taken up out of order by unanimous consent:

The following Joint Order:

(H. P. 1545) Michael R. Adams, the son of Mr. and Mrs. Richard Adams of Weeks Mills, is the valedictorian of the 1979 graduating class at Erskine Academy;

Presented by Mr. Hunter of Benton.

The Order was read and passed and sent up for concurrence.

The following paper was taken up out of order by unanimous consent:

On motion of Mr. Tuttle of Sanford the following Joint Resolution (H. P. 1544) (Cosponsor: Senator Pierce of Kennebec)

Joint Resolution Requesting Employers to Grant a Leave of Absence From Employment to any Employee Elected to the Legislature

WHEREAS, the public interest will be served by encouraging citizens from all walks of life and from all economic circumstances to serve in the State Legislature; and

WHEREAS, employers within the State can help in that effort by adopting employment practices which will permit employees to serve in the State Legislature without loss of employment or other severe economic loss; now, therefore, be it

RESOLVED: That we, the members of the

109th Legislature, respectfully request employers in the State to grant, with or without pay at the employers discretion, a leave of absence from employment to any employee elected to the Legislature, with the assurance that, upon completion of the term in office, the employee will be reinstated to the previous position or one of similar pay, seniority and benefits if such position is reasonably available, and that neither the employer nor the employee-legislator shall be deemed in conflict of interest solely on account of this employment relationship; and be it further

RESOLVED: That duly attested copies of this resolution be transmitted forthwith to the Chambers of Commerce throughout the State of Maine.

The Resolution was read and adopted and sent up for concurrence.

By unanimous consent, ordered sent forthwith.

The following paper was taken up out of order by unanimous consent:

Tabled Unassigned

On Motion of Mrs. Prescott of Hampden, the following Joint Order: (H. P. 1555)

WHEREAS, in recent years there has been a marked shift from central institutional services to community based mental health services; and

WHEREAS, the concept of mental health services has been broadened to include other than mental health center services such as education, consultation, services to courts and other agencies to divert persons with problems to available services for treatment before institutionalization is necessary; and

WHEREAS, declining federal funding for community mental health centers has increased the responsibility of the State to provide these services; and

WHEREAS, a comprehensive integrated program or system needs to be developed by the State, as this transition takes place, to prevent duplication of services and to assure delivery of services to those in need; now, therefore, be it

ORDERED, the Senate concurring, subject to the Legislative Council's review and determinations hereinafter provided, that the Joint Standing Committee on Health and Institutional Services study the present systems of delivery of mental health services including: Location, patient, populations, inpatient and outpatient state and community services, local needs and local participation in the planning process, the need for coordination of service delivery, the State's role in the planning process and delivery of services and an evaluation of whether area or regional systems should be developed and included in a state mental health plan; and be it further

ORDERED, that the committee report its findings and recommendations, together with all necessary implementing legislation in accordance with the Joint Rules, to the Legislative Council for submission in final form at the Second Regular Session of the 109th Legislature; and be it further

ORDERED, that the Legislative Council, before implementing this study and determining an appropriate level of funding, shall first ensure that this directive can be accomplished within the limits of available resources, that it is combined with other initiatives similar in scope to avoid duplication and that its purpose is within the best interests of the State; and be it further

ORDERED, upon passage in concurrence, that a suitable copy of this Order shall be forwarded to members of the committee.

The Order was read.

On motion of Mrs. Mitchell of Vassalboro, tabled unassigned pending passage.

The following paper was taken up out of order by unanimous consent:

Table Unassigned

On motion of Mr. Birt of East Millinocket, the following Joint Order (H. P. 1557)

WHEREAS, the United States Department of Commerce, Bureau of the Census, has requested that Maine establish a committee to work with the bureau to assist in the preparation of a 1980 census program designed to meet the state's needs for legislative reapportionment and redistricting purposes; and

WHEREAS, the 107th and 108th Legislatures ordered a Joint Select Committee to be established to study the census requirements for reapportionment and redistricting and that committee began that study; and

WHEREAS, that study is presently incomplete and needs to be completed as soon as possible; now, therefore, be it

ORDERED, the Senate concurring, subject to the Legislative Council's review and determinations hereinafter provided, that a Joint Select Committee be established to assist the Bureau of the Census in preparing a 1980 census program for the purposes of meeting the state's needs for legislative reapportionment and redistricting; the committee to consist of 2 Senators appointed by the President of the Senate, 5 members of the House of Representatives appointed by the Speaker of the House of Representatives, with the appointments from each House equally divided between the political parties. The committee shall elect a chairman who shall serve at the pleasure of the committee; and be it further

ORDERED, that the committee report its findings and recommendations together with all necessary implementing legislation in accordance with the Joint Rules, to the Legislative Council for submission in final form at the Second Regular Session of the 109th Legislature; and be it further

ORDERED, that the Legislative Council, before implementing this study and determining an appropriate level of funding, shall first ensure that this directive can be accomplished within the limits of available resources, that it is combined with other initiatives similar in scope to avoid duplication and that its purpose is within the best interests of the State; and be it further

ORDERED, upon passage in concurrence, that a suitable copy of this Order shall be forwarded to members of the committee.

The Order was read.

On motion of Mrs. Mitchell of Vassalboro, tabled unassigned pending passage.

The following paper was taken up out of order by unanimous consent:

Tabled Unassigned

On motion of Mr. Fowlie of Rockland, the following Joint Order: (H. P. 1556)

WHEREAS, there is a great need for legislation to conserve the lobster resources of the State as these resources are presently being overfished; and

WHEREAS, diverse methods of fishing and different regional fishing traditions make it impractical to make one general statute apply uniformly to all regions of the State; and

WHEREAS, the Maine Legislature and Maine lobstermen recognize that there is a need for legislation designed to address regional problems where they exist; and

WHEREAS, it is imperative to have the participation of Maine's lobstermen in drafting such legislation; now, therefore, be it

ORDERED, the Senate concurring, subject to the Legislative Council's review and determinations hereinafter provided, that the Joint Standing Committee on Marine Resources, shall study means to conserve the lobster fishery and to improve the fishing practices of the lobster fishery, these means to include, but not be limited to, limited entry, trap restrictions and regulation by area of district; and be it further

ORDERED, that the committee report its

findings and recommendations, together with all necessary implementing legislation in accordance with the Joint Rules, to the Legislative Council for submission in final form at the Second Regular Session of the 109th Legislature; and be it further

ORDERED, that the Legislative Council, before implementing this study and determining an appropriate level of funding, shall first ensure that this directive can be accomplished within the limits of available resources, that it is combined with other initiatives similar in scope to avoid duplication and that its purpose is within the best interests of the State; and be it further

ORDERED, upon passage in concurrence, that a suitable copy of this Order shall be forwarded to members of the Committee.

The Order was read.

On motion of Mrs. Mitchell of Vassalboro, tabled unassigned pending passage.

On motion of Mr. Garsoe of Cumberland, Adjourned until Wednesday, June 13th at 8:30 in the morning.