

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

One Hundred and Seventh Legislature

(First Special Session)

OF THE

STATE OF MAINE

1976

KENNEBEC JOURNAL

AUGUSTA, MAINE

you will see what happens when you are under a federal marketing order.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Gould.

Mr. GOULD: Mr. Speaker, Ladies and Gentlemen of the House: It seems as though this bill has been milked a great deal and I certainly hope you are ready for this. I think it could become an 'udder' failure. I don't believe, by any means of the imagination, that the outcome is in the bag. With that thought in mind, I would like to say that if the cows knew what was going on here today, they would go on strike and we would have sour milk.

I think the best thing to do is to vote the leave to **withdraw and make the cows contented once again.**

The SPEAKER: The Chair recognizes the gentleman from Island Falls, Mr. Walker.

Mr. WALKER: Mr. Speaker and Members of the House: With all this milking going on around here, I thought I would get in my ten cents worth. I am a former dairy farmer, but I found out it wasn't worthwhile. I have seen dairy farmers in my area shrink at least 50 percent in numbers. We have a gentleman now who is traveling the country trying to find new industries for our state while the legislature is trying to scuttle one we already have, the milk industry.

The SPEAKER: The Chair recognizes the gentleman from Buxton, Mr. Berry.

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: I will be very brief. We have gone through the sad news of the committee's action and several other things, including what would happen, what wouldn't happen and I don't think that is the question. I think the question, if you have read the amendment, is **whether or not you want to send it out to referendum.** I think if you are judging what will happen, you are a little premature, because you haven't yet found out what the people are going to say. I think it is very important that it should be sent out, and I would ask that you vote against the leave to withdraw.

The SPEAKER: The Chair recognizes the gentleman from Dixfield, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, Ladies and Gentlemen of the House: In this House of Representatives, we have people from all walks of life, and amongst them are two farmers who know something about this bill here. We have lawyers, doctors, dentists and everything else here, but we have two farmers. We have listened to one of them this morning, and I never heard a better speech in this House, a more honest, sincere one.

I can't imagine the fault that people find with the price of milk. Maybe I am wrong about this, but I find milk to be the best buy on the market today. When I buy root beer or any other kind of beer, I find I am paying much more than I am for milk, and all this fuss about the milk price just leaves me cold.

The Milk Commission, at the present time, is **made up entirely of consumers. I don't know** how much farther you can go, excepting to abolish it. We have composed this commission entirely of people who consume milk, and still, the people aren't satisfied.

The gentleman from Buxton, Mr. Berry, and I were two people who vote for the LaPointe bill in a recent session, but I have changed and the gentleman from Buxton has not. The reason that I have changed is because I have been to hearings where the room was full of farmers, farmers who got up early in the morning and came to that hearing and with tears in their eyes implored us to keep the commission. I don't believe all the farmers in the State of Maine are wrong, and I hope you will go along with the leave to withdraw motion.

The SPEAKER: The Chair recognizes the gentleman from Benton, Mr. Hunter.

Mr. HUNTER: Mr. Speaker and Members of

the House: I think one thing we haven't mentioned this morning is the quality of our milk today. We are getting the best quality of milk today that we have ever had and, naturally, it is going to cost these producers and dealers and everyone a lot more money to buy all this modern equipment to produce this. I think we are fooling around here with an industry that is worth millions of dollars to this state, so I think we ought to accept the leave to withdraw and maybe we will make it home to see the roses bloom.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, I would like to be excused from voting on this under Rule 19.

The SPEAKER: The gentleman from Limerick, Mr. Carroll, is excused under Rule 19.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Easton, Mr. Mahany, that the House accept the majority "Leave to withdraw" Report. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Bagley, Bennett, Berry, G. W., Berube, Birt, Bowie, Call, Carpenter, Connors, Cote, Cox, Curran, P.; Curran, R.; Curtis, Dam, DeVane, Doak, Dow, Dudley, Dyer, Farnham, Fenlason, Finemore, Fraser, Garsoe, Gould, Gray, Hennessey, Hewes, Hunter, Hutchings, Immonen, Jackson, Jacques, Jalbert, Kauffman, Kelley, LeBlanc, Leonard, Lewin, Lewis, Littlefield, Lovell, Mackel, MacLeod, Mahany, Martin, A.; Martin, R.; Maxwell, McBreairey, McMahon, Mitchell, Morton, Palmer, Peakes, Pearson, Perkins, T.; Peterson, P.; Pierce, Powell, Quinn, Raymond, Rideout, Rollins, Saunders, Shute, Smith, Snow, Snowe, Spencer, Sprowl, Strout, Stubbs, Susi, Teague, Theriault, Torrey, Tozier, Tyndale, Usher, Walker, Webber, Wilfong, Winship.

NAY — Bachrach, Berry, P. P.; Blodgett, Boudreau, Burns, Bustin, Byers, Carey, Carter, Chonko, Churchill, Clark, Connolly, Cooney, Curran, P.; Davies, Drigotas, Durgin, Flanagan, Gauthier, Goodwin, H.; Goodwin, K.; Greenlaw, Henderson, Higgins, Hinds, Hobbins, Hughes, Ingegnieri, Jensen, Joyce, Kany, Kelleher, Kennedy, LaPointe, Lizotte, Lynch, MacEachern, McKernan, Miskavage, Morin, Mulkern, Nadeau, Najarian, Norris, Pelosi, Perkins, S.; Peterson, T.; Post, Rolde, Talbot, Tarr, Tierney, Truman, Twitchell, Wagner.

ABSENT — Farley, Faucher, Hall, Laffin, Lunt, Mills, Silverman.

EXCUSED — Carroll.

Yes, 85; No, 57; Absent, 7; Excused, 1.

The SPEAKER: Eighty-five having voted in the affirmative and fifty-seven in the negative, with seven being absent and one excused, the motion does prevail.

The Chair recognizes the gentleman from Houlton, Mr. Carpenter.

Mr. CARPENTER: Mr. Speaker, I now move we reconsider our action whereby we accepted the "leave to withdraw" report and ask everybody to vote against it.

The SPEAKER: The gentleman from Houlton, Mr. Carpenter, having voted on the prevailing side, now moves that we reconsider our action whereby this body voted to accept the "leave to withdraw" report. All in favor of reconsideration will say yea; those opposed will say nay.

A viva voce vote being taken, the motion did not prevail.

Sent up for concurrence.

On request of Mr. Rolde of York by unanimous consent, unless previous notice was given to the Clerk of the House by some member of his or her intention to move reconsideration, the Clerk was authorized today to send to the Senate, thirty minutes after the

House recessed for lunch and also thirty minutes after the House adjourned for the day, all matters passed to be engrossed in concurrence and all matters that required Senate concurrence; and that after such matters had been so sent to the Senate by the Clerk, no motion to reconsider would be allowed.

(Off Record Remarks)

On motion of Mr. Finemore of Bridgewater, Recessed until three-thirty in the afternoon.

After Recess

3:30 P.M.

The House was called to order by the Speaker.

On disagreeing action of the two branches of the Legislature on Bill "An Act to Regulate Drinking Water," (S. P. 687) (L. D. 2198) the Speaker appointed the following Conferees on the part of the House:

Messrs. LEONARD of Woolwich
CAROEY of Waterville
GARSOE of Cumberland

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

From the Senate: The following Communication:

THE SENATE OF MAINE
AUGUSTA, MAINE

March 30, 1976

Honorable Edwin H. Pert
Clerk of the House
107th Legislature
First Special Session
Augusta, Maine 04333
Dear Mr. Pert:

The Senate today voted to Insist and Join in a Committee of Conference on Bill, "An Act Relating to the Geologists and Soil Scientists Certification Act" (H. P. 2240) (L. D. 2322).

Respectfully,

Signed:

HARRY N. STARBRANCH
Secretary of the Senate

The Communication was read and ordered placed on file.

Non-Concurrent Matters

Joint Order Relative to Legislative Budget Committee (H. P. 2248) which was Passed as Amended by House Amendment "A" (H-1102) in the House on March 29, 1976.

Came from the Senate, Read and Indefinitely Postponed in non-concurrence.

In the House: The House voted to insist.

Bill "An Act to Permit Local Plumbing Inspectors to Approve Repairs to Existing Septic Systems" (H. P. 2206) (L. D. 2306) which was Passed to be Engrossed as Amended by House Amendment "B" (H-1127) in the House on March 29, 1976.

Came from the Senate, with that Body having Insisted on its Former Action whereby the Bill and Accompanying Papers were Indefinitely Postponed on March 25, 1976, and asked for a Committee of Conference.

In the House: The House voted to insist and join in a Committee of Conference.

Bill "An Act to Improve Solid Waste Management" (H. P. 2090) (L. D. 2249) on which the House Accepted Report "B" of the Committee on Natural Resources, "Ought to Pass" in New Draft under New Title Bill "An Act to Strengthen Litter Laws and Improve Solid Waste Management in this State" (H. P. 2225) (L. D. 2315) and Passed the Bill to be Engrossed as Amended by House Amendment "A" (H-1090) in the House on March 25, 1976.

Came from the Senate, with Report "C" of

the Committee on Natural Resources, "Ought to Pass" as amended by Committee Amendment "A" (H-1015) read and accepted, and the Bill Passed to be Engrossed as Amended by Senate Amendments "C" (S-489) and "B" (S-486) as amended by Senate Amendments "A" (S-490) and "B" (S-491), thereto, in non-concurrence. (Committee Amendment "A" (H-1015) having been Indefinitely Postponed.)

In the House:

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

Mr. McKERNAN: Mr. Speaker, I move we recede and concur and would speak very briefly to my motion.

The SPEAKER: The gentleman from Bangor, Mr. McKernan, moves that the House recede and concur.

The gentleman may proceed.

Mr. McKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: After three days of amendments in the other body, I am pleased to report that the good guys are leading three to one.

I would like to explain briefly what these amendments do. Rather than accept the new draft, which we accepted here in this body, the parliamentary wizards in the Senate ruled that the new draft was out of order and therefore we would have to accept the original bill with amendments and end up doing the same thing we have done here simply with a new draft.

At any rate, the version which has come back from the Senate is almost identical to the new draft which we passed, L. D. 2315, with one major change, and that is that no longer do we have permissive refusal by the store owners, unless a redemption center is set up. The reason for that is because there is a constitutional cloud hanging over that particular provision and we figured that we would want to foreclose as many opportunities to attack the bill as possible when it is out to referendum and therefore we decided to go with the original concept of requiring store owners to take the beverage containers back unless they establish a redemption center to serve that purpose.

There is one other amendment which I would like to discuss briefly, the change which was made by the opponents to the bill, and that was changing the wording of the question which the people will be voting on. I don't feel that is a significant change; however, they feel, I suppose, that it gives them a little bit of an advantage. The question which was on the original bill was the question of whether or not the section of the bill which required returnable beverage containers would become law. The opponents to the bill changed that to read, and I quote, "Shall Section 16 of an Act to Improve Solid Waste Management, which section requires a minimum 5-cent deposit on all returnable beverage containers, etc."

My original reaction to that was that I thought it was unfair and therefore misleading and should not go on the bill. However, I do believe, as I said, that it is misleading, it doesn't say anything about the fact that you get that 5 cents back when you return the container. We brought that up to the people who presented this amendment and they had a day to make any changes, but they decided they would rather try to lobby that particular amendment to allow the misleading statement to continue. We decided, rather than to try to fight it here in this body, those of us who supported the bill, I would hope you would go along with me, would just recede and concur and leave that language on there as a symbolic statement of all the misleading statements that are going to occur against this bill between now and next November. I think we might as well point out the distortions right now and go from here.

I would hope that you would recede and concur.

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

Mr. KELLEHER: Mr. Speaker, in looking at this new draft and the amendments that were put on over in the other body, it appears to me that all this is is nothing but the bottle bill that we had before the last session which was rejected. I would like to have a ruling from the Chair on Rule 28 applying to the Senate Amendment as is right now.

The SPEAKER: I am sorry, would the gentleman restate his question.

Mr. KELLEHER: Mr. Speaker, as I look at this bill right now, it looks to me like no more, since it has been amended over in the other body, than the original bottle bill. I would like to know how Rule 28 applies to this document before us today?

The SPEAKER: The Chair would indicate to the gentleman from Bangor, Mr. Kelleher, very much what he indicated to the gentleman from Nobleboro, Mr. Palmer, yesterday, that the rule which was adopted, Joint Rule 28, deals with introduction of bills. The issue of introduction, of course, is the time at which the introduction of a bill would take place. At this point in the process, it is in the amending process of a bill which in fact ends up in the same posture, perhaps, and the Chair is not in a position to rule on that issue.

Besides that, the Chair would rule that Joint Rule 28 does not apply in this instance at this point in time.

The Chair recognizes the gentleman from Biddeford, Mr. Farley.

Mr. FARLEY: Mr. Speaker, I would request a ruling of Rule 21.

The SPEAKER: The Chair would ask the gentleman from Biddeford, Mr. Farley, how he feels Joint Rule 21 applies in this instance.

Mr. FARLEY: Mr. Speaker, on the three-day notice.

The SPEAKER: The Chair would advise the gentleman that that is provided for if the matter is finally rejected and that refers, of course, to the present session of the legislature. That matter has not been finally rejected and therefore Joint Rule 21 would not apply.

The Chair recognizes the gentleman from Biddeford, Mr. Farley.

Mr. FARLEY: Mr. Speaker, was this not rejected in the regular session, this same piece of legislation before us now?

The SPEAKER: The Chair would advise the gentleman that Joint Rule 21 does not deal with special or regular sessions, it deals with the session, and the Chair would so rule.

The Chair recognizes the gentleman from Perham, Mr. McBreaity.

Mr. McBREAIRTY: Mr. Speaker and Members of the House: This says it comes from the Senate with Report C of the Committee on Natural Resources. Report C was L. D. 2250, so how could it now be 2249?

The SPEAKER: The Chair would announce that the original L. D. is 2249, which was filed under Joint Rule 3, pursuant to the study. That is the bill which was used as the vehicle upon which the amendment was inserted.

The Chair would announce to the gentleman from Perham, Mr. McBreaity, that the Report from the Committee on Natural Resources basically dealt, and was reported by the gentleman from Orland, Mr. Churchill, dealing with Report B findings, reports that the accompanying bill, L. D. 2249, be referred to the Committee on Natural Resources. Pursuant to that, there were three reports that were filed by the committee on that particular bill, pursuant to the report. Report A, was "ought not to pass" on L. D. 2249; Report B, which appeared in a

new L. D., 2315, and appeared in new draft in new title; finally, Report C of the same bill, which was L. D. 2249, "ought to pass" with committee amendment adopted to it. The bill comes back from the other body with the committee amendment indefinitely postponed and with the Senate having adopted Report C without committee amendment, but the bill in its original form, and then also having adopted Senate Amendment "A" and "B" thereto in non-concurrence. Therefore, for purposes of further clarification, the Chair would announce that what you have in front of you is L. D. 2249 with Senate Amendments "C" and "B" as amended by Senate Amendments "A" and "B" thereto in non-concurrence.

The gentleman may proceed.

Mr. McBREAIRTY: Mr. Speaker and Members of the House: I guess the only thing I would like to say is that I am very disappointed that we spent several thousand dollars of the taxpayers' money on a solid waste study.

We had a bill before us that would have started work on this solid waste problem 90 days after we left if we had adopted it. We end up now with a bill that if we pass it, if the people accept it, we will do nothing until 1978. This will even take away our chance of doing something in the next session.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mrs. Morin.

Mrs. MORIN: Mr. Speaker, would a motion to indefinitely postpone be in order?

The SPEAKER: The Chair would answer in the negative.

Mrs. MORIN: Mr. Speaker, will it be at any time before we pass it?

The SPEAKER: The Chair would answer that the motion to indefinitely postpone will be in order when the bill comes back after this body has voted to recede and concur, if that should be the case, when it comes back from the engrossing department.

The pending question is on the motion of the gentleman from Bangor, Mr. McKernan, that the House recede and concur. The Chair will order a vote. All in favor of the motion to recede and concur will vote yes; those opposed will vote no.

76 having voted in the affirmative and 37 having voted in the negative, the motion did prevail.

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

Mr. HIGGINS: Mr. Speaker, having voted on the prevailing side whereby we receded and concurred, I now move we reconsider our action and hope you all vote against me.

Mrs. Morin of Old Orchard Beach requested a roll call on the motion to reconsider.

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

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

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mrs. Morin.

Mrs. MORIN: Mr. Speaker and Members of the House: I hope you do not vote to recede and concur. This was supposed to be a solid waste management litter bill which came out of a study committee. If the sponsors are really serious about the solid waste bill, they would have accepted Mr. Dam's amendment for paper. Everyone knows that paper and card-

board are two of the bulkiest items going to dumps. We already have litter laws that, if enforced, would take care of the situation. I am not naive enough to expect to get anywhere with this, given the fact that it was allowed by leadership and sponsored by leadership and pushed by leadership.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Scarborough, Mr. Higgins, that the House reconsider its action whereby it voted to recede and concur. All in favor of reconsideration will vote yes; those opposed will vote no.

ROLL CALL

YEA — Berube, Carter, Connors, Curtis, Durgin, Dyer, Farley, Finemore, Gould, Hinds, Immonen, Kauffman, Kelleher, Kelley, Lewis, Lizotte, MacLeod, Martin, R.; Maxwell, McBreaity, Morin, Perkins, T.; Peterson, P.; Rideout, Strout, Theriault, Torrey, Truman, Twitchell, Walker, Webber.

NAY — Albert, Ault, Bachrach, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Birt, Blodgett, Boudreau, Bowie, Burns, Bustin, Byers, Call, Carey, Carpenter, Carroll, Chonko, Churchill, Clark, Connolly, Cooney, Cote, Cox, Curran, P.; Curran, R.; Dam, Davies, DeVane, Dock, Dow, Dudley, Farnham, Faucher, Fenlason, Flanagan, Fraser, Garsoe, Gauthier, Goodwin, H.; Goodwin, K.; Gray, Greenlaw, Henderson, Hennessey, Hewes, Higgins, Hughes, Hunter, Hutchings, Ingegneri, Jackson, Jensen, Joyce, Kany, Kennedy, LaPointe, Laverty, LeBlanc, Leonard, Lewin, Lovell, Lynch, MacEachern, Mackel, Mahany, Martin, A.; McKernan, McMahon, Mills, Miskavage, Mitchell, Morton, Mulkern, Nadeau, Najarian, Norris, Peakes, Pearson, Pelosi, Perkins, S.; Peterson, T.; Pierce, Post, Quinn, Raymond, Rolde, Rollins, Saunders, Shute, Silverman, Smith, Snowe, Spencer, Sprowl, Stubbs, Susi, Talbot, Tarr, Teague, Tozier, Tyndale, Usher, Wagner, Wilfong, Winship.

ABSENT — Drigotas, Hall, Hobbins, Jacques, Jalbert, Laffin, Littlefield, Lunt, Palmer, Powell, Snow, Tierney.

Yes, 31; No, 107; Absent, 12.

The SPEAKER: Thirty-one having voted in the affirmative and one hundred and seven in the negative, with twelve being absent, the motion does not prevail.

From the Senate: The following communication: (S. P. 779)

United States Senate
Committee on Finance
Washington, D.C. 20510

March 25, 1976

Harry N. Starbranch
Secretary of the Senate
The Senate of Maine
Augusta, Maine 04330

Dear Mr. Starbranch:

Thank you for providing me with copies of the Joint Resolutions adopted by the Maine Senate and House of Representatives protesting and requesting an explanation of the reasons underlying the proposed personnel reduction of Loring Air Force Base.

I appreciate your making the resolution available to me and I certainly share the Legislature's concern over the devastating impact the cutback would have in Maine and, in particular, in Aroostook County. I am enclosing a copy of the letter which the Maine Congressional delegation addressed to Air Force Secretary Reed on March 18 outlining our concerns and requesting detailed information regarding the basis of the preliminary decision and the projected consequences of its implementation.

I look forward to reviewing the Secretary's report and when it arrives I shall be in a better position to determine the most effective course of action to pursue. You may be assured that I

shall do everything I can to forestall or minimize the severe adverse impact on Aroostook County's already depressed economy which would surely accompany the proposed cutback.

With best regards,

Sincerely,
(Signed)

WILLIAM D. HATHAWAY
U.S. Senator

Came from the Senate, read and with accompanying Report ordered placed on file.

In the House, the Communication was read and with accompanying Report ordered place on file in concurrence.

Consent Calendar First Day

In accordance with House Rule 49-A, the following item appeared on the Consent Calendar for the First Day:

(H. P. 2010) (L. D. 2192) Bill "An Act To Clarify the Laws Relating to Marine Resources" — Committee on Marine Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-1145)

On the request of Mr. Greenlaw of Stonington, was removed from the Consent Calendar.

Thereupon, the Report was accepted and the Bill read once. Committee Amendment "A" (H-1145) was read by the Clerk.

On motion of Mr. Greenlaw of Stonington, tabled pending adoption of Committee Amendment "A" and tomorrow assigned.

Consent Calendar Second Day

In accordance with House Rule 49-A, the following item appeared on the Consent Calendar for the Second Day:

Bill "An Act to Make Health Care Projects Eligible for Bonding under the Maine Municipal Securities Approval Act" (C. "A" H-1128). (H. P. 1899) (L. D. 2079)

No objection being noted, the above item was passed to be engrossed and sent up for concurrence.

Second Reader Tabled and Assigned

(Item 1) Bill "An Act Repealing the Expungement Law and Providing for the Control of Access to and Disclosure of Criminal History Record Information" (S. P. 773) (L. D. 2326)

Was reported by the Committee on Bills in the Second Reading and read the second time.

(On motion of Mrs. Najarian of Portland, tabled pending passage to be engrossed and tomorrow assigned.)

The Chair laid before the House the following matter:

Bill "An Act Relating to the Form of Ballots" (H. P. 2063) (L. D. 2233) which was tabled earlier in the day and later today assigned pending passage to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Faucher.

Mr. FAUCHER: Mr. Speaker and Members of the House: Because of the backlog in the Printing Office, we don't have the amendment on our desks, so I would appreciate it if somebody would table it until later in today's session.

Thereupon, on motion of Mrs. Najarian of Portland, retabled pending passage to be engrossed and later today assigned.

The Chair laid before the House the following matter:

Bill "An Act to Enable Counties to Hire County Administrators (H. P. 2092) (L. D. 2251) (H. "A" H-1051) which was tabled earlier in the day and later today assigned pending passage to be engrossed.

On motion of Mr. Birt of East Millinocket,

retabled pending passage to be engrossed and later today assigned.

The Chair laid before the House the following matter:

Bill "An Act to Clarify the Retirement Statutes" (Emergency) (H. P. 1860) (L. D. 2027) which was tabled earlier in the day and later today assigned pending adoption of House Amendment "B" to Committee Amendment "A".

On motion of Mr. Theriault of Rumford, retabled pending adoption of House Amendment "B" to Committee Amendment "A" and later today assigned.

The Chair laid before the House the following matter:

An Act Clarifying the Use of the Mental Health Improvement Fund (Emergency) (H. P. 2068) (L. D. 2238) (C. "A" H-1024) which was tabled earlier in the day and later today assigned pending passage to be enacted.

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

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

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

House Amendment "A" to Committee Amendment "A" (H-1142) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from South Berwick, Mr. Goodwin.

Mr. GOODWIN: Mr. Speaker and Members of the House: This amendment is to clarify the transitional clause for this bill. The mental health improvement fund, which is an existing fund, presently is handled by the Governor and Council. The changes we have made in this, we are saying that starting with the 108th, the legislature will have a hand in approving broad categories of the use of the mental health improvement fund with the Department of Human Services and the Department of Mental Health and Corrections. This amendment just clarifies that point so that for the next fiscal year the Governor and council will continue, at least until January, to handle the funds and then for the remaining fiscal year, the Governor will and we will start with the 108th in determining the priorities for the use of this fund.

Thereupon, House Amendment "A" to Committee Amendment "A" was adopted.

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

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

The Chair laid before the House the following matter:

An Act Relating to Property of Survivor where Joint Deposits or Accounts are Involved (S. P. 664) (L. D. 2102) (C. "A" S-460) which was tabled earlier in the day and later today assigned pending passage to be engrossed.

On motion of Mr. Perkins of South Portland, the House reconsidered its action of earlier in the day whereby Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

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

House Amendment "B" to Committee Amendment "A" (H-1147) was read by the Clerk.

The SPEAKER: The Chair recognizes the