

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Ninth

Legislature

OF THE

STATE OF MAINE

SECOND REGULAR SESSION

January 2 to April 3, 1980

THIRD SPECIAL SESSION

May 22, 1980

THIRD CONFIRMATION SESSION

July 17, 1980

FOURTH CONFIRMATION SESSION

July 24, 1980

FIFTH CONFIRMATION SESSION

September 12, 1980

**REPORT, HEARING TRANSCRIPT AND
RELATED MEMORANDA OF THE JOINT
SELECT COMMITTEE ON INDIAN LAND
CLAIMS**

STATE OF MAINE
One Hundred and Ninth Legislature
Third Special Session
JOURNAL OF THE SENATE

May 22, 1980

In compliance with a proclamation of His Excellency, Governor Joseph E. Brennan, the Senators convened in the Senate Chamber at 10 o'clock in the morning.

Senate called to order by the President.

Prayer by Pastor Bruce W. Meyer of the Prince of Peace Lutheran Church of Augusta.

Pastor MEYER: Thank you Father, first of all for this gorgeous day, for the warmth and beauty of the earth, for all the signs of Springtime which never fails to refresh our hearts and spirits.

Thank you, also Lord, for those people whom we sometimes take for granted, those people who in each day bless us with their love and understanding, their friendship, and their support.

Thank you, for the colleagues with whom we work. Particularly O'Lord we give thanks, in this hour, and in this day, for the men and women working together in this Chamber, who are entrusted with the large cares and concerns of this State to which they have given and committed themselves. We are thankful for them Lord.

Give them wisdom today, and insight today, and the courage of convictions, as they come together. We pray in a unity of heart, and purpose.

Lord as we come to another Memorial Day, we ask that we might be appreciative, truly appreciative of those who made the ultimate sacrifice of their lives for our country. As we think about them and remember them, help it to inspire us to, also live sacrificial lives for this land and this State which we love. In your name we pray. Amen.

The Secretary will read the proclamation.

WHEREAS, there exists in Maine an extraordinary occasion whereby Maine citizens are faced with severe reductions in bridge and highway maintenance and operations services due to decreased revenue to the dedicated Highway Fund and increased expenditures caused by inflation; and

WHEREAS, an Act of the Legislature is necessary to provide additional revenues to the Highway Fund; and

WHEREAS, there exists in Maine the further extraordinary occasion whereby the Governor, as employer, and certain employees of the State have agreed to the terms of State employees' labor agreements; and

WHEREAS, Acts of the Legislature are necessary to ratify and implement these agreements and to provide similar benefits to employees of the State not included in bargaining units; and

WHEREAS, there may be other matters of emergency and importance sufficient to create an extraordinary circumstance and which will require Legislative action; and

WHEREAS, there exists a need for the Legislature to act in a timely fashion on each of these matters:

NOW, THEREFORE, I, JOSEPH E. BRENNAN, Governor of the State of Maine, by virtue of the constitutional power vested in me as Governor, convene the Legislature of this State, hereby requesting the Senators and Representatives to assemble in their respective chambers at the Capitol at Augusta on Thursday, the Twenty-second day of May, 1980 at ten o'clock in the morning, in order to receive communications and act upon the matters before them.

IN TESTIMONY WHEREOF, I have caused the Great Seal of the State to be hereunto affixed GIVEN under my hand at Augusta this

fourteenth day of May in the Year of Our Lord One Thousand Nine Hundred and Eighty.

S/JOSEPH E. BRENNAN
S/RODNEY E. QUINN
Secretary of State

Which was Read and Ordered Placed on File.

The Roll being called, the following Senators answered to their names:

Ault, Carpenter, Chapman, Clark, Collins, Conley, Danton, Devoe, Emerson, Gill, Hichens, Katz, Lovell, Martin, McBreaity, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Pray, Redmond, Shute, Silverman, Sutton, Teague, Trotzky, Sewall.

28 Senators having answered to the roll, the President declared that a quorum was present.

Subsequently, a message was received from the House, through Representative Tierney of Lisbon Falls, the Majority Leader of the House, informing the Senate that a quorum was present for the consideration of such business as might come before the House.

Out of Order and Under Suspension of the Rules:

On motion by Senator Conley of Cumberland, ORDERED, that a message be sent to His Excellency, the Governor, informing him that a quorum of Senators is assembled in the Senate Chamber for the consideration of such business as may come before the Senate.

Which was Read and Passed.

The President appointed Senator Conley of Cumberland, to convey the message to his Excellency, the Governor.

Subsequently, Senator Conley of Cumberland, reported that he had delivered the message with which he was charged.

Out of Order and Under Suspension of the Rules:

On motion by Senator Pierce of Kennebec, ORDERED, that a message be conveyed to the House of Representatives informing that Body that a quorum of Senators is present for the consideration of such business as may come before the Senate.

Which was Read and Passed.

The President appointed, Senator Pierce of Kennebec, to convey the message. The Senator then retired to the Hall of the House.

Subsequently, Senator Pierce of Kennebec, reported that he had delivered the message with which he was charged.

Out of Order and Under Suspension of the Rules:

On motion by Senator Katz of Kennebec, ORDERED, that a message be sent to the House of Representatives proposing a Convention of both branches in the Hall of the House at 10:30 o'clock for the purpose of extending to His Excellency, Governor JOSEPH E. BRENNAN, an invitation to attend the Convention and make such communication as pleases him.

Which was Read and Passed.

The President appointed, Senator Katz of Kennebec, to convey the message. The Senator then retired to the Hall of the House.

Subsequently, Senator Katz of Kennebec, reported that he had delivered the message with which he was charged.

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

Papers from the House
House Papers

Bill, "An Act to Fund and Implement Agreements Between the State and the Maine State Employees Association." (Emergency) (H. P. 2061) (L. D. 2042)

Bill, "An Act to Provide Compensation and Benefits Agreed to by the State and the Maine State Troopers Association." (Emergency) (H. P. 2062) (L. D. 2043)

Bill, "An Act to Fund and Implement Benefits for Managerial and Confidential Employees of the Executive Branch Excluded from Coverage under the State Employees Labor Relations Act." (Emergency) (H. P. 2063) (L. D. 2044)

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

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

Sent forthwith.

Bill, "An Act to Revise Allocations from the Highway Fund for the Fiscal Years from July 1, 1979 to June 30, 1981, and to Provide Increased Revenues to the Highway Fund." (Emergency) (H. P. 2060) (L. D. 2041)

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

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

Sent forthwith.

At this point, a message was received from the House of Representatives, through Representative Tierney of Lisbon Falls, concurring in the proposition for a Joint Convention, for the purpose of extending to His Excellency, Governor Joseph E. Brennan, an invitation to make such communication as pleases him.

At this point, the Senate retired to the Hall of the House where a Joint Convention was formed.

(For proceedings of Joint Convention, See House Report)

After Joint Convention
In Senate

Senate called to order by the President.

Communications
Committee on Education

April 17, 1980

The Honorable Joseph Sewall
President of the Senate

State House
Augusta, Maine

Dear President Sewall:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 109th Maine Legislature, the Joint Standing Committee on Education has had under consideration the nomination of Barbara A. Cassidy to the position of member of the Board of Trustees of the Maine Maritime Academy.

After public hearing and discussion of this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 109th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee Clerk called the role with the following result:

YEAS: Senators 3
Representatives 7
NAYS: Senators 0
Representatives 0

ABSENT: 3 Representatives Connolly of Portland, Birt of East Millinocket, Leighton of Harrison.

Ten members of the Committee having voted in the affirmative and none in the negative with three being absent, it was the vote of the Committee that the nomination of Barbara A. Cassidy to the position of member of the Board of Trustees of the Maine Maritime Academy be confirmed.

Sincerely,
S/HOWARD M. TROTZKY
Senate Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Education has recommended that

the nomination of Barbara A. Cassidy be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Education be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th Legislature, the vote will be taken by the yeas and nays. A vote of yes will be in favor of overriding the recommendation of the Committee. A vote of no will be in favor of sustaining the recommendation of the Committee.

The Chair recognizes the Senator from Penobscot, Senator Trotzky.

Senator TROTZKY: Thank you, Mr. President, Mr. President, and Members of the Senate, Miss Barbara Cassidy of Bangor, Maine, was nominated to the Board of Trustees of the Maine Maritime Academy. Her name was brought up and recommended to the Governor by Admiral Rogers, of the Academy.

She is presently a member of the Board of Visitors, of the Academy, and serves on the Development Committee. She was educated at the University of Pennsylvania, Wharton School of Finance. She is active in fund raising activities in the Bangor area.

The Committee feels that she would be an asset to the Maine Maritime Academy.

The PRESIDENT: Is the Senate ready for the question?

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

ROLL CALL

YEA — None.

NAY — Ault, Carpenter, Chapman, Clark, Collins, Conley, Danton, Devoe, Emerson, Gill, Hichens, Katz, Lovell, Martin, McBreairty, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Pray, Redmond, Shute, Silverman, Sutton, Teague, Trafton, Trotzky, Sewall.

ABSENT — Cote, Farley, Huber, Usher.

No Senators having voted in the affirmative and 29 Senators in the negative, with 4 Senators being absent. And none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of Barbara A. Cassidy is confirmed.

(Off Record Remarks)

Office of the Governor

May 2, 1980

The Honorable Joseph Sewall
President of the Senate
Senate Chambers
State House
Augusta, ME

Dear Senator Sewall:

This is to inform you that I am today nominating George N. Campbell, Jr., of Old Town for appointment as the Commissioner of the Department of Transportation.

Pursuant to Title 23 MRSA Section 4205, this nomination will require review by the Joint Standing Committee on Transportation and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Senate of Maine

May 2, 1980

The Honorable Jerome Emerson
The Honorable George A. Carroll
Chairmen, Transportation Committee
109th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated George N. Campbell, Jr., of Old Town as the Commissioner of the Department of Transportation.

Pursuant to Title 23 MRSA Section 4205, this nomination will require review by the Joint Standing Committee on Transportation.

Sincerely,

S/MAY M. ROSS

Secretary of the Senate

Which was Read and Ordered Placed on File.

Committee on Transportation

May 14, 1980

The Honorable Joseph Sewall
President of the Senate of Maine
State House
Augusta, Maine

Dear President Sewall:

In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th Maine Legislature, the Joint Standing Committee on Transportation has had under consideration the nomination of George N. Campbell, Jr. to the position of Commissioner of the Department of Transportation.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 109th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee Clerk called the roll with the following result:

YEAS: Senators 2

Representatives 8

NAYS: Senators 1 Senator Donald R. O'Leary of Oxford

Representatives 0

ABSENT: 2

Representative Richard E. McKean
of Limestone

Representative Guy I. Hunter of
Benton

10 members of the Committee having voted in the affirmative and 1 in the negative, it was the vote of the Committee that the nomination of George N. Campbell, Jr. to the position of Commissioner of the Department of Transportation be confirmed.

Sincerely,

S/JEROME A. EMERSON
Senate Chairman

S/GEORGE A. CARROLL
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Transportation has recommended that the nomination of George N. Campbell, Jr. be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Transportation be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

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

Senator O'LEARY: Mr. President, you will note. I was the only signer of the opposition to this nomination. I listened to a well orchestrated nomination and recommendations from various officials from Greenville, Dexter, Dexter Shoe. Finally, but not least of all, none whatsoever, from the position where he is presently employed, as Director of the State Development Office.

In his resume, Mr. President, and Members of the Senate, it says he has diverse areas of experience. I will note them here: 5 months, as an intern in the City of Brewer, Maine; 2 years and 5 months, as Town Manager of Greenville. I believe, that there was a mess up there which cost the citizens of this State and Nation around \$6,000,000 for their sewerage pollution thing. I think, if he had any expertise in the job he had, he could have saved the State of Maine and the Federal Government, a considerable amount of money.

He was Town Manager of Dexter for 2 years and 1 month; assistant to the General Manager of Dexter Shoe for 1 year and 6 months; 2½

years as City Manager of Old Town, and 9 months as State Development Director.

Mr. President, I found little credibility, very little credibility in one statement that was made to the Committee, that was in the area of his assistance, with the paper mill in Madison, Maine, the expansion of about \$150,000,000.

I work in an industry, Mr. President, that is paper related. I know from experience, of 30 plus years, that any expansion is well laid out and is done years and years in advance, not within 4 months of a man's taking over the position of director.

Mr. President, I find little in this gentleman's background that will make him that good an administrator in the Department of Transportation. Part of the charge he is going to be responsible for, it says, he should be assimilating active support for developing, administering, and promoting transportation and safety action programs throughout the State of Maine. Formulating and recommending to the Legislature, specific measures for these processes; establishing a system of scenic highways in the State of Maine and preserving the scenic values along this system; acquiring, constructing, operating and maintaining such harbor facilities as may be necessary to implement the planned development of coastal resources, ports and harbors. Mr. President, I did not hear anyone before our committee say that this man had any experience whatsoever in these areas. Perhaps I was prejudice, when I went into the hearing, but I heard nothing to change my mind.

I know that today I will not prevail, and I'm not going to ask this body to vote against the committee recommendation. I just hope, for the people of the State of Maine and the highway system throughout our State, ports and harbors and such, that this man does live up to the expectations of our Governor.

I will reserve one last comment, and that is, if this man does not do the job, for which he is being appointed, I suspect, I will be back here and I will come down on him like a herd of elephants on an ant hill. Mr. President, I once again hope. The people of the State of Maine are deserving of the best.

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

Senator CONLEY: Mr. President, and Members of the Senate, I'll just take a brief moment to explain the positions of the Chief Executive in the nomination of George Campbell as Commissioner of the Department of Transportation, I think it has been known for sometime to many of us.

We certainly have had our queries as to the Department of Transportation over the last several years. Without condemning anyone, I think, it's easy for us to say that when we have dedicated revenue coming before a department, such as that of Transportation, and to simplify it by saying that if you take 2 pots of gold and you lay them at the feet of the Chief Administrator every year, does that mean, necessarily, that we have a very highly efficient operation within the DOT? All it says to me, and I know it says to many of the taxpayers throughout the State, is that somebody has the ability of being able to spend money very well. It doesn't mean, necessarily, that the administration has been tops.

I'm not going to condemn anyone, but we know the problems that we are now facing in the DOT. It would have been very easy for the Chief Executive to have fallen in line and have taken someone within the Department of Transportation and moved them up, within the department, and made them Commissioner.

The Governor feels, and justifiably so, that it's time for new ideas and new approaches and a fresh viewpoint within that entire system. He has already, as he stated in his message earlier this morning before Joint Convention, undertaken an entire study of DOT. He has faith in George Campbell I might say. Mr. Campbell,

had demonstrated in his brief career as the town manager of several communities, his being one of the top notch administrators within our State.

I share the feelings of the Governor, that I believe once Mr. Campbell is given the opportunity to administer the Department of Transportation, that he will do a very efficient and effective job. A job that we will be proud of within the period, from whence, we return to this body.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Senator MINKOWSKY: Mr. President, and Members of the Senate, even though I did not have the opportunity to attend the public hearing, I guess generally speaking, originally I did share some of the concerns raised by the good Senator from Oxford, Senator O'Leary.

I guess I am prone to have somebody with a diversified background maybe, just knowing more about public administration. Also, maybe an engineering background. Also, I now assess what the good Senator from Cumberland has said, Senator Conley, that Mr. Campbell can project a fresh new viewpoint which may be very healthy, instead of elevating people from within the department.

I'm not going to be cautiously optimistic. I am going to vote for Mr. Campbell this morning. I had reservations up until this particular point, but now I'm more convinced than ever that Mr. Campbell, from what has been said very briefly, and what I have heard in the corridors of the State House here, confirms the fact, that he does possess these administrative skills and abilities.

Like anything else, I'm willing to give that person a chance. Many of us come into the Legislature with diversified backgrounds and skills and don't know that much about making decisions in State Government. We learn by the trial and error method, but when I look at the Department of Transportation, having served on that committee previously, we have some pretty top-notch people who can lend a great deal of assistance to the new director. I'm counting on that to materialize within the department for the interest and the betterment of the people of the State of Maine.

The PRESIDENT: Is the Senate ready for the question?

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

ROLL CALL

YEA—O'Leary.

NAY—Ault, Carpenter, Chapman, Clark, Collins, Conley, Danton, Devoe, Emerson, Gill, Hichens, Katz, Lovell, Martin, McBearity, Minkowsky, Najarian, Perkins, Pierce, Pray, Redmond, Shute, Silverman, Sutton, Teague, Trafton, Trotzky, Sewall.

ABSENT—Cote, Farley, Huber, Usher.

1 Senator having voted in the affirmative and 28 Senators in the negative, with 4 Senators being absent and one being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of George N. Campbell, Jr. is confirmed.

(Off Record Remarks)

Office of the Governor

May 5, 1980

The Honorable Joseph Sewall
President of the Senate
Senate Chambers
State House
Augusta, Me.
Dear Senator Sewall:

This is to inform you that I am today nominating Harrison L. Richardson of Portland for appointment to the University of Maine Board of Trustees.

Pursuant to Title 20 MRSA Section 2251, this nomination will require review by the Joint

Standing Committee on Education and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Senate of Maine

May 5, 1980

The Honorable Howard M. Trotzky
The Honorable Laurence E. Connolly, Jr.
Chairmen, Education Committee
109th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Harrison L. Richardson of Portland to serve on the Board of Trustees of the University of Maine.

Pursuant to Title 20 MRSA Section 2251, this nomination will require review by the Joint Standing Committee on Education.

Sincerely,
S/MAY M. ROSS
Secretary of the Senate
Which was Read and Ordered Placed on File.

Committee on Education

May 14, 1980

The Honorable Joseph Sewall
President of the Senate
State House
Augusta, Maine
Dear President Sewall:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 109th Maine Legislature, the Joint Standing Committee on Education has had under consideration the nomination of Harrison L. Richardson of Portland to serve on the Board of Trustees of the University of Maine.

After public hearing and discussion of this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 109th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee Clerk called the roll with the following results:

YEAS: Senators 2
Representatives 8
NAYS: Senators 0
Representatives 0
ABSENT: 3

Senator Gill of Cumberland
Representative Connolly of Portland

Representative Locke of Sebec
Ten members of the Committee having voted in the affirmative and none in the negative with three being absent, it was the vote of the Committee that the nomination of Harrison L. Richardson be Confirmed.

Sincerely,
S/HOWARD M. TROTZKY
Senate Chairman

S/LAURENCE E. CONNOLLY, Jr.
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Education has recommended that the nomination of Harrison L. Richardson be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Education be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

The Chair recognizes the Senator from Penobscot, Senator Trotzky.

Senator TROTZKY: Mr. President, Members of the Senate. I urge the Senate to confirm the nomination of Harrison Richardson to be a member of the Board of Trustees of the Uni-

versity of Maine.

Harrison Richardson was a former State Senator, Majority Leader in the House in the 103rd and 104th Legislatures and a member of the 106th Maine Senate.

He graduated from the University of Maine at Orono and I believe, that some of his children also attend the University of Maine at Orono.

I received a communication from one of the members in this body, which I think pretty well summarizes the man and the job, and I quote: "He has left his stamp on every task he has undertaken. He is a leader, a natural leader and very comfortable in the role. He is also a good listener and has an extraordinary talent of being willing to accommodate when accommodation is desirable, yet willing to fight for his view when he believes in a principle."

The Sloan Commission on Government and Higher Education just this month published its latest report. "It states, although the Commission discusses the structure of the governance of higher education, they recognize that, in the last analysis, the people who led our institutions are more important than structure. In this respect, the University of Maine and the State will benefit immeasurably by your recommending the confirmation of Harrison L. Richardson."

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Senator MINKOWSKY: Mr. President, and Members of the Senate, one of the most moving and meaningful public hearings, I think, we attended was the hearing we had for the candidate before us, Harrison L. Richardson.

My work with Harry goes back to the 103th Maine Legislature when we were both members of the House of Representatives at some point in time, we had the decision to make of creating what was then called, the super university of the State of Maine.

I think one of the greatest assets the Board of Trustees at the University of Maine is going to have at the present time to really give them the course, direction, and guidance they need in solidifying the problems that they have had over the years, is the expertise Harrison Richardson can lend that particular body.

I am very, very proud and honored to have the Governor of the State of Maine consider somebody of a different party persuasion, in this particular case based upon the man's talents and abilities to do a commendable job on behalf of the people of the State of Maine. I hope it is unanimous this morning, that Harrison Richardson be appointed as a Trustee of the University of the State of Maine.

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

Senator KATZ: Mr. President, if I may, I would like to join in this eulogy. It is not often we get a man like Harry Richardson. I remember in the 106th Legislature, it was a fascinating group in the Senate, we had Ken MacLeod, who had run for Congress, and Wakine Tanous, who has run for Governor, and Harry Richardson, who ran for Governor, and Jerry Speers, who ran for Governor, all unsuccessfully. The only smart one was Dick Berry, he had enough sense not to run. We also had John Roberts, Bob Clifford, and Dave Aldrich, all of whom became Judges. We had several members of this Senate who were around in those days. It was an absolutely extraordinary Senate.

It also was the Senate that passed some real landmark legislation on the environment. The Coastal Conveyance Bill and other environmental legislation, much of which was written by Harry Richardson.

I picked up my favorite conservative newspaper the other day, the Maine Times and there was an article in it, of what happened to the legislature, about all the initiatives are gone, and it harkened how back to the golden days of Harry Richardson.

Well, I too, am very, very pleased that the Governor has appointed this aging gentleman to serve on the Board of Trustees. I know that this man is going to make a remarkable difference in the university and I think that we are darn lucky to have him.

The PRESIDENT: Is the Senate ready for the question?

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

ROLL CALL

YEA—None.

NAY—Ault, Carpenter, Chapman, Clark, Collins, Conley, Danton, Devoe, Emerson, Gill, Hichens, Katz, Lovell, Martin, McBreairty, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Pray, Redmond, Shute, Silverman, Sutton, Teague, Trafton, Trotzky, Sewall.

ABSENT—Cote, Farley, Huber, Usher.

No Senators having voted in the affirmative and 29 Senators in the negative, with 4 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of Harrison L. Richardson is confirmed.

(Off Record Remarks)

Office of the Governor

May 5, 1980

The Honorable Joseph Sewall
President of the Senate
Senate Chambers
State House
Augusta, Me.

Dear Senator Sewall:

This is to inform you that I am today nominating Francis D. Dunn of Patten for appointment to the Advisory Council of Inland Fisheries and Wildlife.

Pursuant to Title 12 MRSA Section 7033, this nomination will require review by the Joint Standing Committee on Fisheries and Wildlife and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Senate of Maine

May 5, 1980

The Honorable Andrew J. Redmond
The Honorable Charles G. Dow
Chairmen, Fisheries & Wildlife Committee
109th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Francis D. Dunn of Patten to the Advisory Council of Inland Fisheries and Wildlife.

Pursuant to Title 12 MRSA Section 7033, this nomination will require review by the Joint Standing Committee on Fisheries and Wildlife.

Sincerely,
S/MAY M. ROSS

Secretary of the Senate

Which was Read and Ordered Placed on File.

Committee on Fisheries and Wildlife

May 21, 1980

The Honorable Joseph Sewall
President of the Senate of Maine
State House
Augusta, Maine

Dear President Sewall:

In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 37 of the 109th Maine Legislature, the Joint Standing Committee on Fisheries and Wildlife has had under consideration the nomination of Francis D. Dunn of Patten to the position of Advisory Council of Inland Fisheries and Wildlife.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 109th Maine Legislature that this nomination be confirmed. The vote was taken by the

yeas and nays. The Committee Clerk called the roll with the following results:

YEAS: Senators 0
Representatives 10
NAYS: Senators 0
Representatives 0

ABSENT: 3

Senator Redmond of Somerset
Senator Pierce of Kennebec
Senator Usher of Cumberland

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Francis D. Dunn to the position of Advisory Council of Inland Fisheries and Wildlife be confirmed.

Sincerely,
S/CHARLES G. DOW
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Fisheries and Wildlife has recommended that the nomination of Francis D. Dunn be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Fisheries and Wildlife be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

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

ROLL CALL

YEA—None.

NAY—Ault, Carpenter, Chapman, Clark, Collins, Conley, Danton, Devoe, Gill, Hichens, Katz, Lovell, Martin, McBreairty, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Pray, Redmond, Shute, Silverman, Sutton, Teague, Trafton, Trotzky, Sewall.

ABSENT—Cote, Emerson, Farley, Huber, Usher.

No Senators having voted in the affirmative and 28 Senators in the negative, with 5 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of Francis D. Dunn is confirmed.

Office of the Governor

May 6, 1980

The Honorable Joseph Sewall
President of the Senate
Senate Chambers
State House
Augusta, Me.

Dear Senator Sewall:

This is to inform you that I am today nominating Cyrus Hamlin of Kennebunk for reappointment to the Board of Trustees of the Maine Maritime Academy.

Pursuant to 1941 P&SL Chapter 37, this nomination will require review by the Joint Standing Committee on Education and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Senate of Maine

May 6, 1980

The Honorable Howard M. Trotzky
The Honorable Laurence E. Connolly, Jr.
Chairmen, Education Committee
109th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Cyrus Hamlin of Kennebunk for reappointment to the Board of Trustees of the Maine Maritime Academy.

Pursuant to 1941 P&SL Chapter 37, this nomination will require review by the Joint Standing Committee on Education.

Sincerely,

S/MAY M. ROSS

Secretary of the Senate

Which was Read and Ordered Placed on File.

Committee on Education

May 14, 1980

The Honorable Joseph Sewall
President of the Senate
State House
Augusta, Maine

Dear President Sewall:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 109th Maine Legislature, the Joint Standing Committee on Education has had under consideration the nomination of Cyrus Hamlin of Kennebunk for reappointment to the Board of Trustees of the Maine Maritime Academy.

After public hearing and discussion of this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 109th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee Clerk called the roll with the following results:

YEAS: Senators 2
Representatives 8
NAYS: Senators 0
Representatives 0

ABSENT: 3

Senator Gill of Portland
Representative Locke of Sebec
Representative Birt of East Milli-

nocket

Ten members of the Committee having voted in the affirmative and none in the negative with three absent, it was the vote of the Committee that the nomination of Cyrus Hamlin for reappointment to the Board of Trustees of the Maine Maritime Academy be confirmed.

Sincerely,
S/HOWARD M. TROTZKY
Senate Chairman
S/LAURENCE E. CONNOLLY, Jr.
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Education has recommended that the nomination of Cyrus Hamlin be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Education be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

The Chair recognizes the Senator from Penobscot, Senator Trotzky.

Senator TROTZKY: Mr. President, and Members of the Senate, Cyrus Hamlin of Kennebunk is now a member of the Board of Trustees at the Maine Maritime Academy, this is a reappointment.

I have his resume here and he has extensive background in the marine environment. He has designed draggers, yawls, sloops, and many, many boats. So he is well suited to be a member of the Board of Trustees for the Maine Maritime Academy, in fact, he looks like an admiral.

The PRESIDENT: Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA—None.

NAY—Chapman, Clark, Collins, Danton, Devoe, Gill, Hichens, Katz, Lovell, Martin, McBreairty, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Pray, Redmond, Shute, Sil-

verman, Sutton, Teague, Trafton, Trotzky, Sewall.

ABSENT—Ault, Carpenter, Conley, Cote, Emerson, Farley, Huber, Usher.

No Senators having voted in the affirmative and 25 Senators in the negative, with 8 Senators being absent, and none being less than two-thirds of the membership, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of Cyrus Hamlin is confirmed.

Office of the Governor

May 7, 1980

The Honorable Joseph Sewall
President of the Senate
Senate Chambers
State House
Augusta, Me.

Dear Senator Sewall:

This is to inform you that I am today nominating Donald W. Webber of Auburn for reappointment as an alternate public member to the Maine Labor Relations Board.

Pursuant to Title 26 MRSA Section 968, this nomination will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

I appreciate your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Senate of Maine

May 7, 1980

The Honorable Roland L. Sutton
The Honorable Jasper S. Wyman
Chairmen, Labor Committee
109th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Donald W. Webber of Auburn for reappointment as an alternate public member to the Maine Labor Relations Board.

Pursuant to Title 26 MRSA Section 968, this nomination will require review by the Joint Standing Committee on Labor.

Sincerely,
S/MAY M. ROSS

Secretary of the Senate

Which was Read and Ordered Placed on File.

Office of the Governor

May 13, 1980

The Honorable Joseph Sewall
President of the Senate
Senate Chambers
State House
Augusta, Me.

Dear Senator Sewall:

This is to inform you that I am today nominating Woodbury E. Brackett of Auburn and Charles A. Blood of North New Portland for reappointment to the Land Use Regulation Commission.

Pursuant to Title 12 MRSA Section 683, these nominations will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Senate of Maine

May 14, 1980

The Honorable James A. McBrearty
The Honorable William B. Blodgett
Chairmen, Energy and Natural Resources
Committee
109th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Woodbury E. Brackett of Auburn and Charles A. Blood of North New Portland for reappointment to the Land Use Regulation Commission.

Pursuant to Title 12 MRSA Section 683, these nominations will require review by the Joint Standing Committee on Energy and Natural Resources.

Sincerely,

S/MAY M. ROSS

Secretary of the Senate

Which was Read and Ordered Placed on File.

Senate Papers

Senator Perkins of Hancock (Cosponsor: Senator Najarian of Cumberland) presented, Bill, "An Act Making Supplemental Appropriations from the General Fund to the Maine State Prison for the Fiscal Year Ending June 30, 1980." (Emergency) (S. P. 831)

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

Sent down forthwith for concurrence.

Orders

On motion by Senator Pray of Penobscot, ORDERED, the House concurring, that three hundred twenty-five copies of the Legislative Record for this Special Session be printed, one copy for each of the members of the Senate, House of Representatives, the Secretary of the Senate and Clerk of the House, and the remainder to be deposited with the State Law Librarian for exchange and library use; and be it further

ORDERED, that suitable index be prepared for such Legislative Record under the direction of the Director of Legislative Research.

(S. P. 832)

Which was Read and Passed.

Sent down forthwith for concurrence.

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

Communications Committee on Labor

May 22, 1980

The Honorable Joseph Sewall
President of the Senate of Maine
State House
Augusta, Maine
Dear President Sewall:

In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th Maine Legislature, the Joint Standing Committee on Labor has had under consideration the nomination of Donald W. Webber for reappointment as an alternate public member of the Maine Labor Relations Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 109th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee Assistant called the roll with the following result:

YEAS: Senators 2

Representatives 5

NAYS: Senators 0

Representatives 0

ABSENT: Senators 1 — Senator Pray

Representatives 5 — Reps. McHenry, Baker, Tuttle, Cunningham, Dexter

Seven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Donald W. Webber to the position of alternate public member of the Maine Labor Relations Board be confirmed.

Sincerely,

S/ROLAND SUTTON

Senate Chairman

S/JASPER WYMAN

House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Labor has recommended that the nomination of Donald W. Webber be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Labor be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA — None.

NAY — Ault, Carpenter, Chapman, Clark, Collins, Danton, Devoe, Emerson, Gill, Hichens, Katz, Lovell, Martin, McBrearty, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Pray, Redmond, Shute, Sutton, Teague, Trotzky, Sewall.

ABSENT — Conley, Cote, Farley, Huber, Silverman, Trafton, Usher.

No Senators having voted in the affirmative and 26 Senators in the negative, with 7 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of Donald W. Webber be confirmed.

Department of Marine Resources Advisory Council

April 25, 1980

Joseph Sewall, President of the Senate
John L. Martin, Speaker of the House
Members of the 109th Legislature
Ladies and Gentlemen:

As required by 12 MRSA #6024, subparagraph 5, the Advisory Council to the Department of Marine Resources reports to you on the Department's research plan. For your convenience a copy is enclosed.

Even were it not required, the Advisory Council would be inclined to do so as a check between research proposed by the Department in discussion with the Legislative Marine Resources Committee in the spring of 1979 and the Annual Research Report circulated on February 26, 1980. The former appears in list-outline form as an appendix to the annual report.

The germane minute of the Advisory Council's stated meeting of March 12, 1980, at which all members were present, is: "Mr. Graffam then moved that the Council accept and approve the plans and report, being subject to adaptation for any future changes which may be necessary. The motion was seconded by Mr. Johnson and passed unanimously."

Now added are comments made in the discussion prior to the vote. It was the sense of the Advisory Council that the 11-page report gave an adequate review of the whole program, which under the criteria recited on Page 1 covers the significant species — lobsters, herring, scallops, shrimp, marine worms, shellfish, groundfish, and anadromous fish — and the related considerations of the public health, oil-spill pollution, pathology, environmental monitoring, and contract projects on behalf of DEP and EPA. The catalogue reflects the legislative intent as expressed in the appendices.

Under the statute, the Advisory Council is empowered to employ marine scientists not employees of the Department as advisors about the research plan. In the opinion of the Council, such a move is not presently indicated; because events can happen fast in the fisheries, and very possibly within the next year, the Council wishes to reserve the option of hiring independent advisory services against an emergency, since the funds thus available for a biennium are approximately five thousand dollars, it seems the better part of discretion to have those funds in reserve for the urgent need.

Respectfully submitted
for the Advisory Council

S/EDWARD A. MYERS
Chairman
(H. P. 2077)

Comes from the House, Read and Ordered
Placed on File.

Which was Read and Ordered placed on File.

**Committee on Energy and Natural
Resources**

May 22, 1980

The Honorable Joseph Sewall
President of the Senate of Maine
State House
Augusta, Maine
Dear President Sewall:

In Accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 109th Maine Legislature, the Joint Standing Committee on Energy and Natural Resources has had under consideration the nomination of Charles A. Blood to the position on the Land Use Regulation Commission.

After public hearing and discussion on the nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 109th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee Clerk called the roll with the following result:

YEAS: Senators — 2
Representatives — 7
NAYS: Senators — 0
Representatives — 0
ABSENT: 4

Senator Trotzky, Rep. Doukas
Rep. Michael, Rep. Huber.

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Charles A. Blood to the position of the Land Use Regulation Commission be confirmed.

Sincerely,
S/JAMES MCBREAIRTY
Senate Chairman
S/WILLIAM B. BLODGETT
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Energy and Natural Resources has recommended that the nomination of Charles A. Blood be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Energy and Natural Resources be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

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

Senator O'LEARY: Mr. President, and Members of the Senate, when I first started campaigning for the Senate for the 107th Legislature, going throughout my district, I thought that LURC was just about the dirtiest 4 letter word you could hear, but under the fine directorship of Ken Stratton, and men such as Charles Blood, they have come up with a comprehensive plan for the regions of the State that's under their jurisdiction.

This morning we had perhaps one of the shortest hearings on record, and both men were approved by our committee unanimously. There was an interesting part to it, or it was to me, that was, that Rob Gardiner, who is the director of the Natural Resources Council and Hank Magnuson of the Paper Information Office, which are normally on opposing sides, both spoke very highly of Charles Blood and Woodbury Brackett.

Mr. President, I think that Charles A. Blood, has been a powerful influence on the Land Use Regulations Commission. I think, his nomina-

tion is perhaps one of the better that the Governor has made. I recommend him to you.

The PRESIDENT: Is the Senate ready for the question?

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

ROLL CALL

YEA — None.

NAY — Carpenter, Chapman, Clark, Collins, Devoe, Emerson, Gill, Hichens, Lovell, Martin, McBreairty, O'Leary, Perkins, Pierce, Pray, Redmond, Shute, Silverman, Sutton, Teague, Trotzky, Sewall.

ABSENT — Ault, Conley, Cote, Danton, Farley, Huber, Katz, Minkowsky, Najarian, Trafton, Usher.

No Senators having voted in the affirmative and 22 Senators in the negative, with 11 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of Charles A. Blood is confirmed.

**Committee on Energy and
Natural Resources**

May 22, 1980

The Honorable Joseph Sewall
President of the Senate of Maine
State House
Augusta, Maine
Dear President Sewall:

In Accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 109th Maine Legislature, the Joint Standing Committee on Energy and Natural Resources has had under consideration the nomination of Woodbury E. Brackett to the position on the Land Use Regulation Commission.

After public hearing and discussion on the nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 109th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee Clerk called the roll with the following result:

YEAS: Senators — 2
Representatives — 7
NAYS: Senators — 0
Representatives — 0
ABSENT: 4

Senator Trotzky, Rep. Doukas,
Rep. Michael, Rep. Huber.

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Woodbury E. Brackett to the position of the Land Use Regulation Commission be confirmed.

Sincerely,
S/JAMES MCBREAIRTY
Senate Chairman
S/WILLIAM B. BLODGETT
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Energy and Natural Resources has recommended that the nomination of Woodbury E. Brackett be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Energy and Natural Resources be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

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

ROLL CALL

YEA — None.

NAY — Ault, Carpenter, Chapman, Clark, Collins, Conley, Devoe, Emerson, Gill, Hichens, Katz, Lovell, Martin, McBreairty,

O'Leary, Perkins, Pierce, Pray, Redmond, Shute, Silverman, Sutton, Teague, Trafton, Trotzky, Sewall.

ABSENT — Cote, Danton, Farley, Huber, Minkowsky, Najarian, Usher.

No Senators having voted in the affirmative and 26 Senators in the negative, with 7 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of Woodbury E. Brackett is confirmed.

On Motion by Senator Pierce of Kennebec,
Recessed until 1:30 o'clock this afternoon.

Recess

After Recess

The Senate called to Order by the President.

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

Senator CLARK: Mr. President, I respectfully request that the members of this Senate be allowed to remove their jackets, for the duration of this Special Session.

The PRESIDENT: The Senator from Cumberland, Senator Clark now moves that the Senators be allowed to remove their jackets, for the duration of this Special Session.

Is this the pleasure of the Senate?

It is a vote.

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

Committee Reports

Senate

Ought to Pass as Amended

Senator Perkins for the Committee on Appropriations and Financial Affairs on, Bill, "An Act Making Supplemental Appropriations from the General Fund to the Maine State Prison for the Fiscal Year Ending June 30, 1980." (Emergency) (S. P. 831) (L. D. 2045)

Reports that the same Ought to Pass as Amended by Committee Amendment "A" (S-544).

Which Report was Read and Accepted and the Bill Read Once. Committee Amendment "A" Read and Adopted.

Under Suspension of the Rules, the Bill, as amended, given its Second Reading, and Passed to be Engrossed.

Sent down forthwith for concurrence.

House

Ought to Pass as Amended

The Committee on Appropriations and Financial Affairs on, Bill, "An Act to Fund and Implement Agreements Between the State and the Maine State Employees Association." (Emergency) (H. P. 2061) (L. D. 2042)

Reports that the same Ought to Pass as amended by Committee Amendment "A" (H-985).

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

The Committee on Appropriations and Financial Affairs on, Bill, "An Act to Fund and Implement Agreements Between the State and the Maine State Troopers Association." (Emergency) (H. P. 2062) (L. D. 2043)

Reports that the same Ought to Pass as amended by Committee Amendment "A" (H-986).

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

The Committee on Appropriations and Financial Affairs on, Bill, "An Act to Fund and Implement Benefits for Managerial and Confidential Employees of the Executive Branch Excluded from Coverage under the State Employees Labor Relations Act." (Emergency)

(H. P. 2063) (L. D. 2044)

Reports that the same Ought to Pass as amended by Committee Amendment "A" (H-987).

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.

Under Suspension of the Rules, the Bills, as amended, given their Second Reading, and Passed to be Engrossed, in concurrence.

Sent down forthwith to the Engrossing Department.

Divided Report

The Majority of the Committee on Transportation on, Bill, "An Act to Revise Allocations from the Highway Fund for the Fiscal Years from July 1, 1979 to June 30, 1981, and to Provide Increased Revenue to the Highway Fund." (Emergency) (H. P. 2060) (L. D. 2041)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-984).

Signed:
Senator:

EMERSON of Penobscot

Representatives:

BROWN of Mexico
JACQUES of Lewiston
CARROLL of Limerick
STROUT of Corinth
ELIAS of Madison
McPHERSON of Eliot
McKEAN of Limestone

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

Signed:
Senator:

O'LEARY of Oxford

Representatives:

LOUGEE of Island Falls
HUNTER of Benton
HUTCHINGS of Lincolnville

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

Which Reports were Read.

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

Sensor EMERSON: I move the Senate accept the Majority Ought to Pass Report, and I would like to speak briefly to my motion.

The PRESIDENT: The Senator from Penobscot, Senator Emerson, moves that the Senate accept the Majority Ought to Pass, as amended, Report of the Committee.

The Senator has the floor.

Sensor EMERSON: Ladies and Gentlemen of the Senate, I don't intend to argue the pros and cons of this measure, but I do want to point out 2 things that will happen if we do not pass a Highway Bill.

One thing that will happen is the towns, the combined towns in the State, towns and cities, will suffer to the tune of about \$6,500,000, because in the State Aid Program, the statutes say that the State shall match a unit. Most towns raise up to 6 units of money in the State Aid Program. The State would only have to match 1 unit. The law says that they 'may' match additional units. Also it says, if there's not money enough they may prorate even the 1 unit. So if the money isn't there, they won't appropriate and match, only 1 unit.

Number 2 if we do not pass a bill, there will be no hot-top program carried on, at all, this summer. It is anticipated now with a bill, we will be doing 400 to 500 miles, without a bill we'll be doing none. So I think it's important that we pass a bill.

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

Sensor O'LEARY: Mr. President, and

Members of the Senate, I signed the Ought Not to Pass Report, and it was for a very simple reason. I find this bill discriminates, and I would not sign my name to any bill that discriminates in such an obvious fashion.

It's interesting to note, an editorial in this morning's Bangor Daily News. The sum total of this editorial is that this bill is discriminatory and is unprincipled it at best names 3 Legislators, and I think that that is unfair, it should have been 11 of the State's top leaders. However, Mr. President, and Members of the Senate, I'm not going to debate the merits of this bill, at this time, I will wait for the proper time to offer amendments.

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

Sensor SHUTE: Mr. President, and Ladies and Gentlemen of the Senate, I think we should take a long and hard look at this bill. This bill is by far worse than what we voted on before we left the Second Regular Session of the Legislature only a month ago.

I don't know how, I suppose I do know how, after voting on a bill that had so much discrimination in it as the Indian Land Claims Bill did. But it seems to be popular now to discriminate against part of the general public. I think this bill does that.

We're discriminating in this bill against those people who happen to have their drivers license come due between July 1 and February 28 of 1981. Those people are going to pay a higher fee for their drivers license. They are going to pay a higher fee for their motorcycle permits, their drivers license permits, and their motorcycle driver examinations.

This bill, does of course, have the usual Sunset Clause in it. That clause where the sun never sets. We saw that sunset in our registration fee a year ago. We put a \$5 fee on the registration a year ago and that, of course, was supposed to sunset this year. Well, of course it didn't. I knew it wasn't going to. You knew it wasn't going to. I think even your constituents knew it wasn't going to. I think your constituents know that this fee isn't going to sunset next February 28th, this fee is permanent.

If you're in a \$18,000,000 deficit now and you're expect a \$40,000,000 to \$60,000,000 next year, the next biennium, how are you going to sunset legislation that is bringing in revenue to the State?

I heard the Governor this morning in his speech, in his long-range program, say nothing about a gas tax increase, or a long-range program. I heard we were going to undedicate the Highway Funds from the General Funds which are already in jeopardy. We are going to take part of the General Fund which is already in jeopardy and put part of that in the Highway Fund. Now how are we going to do that? I think you have to be kind of a Wizard of Oz to do such mathematical computations as that.

I think, if we are honest with ourselves, honest with our constituents, we should tell them that we are putting a fee increase on their drivers license, their permits whether it's automobiles, or motorcycles, or whatever. We're telling them we're only going to put it on for 9 months, but we know in our hearts and we should tell them honestly that these fees are going to stay on. Let's be honest with the people of the State. Let's be honest and say we have no long-range program. Let's be honest and say that the intention is to undedicate the Highway Funds and make every department in the State scramble for those funds, when we're short in both areas right now. So I would hope that you voted against this bill.

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

Sensor HICHENS: Mr. President, and Members of the Senate, I too rise in opposition to this bill, mainly for the reasons given by the 2 former speakers. But I would like to elaborate on a statement made by the Chief Executive this morning, when he said "the public

doesn't care how monies are raised as long as the pot heads are filled", not the pot heads, probably we would be pot heads if we vote for this today, but as long as the potholes are filled people don't care. I think the people do care, especially those who are going to be under the Sunset Provision. My birthday doesn't come until next March, so it's not going to affect me, I'm going to be one of the lucky ones, according to what the bill says. But according to what the good Senator Shute has just said, we know this isn't going to be sunsetted it. It's going to continue on and on.

I still feel, as I stated last time when we debated this bill, that the tourists coming to the State should help pay the maintenance of the roads which they are going to travel on. All through the country the gas tax is up in different states. As we travel around the country we help pay for those roads in these other states. I don't feel any discrimination against the person coming in from out-of-state as they come as tourists this year and helping us to pay for the roads in which they are going to travel. So as the bill now stands, I would have to vote against it.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Sensor MINKOWSKY: Mr. President, and Members of the Senate, I also listened very attentively this morning to the Governor's message. His opening statement was you cannot and should not wait until the next regular session. It's absolutely amazing where that statement comes from, where we have had at least 36 different drafts, I believe, during the last time we addressed this particular bill and nothing came of it during that particular segment of time. It's most unfortunate when you have to use that particular strategy, in the name of the spirit of compromise. Yet what is being compromised and at whose expense? At the taxpayers expense of the people of the State of Maine which is most unfortunate. They have been severely zapped from our last Regular Session and now we're continuing on the same format as we originally employed. This is totally unrealistic and unfair to the people, in all categories and all walks of life in the State of Maine.

We talk about the Management Study for the DOT which is supposed to be designed for September of 1980. Yet that study is going to cost at least \$100,000. Now I understand there has been about 5 other studies, over a span of time, which gives you the same information which we can address very readily as a Legislature in a total amount. Yet we have to spend another \$100,000 of the taxpayers money to tell you 3 things. You're due for a tax increase in your gasoline, which is the most logical long range projection we can address at the present time and which we should be addressing. That you're taking dedicated revenues and undedicating them, putting them into the General Fund, which might be some realistic way of doing things. I have no firm commitment, as far as that particular issue is concerned.

It's totally wrong to use this particular approach in zapping just a small segment of our society to raise \$1,200,000 to address a stop-gap or a patch work situation.

The long range projections that we are talking about, we had been discussing even when I was on the Transportation Committee 4 years ago. It's really nothing new. Yet the spiralling inflation all around us, the cost of gasoline, which has gone up over 65¢ a gallon, the people of the State of Maine do not have the same feeling towards the gasoline tax as they had previously. I can say now they are very realistic. If you really want to keep this ship afloat to serve the interests of the Department of Transportation. Some people say they have overspent and they have had poor management. Well maybe originally, I might have agreed to a certain extent of that particular evaluation, but I'm

sure like any other department they have curtailed and cut back to meet the pressing needs in all the districts in the State of Maine. I think they have done one very commendable job, instead of being debilitated and criticized for inaccurate operation.

In fact this morning we elected a new director for the Department of Transportation. I think the Governor's evaluation of the time would be new ideas on this particular thing, which I'm quite sure Mr. Campbell can come forth with. It may be healthy in that particular respect, even though I know he was not an engineer.

Overall, I do not want to see us address this particular thing without saying to the people of the State of Maine, ethically, honestly, and constructively, that you are not being taxed. You are being taxed. In fact, you remember very well during our last session there was a situation arose where for reregistration of automobiles, they are charging the people \$5. The total cost, I think, is not more than 90¢ to produce those plates and the administrative cost is not more than another \$1 which means we should not be in the profit making business at the expense of the people. Yet we're charging them \$5. Even the department realized at the time, that we should not be charging these people more than \$3 maximum, everybody shot that particular idea down.

Now, as I reiterated before, we have reached our saturation point. I think, very candidly with reevaluations, at least in my municipality going on at the present time, the increase in the boat tax, and every single tax we have implemented including the fish and game licenses, we are going overboard. These people's incomes are not keeping up. If we are really concerned with the welfare of the people of the State of Maine, we may not amend this thing, but we'll give it pretty serious consideration before voting for this atrocity.

I realize the long range implications can be very devastating. I think the indication was that it would mean through the attrition program 150 State employees, or at least 100 people, summer help. I guess, basically I was concerned for the long range effect which might be the contract workers, the small individual contractors, who are doing work for the State of Maine which may amount to about 3,000 more employees. It is a domino effect, there is no doubt about it.

On the other hand what I'm trying to simply get across is, if the administration, of which the Governor is the same party affiliation as mine, cannot address long range programs during this particular administration instead of just patchwork, then we are derelict in our duty to go along with such a program as this.

I would really urge you to reevaluate and analyze this thing very closely before putting your endorsement on this. I would rather see other feasible, practical amendments coming forth, which we can justifiably explain constructively to the people, instead of just simply saying the Department of Transportation is going under by \$17,000,000.

As the good Senator Emerson emphasized, if we don't do this the combined towns will lose, I think, in excess of \$6,000,000 in State Aid and the hot top program will be curtailed tremendously. This is maybe two good substantially valid reasons to vote for it, but I think we better address a more positive long range thing then just arbitrarily picking these programs here and there just to keep the thing on-going, until somebody can be satisfied, who might have made some commitments to the people, when economic conditions were a lot different then they are at the present time in the State of Maine.

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

Senator O'LEARY: Mr. President, I would like to respond to a couple of remarks made by the good Senator from Waldo, Senator Shute.

He seems to view it as being the Sunset Provisions as not really expiring, it will be a continuation that will be perpetuated by the next Legislature. However, I am of a mind of what has happened in this past session of the Legislature, where we had 2 different points of view. One was increases in fees and registration, and the other being an increase in the gasoline tax.

I don't see any major shake-up in the composition of this body or the other body in the next election. I see a hardening of forces, those who will be hard core for a 2 or 3¢ tax increase. I see a hard core of those who will be opposed to any taxes, so the Sunset Provisions of this bill will become effective March of 1981.

This bill does discriminate, in the fact that supposing there is an elderly couple and their birthdays fall within the dates confined to this bill. They will pay an additional \$6 apiece that they cannot afford. Down the street just a way, there is a pretty well-to-do couple, both operators of vehicles, and their birthdays don't fall within this time frame. They pay nothing.

This bill hits 10% of the people. The amendment that I will propose, if I am given the opportunity, I will eliminate all the Sunset Provisions. I would increase the drivers registration by only 20%, and I will make that up by taking money from the Planning and Services Account of another \$150,000. If you read the fact sheet, that I had distributed this morning, you'll see that there is plenty of money available in this account.

If you look in the original bill under the Winter Maintenance, it's interesting to note that you have the figure for the year 1979 and 1980, the figure of \$725,000 which is being taken out. The actual savings is \$1,225,000. They played games with the figures.

We on the committee have learned a lot about the State Highway Budget in the past year or 6 months, more perhaps than any other committee that ever delved into it. They played games with it, so this is transferred over to the next year, to reflect costs which aren't really there, the money was just transferred over.

There's other monies within the department some of us are concerned with actually if there is a shortfall, but I believe honestly in my own mind that there is.

To get around to the study that's being proposed, I have the names of all the different consulting firms that have bid on this study. I would remind this body that the cheapest one is \$94,000. The next lowest is \$111,000. Only one Maine firm bid on it and it's total was \$192,000. It's not going to be cheap.

Mr. President, in order to prove to the people of the State of Maine that we do not wish to discriminate we will adopt one of the amendments either offered by myself or by the good Senator from Aroostook, Senator McBreairty, I hope that you will not kill the bill at this time. Thank you.

The President would ask the Sergeant-at-Arms to escort the Majority Floorleader, 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.

Senate at Ease

The Senate called to Order by the President.

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

Senator SHUTE: I would ask for 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 Kennebec, Senator Katz.

Senator KATZ: Mr. President, I sat entranced as the Senator from Androscoggin, Senator Minkowsky, gave a speech just before recess. I found to my dreadful amazement that I kept nodding in agreement with so many of the things that he was saying. But having agreed with the clear logic that he presented, I came back to the political facts of life, that what we're attempting to do here is to arrive at a consensus. One of the disadvantages of a consensus is nobody has his way. Sometime the consensus gains no enthusiastic acceptance by any of the parties, but it turns out to be the best consensus.....

Just before I came in today, I read a note from the department. I had asked what the value of our Highway System was. I just had an intellectual curiosity. What are we talking about? The response was that the bridges and highways in the State that the department is mandated to take care of, to protect, to maintain, has a \$6.7 billion replacement cost. Even to somebody who is used to flinging the taxpayers money around, like we are, it's a lot of money. What we're talking about is protecting our investment. To protect our investment I think it's wrong to look for the most perfect instrument because we're not going to find it.

Even after I got impressed with the nature of our investment, the thing that has impressed me most, throughout all this, and the thing that has touched me personally, most deeply, is the human factor.

I got a call from a fellow whom I don't know. He said, what are you doing to my brother-in-law? Inasmuch as I didn't recognize his name, I had a moment of panic at what it was I was doing to his brother-in-law. His brother-in-law was a young fellow who had just bought himself a truck. When he bought the truck and arranged the payments, he was depending upon the normal flow of State work during the summer maintenance to help him with the payments of the truck.

Then I realize that when you talk about highways you think about big business, but it really isn't. Senator Minkowsky, talked in terms of 3,000 in the private sector. I think, it's wrong for us to think about big firms with fat profits. I think, that probably highway projects, these days, boil down to the fellow who has the pick-up truck in his driveway. Those people are going to be wiped out, at least, in so far as this summer is concerned, unless we have enough wisdom to come to a consensus.

I must confess that I share so many of the feelings of the Senator from Androscoggin, Senator Minkowsky. I share some of those concerns of the Senator from Waldo, Senator Shute. But I must point out to the Senator, that you simply can't have it both ways. You can't say this bill is discriminatory in one breath, because it sunsets, and in the next breath say it's not going to sunset it's going to continue on anyway.

I think, the political facts of life are, that any Legislator and I ask each of you as a politician, a successful politician, because you are here, is there any question in your mind that this fee will be extended to the end of the Fiscal Year. Is there any question in your mind? If your answer is, there is no question, the discriminatory feature is wiped right out, and you have whatever other handicaps you have to deal with in deciding what to vote for.

I think, it's important that not only does this committee Report in Passage to be Engrossed today get a Majority vote. I think, it's terribly important if we are to live up to our highest responsibility and that is legislating that we get a good solid vote every time we vote on a Roll

Call here today. Maybe then there is a chance that we can get this out of here. Although none of us are particularly pleased, we can say that we have reached a consensus, we have given the government the tools it needs to perform its functions.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: Mr. President, and Members of the Senate: On Several occasions this afternoon, I have heard my name mentioned concerning the Sunset Bill and Sunset Provisions, and that probably, I was wrong in my predictions that this legislation would not be sunsetted, if passed. I would ask those Senators, that questioned this, if the registration fee that was put on a year ago and going to expire January 1 of this year, if that was sunsetted this year? I don't think it was.

Now if you don't think this bill is discriminatory against a certain segment of the public why should only those people that are renewing their license or going for driver examinations, between July and February 28, pay in more money than all the rest of the people in the State?

The Governor refers to this bill, not as a tax increase, not as a fee increase, but a modest adjustment, which was a new phrase to me. The Governor did say that he was having a study made in the Department of Transportation, following along the lines of the last study that was rejected, that was made in the Department of Transportation. Myself I'm not for undedicating the Highway Funds, if that's what the study is directed towards.

When you cut TRI money \$400,000 from the towns, you cut State Aid money from the towns, which is in the statutes, you're changing the statutes. It can't be changed unless you vote to change it, so you're changing it. You shift the tax, the road tax from the users of the highway onto the property taxpayers in the State. I haven't had many property taxpayers call me up and say they want more property tax. I've had one or two municipal officials call me but I've had about 40 property taxpayers call me and say they didn't want any more property tax.

So I don't think this is a fair solution to the problem. I'd hope that we would come up with maybe a little better solution than what this bill is aimed at.

The PRESIDENT: Is the Senate ready for the question?

The pending question before the Senate is the motion by Senator Emerson of Penobscot, that the Senate accept the Majority Ought to Pass as amended, Report of the Committee.

A Yes vote will be in favor of accepting the Majority Ought to Pass, as amended, Report of the Committee.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA — Ault, Carpenter, Chapman, Clark, Collins, Conley, Danton, Devoe, Emerson, Gill, Hichens, Katz, Lovell, Martin, McBreairty, Najarian, O'Leary, Pierce, Pray, Sutton, Teague, Trafton, Trotzky.

NAY — Minkowsky, Perkins, Redmond, Shute.

ABSENT — Cote, Farley, Huber, Silverman, Usher.

23 Senators having vote in the affirmative, and 4 Senators voting in the negative, with 5 Senators being absent, the Motion to accept the Majority Ought to Pass, as amended, Report of the Committee in concurrence, does prevail, and the Bill Read Once. Committee Amendment "A" Read and Adopted, in concurrence.

Under Suspension of the Rules, the Bill, as amended, given its Second Reading.

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

Senator O'LEARY: I now present Senate Amendment "A" to L. D. 2041 under Filing S-540 and move its adoption.

The PRESIDENT: The Senator from Oxford, Senator O'Leary, now offers Senate Amendment "A" to L. D. 2041 and moves its adoption. Senate Amendment "A" (S-540) Read.

The PRESIDENT: The Senator has the floor.

Senator O'LEARY: Mr. President, and Members of the Senate: I voted for this bill to get this far, because I could not amend it yesterday in committee. I note that it needs 101 votes in the other body and 22 in this one. Without the amendment that I am proposing now, and if that is defeated, without one of the amendments being presented by the good Senator from Aroostook, Senator McBreairty, I think we'll go home once again without resolving the problems of the Highway Department.

I would remind the Senator from Kennebec, Senator Katz, there is in my mind a question of what the next Legislature will do when it comes to extending these fees.

Mr. President, this morning we confirmed the nomination of George Campbell to the position of Commissioner of the Department of Transportation. I had reservations. My reservations are spelled out in this amendment. If you look at the fact sheet that I sent around to you this morning, it's addressed in No. 4. The department prior to hiring personnel with the equivalent salary of \$18,000 per year is required to notify the Legislature with respect to the name of the person, their duties and reporting arrangements, the expected duration of the employment, the rate of pay and whether these duties replaced or affect the duties of another person employed at the time of the hiring.

Mr. President, Mr. Campbell, may be well qualified for the job. I know he is a super salesman. But in testimony before our Committee on Transportation, Roger Mallar the former Commissioner of the Department of Transportation testified. It was brought out that there are approximately 100 people that the commissioner may put in positions of making these decisions.

Mr. President, and Members of this Body, I can see now and would submit to you that, I believe it's the intention to dismantle the department as well as to undedicate the revenue. As the good Senator from Kennebec, Senator Katz, reminded us the department is the caretaker of a \$6.7 billion network of transportation throughout the State of Maine.

Mr. President, because of my concern of who these 100 people would be that are going to be added and I believe they will be added to the department, it is this reason that I have put the this in my amendment.

My amendment also eliminates all the Sunset Provisions and allows an increase of only 20% in contrast to the Governor's proposed amendment which is a 60% increase, and it only hits 10% of the people, this one hits 100% and will be forever.

I know it's a band-aid approach again. My amendment, of course, reduces the amount of revenue that will be coming into the State under Driver License Fees to the tune of \$150,000. So I have proposed that the reduction in the Planning and Services Account, which is the only change proposed by this amendment.

Program allocations will have very little affect upon the Planning and Services Program. On July 1, 1979 this account had a balance carried forward of \$617,324.69 in State monies, a total of \$1.5 million in State monies and an estimated \$4,500,000 in Federal monies available for this account for 1979 and '80. At the present time there is an unexpended balance of roughly \$800,000 in this account. I think, this is perhaps where the extra 100 employees, decision makers will come in. By reducing this account by another \$150,000 for a total reduction of \$350,000, there will be little impact upon this program. \$175,000 reduction in 1979-80 allocation represents a 12½% reduc-

tion and a 2.96% reduction in the total funds available for this program for 1979 and '80.

Mr. President, I believe that the comments made by the good Senator from Penobscot, Senator Emerson, were true. We do have to do something. There is little chance of passing a bill that has Sunset Provisions in it. If the amendment offered by myself or those to be offered by the good Senator from Aroostook, Senator McBreairty, one of them is not adopted, then I shall be voting against the bill.

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

Senator EMERSON: I don't like to oppose my good friend the Senator from Oxford, Senator O'Leary, but we've been over these things, many times and had many, different proposals. I believe, the proposal, which we have just had a majority vote on, is the better one of the ones we've had and I would move Indefinite Postponement of this.

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

Senator O'LEARY: I would ask for 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 Cumberland, Senator Conley.

Senator CONLEY: Mr. President, and Members of the Senate, I guess only the Lord knows how many bills we have voted on in trying to pass the budget for the DOT this year. We've talked compromise, compromise, compromise. I've heard on the floor of the Senate today, several times, a strong opposition to the Sunset Provision of this bill, by members of my party, by members of the Majority Party. I think it's only fair to say that this is an area in which the Governor made his compromise for this bill. He agreed to a Sunset Provision that was being requested by the Majority Party. The Governor accepted that compromise in good faith. I would ask the membership of the Senate to accept that compromise in good faith, and therefore reject the pending amendment before you.

The PRESIDENT: Is the Senate ready for the question?

The Pending question before the Senate is the motion by Senator Emerson of Penobscot, that Senate Amendment "A" be Indefinitely Postponed.

A Yes vote will be in favor of Indefinite Postponement.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA — Ault, Carpenter, Chapman, Collins, Conley, Danton, Devoe, Emerson, Gill, Katz, Lovell, Martin, McBreairty, Najarian, Perkins, Shute, Sutton, Teague, Trafton, Trotzky.

NAY — Clark, Hichens, Minkowsky, O'Leary, Pray, Redmond.

ABSENT — Cote, Farley, Huber, Pierce, Silverman, Usher.

20 Senators having voted in the affirmative, and 6 Senators having voted in the negative, with 6 Senators being absent, the Motion to Indefinitely Postpone Senate Amendment "A" (S-540) does prevail.

The Chair recognizes the Senator from Aroostook, Senator McBreairty.

Senator McBREAIRTY: Mr. President, I present Senate Amendment "B" to L. D. 2041 under a Filing Number of S-541 and move its adoption.

The PRESIDENT: The Senator from Aroostook, Senator McBreairty, now offers Senate

Amendment "B" to L. D. 2041 and moves its adoption.

Senate Amendment "B" (S-541) Read.

The PRESIDENT: The Senator has the floor. Senator McBREAIRTY: Mr. President, Honorable Members of the Senate, I am not against funding the Department of Transportation. In fact, my record, will show just the opposite, twice while I served in the House I co-sponsored a gas tax increase. In January 1979, I sponsored, and begged the Governor, to help me with a bill that would have kept \$20,000,000 that we gave away, that I knew we would need by 1980.

If I had a chance today I would vote to put the gas under the sales tax. I don't want to lay off one highway worker, we have already laid off too many. I'm against this bill because of the unfairness of the way the fee increases are written in.

The reason we have already turned down 39 or 40 bills is, because passage of every bill, so far, would require that we vote against the people we represent. This bill before us is no exception, in fact, I feel it is the worst bill we have had to date. The way this bill is drafted, it is possible for a Maine family, in the next few months, to pay a one time \$6 to \$25 in fees to help bail out the Highway Department while the neighbor family should pay nothing, regardless of their financial standing, regardless of how much they use the highway.

My amendment will eliminate the fees and make additional cuts, that I believe, the department can live with for the next few months. My amendment would make an additional cut of \$500,000 in the Salary Plan Account; \$200,000 in the Traffic Services Program; and additional \$150,000 in the Planning and Services Account; an additional \$50,000 reduction in the Administration Account; and \$300,000 reduction in the Highway and Bridge Improvement Program.

I am going to give you my version of why I think that can happen and still operate for the next few months. There is a ceiling, I understand, placed on employees to be hired by the department. That's in the salary plan. There is an unexpended balance in the account at the present time of \$4,849,333. The MSEA contract negotiations do not become effective until July 1, 1980, at which the time the Legislature has allocated an additional \$5,924,214 for the 1980-81 Fiscal Year. This makes a total available \$10,773,046. After the Additional cuts there will still be available \$10,273,546. I believe they can live within them.

The Traffic Service Program has at the present time an unexpended balance of \$910,848.17, of which only \$552,848.17 is encumbered. This program beginning on July 1, 1980 will be allocated funds amounting to \$200,000 more than the 1979-80 allocation. Therefore, spending will not be significantly limited by this proposed cut.

Number 3, Highway Administration Program, at the present time has an unexpended balance of \$1,207,310.01, of which only \$57,909.64 is encumbered. The unexpended balance represents nearly one-third of the total appropriation for 1979-80. On July 1 this program will be funded by an allocation that exceeds the 1979-80 allocation by nearly \$200,000.

Number 4. Planning and Services Account. At the present time the Planning and Services Account has an unexpended balance of roughly \$800,000 of which only \$21,000 is encumbered. On July 1, this program will be funded by an allocation that exceeds the previous allocation by \$30,000. In addition this program is also funded with Federal monies. In 1978-79 this program was funded with more than \$3,000,000 in Federal money.

The reduction in the Highway and Bridge Improvement Program can be offset by issuance of \$300,000 in authorized and unissued bonds. If you think this bill, as it's written now, is fair to the people you represent, I guess you should

vote for it. If you wish to treat your constituents equally please consider one of my amendments, either this one or the one that I will present next. I believe this bill has a better chance of passage in the other body with one of my amendments on it. Thank you.

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

Senator EMERSON: Once, more I move Indefinite Postponement. I've had a lot of figures thrown at me here, which I'm really not able to debate. I doubt that it would be safe for us to reduce the salary plan by \$500,000. I've talked to the Commissioner of Finance, this morning, and asked him about this. He said that if we did this, there might be a chance that we couldn't meet our payrolls in June of '81.

I feel that the administration had all these figures at the time they made the budget. I'm sure if these cuts could have been made safely they would have made them.

In the Highway and Bridge Improvement Account, originally we reduced that by \$500,000. Then when the time came, it seemed that the Federal people were not going to put all the money in that was coming to us. We found that there was extra monies that could be used in summer highways and bridges and we increased that amount, the administration did, by \$900,000. I expect that if there had been a reason for increasing the deduction by \$300,000 more they would have done so.

I was interested to hear the Senator say that we had \$3,000,000 worth of bonds which were not issued. If we did have that, in fact, I guess we wouldn't have any problems. I think, that the administration went over these figures. I think, they reduced it as much as they thought possible. I would certainly again move Indefinite Postponement.

The PRESIDENT: The Chair will order a Division.

Will all those Senators in favor of the Indefinite Postponement of Senate Amendment "B", please rise in their places to be counted.

The Chair recognizes the Senator from Penobscot, Senator Emerson.

Senator EMERSON: 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 less than one-fifth having arisen a Roll Call is not ordered.

The Chair will order a Division.

Will all those Senators in favor of the Indefinite Postponement of Senate Amendment "B", please rise in their places to be counted.

13 Senators having voted in the affirmative, and 9 Senators in the negative, the Motion to Indefinitely Postpone, Senate Amendment "B" (S-541) does prevail.

The Chair recognizes the Senator from Aroostook, Senator McBreairty.

Senator McBREAIRTY: Mr. President, I present Senate Amendment "C" under Filing Number S-542 and move its adoption.

The PRESIDENT: The Senator from Aroostook, Senator McBreairty, now offers Senate Amendment "C" to L. D. 2041 and moves its adoption.

Senate Amendment "C" (S-542) Read.

The PRESIDENT: The Senator has the floor.

Senator McBREAIRTY: Mr. President, and Honorable Members of the Senate, if you insist on a fee, this amendment will at least make it equitable and fair.

In the last few years we have increased many fees. Registration fees for motor vehicles were increased in 1979 and are scheduled to sunset in October, 1981. Operators Examination Fees were increased from \$3 to \$8 for Class I and Class II Licenses and from \$3 to \$5 for a Class III license in 1975. In 1975 Motorcycles Regis-

tration Fees, Trailer Registration Fees, vanity plates were also increased.

Operator License Fees have not been increased for about approximately 20 years. Certificate of Title Fees were initiated in 1975 and have not as yet been increased or changed. My amendment would increase the registration fee the same as the bill, increases it, but it wouldn't sunset. It would be fair and equitable to all. It would bring in over a million, fifty thousand or something to that effect.

Certificate of Title Fees, you buy a car once every 1, 2, 3, 10 years. So a \$2 increase is something, that I guess, I can swallow. If we went with the amendment the increase in these 2 fees will bring in \$250,000 more than the original bill. The amendment allocates that \$250,000 to summer maintenance.

I would hope, that we have people enough in this body that wants to come out with a fair, equitable increase in fees, if we are going to come out with one, so that you might go with this amendment. I don't think this bill is carved in stone. We had a hearing yesterday. The purpose of that was to listen to suggestions. I would hope you might go with this one. I don't see how I can vote for a bill unless it treats all of my constituents the same. Thank you.

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

Senator EMERSON: Once more, I move Indefinite Postponement. I don't think Senator McBreairty ought to feel bad if these are shot down, because there has been several others shot down before this.

The PRESIDENT: The Chair will order a Division.

Will all those Senators in favor of the motion to Indefinitely Postpone Senate Amendment "C", please rise in their places to be counted.

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

12 Senators having voted in the affirmative, and 11 Senators in the negative, the motion to Indefinitely Postpone Senate Amendment "C" (S-542) does prevail.

Is it now the pleasure of the Senate, that this bill, as amended, be Passed to be Engrossed?

Senate at Ease

The Senate called to Order by the President.

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

Senator McBREAIRTY: I would ask for the Yeas and Nays.

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.

Senate at Ease

The Senate called to Order by the President.

On Motion by Senator Katz of Kennebec, Tabled until later in today's session, pending Passage to be Engrossed.

Enactors

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

Emergency

AN ACT Making Supplemental Appropriations From the General Fund to the Maine State Prison for the Fiscal Year Ending June 30, 1980. (S. P. 831) (L. D. 2045)

This being an emergency measure and having received the affirmative votes of 25 Members of the Senate, with 1 Senator voting in the negative, was Passed to be Enacted, and having been signed by the President, was by

the Secretary presented to the Governor for his approval.

Emergency

AN ACT to Fund and Implement Agreements Between the State and the Maine State Employees Association. (H. P. 2061) (L. D. 2042)

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

Senator COLLINS: Mr. President, with respect to the 3 contracts that are before us, the first being the agreement with the Maine State Employees Association, the Senator from Cumberland, Senator Huber sent to my office, on Tuesday, of this week, copies of this agreement and the one with the Maine State Troopers Association. I did read those yesterday. I've had questions handed to me by several members of this body, so I thought it appropriate that I put on the Record, the fact, that I believe the Employment Security Clauses in these contracts are in keeping with the format that we approved last year and earlier this year when we approved clauses that made union membership permissive.

I would like to put on the Record one other observation. The only one of the 6 agreements with MSEA, which has been presented to me, is the one with the Administration Services Bargaining Unit. As a matter of fact, there are another 400 or 500 pages of contract written with all of the other different units that are identified in the bill. I have not seen those, but I have taken it upon myself to go to Mr. Mosher, and Mr. Flannigan, of the Governor's Staff, and they have assured me that all of these agreements, are substantially the same. There are changes of wording with respect to certain particular positions, and with respect to certain categories not found in one which are in the other.

I am satisfied with their good faith and accuracy. I would however, once again, make the same request that I made last year, and that is, that I think it's only fair that someone in the Legislature or on the Legislative Staff have the opportunity to see these contracts before we appropriate millions of dollars to support them. We are placing a great deal of confidence and good faith in not only the integrity, but in the accuracy of our Executive Department. I have no questions about the integrity, but I know that every group has an opportunity to make some inaccuracies and I think the discipline of submitting the full documents to the Legislature would be a good thing for the Executive Department. I hope that, that may be observed in the future. I'm happy to support the enactment of all 3 of these Emergency measures, Mr. President.

This being an emergency measure and having received the affirmative votes of 25 Members of the Senate, with No Senators voting in the negative, was Passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

AN ACT to Fund and Implement Agreements Between the State and the Maine State Troopers Association. (H. P. 2062) (L. D. 2043)

Emergency

AN ACT to Fund and Implement Benefits for Managerial and Confidential Employees of the Executive Branch Excluded from Coverage under the State Employees Labor Relations Act. (H. P. 2063) (L. D. 2044)

These being emergency measures and having received the affirmative votes of 25 Members of the Senate, with No Senators voting in the negative, 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 Chair laid before the Senate:

Bill, "An Act to Revise Allocations from the Highway Fund for the Fiscal Years from July 1, 1979 to June 30, 1981, and to Provide Increased Revenues to the Highway Fund." (Emergency) (H. P. 2060) (L. D. 2041) tabled earlier in today's session, by Senator Katz of Kennebec, pending Passage to be Engrossed.

The PRESIDENT: The pending question before the Senate is Passage to be Engrossed of L. D. 2041.

A Yes vote will be in favor of Passage to be Engrossed.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA — Ault, Carpenter, Chapman, Clark, Collins, Conley, Danton, Devoe, Emerson, Gill, Katz, Lovell, Najarian, Pierce, Pray, Sutton, Teague, Trafton, Trotzky, Sewall.

NAY — Hichens, Martin, McBreairey, Minowsky, O'Leary, Perkins, Redmond, Shute.

ABSENT — Cote, Farley, Huber, Silverman, Usher.

20 Senators having voted in the affirmative and 8 Senators voting in the negative, with 5 Senators being absent, the Bill was Passed to be Engrossed, as amended in concurrence.

Sent down forthwith to the Engrossing Department.

Senate at Ease

The Senate called to Order by the President.

(Off Record Remarks)

On Motion by Senator Pierce of Kennebec, Recess until 5:30 o'clock this afternoon.

Recess

After Recess

The Senate called to Order by the President.

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

Enactor

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

Emergency

AN ACT to Revise Allocations from the Highway Fund for the Fiscal Year from July 1, 1979 to June 30, 1981, and to Provide Increased Revenues to the Highway Fund. (H. P. 2060) (L. D. 2041)

Comes from the House, Fails of Enactment.

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

Senator O'LEARY: Mr. President, I move that the Senate Reconsider it's action whereby this bill was Passed to be Engrossed.

The PRESIDENT: The Senator from Oxford, Senator O'Leary, now moves that the Senate Reconsider its action whereby L. D. 2041 was Passed to be Engrossed.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator KATZ: I oppose the motion and request a Division.

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

Senator O'LEARY: Mr. President, it becomes more obvious, as the day progresses, that this bill is going to have rough sailing. We're all going to have a long hard night. Mr. President, it would be my hope that the Senate would reconsider its action whereby this bill was Passed to be Engrossed, so that we can get on with further business.

The PRESIDENT: A Division has been requested.

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.

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

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

Senator O'LEARY: Mr. President, and Members of the Senate: When we run for election, in the State of Maine, there is one thing we like to inject in our campaign that is a measure of honesty and integrity and not deceit.

Mr. President, and Members of this Body, and especially those who are not returning to the next session, it bothers me endlessly that the good Senator from Kennebec, will perhaps be succeeded by his son, Roger. I would like to know, if the father has enough influence on his son, so that he can say that the Sunset Provisions will not prevail?

Mr. President, and Members of this Body, it seems to me that if there is any honesty and integrity amongst us any conscience, that we will not try to deceive the people of the State of Maine. Let's put it right out in front where you can see it. Let's put it right out in front where you can see it, because that is exactly what has been said today. That's what the majority vote is saying! That the next Legislature is going to come down here and they aren't going to make us look like the good guys, and they are going to be the devils. I have better words but they are not permissible on this floor, Mr. President. I am a paper mill worker and I am accustomed to rhetoric that are not acceptable, here.

Mr. President, if there is any honesty, integrity, conscience you and do not want to deceive the people of the State of Maine, let's put it right out in front. Vote this down, ask for a Committee of Conference, do something, but put it right out in front of the people, where they can see it. Don't deceive them! Mr. President, in good conscience I cannot vote for this bill.

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

Senator PRAY: Mr. President, and Members of the Senate: The highway issue has been before us for quite some time, I think many individuals on both sides of the issues have had varying viewpoints along the way.

If I remember right at the end of this session, we had close to 50 amendments, between the House and Senate, offered to find some type of solution. I think when we talk about the words, of honesty, integrity, of conscience and deceit, and all the other grand words that we can throw out and talk about the attempts of the Legislature, I think that there has been on the part of individuals who even disagree, an honest attempt to express their viewpoints and the viewpoints of the constituency which they represent and what they feel is best for the State.

I know many bills in this Chamber have not seen the Enactment stage due to the disagreement of the Majority Party in this Chamber. On other instances it was the Majority Party of this Chamber which joined with me on some other bills, and we've gotten some good reform over the years on the statutes.

I think as in the words of our Governor, this morning, when he addressed us, that we're not in a blame game. We're not attempting to deceive the public. There is an honest attempt to find some type of solution, and somewhere along the way we have to address that in our own consciences, as to whether or not we're going to vote for this proposal today. I am far from happy with it, but I feel that reviewing the situation that has taken place over the last several weeks and the last couple of months when we go back to the bill that we had in the last session that we are basically down to that point in time where we've got to put it out front. We've got to find some solution on the short term and then attempt to address the major problem, which basically has been spelled out and will be done by the Governor. I

would urge the members of this Chamber to support the proposal.

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

Senator O'LEARY: Mr. President, I don't think this evening I am going to prevail here. I'm a man of principle, I believe. I don't like to practice deceit. I think, that this bill is deceitful. I think, that we are trying to do something here this afternoon that is not within my good conscience to vote for.

I'm a political realist, I've been around the war games for about 22 years, in and out of politics. I've seen the composure of both branches of this Legislature. Honestly, in my own mind, I cannot see the next Legislature in any way extending the Sunset Provisions of this bill.

If you think in your own mind that it is fair for one-tenth of the population of this State who holds drivers licenses, or who are going to register cars or anything else, to bail out this department, then you live with your conscience, because my conscience is going to be clear. I am going to vote No and I mean it!

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

Senator CONLEY: Mr. President, I request when the vote is taken, it be taken by the Yeas and Nays.

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 Enactment of L. D. 2041.

A Yes vote will be in favor of Enactment.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA — Ault, Carpenter, Chapman, Clark, Collins, Conley, Danton, Devoe, Emerson, Farley, Gill, Katz, Lovell, Martin, Najarian, Pierce, Pray, Silverman, Sutton, Teague, Trafton, Trotzky, Sewall.

NAY — Hichens, McBreaity, Minkowsky, O'Leary, Perkins, Redmond, Shute.

ABSENT — Cote, Huber, Usher.

23 Senators having voted in the affirmative, and 7 Senators voting in the negative, with 3 Senators being absent, L. D 2041 is Passed to be Enacted in non-concurrence and signed by the President.

Sent forthwith for concurrence.

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

Senate Paper

A Joint Resolution in Memoriam,

WHEREAS, the Legislature has learned with deep regret of the death of the Honorable Roland Carbonneau of Lewiston, former State Senator of the 107th Legislature, (S. P. 833) is presented by Senator Minkowsky of Androscoggin (Cosponsors: Senator Cote of Androscoggin and Senator Trafton of Androscoggin).

Which was Read.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Senator MINKOWSKY: Mr. President, and Members of the Senate, this afternoon I felt that this Order had a very meaningful and lasting effect for this body, as well as for the family of former Senator Roland Carbonneau of Lewiston, who represented Senatorial District 14.

Senator Carbonneau, in my estimation, was a sincere and dedicated, hardworking, honest individual, who pursued his career with the diligence that the people of the Senatorial District

expected, and his dedication to the people of the State of Maine will long be remembered.

Even though Mr. Carbonneau only served one term in this Senate, in discussions with people, around the State of Maine, he has made his mark and a lasting impression, and his work during his 2 year term in the Senate will never go unnoticed. It's in this particular vein, Mr. President, and Members of the Senate, that we presented this particular Order to be presented to his widow and family on behalf of the Members of the Maine Senate and the Maine Legislature as a whole.

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

Senator CONLEY: Mr. President, and Members of the Senate: Former Senator Roland Carbonneau, was a guy who served in this Senate. You know there was one thing I always loved and admired about him. He's a very, very serious Legislator, but he never let things become so serious that he didn't always provide a laugh for all of us. I certainly know that those of us who served with him are going to miss him and we certainly wish his family well.

Which was Adopted.

Sent down forthwith for concurrence.

On Motion by Senator Katz of Kennebec, Recessed until the sound of the Bell.

Recess

After Recess

The Senate called to Order by the President.

At this point a message was received from the House, through Representative Tierney of Lisbon Falls, the Majority Leader of the House, informing the Senate that the House had transacted all of it's business and was ready to adjourn without day.

Out of Order and Under Suspension of the Rules, On motion by Senator Katz of Kennebec, ORDERED, that a message be sent to the House of Representatives informing that Body that the Senate has transacted all the business which has come before it and is ready to adjourn without day.

Which was Read and Passed.

The President appointed, Senator Katz of Kennebec, to convey the message. The Senator then retired to the Hall of the House.

Subsequently, Senator Katz of Kennebec, reported that he had delivered the message with which he was charged.

Out of Order and Under Suspension of the Rules, On motion by Senator Conley of Cumberland,

ORDERED, That a message be sent to His Excellency, the Governor, informing him that the Senate has transacted all the business which has come before it and is ready to adjourn without day.

Which was Read and Passed.

The President appointed, Senator Conley of Cumberland to convey the message to His Excellency, the Governor.

Subsequently, Senator Conley, of Cumberland, reported that he had delivered the message with which he was charged.

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

Senator LOVELL: Mr. President, and Members of the Senate. It is a great honor for me to have served in the Maine Senate, for as many years as I have, but I do not think that it is a great honor to be the oldest member of the Senate, but I can't help that, time marches on.

So in closing, on adjournment of the Senate, I don't know that I'll be here again, hope so, but at my age it is getting late in years.

I hope that Joe Sewall stays on as President

of the Senate, for the next 6 years, and that May Ross stays for the next 10 years, and all the rest of you Senators that are here come back again for many years.

I know Bennett Katz is not running next year, but I want him to run the following year, because we really need him.

So without any further ado, I move we adjourn Sine Die.

The PRESIDENT: The Senator from York, Senator Lovell, now moves that the Senate adjourn Sine Die.

Is this the pleasure of the Senate?

It is a vote.

Thereupon at 10:19 p.m. on Thursday, May 22, 1980 the Honorable Joseph Sewall, President of the Senate, declared the Senate of the 109th Legislature adjourned Sine Die.