

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

April 3, 1979

Senate called to Order by the President.

Prayer by Reverend Ernest Sjoberg, of the Richmond Community Church.

Reverend SJOBERG: I want to read just a few verses from the Psalms, allowed God to talk to us first, before we talk to him.

Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful, but his delight is in the Law of the Lord, and in his law doth he meditate day and night.

And he shall be like a tree planted by the rivers of waters, that bringeth forth his fruit in his season, his leaf also shall not wither, and whatsoever he doeth shall prosper.

The ungodly are not so, but are like the chaff which the wind driveth away, therefore the ungodly shall not stand in the judgement, nor sinners in the congregation of the righteous, for the Lord knoweth the way of righteous, but the way of the ungodly shall perish.

Shall we pray. Our Heavenly Father, we thank you this morning for our Word, which is a light unto our pathway, and a lamp unto our feet. We thank you, Our Father, for this great Nation of ours, founded by men who believed in you, trusted in you, and wanted your way of life, for this great Nation. We thank you our Father, today that we can have a part, even in this Chamber, of determining the direction in which we are to go, the degree to which we are going to put our trust in you. So, our Father, help us then to be willing to face the unchangeable reality that there are spiritual forces greater than any man-made ones and that we can be the channels through which thy spirit can flow to others. Help us, our Father, to realize that the great countries of the world have been those countries that have chosen that God should be their Lord. Help us, our Father, to help to shape our destiny in this direction, in this Chamber this morning. We pray in Jesus' name for His sake. Amen.

Reading of the Journal of yesterday.

(Off Record Remarks)

Papers from the House
Non-concurrent Matter

Bill, "An Act to Encourage Retraining of Handicapped Workers". (S. P. 164) (L. D. 368)

In the Senate, March 28, Passed to be En-grossed as amended by Committee Amendment "A" (S-55).

Comes from the House, Passed to be En-grossed, in non-concurrence.

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

Senator SUTTON: Mr. President, I move we Adhere.

The PRESIDENT: The Senator from Oxford, Senator Sutton, now moves that the Senate Adhere.

Is this the pleasure of the Senate?

The Chair recognizes the Senator from Cumberland, Senator Conley.

Senator CONLEY: Mr. President, I move that the Senate Recede and Concur, and request a Division.

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

A Division has been requested.

Will all those Senators in favor of the Motion to Recede and Concur, please rise in their places to be counted.

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

11 Senators having voted in the affirmative and 16 Senators having voted in the negative, the Motion to Recede and Concur does not prevail.

Is it now the pleasure of the Senate to Adhere?

The Motion Prevailed.

Non-concurrent Matter

Bill, "An Act to Provide for Environmental Education". (H. P. 1182) (L. D. 1434)

In the House, March 26, referred to the Committee on Appropriations and Financial Affairs.

In the Senate, March 30, referred to the Committee on Education, in non-concurrence.

The PRESIDENT: The Senator from Kennebec, Senator Katz, moves that the Senate Recede and Concur with the House.

Is this the pleasure of the Senate?

The Motion Prevailed.

Non-concurrent Matter

Bill, "An Act Relating to Occupational Loss of Hearing". (S. P. 199) (L. D. 495)

In the Senate, March 28, Passed to be En-grossed as amended by Committee Amendment "B" (S-59).

Comes from the House, Passed to be En-grossed as amended by Committee Amendment "A" (S-58), in non-concurrence.

The PRESIDENT: The Senator from Oxford, Senator Sutton, moves that the Senate Adhere.

Is this the pleasure of the Senate?

The Motion Prevailed.

Non-concurrent Matter

Bill, "An Act to Provide for Art in Public Buildings and Other Facilities". (H. P. 1071) (L. D. 1224)

In the Senate, March 23, Passed to be En-grossed, in concurrence.

Comes from the House, Passed to be En-grossed as amended by House Amendment "A" (H-150), in non-concurrence.

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

Senator PIERCE: Mr. President, I move that the Senate Recede and Concur.

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

The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: I move that the Senate Recede.

The PRESIDENT: The Senator from Waldo, Senator Shute, now moves that the Senate Recede.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator KATZ: Mr. President, through the Chair, might I inquire of the gentleman as to the purpose of this Motion to Recede, and any actions he might contemplate, that might flow from that Motion?

The PRESIDENT: The Senator from Kennebec, Senator Katz, has posed a question through the Chair, to the Senator from Waldo, Senator Shute. The Chair recognizes that Senator.

Senator SHUTE: Mr. President and Members of the Senate: If my Motion to Recede is upheld here in the Senate, I'd like to then make the Motion to Indefinitely Postpone the Bill.

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

Senator KATZ: Mr. President, I'm deeply grateful for the gentleman's candor, and I now understand the nature of the motion. I request a Division and suggest to the Senate that we might vote against the motion. Apparently, after some very delicate negotiating, the Bill is now in a much more responsible position and capable of being enacted in it's present form.

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

Senator SHUTE: Mr. President and Members of the Senate: The Bill that we have before us, of course, has been amended, but it does require 1% of the cost of the building to be put into Art, if that's a State Building, the 1%

Cost or \$25,000.

Now, the way the Amendment is written you have a negative check-off for your School Districts, and I feel if there is going to be an Amendment on this, in this manner, it shouldn't be a negative check-off. It should be that the Districts are not required to have Art unless they vote to have 1% of the cost of that building go to Art.

Now under this if they fail to comply with this, or they fail to take a vote on it, then they automatically have to have that 1% for Art in their School Buildings or anything else. I don't think that's the proper way to have School Districts or any public buildings on the municipal level to have to operate, I don't believe there should be a negative check-off on it.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of the Motion to Recede, please rise in their places until counted.

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

The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: Mr. President, I request a Roll Call.

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

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

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

The Chair recognizes the Senator from Washington, Senator Silverman.

Senator SILVERMAN: Mr. President and Members of the Senate: I would like to throw the question out, to what fiscal note is on this Bill, the cost to the State of Maine, could someone please answer on the fiscal note, Senator Katz?

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

Senator KATZ: Mr. President, I did not hear the question.

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

Senator SILVERMAN: Mr. President, I am quite sure Senator from Kennebec, that one of the policies you initiated at the beginning of this Session, was a fiscal note to the cost of all Legislation being passed in this Legislature. What would be the fiscal note, the cost, to the State of Maine for this Bill?

The PRESIDENT: The Senator from Washington, Senator Silverman, has posed the question to the Chair, to any Senator who may care to answer.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator KATZ: Mr. President, this Bill must have gone to some Committee, and I didn't hear the Bill, but it is my understanding that this Bill has no fiscal note, that it is contemplated that after the construction costs are determined, that somehow the architect will then be required to go back to the drawing board and squeeze out that \$25,000 or 1% whichever is the less. It is my understanding that any architect on a major construction program who can't do this, within the constraints, of a given amount of money, probably shouldn't have been retained in the first place.

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

Senator SUTTON: Mr. President, and Ladies and Gentlemen of the Senate: This Bill did go before a Committee, it went before the State Government Committee, and there was an awful lot of discussion of it. This is a very tiny step forward to add to the cultural well-being of our State.

There is, at least, a 7 to 10 percent contingen-

cy fund in all architect's charges for buildings. It's not 1% or \$25,000 it is 1% up to a maximum of \$25,000.

It seems very little that we can do to try to add a little dignity and purpose to some of these sterile buildings and architecture that we have here in the State. I would urge the Senate to go along with this small step forward.

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

Senator KATZ: Mr. President, if the gentleman will withdraw his motion, his request for a Roll Call, I will urge the Senate to withdraw it's opposition to his motion to Recede. I now understand that if we defeat the motion to Recede, we are in a parliamentary pickle, so I would urge everybody to support the motion to Recede, and then I will attempt to make a motion to Concur, and justice, I hope, will prevail.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: Mr. President, I move leave of the Senate to withdraw my motion.

The PRESIDENT: Senator Shute of Waldo, now requests Leave of the Senate to Withdraw his Motion for a Roll Call.

Is it the pleasure of the Senate to Grant this Leave?

It is a vote.

The pending question before the Senate is the motion by the Senator from Waldo, Senator Shute, that the Senate Recede.

A Division will be ordered.

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

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

27 Senators having voted in the affirmative and 1 Senator in the negative, the Motion to Recede does prevail.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator KATZ: Mr. President, I move that the Senate Concur, with the House.

The PRESIDENT: The Senator from Kennebec, Senator Katz, now moves that the Senate Concur, with the House.

Is this the pleasure of the Senate?

The Motion Prevailed.

Non-concurrent Matter

An Act to Permit the State Auditor to Report Certain Suspected Improper Transactions to the Attorney General's Office. (H. P. 196) (L. D. 245)

In the House, March 28, Passed to be Enacted.

In the Senate, March 30, Bill and Papers, Indefinitely Postponed, in non-concurrence.

Comes from the House, that Body Insisted and Asked for a Committee on Conference.

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

Senator PIERCE: Mr. President, I move that the Senate Adhere.

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

The Chair recognizes the Senator from Androscoggin, Senator Cote.

Senator COTE: Mr. President, I request a Roll Call.

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

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

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

The pending question before the Senate is the motion by the Senator from Kennebec, Senator

Pierce, that the Senate Adhere.

A Yes vote will be in favor of the Motion, to Adhere.

A No vote will be opposed.

The Doorkeepers will secure the Chamber. The Chair recognizes the Senator from Oxford, Senator Sutton.

Senator SUTTON: Mr. President, a Parliamentary Procedure, what happens if we Adhere?

The PRESIDENT: The Chair would answer that if the Senate Adheres, the Bill will be nearly extinct.

The Chair recognizes the Senator from Cumberland, Senator Conley.

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

The Chair recognizes the Senator from Kennebec, Senator Ault.

Senator AULT: Mr. President, I would hope that we oppose the Motion to Recede and Concur. We debated this Bill a couple days ago, and was defeated in this body by a vote of 20 to 9, and I hope that you will stand by that.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Cumberland, Senator Conley.

Senator CONLEY: Mr. President, This Bill has been before us several times, and I would state that it passed this body once 20 to 9 also. The fact that it may have met it's demise here, the other day, is due to the fact, I think, that many of us had, perhaps more important things on our minds.

It does occur to me, though, that a piece of Legislation, such as this must have had some reason for coming into the Legislation, and the fact that it spells out that the State Auditor should under law make any report to the Attorney-Generals' Office with respect to any wrongdoing, seems to me to be something that the citizens of this State would be concerned about.

Now it does appear to be frivolous, in a sense, the Senator from Kennebec, Senator Ault, said that this would be a normal procedure. Well apparently, there is not enough clarity within the Division of the State Auditor's Department, as to just what authority they have. This law will primarily and very simply state that they do have that authority to turn over to the Attorney-General's Office any possible wrongdoings, and I would urge that the Senate vote to Recede and Concur, with the House.

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

Senator AULT: Mr. President, it appears to me that Senator Conley is confused between L. D. 245 and L. D. 244 which we did pass earlier in the Session, L. D. 244 required any wrongdoing to be reported to the State Auditor by different departments. This bill L. D. 245 says that the State Auditor may, at any time, seek the advice of the Attorney-General.

At the public hearing the State Auditor did admit that he did have the authority to go to the Attorney-General and seek his advice, and had done so a number of times and had never been refused.

The fact that the Committee Amendment, the Statement of Fact, says "this Amendment changes the Title of the bill to indicate that the State Auditor currently has the power to seek the advice of the Attorney-General is what makes it so ludicrous, because that's what the bill says that he may do, but then the Committee Amendment changes the title saying that he can do it anyway. It isn't necessary.

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

Senator FARLEY: Mr. President, and Members of the Senate, having briefly looked at LD244 which the Senator from Kennebec just referred to, it seems that that particular piece of Legislation puts the onus on the Agency

Head or the Department Head.

A few questions for the Senator from Kennebec, what is the Auditor supposed to do with the information he finds on improprieties, and if he is to throw them in the wastepaper basket, then what's the purpose of having an Auditor.

The PRESIDENT: The Senator from York, Senator Farley, has posed questions through the Chair, any Senator may answer who so desires.

The Chair recognizes the Senator from Kennebec, Senator Ault.

Senator AULT: Mr. President, I'd have to ask Senator Farley, are you referring to LD244 what's he supposed to do with the information?

The PRESIDENT: The Senator from Kennebec, Senator Ault, has posed the question to the Chair, to the Senator from York, Senator Farley, who may answer if he so desires?

The Chair recognizes that Senator.

Senator FARLEY: Mr. President, and Members of the Senate. Under LD244 the onus is on the Department Heads to report it to the Auditor. Now my question is, isn't the Auditor supposed to find out what the department head is doing with the money?

Now, being an auditor for a short period of time, when I caught the bartender and the waitress cheating, I reported it to the manager, I'm sure the bartender cheating didn't report it to me. I ask again, if that's not the case and what we need an auditor for?

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

Senator AULT: Mr. President, I would ask the Chair, are we debating LD244 or LD245?

The PRESIDENT: The Chair would indicate that the present matter before the Senate is, LD245, which is a non-concurrent matter.

The Chair recognizes the Senator from York, Senator Farley.

Senator FARLEY: Having spoken three times, would ask permission to speak a fourth time.

The PRESIDENT: The Senator from York, Senator Farley, asks leave of the Senate to speak a fourth time. Is there objection?

The Senator has the floor.

Senator FARLEY: Mr. President, and Members of the Senate. If I'm confusing you, I would apologize, but the good Senator from Kennebec, referred to LD244 in his remarks to the Senator from Cumberland, Senator Conley, that we had taken care of that problem already in LD244.

No, in my interpretation of LD244, which the Senator from Kennebec referred to, if I read it right, the onus is on the Department Head to report any improper transactions to the Auditor.

That seems, to me, to be putting the cart ahead of the horse. If a department head is making illegal transactions in State Government, he certainly isn't going to report them to the Auditor. So my question again is, if the Auditor isn't going to report it to the Attorney-General's Office, who is going to? And if he's not going to then what do we need an Auditor for?

Isn't he hired to oversee Department Heads for the proper transactions of monies? That's what my interpretation of an Auditor is.

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

Senator AULT: In reply to Senator Farley, I have to inform him that I opposed LD244 also, because I didn't think it was necessary, but the Legislature, in it's wisdom has passed it, directing the department heads, as well as amending it to include any municipality, etc. that they have to report to the State Auditor. It made more sense to me to report it to the Attorney-General, who then would go to the State Auditor and ask him to do an audit of the department, and find out if something was wrong, ok. To get back to LD245, all LD245 says is the State Auditor may ask the advice of the Attorney-General, and he can do it now.

The PRESIDENT: Is the Senate ready for the question?

The pending question before the Senate is the motion by the Senator from Cumberland, Senator Conley, that the Senate Recede and Concur with the House.

The Chair will order a Division.

Will all those Senators in favor of the motion to Recede and Concur, please rise in their places to be counted.

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

8 Senators having voted in the affirmative and 19 Senators in the negative, the Motion to Recede and Concur does not prevail.

Is it now the pleasure of the Senate to Adhere?

A Roll Call has been ordered.

The pending question before the Senate is the Motion by the Senator from Androscoggin, Senator Cote, that the Senate Adhere.

A Yes vote will be in favor of the Motion to Adhere.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

YEA — Ault, Collins, Devoe, Emerson, Gill, Hichens, Huber, Katz, Martin, McBreairty, Pierce, Pray, Redmond, Shute, Silverman, Teague, Trotzky, Usher.

NAY — Carpenter, Clark, Conley, Cote, Farley, Najarian, O'Leary, Perkins, Sutton, Trafton.

ABSENT — Chapman, Danton, Lovell, Minowsky.

A Roll Call was had.

18 Senators having voted in the affirmative and 10 Senators in the negative, and 4 Senators being absent, the Motion to Adhere does prevail.

Joint Orders

An Expression of Legislative Sentiment recognizing that:

The Shipmate Players of Presque Isle High School, under the direction of Daniel Ladner, Glenna Smith and Richard Lord, won First Place in Aroostook League competition for their adaptation of "The Zen Substitute," (H. P. 1274)

Comes from the House, Read and Passed.

An Expression of Legislative Sentiment recognizing that:

The Sanford High School wrestling team, coached, by Richard Faulkner, has won the 1979 Maine State Wrestling Championship. (H. P. 1279)

Comes from the House, Read and Passed.

Which were read and Passed, in concurrence.

Joint Resolution

JOINT RESOLUTION

URGING THE STATE PRINCIPAL'S ASSOCIATION

TO ALLOW PARTICIPATION IN NEW ENGLAND CHAMPIONSHIP GAMES

WHEREAS, Maine athletes should be given the opportunity to compete in a variety of team and individual sports against the very best athletes from other New England States; and

WHEREAS, when given that opportunity in the past, Maine athletes have always been outstanding representatives of our State; and

WHEREAS, in April, 1978, with less than one-third of the membership voting, and again in November, 1978, with less than one-fifth of the membership voting, the State Principal's Association effectively determined that Maine secondary school athletes could no longer compete in New England Council of Secondary School Principals; and

WHEREAS, the reasons given for that determination, including cost, scheduling and lack of participants, should be reviewed; and

WHEREAS, the State Principal's Association will meet in April of this year, at which

time they will have the opportunity to reconsider the issue; now, therefore, be it

RESOLVED: That we, the members of the 109th Legislature, now assembled, respectfully recommend and urge the State Principal's Association, at its April, 1979 meeting, to reconsider the withdrawal from the New England Council of Secondary School Principals and, as an association, to rejoin that council; and be it further

RESOLVED: That duly attested copies of this Resolution be transmitted forthwith by the Secretary of State to the members of the State Principal's Association.

(H. P. 1280)

Comes from the House, Read and Adopted.

Which was Read.

On Motion by Senator Pierce of Kennebec, Tabled for 1 Legislative Day, pending Adoption.

House Papers

Bill, "An Act to Implement a Plan for the Prevention and Treatment of Alcoholism and Alcohol Abuse." (H. P. 1206) (L. D. 1485)

Committee on Appropriations and Financial Affairs suggested.

Comes from the House, referred to the Committee on Health and Institutional Services and Ordered Printed.

On Motion by Senator Pierce of Kennebec, referred to the Committee on Appropriations and Financial Affairs and Ordered printed in non-concurrence.

Sent down for concurrence.

Bill, "An Act to Encourage the University of Maine Law School to Offer Extension and Evening Programs for Part-time Students." (H. P. 1237) (L. D. 1495)

Bill, "An Act to Form the Bogy Brook Vocational School." (Emergency) (H. P. 1124) (L. D. 1473)

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

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

Bill, "An Act to Encourage an Increase in the Number of Primary Care Physicians Locating in Maine." (H. P. 1236) (L. D. 1496)

Committee on Education suggested.

Comes 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 Establish a Silvicultural Review Board." (H. P. 1187) (L. D. 1486)

Bill, "An Act to Permit the Consideration of Solar Access Issues when Approving any Subdivision." (H. P. 1238) (L. D. 1491)

Comes 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 Create a Pre-petition Settlement Phase in the Juvenile Justice System by Utilizing a Panel of Juvenile Peers." (H. P. 1241) (L. D. 1488)

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for Five-year Terms for Judges Instead of Seven-year Terms and to Provide for Legislative Action upon Public Petition of Judicial Misconduct. (H. P. 1213) (L. D. 1489)

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

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

Bill, "An Act Concerning Payments and Ex-

penses for Facial Disfigurement and Burial Expenses" (H. P. 1242) (L. D. 1492)

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

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

Bill, "An Act to Regulate State Liquor Stores and Agencies." (H. P. 1243) (L. D. 1487)

Bill, "An Act Concerning Part-time Licenses under the Liquor Statutes." (H. P. 1215) (L. D. 1494)

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

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

Bill, "An Act to Suspend the Marketing Activities of the Department of Marine Resources for Fiscal Year 1979-80." (Emergency) (H. P. 1244) (L. D. 1493)

Bill, "An Act to Authorize Per Diem for Members of an Advisory Committee or Panel of the New England Regional Fisheries Management Council." (H. P. 1245) (L. D. 1490)

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

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

Bill, "An Act to Facilitate the Licensing of Small Hydroelectric Generating Facilities." (H. P. 1195) (L. D. 1472)

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

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

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

Bill, "An Act to Promote Greater Efficiency through Alternative Working Hours for State Employees." (H. P. 1217) (L. D. 1480)

Bill, "An Act Authorizing Inclusion of the District Attorneys' Budgets in the Attorney General's Budget and Reducing County Payments for the District Attorneys' Expenses." (H. P. 1249) (L. D. 1497)

Comes 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 Relating to the Testing and Product Approval Authority of the Energy Testing Laboratory of Maine and Creating a Board of Directors for that Laboratory." (H. P. 1169) (L. D. 1475)

Committee on State Government suggested.

Comes 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 State Government and Ordered Printed, in non-concurrence.

Sent down for concurrence.

Study Report — The Joint Select Committee on Marine Research

The Joint Select Committee on Marine Research to which was referred the Study of the Marine Research pursuant to House Paper 1791 of the 108th Maine Legislature, has had under the same under consideration and asks leave to report that the accompanying Bill, "An Act to Provide for Oversight of Marine Research by the Department of Marine Resources", (H. P. 1272) (L. D. 1476) be referred to the Joint Standing Committee on Marine Resources 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 Marine Resources.

Which Report was Read and Accepted in concurrence, and the Bill referred to the Committee on Marine Resources, in concurrence.

Study Report — The Joint Select Committee on Marine Research

The Joint Select Committee on Marine Research to which was referred the Study of Marine Research pursuant to House Paper 1792 of the 108th Maine Legislature, has had the same under consideration and asks leave to report that the accompanying Bill, "An Act to Clarify the Scientific Research Authority of the Department of Marine Resources", (H. P. 1273) (L. D. 1477) be referred to the Joint Standing Committee on Marine Resources 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 Marine Resources.

Which Report was Read and Accepted in concurrence and the Bill referred to the Committee on Marine Resources, in concurrence.

On Motion by Senator Conley of Cumberland, the Senate voted to reconsider its action of earlier in today's session, whereby, Bill, "An Act Authorizing Inclusion of the District Attorneys' Budget in the Attorney General's Budget and Reducing County Payments for District Attorneys' Expenses", (H. P. 1249) (L. D. 1497) was referred to the Committee on State Government and Ordered Printed.

Senator CONLEY: Mr. President, I now move that this Bill be referred to the Committee on Local and County Government.

The PRESIDENT: The Senator from Cumberland, Senator Conley, now moves that the Bill be referred to the Committee on Local and County Government.

On Motion by Senator Katz of Kennebec, tabled until later in today's session, pending the motion by the Senator from Cumberland, Senator Conley.

Senate Paper

Senator Cote of Androscoggin presented, Bill, "An Act to Allocate Moneys for the Administrative Expenses of the State Lottery Commission for the Fiscal Years Ending June 30, 1980 and June 30, 1981." (Emergency) (S. P. 492)

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

Sent down for concurrence.

Order

On Motion by Senator Perkins of Hancock, ORDERED, the House concurring, that the Joint Select Committee on Correctional Institutions is directed to report out a bill dealing with the emergency appropriation to the Department of Mental Health and Corrections. (S. P. 491)

Which was Read and Passed.

Sent down for concurrence.

Committee Reports

The following Ought Not to Pass reports shall be placed in the legislative files without further action pursuant to Rule 22 of the Joint Rules:

Bill, "An Act Providing an Exemption for Churches and Religious Institutions to the Statute Governing Dissemination of Obscene Matter to Minors." (H. P. 606) (L. D. 751)

Bill, "An Act Relating to the Establishment of a State Building Code." (H. P. 546) (L. D. 677)

Leave to Withdraw

The Committee on Health and Institutional Services on, Bill, "An Act to Encourage Peer Review Activities in Health Care by Protecting Individuals Participating in Peer Review and

by Protecting the Records of Peer Review Organizations." (H. P. 373) (L. D. 479)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Judiciary on, Bill, "An Act to Amend the Statute Relating to Motions to Amend or Enforce a Divorce Decree." (H. P. 464) (L. D. 578)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Labor on, Bill, "An Act Concerning Severance Pay under the Employment Practices Statutes." (H. P. 505) (L. D. 610)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Local and County Government on, Bill, "An Act Concerning Appointment of County Commissioners to Certain County Offices." (H. P. 423) (L. D. 518)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Taxation on, Bill, "An Act Granting Municipalities the Option to Levy and Collect Charges for Services to Tax Exempt Properties." (H. P. 761) (L. D. 941)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Health and Institutional Services on, Bill, "An Act to Provide Birth Certificates for Foreign Born Adopted Children." (Emergency) (H. P. 593) (L. D. 737)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

Which Reports were Read.

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

Senator CARPENTER: Would it be proper to briefly make a statement about one of the Leave to Withdraw Reports?

The PRESIDENT: The Chair would answer in the affirmative.

Senator CARPENTER: Mr. President and Ladies and Gentlemen of the Senate: Pending the Motion by the good Senator from Kennebec, Senator Katz, I would just draw your attention to L. D. 373, which the Health and Institutional Services Committee is putting out Leave to Withdraw, as it is covered under other Legislation.

The Gentle Lady from the other body, who put this bill in had some good thoughts as did the Senator from Hancock, Senator Perkins, and we combining this Bill. There was some confusion on these Bills, while they were before the Committee and I just wanted to make sure that everybody understood the intent of this. L. D. 737 is encompassed in another bill, which we will report out very shortly.

The Leave to Withdraw Reports Accepted, in concurrence.

(Off Record Remarks)

Ought to Pass

The Committee on State Government on, Bill, "An Act to Clarify the Rule-making Procedure of the Commissioner of Public Safety." (H. P. 549) (L. D. 680)

Reported that the same Ought to Pass.

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

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

row Assigned for Second Reading.

Ought to Pass - As Amended

The Committee on State Government on, Bill, "An Act to Amend the Membership and the Legislative Mandate of the Capital Planning Commission." (H. P. 476) (L. D. 599)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H. 147)

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

Which Report was Read and Accepted in concurrence, and the Bill Read once. Committee Amendment "A" was Read and Adopted in concurrence, and the Bill, as amended, Tomorrow Assigned for Second Reading.

Ought to Pass in New Draft

The Committee on State Government on, RESOLVE, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Lands in the Town of Atkinson, Piscataquis County and St. John Plantation in Aroostook County and the Unorganized Territory." (H. P. 529) (L. D. 667)

Reported that the same Ought to Pass in New Draft under same title. (H. P. 1264) (L. D. 1448)

Comes from the House, the Resolve, in New Draft, Passed to be Engrossed.

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

Divided Report

The Majority of the Committee on Aging, Retirement and Veterans on, Bill, "An Act to Provide Continued Educational Benefits for Veterans' Widows after Remarriage." (H. P. 553) (L. D. 700)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H. 141)

Signed:

Representatives:

DELLERT of Gardiner
HANSON of Kennebunkport
NELSON of Portland
THERIAULT of Rumford
HICKEY of Augusta
LOWE of Winterport
STUDLEY of Berwick

The Minority of the same Committee on the same subject matter Reported that the same Ought Not to Pass.

Signed:

Sensors:

LOVELL of York
SILVERMAN of Washington
TEAGUE of Somerset

Representatives:

CHURCHILL of Orland
PAUL of Sanford
REEVES of Newport

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

Which Reports were Read.

On Motion by Senator Katz of Kennebec, Tabled for 1 Legislative Day, pending Acceptance of Either Committee Report.

Divided Report

The Majority of the Committee on Education on, Bill, "An Act Relating to the Advisory Board to the Fireman's Training Program of the Department of Educational and Cultural Services." (H. P. 173) (L. D. 223)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H. 132)

Signed:

Sensors:

TROTZKY of Penobscot
GILL of Cumberland

MINKOWSKY of Androscoggin
Representatives:

CONNOLLY of Portland
BEAULIEU of Portland
LOCKE of Sebecton
GOWEN of Standish
BIRT of East Millinocket
DAVIS of Monmouth
ROLDE of York
FENLASON of Danforth

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass as amended by Committee Amendment "B" (H-132)

Signed:

Representatives:

LEIGHTON of Harrison
LEWIS of Auburn

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

Which Reports were Read.

On Motion by Senator Hichens of York, Tabled for 1 Legislative Day, pending Acceptance of Either Committee Report.

The President would ask the Sergeant at Arms to escort the Majority Floor Leader, Senator Katz, of Kennebec, to the rostrum to assume the duties of President Pro-tem.

The Sergeant-at-Arms escorted the Senator from Kennebec, Senator Katz, to the rostrum, where he acted as President Pro-tem.

The President then retired from the Senate Chamber.

Divided Report

The Majority of the Committee on Fisheries and Wildlife on, Bill, "An Act to Lower the Daily Limit for Smelt Dealers to 4 Quarts." (H. P. 272) (L. D. 346)

Reported that the same Ought Not to Pass.

Signed:

Sensors:

REDMOND of Somerset
PIERCE of Kennebec

Representatives:

TOZIER of Unity
MacEACHERN of Lincoln
PETERSON of Caribou
VOSE of Eastport
MASTERMAN of Milo
JACQUES of Waterville
DOW of West Gardiner
CHURCHILL of Orland

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass.

Signed:

Senator:

USHER of Cumberland

Representative:

PAUL of Sanford

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

Which Reports were Read.

The PRESIDENT Pro-tem: The Chair recognizes the Senator from Somerset, Senator Redmond.

Sensor REDMOND: I move the Senate Accept the Majority Ought Not to Pass Report of the Committee.

The PRESIDENT Pro-tem: The Senator from Somerset, Senator Redmond, now moves that the Senate Accept the Majority Ought Not to Pass Report of the Committee.

The Majority Ought Not to Pass Report of the Committee, Accepted.

Senate

The following Ought Not to Pass report shall be placed in the legislative files without further action pursuant to Rule 22 of the Joint Rules:

Bill, "An Act to Enable the Land Use Regulation Commission to Establish Standards for Timber Harvesting in Management Districts."

(S. P. 196) (L. D. 463)

Leave to Withdraw

Senator Trotzky for the Committee on Energy and Natural Resources on, Bill, "An Act to Restrict Access to Allagash Lake in the Allagash Wilderness Waterway." (S. P. 254) (L. D. 728)

Reported that the same be granted Leave to Withdraw.

Which Report was Read and Accepted.

Sent down for concurrence.

Ought to Pass

Senator O'Leary for the Committee on Energy and Natural Resources on, Bill, "An Act Exempting Certain Nonconsumer, Industrial Uses of Aerosols from the Statute Prohibiting Certain Aerosols." (S. P. 160) (L. D. 335)

Reported that the same Ought to Pass.

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

Second Readers

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

House - As Amended

Bill, "An Act to Provide for Marking of the Trans-Maine Highway." (H. P. 576) (L. D. 724)

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

Bill, "An Act Regulating Hunting with Muzzle-loading Rifles." (H. P. 498) (L. D. 622)

Which was Read a Second Time.

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

Sensor O'LEARY: Mr. President, in regards to L. D. 622 I now move the Indefinite Postponement of this Bill and all of its accompanying papers.

The PRESIDENT Pro tem: The Senator from Oxford, Senator O'Leary, now moves that L. D. 622 be Indefinitely Postponed.

Is this the pleasure of the Senate?

The Chair recognizes the Senator from Kennebec, Senator Pierce.

Sensor PIERCE: Mr. President, I would ask for a Division.

The PRESIDENT Pro tem: A division has been requested.

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

Sensor O'LEARY: Mr. President, I was hoping that we could dispense with this Bill without any debate, however, it is one of the most asinine pieces of Legislation that I have ever seen.

I am a hunter, but I would rather outlaw muzzle-loading rifles from the woods altogether, but to allow them to be in an automobile transported loaded, no way.

If you take the firing pin out of a rifle, it is going to take you 15 or 20 minutes, to put this percussion cap or the flint in there is just a flip of the finger, and it is ready to fire, I hope that you will support me in this Motion to Indefinitely Postpone this Bill.

The PRESIDENT Pro tem: The Chair recognizes the Senator from Somerset, Senator Redmond.

Sensor REDMOND: Mr. President, all this bill does, is enable the people to carry muzzle-loading rifles, in their automobile to know where they stand. A conventional weapon you have bullets or shells, and either the bullet is in the magazine or it is out, however a muzzle-loading rifle, has to be loaded with powder and it has to have some newspaper and some pellets or some type of material in there, which the owner of the rifle has to do, that part of it, before he leaves his home, when he is on his way hunting.

This defines exactly what is legal or what is illegal as far as carrying his rifle in the car. That is all that this Bill does. I do not know of

any other thing. If the other Senators on the Committees know of anything different I wish that they would tell us, but as far as I am concerned this is all I know about it.

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

Sensor O'LEARY: A muzzle loading rifle has to be loaded with black powder, then a charge or a ward of cotton or paper or such placed in it, a ball 44, or 45 caliber or some of those even 50 caliber cannons, and they can be loaded to any size that you want. You might knock an animal 20 feet through the air with one of these things, and knock yourself back 6 or 8 feet, I have seen them operate.

What we are talking about here, is carrying a loaded rifle in a car, it is illegal to transport any other rifle loaded, and that is what this rifle is. So I hope that you will support me in the Indefinite Postponement of this Bill.

The PRESIDENT Pro tem: The Chair recognizes the Senator from Somerset, Senator Redmond.

Sensor REDMOND: I do not understand the reaction from the good Senator from Oxford, on this Bill, because we gave this Bill a public hearing, Fisheries and Wildlife, and there was no opposition whatsoever. The members of the Department of Fisheries and Wildlife were present and the members of the Sportsman's Alliance of Maine and various organizations. All this does as the Statement of Fact states, "this amendment requires flints to be removed from flint lock rifles for their safe transportation." This gives something to go by for those who are owners of flint lock rifles. I understand that there is a Division requested, and I hope that the Senate will vote to uphold this Bill.

The PRESIDENT Pro tem: The pending question before the Senate is the motion by the Senator from Oxford, Senator O'Leary that this Bill and all of its accompanying papers will be Indefinitely Postponed.

A Division has been requested.

Will all those Senators in favor of Indefinite Postponement of this Bill, please rise in their places to be counted.

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

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

The Bill, Passed to be Engrossed, as amended, in concurrence.

Senate

Bill, "An Act Providing for Equitable Unemployment Compensation Contributions by Related Corporations that Concurrently Employ the Same Individual." (S. P. 195) (L. D. 462)

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

Sent down for concurrence.

Senate - As Amended

Bill, "An Act to Require that Fairs meet Qualification Standards before they are Entitled to Receive Money from the Stipend Fund." (S. P. 58) (L. D. 91)

Bill, "An Act Providing for Archaeological Investigation of the "Viking Coin" Historical Site." (Emergency) (S. P. 139) (L. D. 321)

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

Sent down for concurrence.

Bill, "An Act to Provide that Unemployment Compensation be Based on the Minimum Wage for Certain Services Rather than on Tips and Gratuities Received for the Service." (S. P. 204) (L. D. 536)

Which was Read a Second Time.

On Motion by Senator Pierce of Kennebec, Tabled for 1 Legislative Day, pending Passage to be Engrossed.

Enactors

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

An Act to Restrict the Placing of Hazardous Objects on Utility Poles. (S. P. 107) (L. D. 212)

An Act to Permit the Retirement Earnings Limitation to Increase as Cost-of-Living Increases in Retirement Benefits are Granted. (S. P. 222) (L. D. 606)

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

Orders of the Day

The President Pro-Tem laid before the Senate the First Tabled and specially assigned matter:

Bill, "An Act Concerning Certain Allocations from the General Highway Fund for the Repair of Certain Bridges in Baxter State Park." (Emergency) (H. P. 134) (L. D. 145)

Tabled—March 29, 1979 by Senator Katz of Kennebec

Pending—Passage to be Engrossed

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

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

Bill, "An Act Relating to Constables and Special Police Officers." (H. P. 250) (L. D. 295)

Tabled—March 30, 1979 by Senator Katz of Kennebec

Pending—Enactment

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

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

Bill, "An Act to Make Corrections of Errors and Inconsistencies in the Laws of Maine." (S. P. 401) (L. D. 1161) (Emergency)

Tabled—March 30, 1979 by Senator Katz of Kennebec

Pending—Passage to be Engrossed

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

Senator COLLINS: Mr. President I offer Senate Amendment "F" S-77 and move its Adoption.

The PRESIDENT Pro tem: The Senator from Knox, Senator Collins, offers Senate Amendment "F" (S-77) and moves its Adoption.

Senate Amendment "F" (S-77) Read

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

Senator COLLINS: Mr. President the purpose of this Amendment is simply to delete a section, because we found that there is a Bill now in the legislative process that deals with this same subject concerning Bail Commissioners and we felt it was better not to create any confusion, in that respect.

Senate Amendment "F", Adopted.

The Bill, as amended, Passed to be Engrossed.

Sent down for concurrence.

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

SENATE REPORTS — from the Committee on Agriculture - Bill, "An Act to Authorize Municipalities of Under 2,500 Inhabitants to Permit other than Arborists to Remove Trees within Municipal Boundaries." (S. P. 219) (L. D. 761) Majority Report - Ought to Pass; Minority - Ought Not to Pass

Tabled—April 2, 1979 by Senator Katz of Kennebec

Pending—Motion of Senator Hichens of York to Accept Minority Report.

The PRESIDENT Pro tem: The Chair recognizes the Senator from Somerset, Senator Redmond.

Senator REDMOND: Mr. President, and Ladies and Gentlemen of the Senate. I oppose the motion by the good Senator from York, to Accept the Minority Ought Not to Pass Report and urge you to accept the majority report.

Ten members of the Committee on Agriculture signed the Ought to Pass Report. What this Bill does L. D. 761 An Act to Authorize Municipalities of Under 2,500 Inhabitants to Permit Persons Other than Arborists to Remove Trees within Municipal Boundaries."

This Bill, was carefully drawn in the Office of Legislative Information, and checked out by the Office of the Attorney-General, who sees no problem with it. It has the full support of the Maine Municipal Association.

It changes the Arborists law under Title 32, MRSA, Chapter 29, Sub-Chapter 11. I would like to read the law, and the law defines an arborist as a person, who for compensation, diagnosis, or evaluates the condition of shade or ornamental trees, or solicits or recommends or supervises the treatment of such trees, or in any manner or for any purpose treats or cares for such trees or parts thereof, or takes down or fells such trees by topping or by sections. This is a part that is affected in the arborists law only, takes down or fells such trees by topping, or by sections.

What this bill does is returns to the municipalities what they are doing right along, or what some don't dare do. It becomes a threat to some people's lives, because some can't even afford arborists, and some of these municipalities under 2,500 of population, just simply don't have arborists there handy to cut down trees that should come down because they are decayed or dead trees. The arborists are doing a fine job. In many cases, some of these municipalities under 2,500 would continue to have to use the services of arborists, because some of them have some special equipment, which is designed to take down some of these trees that would be dangerous to take down otherwise.

However, the problem that seems to exist here, is that some of these municipalities, for instance, North Anson, or Jackman are being mandated by the Department of Conservation, to hire an arborist each time a tree gets in their way, is the same probably as if we mandated them in North Anson to have a steeple jack there, which they'd probably use, once in 25 years.

Some of these towns are located at a distance that is prohibitive for an arborist to move there, when some of these trees have to be removed. Jackman, for instance, would be at least 60 miles from the nearest arborist to go there, Caratunk couldn't support an arborist in their town, they wouldn't have enough work for him. So, traditionally, those people who work in the woods are the ones that are asked by the municipalities, the tree warden or whoever is responsible for removing dangerous trees, and many of the municipalities don't even know the law, and they are doing it as they conduct all their business in these municipalities, under 2,500 population.

This is a good bill and like I say, the Attorney-General has no problem with it. The Maine Municipal Association would like to see it, they give it their full support. I hope that you vote against the motion Ought Not to Pass, and support the Ought to Pass motion. Thank You.

The PRESIDENT Pro tem: Is the Senate ready for the question?

The Chair recognizes the Senator from York, Senator Hichens.

Senator HICHENS: Mr. President, and Members of the Senate, I appreciate the remarks and the explanations given by the good Senator from Somerset, Senator Redmond, but I think he has given us some reasons why we should vote Not to Pass this bill. The fact that many towns are hiring people to cut down the trees doesn't mean that it is right.

We had several people at the hearing who

spoke against the bill, only two spoke for it, including the Maine Municipal Association. I think that is what influenced several of the members that signed the Ought to Pass Report, because they seemed to think that when the Maine Municipal Association says something's good it has to be good. I've learned from experience that that's not always the case, but the people that were concerned and wanted us to vote against the bill explained what a ticklish job this is cutting down trees along the highways. Especially, where the power lines are involved, and where there is passing traffic, and how many times that people, who are inexperienced, have been hurt. Towns can be sued because there is no insurance coverage for these people when the town offices hire them, and it says in the bill that the municipality can qualify a person themselves.

I was just wondering how many selectmen know whether a person is qualified to cut down a tree or not, by his say so or whether they even saw a man cutting down a tree whether they would know if he was proficient in that job.

As you noticed, the three Senators who voted against the bill and I think you can rely on their wisdom, this was heard two years ago. The Committee also turned it down at the time, and it was turned down by the Legislature. The Bill says that it's for towns 2,500 or less, other towns with more people are going to shout discrimination. Next year it will be up to 4,000 up to 10,000, and then the City of Portland will be having the same rights, so I think we should kill the bill right now.

The PRESIDENT Pro tem: Is the Senate ready for the question?

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

Senator O'LEARY: Mr. President, and Members of the Senate, for years the municipalities have had the right to appoint boards that would name a tree warden. If you look under the statutes, Section 30, Sub-section 3902, it says here the municipal officers of municipalities not having appointed a conservation commission as provided by Sub-Chapters 1, 2, and 5 may annually appoint one or more tree wardens. Then it goes into what these tree wardens may do and may not do.

Now, I would like to emphasize that this bill is not to eliminate the profession of an arborist. This is a reduced measure of local control, and it's to compliment the arborist's law in a way. It is supported by the Maine Municipal Association, and this is only in the rural areas, it's not in your crowded urban areas, the danger of your electrical wires, and traffic aren't that heavy in the small municipalities. When you get to these rural municipalities we're talking about here, you have people who are imminently more qualified to take down a tree than some of these arborists.

It was just a couple of weeks ago, I was coming down here and as I come over the hill out of Winthrop, there was one of our famous arborist's truck right there, and there was three local yocals that must have been 18, 19 or 20 years of age, not one of them an arborist, taking down a tree that must have been 50 feet in diameter with the branches. Man, this was something, where was the arborists? We have people out there in our urban areas more qualified to take down these trees, than an arborist, and the price is right.

The PRESIDENT Pro tem: Is the Senate ready for the question?

The Chair recognizes the Senator from Somerset, Senator Redmond.

Senator REDMOND: I wish to enlighten the good Senator from York with regards to arborists and the taking down of trees. Firstly, I would like to state that I personally supervised and was involved in taking down trees on approximately a minimum of 5,000 acres during my days of logging.

I personally have supervised and taken down trees on both sides of the Kenduskeag River in

Bangor, I've cleared right of ways which passed through the middle of the cemetery in Bangor, and across the Kenduskeag River, I have supervised and cleared right of ways in the City of Augusta, here, between the Old Belgrade Road and down to the Toll Station.

The only reason I'm interested in this, is because I understand the problems that some of these small towns are facing trying to abide by this law. Some of them have requested, namely the town that I lived in last fall, the Town of North Anson, the first selectman requested that I put that bill in. I have no problem with it, the 10 members of the House have no problem with it.

The arguments that I have heard here is that it was for the safety of the people, well, where is the safety of the people when no one can afford to have a piece of equipment come 50 miles or 30 miles and they just simply can't afford those costs?

Besides the safety, this bill would help restore the beauty of the country. The countryside looks awful with a lot of these dead elms that people cannot afford to, think about, because of this law. They could also use much of this wood for fuel before it decays. While we're debating the extent of the laws relating to arborists, the danger is greater and still gets greater.

The Dutch Elm Disease Law, when these arborists go to remove trees in the municipalities, those trees have to be disposed of. Some of these municipalities are compelled to have solid fill dumps, and they all have various regulations. There are other laws that the arborists are fully aware of, some of these elms cannot be just dropped and left there, they have to be disposed of. How do the arborists know what the law is in North Anson or in Jackman or in Sangerville? They need to know how to dispose of this wood and they have to go to the municipal officers or the tree officer. The law, as it now stands, permits homeowners' to take down their own trees, but many do not have that experience.

Well, in the urban communities people do not have either the knowledge or the tools to do the job and this is where the arborists' law works. The small municipalities have to take care of all their own problems, snow removal, road repairs, in an emergency situation if someone knocks over a tree accidentally, in a small municipality, do they wait for an arborist to come? This is a big city regulation, carried on in the rural areas. They are doing a good job and I hope that they continue to do so, but they are carrying this down to the rural areas of the State. It looks like the arborists' profession is trying to gain the monopolistic control statewide on the removal of trees. All they are interested in is taking down unsightly dead trees, elms, and so forth.

We have to recognize that there are not enough arborists to take down all of the victims of Dutch Elm Disease. It's impossible, there aren't enough, it's an emergency, state-wide, and much more than the arborist can begin to handle. My bill will aid the small communities, that have many of these dead trees, and should be removed. You can walk by the Liberty Bell, on the State House Lot here, in back, and on the North Lawn, you see the shadow of the dome, where you can see the shadow of the dome by the Liberty Bell, I counted 5 diseased trees there yesterday, and you look around in people's back lots, of their residences where there are more trees, and along the highways, that could be taken down. The present force of arborists is simply not sufficient to cope with the problem. It is just a matter of greed, that they cannot control, this bill attempts to clean up this mess, and they are now trying to expand this law far beyond what it's intended to cover.

I hear, also, that these arborists are protected by insurance. I understand, not by statute but by regulation, they are required to carry a minimum of \$40,000 Liability, a total of

\$100,000 in one accident. Well let me tell you, Ladies and the Gentlemen of the Senate here, that those people who can take down trees, that are woodsmen or loggers that have some equipment that's perfect to take some of these trees down, and they've been doing it right along, I've done it, as I mentioned in the City of Bangor, when I was a contractor in that line, and we're compelled to carry Liability. No Municipality would want to hire anyone who wouldn't carry Liability, and it states right in the bill, let's see, the ordinance may establish qualifications and conditions of financial responsibility for the permittee, provided those qualifications and conditions do not exceed those required for an arborist's license under this Sub-chapter.

Well, I submit to you ladies and gentlemen, that as I look at this here, it states the ordinance may establish qualifications. All I can see is that as the good Senator from York has just mentioned, the way I gather it, we're not supposed to trust the municipalities, perhaps, we could amend this bill and instead of may we could replace that by shall. Thank You.

The PRESIDENT Pro tem: Is the Senate ready for the question?

The Chair recognizes the Senator from York, Senator Hichens.

Senator HICHENS: Mr. President, against the good Senator from Somerset has brought up some good points, but he started his original speech by reading the rules regarding arborists, and these men have to be proficient in trimming and topping trees, and taking them down piece by piece. He went on, in his second speech, to tell how he'd taken down a great many trees, how woodsmen can cut down trees, but this is a lot different than just felling a tree. This is taking down trees in dangerous situations and taking them down section by section for the safety of the man who is taking down the tree, and for the safety of those in the place round about them.

The good Senator from Rumford has stated that he saw two or three vocals, as he put it, cutting down a tree with an arborists' truck nearby. We have another bill that's coming out a little later on, that no one can do this kind of work without an arborist present. People have to be trained, and apparently these three young fellows were being trained, but they were under the supervision of an arborist, and were being told what to do.

Regarding the cost of what it might cost these towns, I wonder if cost can be compared with the value of a life. It's too late after somebody has fallen out of a tree, or been maimed for life, to do it. Mr. President, I request a Roll Call, I think it's important enough to have a Roll Call.

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

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

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

The pending question before the Senate is the Motion of the Senator from York, Senator Hichens, that the Senate Accept the Minority Ought Not to Pass Report of the Committee.

A Yes vote will be in favor of accepting the Minority Ought Not to Pass Report of the Committee.

A No vote will be opposed.

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

YEA — Conley, Farley, Gill, Hichens, Huber, Najarian.

NAY — Chapman, Clark, Collins, Cote, Devoe, Emerson, Katz, McBreairey, O'Leary, Perkins, Pierce, Pray, Redmond, Shute, Silverman, Sutton, Teague, Trafton, Trotzky, Usher.

ABSENT — Ault, Carpenter, Danton, Lovell, Martin, Minkowsky

A Roll Call was had.

Senator Chapman of Sagadahoc, was granted permission to change his vote from No to Yes.

7 Senators having voted in the affirmative and 19 in the negative, and 6 Senators being absent, the Motion to Accept the Minority Ought Not to Pass Report of the Committee does not prevail.

The Majority Ought to Pass Report of the Committee Accepted, the Bill Read Once and Tomorrow Assigned for Second Reading.

The President Pro tem laid before the Senate, the Fifth Tabled and specially assigned matter:

SENATE REPORTS - from the Committee on Labor - Bill, "An Act Concerning Stoppage of Work under the Unemployment Statutes." (S. P. 81) (L. D. 154) Majority Report - Ought Not to Pass; Minority Report - Ought to Pass Tabled—April 2, 1979 by Senator Pierce of Kennebec

Pending—Acceptance of Either Report

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

Senator PRAY: Mr. President, I move we accept the Minority Ought to Pass Report of the Committee.

The PRESIDENT Pro tem: The Senator from Penobscot, Senator Pray moves the Senate Accept the Minority Ought to Pass Report of the Committee.

The Chair recognizes the Senator from Oxford, Senator Sutton.

Senator SUTTON: Mr. President, Ladies and Gentlemen of the Senate. I'd like to draw to your attention, that the Majority Report is the Ought Not to Pass Report. It was signed by 11 of the 13 Members of the Committee. This particular bill addressed itself to a very particular situation, which certainly was a problem, but in trying to solve that situation by this Legislative Document we are going to be in the position of opening up a possible box of problems that we aren't acquainted with at this time, notwithstanding the fact that it's changing the present law, and changing the present rules in the middle of the game, and I would urge you not to support the Minority Report.

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

Senator PRAY: Mr. President, and Members of the Senate, to enlighten the Senate with yesterday's calendar, this is a Divided Report, but it was not 12 or 13 Members signing the Ought Not to Pass Report. A quick count gives me roughly 9 Members, 9 to 4 on the Divided Report, but I would like to ask two questions through the Chair, to the Chairman of the Labor Committee, in reference to his remarks; one, if he could be a little bit more specific in the number of other problems that we would be opening up to by changing the law? The second question is, how are we changing the rules of the game, in the middle of the game? I wish that he would answer those two questions, after I get done my remarks, in reference to the Bill itself.

In the mid 1970's when unemployment hit the double digits, a cry came from the public and from many Legislators to stop the abuses in the Unemployment Compensation Laws. The general public and many of us ourselves, quickly pictured a person who did not want to work. The Labor Committee did a study on the Unemployment Laws and we quickly found that the number of abuses were small. It was the economic pictures, at the time, that gave high numbers and double digit unemployment, but it did give the Legislature an opportunity to refresh itself with the intent, of when the Legislature enacted Chapter 13, and established the Maine Unemployment Compensation Fund. The Legislative intent is found and is declared

policy in Title 26, Section 1042 which I would like to read to the Senate to refresh its memory, and I quote.

"Economic insecurity due to employment is a serious menace to the health, morals and welfare of the people of this State. Unemployment is, therefore, a subject of general interest and concern which requires appropriate action by the Legislature to prevent its spread, and to lighten its burden, which may fall upon the unemployed worker, his family, and the entire community. The achievement of Social Security requires protection against the greatest hazards of our economic life, the objectives can be furthered by operating free public employment offices, in affiliations with the nation-wide system of public employment service by devising appropriate methods for reducing the volume of unemployment, and by systemically accumulating accumulations of funds during periods of employment which benefits may be paid for periods of unemployment, thus maintaining the purchasing powers, promoting the use of the highest skills of unemployed workers, and limiting the serious social consequences of unemployment."

That is the policy that was enacted by the legislature in the past, in its wisdom, and I think it's something we should continue on, keeping in mind that the Legislature has through previous sessions established a complex system of qualifications, which include availability to work, actively seeking employment, establishing wages that were previously earned. All of these are to show attachment to the work force. L. D. 1954 does not seek to change the qualifications.

The Legislature, in its wisdom, also established in our present statutes, Sub-section 1193, which addresses disqualifications, and an individual shall be disqualified for benefits if he voluntarily leaves work, is discharged for conduct, stoppage of work due to a strike, receives remuneration while unemployed, has falsified his claim, or was discharged for a crime.

This LD does not disagree with these disqualifications. We feel that those who quit, who misbehave, who refuse to work, who strike, those that are being paid, and those who have falsified or committed a crime against their employer should pay the consequences for their actions, but as so often, instances arise, which may not have been the intent of the Legislature. This Legislation is corrective Legislation, it is to correct in Section 1193 the subparagraph on work stoppage.

I'd like to quote also from the Statutes under work stoppage: For any week with respect to which compensation, the commission finds that total or partial employment is due to a stoppage of work which exists because of a labor dispute at the factory, establishment or other premises at which he was employed, that individual would not be allowed to collect unemployment.

The Section also goes on into four sub-sections, which establishes exemptions, and those exemptions are: for those who are not taking part in the strike, who are not financing, or who have no direct interest in the labor dispute itself, it is also the feeling of the Commission or the Legislature because of the Statutes that if an individual belongs to the same class or grade of workers, that he should not be allowed to collect, or if he has obtained employment elsewhere, since the beginning of the strike he is not allowed to collect.

This Legislation before you, corrects the second section of that law which states that if an individual falls into the same category of grade or class of workers he would not be allowed to collect. It does not change the first section of the law which says if the individual is taking part, financing, or directly interested in the outcome of the labor dispute, he still would be disqualified. We are not changing that section of the law. The policy of the Legislative intent of the Unemployment Statutes, which is

when the loss of employment through no fault of the individual, and for the stability of the economy insures against the loss of income.

With that in mind, I believe that the situation which happened in my District, which the Senator from Oxford, Senator Sutton referred to a special occasion, a special event, and if this Legislation intends to address it, 1700 innocent bystanders to the dispute were denied unemployment benefits. Many had worked for more than 40 years. Never being a burden on the fund, never being a burden on society, for those governmental programs designed to help those disrupted from their normal lives and routines.

These are the same people in the State of Maine who carry the burden of these programs. No way did they want the \$90 benefit from the Unemployment Fund, they preferred to have their jobs and earn 3 and 4 times that weekly.

They were not taking part in the labor dispute, they were not financing the labor dispute, they were not directly interested nor would they have been involved in any outcome. They were not refusing to go back to work, they had sent a letter to the company, stating that they were ready and willing.

This Legislation does not allow strikers to collect unemployment benefits. I have before me, the hearing before the commission, that heard the bill, 80 some pages which I have read over 2 or 3 times in the last week, and I have become greatly disturbed that the commission ruled that because these individuals were classified to be in the same grade of workers that they were denied unemployment benefits. It was testified at the hearing that it was advantageous to not allow these people to have unemployment benefits, because they would then put pressure on their peers to settle the labor dispute, that was not the intention of the unemployment compensation fund.

The employer wrote a letter to the Employment Security Commission which stated that they were going to be considered laid off employees, because they had signed an agreement. Their unions had voted to accept the contract, the Employment Security Commission disregarded that letter.

I think in the original intent and policy of the Maine Employment Compensation Fund that we should accept the Minority Ought to Pass Report.

The PRESIDENT Pro-tem: The Chair recognizes the Senator from York, Senator Farley.

Senator FARLEY: Mr. President and Members of the Senate: I have a question to any member of the Labor Committee that might wish to answer. What happens now, on the employee of this particular industry or business that is not a member of the collective bargaining unit, because of shut down is sent home, does that employee collect unemployment?

The PRESIDENT Pro-tem: The Senator from York, Senator Farley, poses a question through the Chair to any member who may care to answer.

The Chair recognizes the Senator from Penobscot, Senator Pray.

Senator PRAY: Mr. President, the answer to the question of the good Senator from York, Senator Farley, is Yes, he is allowed to collect unemployment compensation.

The PRESIDENT Pro-tem: Is the Senate ready for the question?

The pending Motion is the Motion of the Senator from Penobscot, Senator Pray, that the Senate Accept the Minority Ought to Pass Report of the Committee.

The Chair recognizes the Senator from Oxford, Senator Sutton.

Senator SUTTON: I request a Division.

The PRESIDENT Pro-tem: A Division has been requested.

The Chair recognizes the Senator from Penobscot, Senator Pray.

Senator PRAY: Mr. President, I would like to rephrase the question that I had asked before

my lengthy remarks and I apologize to the Senator for addressing the question prior to making my statement. It was hoped it would give him an opportunity to go over his notes and perhaps find some examples of what I have mentioned.

He had stated in his remarks that we would be changing the name of the game, the rules of the game, in the middle of the game. I would like to know how that applies to this, because daily we are changing the statutes of Maine, there is no labor dispute going on at this time, that would be that the outcome of that individual making a claim would be allowed to collect at the middle of the game, since there are none that are occurring at this time.

I would like to know also, if he could give me an example of a class or grade of workers where we would be opening up a Pandora box on the issue, I would also request a Roll Call.

The PRESIDENT Pro-tem: The Senator from Penobscot, Senator Pray, poses a question through the Chair to anyone who may care to answer.

Under the Constitution in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

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

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

The pending question before the Senate is the Motion by the Senator from Penobscot, Senator Pray that the Senate Accept the Minority Ought to Pass Report of the Committee.

A Yes vote will be in favor of Accepting the Ought to Pass Report.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA—Carpenter, Clark, Conley, Cote, Farley, Martin, Najarian, O'Leary, Pray, Silberman, Trafton, Usher.

NAY—Chapman, Collins, Devoe, Emerson, Gill, Hichens, Huber, Katz, McBreairty, Perkins, Pierce, Redmond, Sutton, Teague, Trotzky.

ABSENT—Ault, Danton, Lovell, Minkowsky, Shute.

A Roll Call was had.

12 Senators having voted in the affirmative and 15 Senators in the negative, with 5 Senators being absent, the Motion to Accept the Minority Ought to Pass Report of the Committee does not prevail.

The Chair recognizes the Senator from Penobscot, Senator Pray.

Senator PRAY: Mr. President and Members of the Senate: I am sure that the outcome of the vote, but I am greatly disturbed that this body would use the Unemployment Compensation Fund other than its original purpose and intention. When those 1,700 workers in Millinocket earn their \$300 or \$400 a week and they pay the meat of the income tax, those individuals spend that money and they work hard for it, and they pay a large proportion of that in sales taxes and property taxes and other taxes that we have established. And once in 40 years of their employment that they fall into that category where they are disrupted through no fault of their own, and it is the policy of those who are supporting the measure, the report that is before us at this time, of continuing the existing law, allows management to deny benefits to those who had nothing to do with the strike, as pressure upon those who are striking is a misuse of the funds, a clear misuse of the fund.

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

Senator SUTTON: Mr. President, just briefly I do not believe that the Ladies and Gentlemen of the Senate can let these remarks go unanswered.

This is not a clear misuse of the unemploy-

ment fund, particular situation that he is talking about was the result of a strike that shut down the whole mill, the people who have voted in favor of not changing the law, as it now stands are not unsympathetic to the unemployment funds and are abiding by the law, as they see fit to do so now, and are not antilabor as is being suggested by the good Senator from Penobscot.

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

Senator PRAY: Mr. President and Members of the Senate: If you want to check the Maine Statutes today, what we have in the existing law, it states that a person who takes part in a strike a person who finances or is directly interested in that strike, does not qualify for unemployment benefits. Also under the disqualifications section, section 3 it says that "An individual who refuses to work can also not collect."

The 1,700 employees of the local unions that voted to accept the contract and here is a letter from the Great Northern Paper Company from its president, states that a labor agreement described in this memorandum, became effective with its ratification by 6 local unions the majority of the voting on July 28, 1978, those 6 unions would be treated as laid-off employees.

The statute says, if they are taking part in a strike, if they are involved in it, if they are financing it, or if they are refusing to work, if they voluntarily quit, if they commit a crime, those are the people who we are disqualifying, not those who go by the statute and then some board decides that class and grade of workers, is an out for them.

I ask the Senator from Oxford, Senator Sutton to give me an example of a class or grade. Tell me where else that it would apply. Tell me how it would change the name in the middle of the game. He refused to answer those questions.

The PRESIDENT Pro tem: The pending question is acceptance of the Majority Ought Not to Pass Report of the Committee.

The Majority Ought Not to Pass Report of the Committee. Accepted. Sent down for concurrence.

The President Pro tem laid before the Senate the Sixth Tabled and specially assigned matter:

Bill, "An Act Concerning the Period of Liability of a Financial Institution on a Written Instrument under the Abandoned Property Statute." (S. P. 114) (L. D. 204)

Tabled—April 2, 1979, by Senator Chapman of Sagadahoc.

Pending—Passage to be Engrossed.

The PRESIDENT Pro tem: The Chair recognizes the Senator from Sagadahoc, Senator Chapman.

Senator CHAPMAN: I now move the rules be suspended.

The PRESIDENT Pro tem: Is it the pleasure of the Senate to suspend its rules?

It is a vote.

On Motion by Senator Chapman of Sagadahoc, the Senate voted to Reconsider its action whereby Committee Amendment "A" was Adopted.

The PRESIDENT Pro-Tem: The Senator from Sagadahoc, Senator Chapman, now offers Senate Amendment "A" to Committee Amendment "A" and moves its Adoption.

Senate Amendment "A" (S-80) Read and Adopted.

Committee Amendment "A" as amended, Adopted.

The Bill, as amended, Passed to be Engrossed.

Sent down for concurrence.

The PRESIDENT Pro tem: The Chair would direct the Senate's attention to: Bill "An Act Authorizing Inclusion of the District Attorney's

Budget in the Attorney's General's Budget, and Reducing County Payments for District Attorney's Expenses." (H. P. 1249) (L. D. 1497) tabled earlier in today's session, pending the motion by the Senator from Cumberland, Senator Conley that this Bill be referred to the Committee on Local and County Government in concurrence.

Which was referred to the Committee on Local and County Government and Ordered Printed, in non-concurrence. Sent down for concurrence.

The PRESIDENT Pro tem: The Chair recognizes the Senator from Washington, Senator Silverman.

Senator SILVERMAN: Mr. President is L. D. 547 still in the possession of the Senate?

The PRESIDENT Pro tem: The Chair will answer in the affirmative the Bill being held at the Senator's request.

Senator SILVERMAN: I now move reconsideration where this Bill was Passed to be Enacted.

The PRESIDENT Pro tem: The Senator from Washington, Senator Silverman, moves reconsideration whereby RESOLUTION, Proposing an Amendment to the Constitution of Maine to Remove the Literacy Requirements for Eligibility to Vote. (H. P. 430) (L. D. 547) was Finally Passed.

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

Senator PIERCE: I would ask for a Division.

The PRESIDENT pro tem: A Division has been requested.

Is the Senate ready for the question?

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

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

11 Senators having voted in the affirmative and 11 Senators voting in the negative, the Motion to Reconsider does not prevail.

The Resolution presented to the Secretary of State.

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

Paper From the House Committee Report House

Divided Report

Five members of the Committee on Judiciary on, Bill, An Act to Permit Signed Statements of Psychologists and Chiropractors to be Admitted into Evidence Before the Workers' Compensation Board. (H. P. 377) (L. D. 540)

Report in Report "A" that the same Ought to Pass.

Signed:

Senators:

COLLINS of Knox
DEVOE of Penobscot
TRAFTON of Androscoggin

Representatives:

LAFFIN of Westbrook
HOBBINS of Saco

Five members of the same Committee on the same subject matter Report in Report "B" that the same Ought to Pass as amended by Committee Amendment "A" (H-121).

Signed:

Representatives:

CARRIER of Westbrook
GRAY of Rockland
STETSON of Wiscasset
JOYCE of Portland
SILSBY of Ellsworth

One member of the same Committee on the same subject matter Report in Report "C" that the same Ought Not to Pass.

Signed:

Representative:

SEWALL of Newcastle

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

Which Reports were Read.

The PRESIDENT Pro tem: The Chair recognizes the Senator from Knox, Senator Collins. Senator COLLINS: I move acceptance of Report "A".

The PRESIDENT Pro tem: The Senator from Knox, Senator Collins moves that the Senate Accept Report "A" Ought to Pass.

Report "A" Ought to Pass, Accepted, in non-concurrence. The Bill Read Once and Tomorrow Assigned for Second Reading.

On Motion by Senator Pierce of Kennebec, adjourned until 9:30 o'clock, tomorrow morning.