

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Ninth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

January 3, 1979 to May 4, 1979

STATE OF MAINE
One Hundred and Ninth Legislature
JOURNAL OF THE SENATE

March 14, 1979
Senate called to Order by the President.

Prayer by Father James Holland, of Augusta Mental Health Institute.

Father HOLLAND: O'Mighty God, Father of us all, we raise our voices in praise to you this morning as we begin a new days deliberation. Knowing that we need you at the start, during and at the end of our human transactions.

Mindful of what David said in Psalms 127, "If the Lord does not build a house, in vain do the builders labor; if the Lord does not watch over the city, in vain does the watchman keep vigil."

We need your wise and steady council to keep us on our true course. We are well aware of our fallible decisions; we are quite often swept along in our own myopic vision of what should be; we frequently lose sight of the greater goal, in our haste for personal and party objectives. Be a rock of strength today.

Help us to be ever mindful of the citizens whose Legislative voice we are, and because of whom we exist in a body their needs are our priorities; their trust in our integrity; is our cherished reward. Help us meet those needs, and deserve their trust.

Bless us today with a three fold blessing, first enlighten our minds to the truth we seek, grant us an abundance of common sense. Secondly, charge our wills with a Holy desire, to achieve social justice where ever we see it lacking. Thirdly, soften our hearts to the warmth of charity that your presence may be felt in our relations with one another. These blessings we ask in your Holy Name, Amen.

Reading of the Journal of yesterday.

(Off Record Remarks)

House Papers

Bill, "An Act Providing a Salary Increase for the Several District Attorneys". (H. P. 861) (L. D. 1073)

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

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

Bill, "An Act to Authorize a School Nursing Health Consultant in the Department of Educational and Cultural Services". (H. P. 886) (L. D. 1084)

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

On Motion by Senator Katz of Kennebec, referred to the Committee on Education and Ordered Printed, in non-concurrence.

Sent down for concurrence.

Bill, "An Act Concerning Licensing of Psychologists". (H. P. 886) (L. D. 1087)

Come from the House, referred to the Committee on Business Legislation and Ordered Printed.

Which was referred to the Committee on Business Legislation and Ordered Printed, in concurrence.

Bill, "An Act to Establish a Voluntary Training and Certification Program for Installers of Solar Energy Equipment in Maine". (H. P. 872) (L. D. 1077)

Bill, "An Act to Establish Minimum Warranties for the Sale and Installation of Solar Energy Equipment in Maine". (H. P. 871) (L. D. 1076)

Come from the House, referred to the Committee on Business Legislation and Ordered Printed.

On Motion by Senator Katz of Kennebec, referred to the Committee on Energy and Natural Resources and Ordered Printed, in non-concurrence.

Sent down for concurrence.

Bill, "An Act to Promote Woodlot Cooperative Marketing". (H. P. 875) (L. D. 1082)

Bill, "An Act to Reduce Duplication of Legislative Review of Air Quality and Emission Standard Regulations". (H. P. 890) (L. D. 1085)

Bill, "An Act to Direct the Office of Energy Resources to Promote Energy Conservation Through the Media and Public Demonstrations". (H. P. 889) (L. D. 1079)

Bill, "An Act to Enable Consolidation of the State Water Discharge Licensing Program and the Federal National Pollutant Discharge Elimination System Permit Program". (H. P. 864) (L. D. 1071)

Come from the House, referred to the Committee on Energy and Natural Resources and Ordered Printed.

Which were referred to the Committee on Energy and Natural Resources and Ordered Printed, in concurrence.

Bill, "An Act to Regulate Odors". (H. P. 888) (L. D. 1078)

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

On Motion by Senator Conley of Cumberland, referred to the Committee on Agriculture and Ordered Printed, in non-concurrence.

Sent down for concurrence.

Bill, "An Act to Encourage Pilot Projects using Solid Waste for Energy Production". (H. P. 876) (L. D. 1081)

Committee on Energy and Natural Resources suggested.

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

On Motion by Senator Katz of Kennebec, referred to the Committee on Taxation and Ordered Printed, in concurrence.

Bill, "An Act Concerning the Hospital Inspection Law". (H. P. 891) (L. D. 1086)

Bill, "An Act to Appropriate Funds for a Conference on Families". (Emergency) (H. P. 877) (L. D. 1083)

Bill, "An Act Relating to the Costs of Transporting Persons to Hospitals for the Mentally Ill". (H. P. 878) (L. D. 1066)

Bill, "An Act Relating to General Assistance". (H. P. 859) (L. D. 1070)

Come from the House, referred to the Committee of Health and Institutional Services and Ordered Printed.

Which were referred to the Committee on Health and Institutional Services and Ordered Printed, in concurrence.

Bill, "An Act to Monitor the Juvenile Code". (Emergency) (H. P. 892) (L. D. 1080)

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

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

Bill, "An Act to Amend the Judicial Retirement System". (H. P. 811) (L. D. 1067)

Committee on Judiciary suggested.

Comes from the House, referred to the Committee on Aging, Retirement and Veterans and Ordered Printed.

Which was referred to the Committee on Aging, Retirement and Veterans and Ordered Printed, in concurrence.

Bill, "An Act to Establish a License Classification and Trap Tagging System for Lobster Fishing". (H. P. 879) (L. D. 1093)

Bill, "An Act to Revise the Lobster Escape Vent Law and Remove its Sunset Provision". (H. P. 894) (L. D. 1091)

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

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

Bill, "An Act to Establish a Filing Fee for Public Utilities Seeking to Change their Rates". (H. P. 895) (L. D. 1092)

Bill, "An Act to Revise the Van Buren Light and Power District Charter". (H. P. 836) (L. D. 1068)

Bill, "An Act to Provide for the Establishment of Water Levels on Impoundments Controlled by Beneficial Use Dams, to Provide for Establishment of Water Level Rights by Eminent Domain, and to Provide for the Improved Clarification in Determining Abandoned Dam Ownership". (H. P. 868) (L. D. 1074)

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

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

Bill, "An Act to Encourage the Development of Small Scale Hydroelectric Facilities". (H. P. 867) (L. D. 1072)

Committee on Public Utilities suggested.

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

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

Bill, "An Act to Provide for an Environmental Doctor in the Department of Environmental Protection". (H. P. 880) (L. D. 1090)

Bill, "An Act Relating to Resident State Police Troopers". (H. P. 841) (L. D. 1069)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Remove the Attorney General, Secretary of State and Treasurer of State as Constitutional Officers. (H. P. 847) (L. D. 1088)

Come from the House, referred to the Committee on State Government and Ordered Printed.

Which were referred to the Committee on State Government and Ordered Printed, in concurrence.

Bill, "An Act to Provide Driver Competency Testing for Mopeds". (H. P. 881) (L. D. 1089)

Bill, "An Act to Revise the Method of Collection of Tolls on the Maine Turnpike". (H. P. 869) (L. D. 1075)

Come from the House, referred to the Committee on Transportation and Ordered Printed.

Which were referred to the Committee on Transportation and Ordered Printed, in concurrence.

Study Report — Joint Select Committee to Study the Vocational Technical Institute and the Maine School of Practical Nursing to which was referred the study Relative to the Vocational Technical Institutes and the Maine School of Practical Nursing, pursuant to H. P. 2281 of the 108th Legislature, have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill, "An Act Relating to the Vocational Technical Institutes". (H. P. 966) (L. D. 1097) be referred to the Committee on Education for public hearing and printed pursuant to Joint Rule 17.

Comes from the House, the Report Read and Accepted, and the Bill Referred to the Committee on Education.

Which Report was Read and Accepted, in concurrence, and the Bill Referred to the Committee on Education, in concurrence.

(Off Record Remarks)

Senate Papers

Senator Chapman of Sagadahoc presented, Bill, "An Act to Amend the Manufactured

Housing Act". (S. P. 394)

The same Senator presented, Bill, "An Act Concerning Insurance Consultants". (S. P. 381)

The same Senator presented, Bill, "An Act Concerning the Reason for Nonrenewal of Policies Under the Maine Property Insurance Cancellation Control Act". (S. P. 392)

The same Senator presented, Bill, An Act to Exempt Automobile Assigned Risk Policies from the Countersignature Requirements. (S. P. 393)

Senator Trafton of Androscoggin presented, Bill, An Act Relating to the Sunday Sale of Furniture. (S. P. 388)

Senator Clark of Cumberland, Cosponsor: Senator Chapman of Sagadahoc presented, Bill, "An Act to Transfer the Board of Registration for Professional Foresters from the Department of Conservation to the Department of Business Regulation". (S. P. 399)

Senator Ault of Kennebec, Cosponsor: Senator Clark of Cumberland presented, Bill, "An Act to Transfer the State Board of Certification for Geologists and Soil Scientists to the Department of Business Regulation". (S. P. 398)

Senator Clark of Cumberland, Cosponsor: Senator Pierce of Kennebec, presented, Bill, "An Act to Clarify and Correct Laws Related to Real Estate Brokers and Salesmen". (S. P. 391)

Senator Clark of Cumberland, Cosponsor: Senator Pierce of Kennebec presented, Bill, "An Act to Revise the Qualifications for Electricians". (S. P. 390)

Senator Clark of Cumberland, Cosponsor: Senator Pierce of Kennebec presented, Bill, "An Act Relating to the Listing of Contracts Made by Real Estate Brokers and Salesmen". (S. P. 389)

Which were referred to the Committee on Business Regulation and Ordered Printed.

Sent down for concurrence.

Senator Collins of Knox, Cosponsors: Senator Shute of Waldo and Senator Perkins of Hancock presented, Bill, "An Act Relating to Vocational Education Regions". (Emergency) (S. P. 396)

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

Sent down for concurrence.

Senator Trafton of Androscoggin, Cosponsors: Senator Huber of Cumberland, Senator Clark of Cumberland and Senator McBairty of Aroostook presented, Bill, "An Act to Create a Ground Water Protection Commission to Review the Laws Dealing with Ground Water". (S. P. 397)

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

Sent down for concurrence.

Senator Trafton of Androscoggin, Cosponsors: Senator Gill of Cumberland, Senator Ault of Kennebec and Senator Conley of Cumberland presented, Bill, "An Act Authorizing a Legislative Study on Family Impact". (S. P. 386)

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

Sent down for concurrence.

Senator Collins of Knox presented, Bill, "An Act Concerning Revisions in The Maine Criminal Code". (S. P. 395)

Senator Collins of Knox, Cosponsor: Senator Pierce of Kennebec presented, Bill, "An Act to Clarify Executive Conflict of Interest". (S. P. 400)

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

Sent down for concurrence.

Senator Silverman of Washington presented, Bill, "An Act to Prevent Tax Assessors from Assessing Taxes on Their Own Property". (S.

P. 387)

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

Sent down for concurrence.

Orders

An Expression of Legislative Sentiment recognizing that:

Kadi O'Leary of Allagash High School has played in the Class D Girls' basketball state final competition for five consecutive years . . . (S. P. 382) is presented by Senator McBairty of Aroostook, cosponsored by Representative Martin of Eagle Lake.

An Expression of Legislative Sentiment recognizing that:

Star McBairty of Allagash High School has played in Class D Girls' basketball state final competition for five consecutive years . . . (S. P. 383) is presented by Senator McBairty of Aroostook, cosponsored by Representative Martin of Eagle Lake.

An Expression of Legislative Sentiment recognizing that:

The Red Riots of South Portland have won the Western Maine Class A Basketball Championship for the academic year 1978-79 . . . (S. P. 384) is presented by Senator Gill of Cumberland, cosponsored by Representatives: Howe of South Portland, Cloutier of South Portland and Benoit of South Portland.

An Expression of Legislative Sentiment recognizing that:

The Pine Tree Warriors, Inc. of Lewiston will celebrate their 20th anniversary on March 22, through March 25, 1979 . . . (S. P. 385) is presented by Senator Minkowsky of Androscoggin, cosponsored by Senator Cote of Androscoggin.

Which were Read and Passed.

Sent down for concurrence.

Committee Reports

House

Ought to Pass

The Committee on State Government on, Bill, "An Act to Create a State Compensation Commission." (H. P. 403) (L. D. 523)

Reported that the same Ought to Pass.

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

Which Report was Read.

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

Senator DEVOE: Mr. President. I have looked at this L.D. and it seems to me, to be a back door way of laying on the shoulders of the Commission the task of determining what Legislators should be paid. In addition to Legislators, there is a provision for the Commission to study and provide recommendations for the compensation of Attorney General, Secretary of State, the Treasurer of State and the State Auditor.

In my opinion this is strictly Legislative business and need not be taken care of by a newly created State Compensation Commission, for that reason, I move the Indefinite Postponement of this Bill and all of its accompanying papers.

The PRESIDENT: The Senator from Penobscot, Senator Devoe, now moves that L. D. 523 be Indefinitely Postponed.

The Chair recognizes the Senator from Aroostook, Senator Martin.

Senator MARTIN: Mr. President and Ladies and Gentlemen. On the Bill, I would inform the good gentleman from Penobscot, Senator Devoe, that this was a unanimous Ought to Pass Report out of the State Government Committee.

I could think of no better way to increase or to review the Legislative per diem and salaries of Constitutional Officers, than too get input from members of the public. A Commission in the past has been very successful and has worked, I would therefore, Mr. President, oppose the pending motion.

The PRESIDENT: Is the Senate ready for

the question? The Chair will order a Division.

The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: If I recall correctly, there was a similar commission established by the 106th Legislature or thereabouts. I have heard the Senator from Cumberland, Senator Conley, say who is one of our veterans, with a very good memory, tell us we have never paid very much attention to the report of that Commission.

I would like very much to hear from some person who lived through that era tell us whether that sort of Commission has any impact on the Legislature? How long it takes to perform, and whether it is considered by you veterans a really worthwhile exercise in State Government?

The PRESIDENT: The Senator from Knox, Senator Collins, has posed a question through the Chair to any member of the State Government Committee or other interested Senator who may care to answer.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Senator CONLEY: Mr. President and Members of the Senate. I hate to put myself in the class that is looked upon as a professional politician in a sense. But I will state that I believe anytime we get a report from a commission or from any other independent board, that has been devised, what we do is we generally use what is present to us and work from that.

Perhaps, a good case in point, would be the most recent labor contracts that has been negotiated over the last 17 months, by the former governor and his administrative officers who sat through negotiations. As a result of allegedly a very long and arduous period of negotiations, they finally went to fact finding, and the fact finders report was a unanimous report. It was sent back to the state employees as well as the administration and they worked from that report. It is my understanding that the most recent date anyway that the negotiating team as well as the bargaining team on the part of the State, have come into full agreement and will be submitted to the employees now for their approval.

I think these reports do have some meaning, it is true that not on all occasions that a 100% adoption is made, but I do believe it gives us an area to work from, therefore, I think that the Bill before us does make some sense.

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

Senator KATZ: Mr. President. I too recall the previous recommendations from a commission and they were a point of departure, even as any LD dealing with Legislative pay and expense is always merely a point of departure, it is never accepted as it is.

One might ask before we create a new commission with a price tag, you will notice that there is an appropriation on this thing, whether there is an overriding need to spend this money for a point of departure.

When I saw the Bill this morning I certainly was not going to lash out at it, but I have very very serious misgivings as to whether or not the money that we spend is going to buy us something that is absolutely essential, for the taxpayers of Maine.

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

Senator CONLEY: Mr. President. It is my understanding that the price tag for this piece of Legislation is \$1,800. Certainly not a great deal of money, when we talk about the overall expenditures of the total state budget, it would also seem to me that if the Bill was put into a second reading, and if some members of the Body felt that that was too much money then they obviously could narrow it down.

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

Senator SUTTON: Mr. President. Just briefly as a member of the Committee, I would just

like to second Senator Martin's remarks. We did discuss this and felt that the money was rather small, and that the Commission, although I have not had the experience of knowing how commissions do perform might aid a little in putting together the salary numbers.

(Off Record Remarks)

The PRESIDENT: The pending question before the Senate, is the Motion by the Senator from Penobscot, Senator Devoe, that L. D. 523, be Indefinitely Postponed.

The Chair will order a Division.

Will all those Senator's in favor of Indefinite Postponement, please rise in their places to be counted.

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

16 Senators having voted in the affirmative and 10 Senators in the negative, the Motion to Indefinitely Postpone in non-concurrence does prevail.

Sent down for concurrence.

Ought to Pass — As Amended

The Committee on Education on, Bill, "An Act to Amend the Duties of the Commissioner of Education Relating to Bilingual Education." (H. P. 182) (L. D. 232)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-87)

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

The Committee on Marine Resources on, Bill, "An Act to Repeal the Tax on Marine Worms." (H. P. 62) (L. D. 70)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-82).

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

The Committee on Marine Resources on, Bill, "An Act Amending Certain Laws Relating to the Packing of Sardines." (H. P. 129) (L. D. 140)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-81)

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

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

Divided Report

Nine members of the Committee on Judiciary on, Bill, "An Act Raising the Amount of the Homestead Exemption in Attachment and Bankruptcy Proceedings." (H. P. 419) (L. D. 532)

Reported in Report A that the same Ought Not to Pass.

Signed:

Senators:

COLLINS of Knox
DEVOE of Penobscot
TRAFON of Androscoggin

Representatives:

STETSON of Wiscasset
CARRIER of Westbrook
SILSBY of Ellsworth
SEWALL of Newcastle
GRAY of Rockland
SIMON of Lewiston

Two members of the same Committee on the same subject matter Reported in Report B that the same Ought to Pass as amended by Committee Amendment "A" (H-79)

Signed:

Representatives:

HOBBINS of Saco
JOYCE of Portland

One member of the same Committee on the same subject matter Reported in Report C that the same Ought to Pass.

Signed:

Representative:

LAFFIN of Westbrook

Comes from the House, report "B" Read and Accepted, and the Bill Passed to be Engrossed as amended by Committee Amendment "A".

Which Reports were Read.

On Motion by Senator Conley, of Cumberland, Tabled for 1 Legislative Day, pending Acceptance of Any Committee Report.

Senate

Ought to Pass

Senator Pray for the Committee on Labor on, Bill, "An Act Relating to Self Employed Worker's Compensation Coverage." (S. P. 148) (L. D. 325)

Reported that the same Ought to Pass.

Which Report was Read and Accepted and the Bill Read Once and Tomorrow Assigned for Second Reading.

Ought to Pass — As Amended

Senator Devoe for the Committee on Judiciary on, Bill, "An Act Relating to Appropriation of Funds for Assistant District Attorneys." (S. P. 128) (L. D. 306)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-37)

Senator Devoe for the Committee on Judiciary on, Bill, "An Act to Remove the Sunset Provision on the Tort Claims Act." (S. P. 119) (L. D. 228)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-38).

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

Second Readers

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

House

Bill, "An Act to Transfer Jury Commissioners' Functions to Clerk of Courts and Permit Grand Jury Terms to be Set by Order of the Chief Justice." (H. P. 280) (L. D. 358)

Bill, "An Act to Expand the Meaning of the Term "Exits" under the Public Safety Laws." (H. P. 441) (L. D. 558)

Bill, "An Act to Clarify the Meaning of "The Prevention of Fire" under the Public Safety Statutes." (H. P. 440) (L. D. 557)

Bill, "An Act to Include the Fire Chief or his Designee in Filing Statements of Fire Occurrence." (H. P. 439) (L. D. 556)

Bill, "An Act Relating to Inspection by the State Fire Marshall." (H. P. 438) (L. D. 555)

Bill, "An Act to Revise the Laws Concerning Fire Exits." (H. P. 314) (L. D. 420)

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Limit the Purposes of the Meeting of the First Regular Session of the Legislature during December to Election of Constitutional Officers and Legislative Officers and to Provide for Senate Apportionment in 1983. (H. P. 288) (L. D. 348)

Which was Read a Second Time.

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

Senator CONLEY: Mr. President, I would pose a question, again through the Chair, as to whether any member of the State Government Committee has reviewed this with the Attorney General's Office, as to whether or not this could be done statutorily?

The PRESIDENT: The Senator from Cumberland, Senator Conley, has posed a question through the Chair.

The Chair recognizes the Senator from Aroostook, Senator Martin.

Senator MARTIN: Mr. President and Ladies and Gentlemen of the Senate. In response to the inquiry of the good Senator from Cumberland, Senator Conley. Yes we did check this out and statutorily the Bill would be absolutely meaningless. One Legislature can not be responsible for the forthcoming or official legislatures.

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

Senator COLLINS: Mr. President. There is one matter in this order of sequence that bothers me, I studied the Constitution yesterday, and I would hope that by the time we come to enactment on this there might be read into the record, the Committee's perception of this problem.

This Legislature, the 109th, is here under the old provisions of the Constitution, because the Governor did not see fit to announce the results of the November election in time for operation of the change we enacted last fall. Therefore our term as Legislators commences from January and the constitutional provision under which we were elected says that we serve for 2 years. Now 2 years would take us to January 1981, if we adopt this change that says we are going to do certain things in December of 1980 as the 110th Legislature. I am not quite clear what happens in the period between the first week of December when the 110th Legislature supposedly sits, and the first of January when supposedly the terms of our 109th Legislature end.

Now probably, the answer is our terms just get bobtailed by those 3 or 4 weeks, but I think if that is so, there ought to be a Legislative Record, created at least by statements on the floor, so when the Attorney General's Office is asked this question, a year and a half from now, and the question of who is supposed to confirm the Governor's nomination, between the first of December and the first of January comes up we will have a little basis for an answer here Perhaps the Committee already knows that, if so, I hope they will offer it into the record at a later time. Thank you.

The Resolution, Passed to be Engrossed, in concurrence.

House — As Amended

Bill, "An Act to Revise the Podiatric Practice Act." (H. P. 235) (L. D. 281)

Bill, "An Act to Require that Heads of State Agencies Report to the State Auditor any Suspected Improper or Illegal Financial Activity in their Agency." (H. P. 195) (L. D. 244)

Bill, "An Act to Clarify the Law Relating to the Maine Criminal Justice Sentencing Institute." (H. P. 281) (L. D. 359)

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

Bill, "An Act to Require Personnel Files to Include Medical Records and Nurses' Station Notes." (H. P. 139) (L. D. 158)

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

Sent down for concurrence.

Senate — As Amended

Bill, "An Act Relating to Plumbing Inspectors." (S. P. 153) (L. D. 369)

Which was Read a Second Time.

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

Senator PIERCE: Mr. President, I move that the Senate Reconsider its action whereby it Adopted Committee Amendment "A" to L. D. 369.

The PRESIDENT: The Senator from Kennebec, Senator Pierce now moves that the Senate

Reconsider its action whereby it Adopted Committee Amendment "A" to L. D. 369.

Is this the pleasure of the Senate?

It is a vote.

The Senator has the floor.

Senator PIERCE: I present Senate Amendment "A" to Committee Amendment "A" and move its Adoption.

The PRESIDENT: The Senator from Kennebec, Senator Pierce, now offers Senate Amendment "A" to Committee Amendment "A" and moves its Adoption.

Senate Amendment "A" (S-40) to Committee Amendment "A" Read and Adopted.

Committee Amendment "A" as amended by Senate Amendment "A" thereto was Adopted. The Bill, as amended, Passed to be Engrossed.

Sent down for concurrence.

Bill, "An Act to Test an Open Season on Moose for a One-year Period." (S. P. 42) (L. D. 28)

Which was Read a Second Time.

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

Senator HICHENS: I move that we Reconsider Adoption of Committee Amendment "A".

The PRESIDENT: The Senator from York, Senator Hichens, now moves that the Senate Reconsider its Action whereby it Adopted, Committee Amendment "A".

Is this the pleasure of the Senate?

The Chair recognizes the Senator from Somerset, Senator Redmond.

Senator REDMOND: I am surprised the good Senator from York, Senator Hichens, is asking for Reconsideration. I see there is an amendment here he has to offer. I wish he would have contacted some of the members of the Committee. We have done an extensive amount of work in getting this Bill together with all the experts and everything, and under the present statutes the Commissioner is permitted to do what he is asking, if it is necessary, and I do not see any purpose for this amendment, I oppose Reconsideration.

The PRESIDENT: Is the Senate ready for the question? The Chair will order a Division.

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

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

3 Senators having voted in the affirmative and 25 Senators in the negative, the Motion to Reconsider does not prevail.

The Bill, as amended, Passed to be Engrossed.

Sent down for concurrence.

Enactors

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

An Act Relating to Supplemental Assessments under the Taxation Statutes. (S. P. 68) (L. D. 105)

An Act to Specifically Define what Constitutes a Law Enforcement Officer's Signal to a Motorist to Stop. (H. P. 189) (L. D. 239)

An Act to Authorize the Lease of Mental Health and Corrections' Facilities by other Agencies. (H. P. 179) (L. D. 220)

An Act Increasing the Number of Laymen on the Judicial Council. (S. P. 191) (L. D. 458)

An Act Relating to Eating, Lodging and Recreational Places Licensing Law. (H. P. 9) (L. D. 18)

An Act Concerning the Maine Property Insurance Cancellation Control Act and to Make Nonpayment to an Agent Equivalent to Nonpayment to the Insurer. (S. P. 171) (L. D. 371)

An Act to Increase the Certification Fees for Geologists. (S. P. 133) (L. D. 310)

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

An Act to Increase the Compensation for Atlantic Sea Run Salmon Commission Members to \$25 a Day. (S. P. 120) (L. D. 229)

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

An Act to Increase the Penalties for Violation of the Statutes Concerning Minimum Wages. (S. P. 32) (L. D. 155)

On Motion by Senator Katz of Kennebec, Tabled for 2 Legislative Days, pending Enactment.

Emergency

An Act Relating to the Fiscal Year of Hospital Administrative District No. 4 in the Piscataquis, Somerset and Penobscot Counties. (H. P. 337) (L. D. 436)

Emergency

An Act to Allow the Trustees of the Portland Ministry at Large to Seek Changes in its Articles of Incorporation. (H. P. 253) (L. D. 298)

These being emergency measures and having received the affirmative votes of 27 members of the Senate, were Passed to be Enacted, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

Orders of the Day

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

Bill, "An Act to Permit Performing Arts Centers to Serve Alcoholic Beverages." (H. P. 252) (L. D. 297)

Tabled — March 12, 1979 by Senator Pierce of Kennebec

Pending — Passage to be Engrossed

On Motion by Senator Pierce of Kennebec, Retabled for 2 Legislative Days.

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

JOINT ORDER — Relative to Joint Rule 35 regarding Memorials. (S. P. 342)

Tabled—March 13, 1979 by Senator Pierce of Kennebec

Pending—Passage

On Motion by Senator Pierce of Kennebec, Retabled for 1 Legislative Day.

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

JOINT ORDER — Relative to Joint Rule 6-A regarding Legislative Papers. (S. P. 359)

Tabled—March 13, 1979 by Senator Pierce of Kennebec

Pending—Passage

On Motion by Senator Pierce of Kennebec, Retabled for 1 Legislative Day.

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

JOINT ORDER — Relative to Joint Rule 6 and adding a New Joint Rule 35A. (H. P. 897)

Tabled — March 13, 1979 by Senator Katz of Kennebec

Pending — Passage

On Motion by Senator Pierce of Kennebec, Retabled for 1 Legislative Day.

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

Papers from the House Joint Orders

An Expression of Legislative Sentiment recognizing that:

The Oak-Grove Coburn Tigers, coached by Fred Laliberty, have won their second straight Maine Class D Basketball Championship . . . (H. P. 986)

Comes from the House, Read and Passed.

Which was Read and Passed, in concurrence.

An Expression of Legislative Sentiment recognizing that:

Waterville High School Purple Panthers have won the Maine Class A State Hockey championship . . . (H. P. 985)

Comes from the House, Read and Passed.

Which was Read.

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

Senator PIERCE: Mr. President and Members of the Senate. This past Saturday, after a busy afternoon of attending town meetings, I was able to get back to Waterville to catch the third period of the State Class "A" Hockey Championship Game. I must admit that with 23 seconds left, when Lewiston tied the score, I was a little apprehensive, but then once again in overtime, the Waterville team and players came through as has been their style all year. I just wanted to say to my good friends from Lewiston, Senator Cote and Senator Minkowsky, being number two to a team like Waterville is no disgrace, at all.

Which was Passed, in concurrence.

Senator Pierce of Kennebec, was granted unanimous consent to address the Senate, Off the Record.

On Motion by Senator Pierce of Kennebec, Adjourned until 10 o'clock tomorrow morning.