

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eighth  
Legislature***

OF THE

STATE OF MAINE

**1978**

**Second Regular Session**

January 4, 1978 — April 6, 1978

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**Senate Confirmation Session**

June 14, 1978

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**First Special Session**

September 6, 1978 — September 15, 1978

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**Second Special Session**

October 18, 1978

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**Third Special Session**

December 6, 1978

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APPENDIX

does not cover. In every city or town in Maine, land taxi service on demand is subject to license and regulation requirements.

Now a land taxi operation in the State of Maine in any municipality require that first:

1. Must have license.
2. Must be inspected.
3. Must have insurance.
4. Must have cab in condition to meet D.O.T. rules and regulations.
5. Must provide passenger information on fares, service and complaints.
6. Driver must have a "taxi drivers" license.
7. Driver must obey rules of operation and conduct.
8. Law provides for penalties (for taxi operators in the state).
9. Island taxi on Casco Bay the same controls, and I am referring to the regulations drawn up by the great City of Portland.

Now what they are asking us this afternoon to do is to have an unregulated, for hire, water taxi service during the off hours when Casco Bay is not in operation, but it does not require any of these particular requirements, I just have stated to you for any license taxi operation in the State of Maine.

The cost to effectively providing an acceptable level of enforcement licensing and inspection would be very expensive. Present bill does not provide for any regulation whatsoever. This act would give unauthorized "gypsy" operators common carrier for hire status without insurance requirements or licensing of boat or operators, inspections and complete lack of controls. If by L. D. 2107 Casco Bay Line fails, the State of Maine taxpayers would assume a very large obligation similar to Maine State Ferry Service in Penobscot Bay.

The operation at the present time of Penobscot Bay cost the taxpayers of the State of Maine 50 percent in annual subsidy or roughly about a half a million dollars a year.

Now Chapter 79 of Private and Special Laws incorporated into Chapter 593 of the Public Laws 1971, now the Section there provides that DOT, not the City of Portland, would be responsible to provide Casco Bay transportation. I am only bringing this out because if we have "Gypsy" type operators with a common carrier status and this has a deleterious effect upon the existing operation of Casco Bay and they are compelled to cease operations and I think that it be mandatory of the State of Maine take this over and I think that the City of Portland is very cognizant of this.

Another point that came out in Committee was no boat operators have asked for this particular bill. It is a small handful of people as I said to you previously on the islands that have requested this particular legislation. Now, if Casco Bay Lines violate the existing law, there is a criminal penalty for them under Section 2107, but there is no control, no criminal penalty for these people to operate.

I was looking, Mr. President and Members of the Senate, there was a ruling from the PUC Act in 1974 where the Island Citizen Association petitioned the PUC for this same type of regulation, and permission was denied on December 6, 1974 and the decision was handed down by Mr. Feehan and Mr. Bradford and Mr. Stanley who at the time was Chairman says, what the same Island Citizen Association Group is trying to do by L. D. 2107 is to enlist the support of the Legislature to circumvent an existing law for their own benefit which will destroy all public transportation in Casco Bay. I think this is what it is all about this afternoon Mr. President. I sincerely hope that the Senate would accept the Majority Ought Not to Pass Report.

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

Mr. CONLEY: Mr. President and Members of the Senate: The only thing that I could add to what the good Senator from Androscoggin said to clean the act up a little bit is, my people do not like being referred to as "Gypsies."

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of the motion of the Senator from Waldo, Senator Greeley, that the Senate accept the Majority Ought Not to Pass Report of the Committee please rise in their places to be counted.

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

19 Senators having voted in the affirmative and 6 Senators in the negative, the motion to accept the Majority Ought Not to Pass Report does prevail.

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

Mr. MINKOWSKY: Mr. President, having voted on the prevailing side, I now move reconsideration and hope that the Senate votes against me.

The PRESIDENT: The Senator from Androscoggin, Senator Minkowsky, now moves that the Senate reconsider its action whereby it adopted the Majority Ought Not to Pass Report of the Committee.

Will all those Senators opposed please say no. A viva voce vote being had,

The motion to reconsider does not prevail.

On Motion of Mr. Speers of Kennebec, the Senate voted to remove from the Table, Bill, "An Act Relating to the Funding of Education." (Emergency) (H. P. 1943) (L. D. 2022) Tabled — Earlier in the Day by Senator Speers of Kennebec

Pending — Motion of Senator Collins of Knox to Adopt Senate Amendment "A" (S-483) to Committee Amendment "A" (H-1055).

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

Mr. COLLINS: Mr. President, this amendment involves only the sum of \$79,595.00 but I present it because I think that it is important as a matter of principal. The establishment of Vocational Regions has not been easy. These regions in some parts of the State have had a very rocky road to try to get the cooperation of particularly some of the smaller towns in the areas that were grouped together, but finally after various adjustments and debates, these regions have become pretty well stabilized and they are doing some good work and they very much needed particularly in areas in Washington County and along the coast, in general, and there are other parts of the State I am sure can speak for themselves.

This amendment would restore the provision which was in the original Bill, and the idea of keeping this allocation as a categorical grant seems to us who are directly effected to be important. Those who are particularly effected of course are the what we have called sometimes the pay in towns. Not all of the pay in towns but those that are in the regions. And while there is this small additional cost it is certainly going to prevent a great deal of new disharmony because if we do not have it this way with the money going directly to the region we are going to have much poorer financial accountability and we are very likely to have some of those small communities getting up on their hunches and refusing to take their rightful part, and that is the reason that I have felt that I should bring this amendment to the Senate.

The PRESIDENT: Is the Senate ready for the question? The Chair recognizes the Senator from Kennebec, Senator Pierce.

Mr. PIERCE: Mr. President and Members of the Senate: I would agree with the good Senator from Knox, Senator Collins, that the amount of money involved here is slight. However, I think that there is considerably more to be taken into consideration then just the amount of money. I remember the day of the hearing receiving a letter from the Governor stating that his Bill was not a perfect one, and indeed it was not. Certainly the one which the Members of the Education Committee have

presented for your consideration today which twelve signors is not the perfect Bill. But I would like to take this opportunity to remind Members of the Senate that we in Committee spent not only hours but days or weeks, literally months on this Bill.

Dealing specifically with this amendment, I think that it should be brought to your attention that during the first Session of the 108th Legislature School Finance Act was amended to establish Vocational Regions as administrative units for subsidy purposes. This was done to facilitate accounting procedures, but it must be recalled that it was done when we had a Uniform Property Tax. Since the repeal of that Tax, now in the estimation of the Committee necessitates the removal of the above provisions before July 1st, 1978. We believe that paying of operational subsidy directly to regions ignores the evaluation of local units within the region and would result in general funds revenues being used to subsidize high evaluation areas at the expense of all Tax Payers in the State.

As I sat there during many, many hours that we deliberated on this Bill I saw time after time, twenty times, thirty times, fifty times, when this whole Bill could have come apart. It is a Bill that on many occasions the provision that went into it we were not all happy with. But somehow and I think it is undoubtedly the miracle of this Session that we have a Bill which has gone through the other Body unencumbered. Now comes to us and presents us with the unique opportunity and really I think almost unbelievable opportunity to pass a School Funding Bill which is livable for the vast majority of the people.

This was not an easy task and I know that some of the amendments perhaps the amendment here before us may have some merit, I am not saying that they do not but I know I sat there and I saw amendment after amendment considered that had some merit that we could not include. There were some that I wanted included that did not get included. And I know that naturally each of us it is human nature to protect our own turf and do the best we can for the people that we represent. But there is a bigger picture, and there is a bigger picture here before us today. And I would urge this Senate to think very, very carefully before we upset what the Education Committee deliberated so long and so hard over, to benefit a few people as a result of this amendment. It is not the amount of money that is involved, it is whether or not we are going to keep this Bill together, keep it in a form that is livable for everybody and if there is a need for further redress of this amendment, it certainly can be done in January. I would urge strongly this Senate to think about that before we go ahead and put this Bill in a position of non-concurrence with the other Body. And open ourselves up to maybe endless more days that we do not really have of insighting on this Bill when we are so close. So close here today to enacting a School Funding Bill.

The PRESIDENT: Is the Senate ready for the question?

The pending question is adoption of Senate Amendment "A" to Committee Amendment "A".

The Chair will order a Division.

Will all those Senators in favor of the Adoption of Senate Amendment "A" to Committee Amendment "A" please rise in their places to be counted.

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

9 Senators having voted in the affirmative and 17 Senators in the negative, Senate Amendment "A" Fails of Adoption.

The Chair recognizes the Senator from Cumberland, Senator Morrell.

Mr. MORRELL: I present an Amendment and would speak to that Amendment.

The PRESIDENT: The Senator from Cum-

berland. Senator Morrell, now offers Senate Amendment "B" to Committee Amendment "A" and moves its adoption.

Senate Amendment "B" (S-486) Read.

The PRESIDENT: The Senator has the Floor.

Mr. MORRELL: Mr. President, in presenting this Amendment I am not unmindful of the process the Education Committee has gone through in getting an Education Funding Bill to us. We all appreciate the job that they have done. At the same time Mr. President, I am sure that they would not claim that this Bill is perfect. That it deals thoroughly with every issue that is on the Educational Table. We still must find a way to resolve the continuing pay in problems of some SAD communities. The Vocational Educational Districts are a problem, and a number of towns and cities are effected by the threatened loss of Federal Impact Funds, PLH 74, years ago as massive tax exempt Federal Housing Projects where constructed in communities in which Government Military installations were developing the Federal Government recognized the staggering impact this would have on the tax structure of such communities. The intent of Impact Aid was and continues to be an attempt to provide property tax relief to those communities which must provide services to families who live in Federal Housing on which no local property taxes are assessed. Impact Assistance, PLH 74, was structured for School Funding Aid, but there was an attempt to ease the general tax burden of impacted towns and cities, there was never any thought to aid impacted States, because there was not such animal and still is not. Under the Uniform Property Tax the point was stretched and impacted communities accepted their fate when perhaps they should have battled with the Feds on the real intent of how to apply impact aid. Those in the Educational Impact Establishment who will not lend us an ear claim that the value of Federal Housing Projects is not included in the local evaluation calculations resulting in greater state subsidy. This was the case prior to 1994 but no deductions were made at that time. We in the impacted communities would gladly swap impact funds any day for the authority to tax the thousands of Federal Housing Units in the same manner as other housing units in our community. But we do not have the choice. We regard the amendment that you have before you a compromise, a dollar compromise of 50 per cent but frankly, we are sick at heart over each implication at the lower percentage for the many impacted communities and when I say many there are close to a hundred.

Members of the Senate the financial benefits of the presence of large military installations are indeed spread out over wide areas. Some remote from sight of such installations. But the tax exempt status of massive Federal Housing has a tremendous effect on the local communities, in the lessening of the amount of money that they have to deal with the broad range of municipal services.

I appreciate your leasoning. I hope that you will have some considerable sense of fair play for the plight of these communities.

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

Mr. KATZ: Mr. President, when you are dealing with a School funding Bill I guess I would call upon you to have some degree of Statesmanship because in the Senate you are not only representing your own communities but to a very large extent you are representing all of the people of the State of Maine. I represent five communities, the City of Augusta, Hallowell, Vassalboro, Windsor, and Chelsea.

As I look over the list of communities who would benefit from the amendment offered by my good friend from Brunswick, I find that the City of Augusta would benefit to the extent of about \$30,000.00 were I to vote for this Amendment. I find that there would be minor benefits

to Windsor, and to Chelsea. So I find myself opposing an amendment which would benefit from a tax point of view three of the five towns that I represent. But I do so with a clear conscience. The State of Maine is one of four States in the United States which after proving its case to the U.S. Office of Education and the Department of Health, Education, and Welfare is considered a equalized State and, consequently, in this Bill, the State local allocation takes into account the fact that Brunswick is eligible for \$331,000.00 of public law 74 money, for example.

Under the approach that is suggested by the good Senator from Cumberland, Senator Morrell, after the State gets done with the equalized allocation that is in this Bill, and there is an almost unchanged equalized allocation, the same kind of allocation that existed before the repeal of the Uniform Property Tax, after we get done with that, these PLH 74 funds come in and layer on top of that and to a very real extent we are subsidizing the same people twice. Now in the old days, going back four years when the state support for Education was minimal and there was large disparity between the allocation of funds between rich communities and poor communities. The situation was completely different and the 874 funds were really being used for the purpose that they were originally intended, but with the equalized mechanism that the State of Maine had last year and has this year in its allocation, there is a kind of double benefit to the PL 874 communities and, consequently, I said to my City Manager this morning when he raised the question about the \$60,000.00 for the City of Augusta. I said that I would vote for you in a minute, if you were right. But I do not think that the City of Augusta deserves this double dipping in School Funding.

I should point out to you that the cost of this Amendment is in excess of \$1,000,000.00, \$1,000,000.00 of State Tax Dollars. The Governor has recommended we funded \$168,000,000.00. The Education Committee has recommended that we fund at \$173,000,000.00. This will add another \$1,000,000.00 on top of it. And in the event that the Chief Executive, as I suspect he does, is currently having difficulty restraining his enthusiasm or has a very restrained enthusiasm at the level of the Committee Bill, this is another invitation to a veto. And I for one do not know where we would get the votes to override a veto of \$174,000,000.00.

I ask each of you to represent the state of Maine right now rather than the limited interest of your own constituency and look at the bottom line and ask yourself whether or not we have afforded a fair level of funding, and if you have, I ask you to join with me in voting against the offered amendment by the Senator from Cumberland, Senator Morrell and pass this Bill along in concurrence on its way to be enacted.

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

Mr. HITCHENS: Mr. President. I rise to support the amendment by the Senator from Cumberland, Senator Morrell. I too believe in the State of Maine but I have five of my six towns who have received benefits and I do not think that this is a double benefit if we pass this amendment. I think that they deserve this funding, because they serve so many Federally impacted families in these areas and I believe that they deserve it and I hope that you will go along with the Amendment.

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

Mr. MORRELL: Mr. President, I am sure that my good friend from Kennebec, Senator Katz, does not infer that those of us who support this amendment are taking somewhat less than statesmanship like positions. I am taking the position that I do because I think that as I researched the origin of impacted funds and the reason for them, my contention is that they never were and should not be considered state

revenue, and to say that for the communities to receive them it is a bonus or double dipping is like the analogy of Al Capone saying that if you take away the money that I stole from the bank my kids cannot go to college. That was not state money and it should not be considered as such. There is no such things as an impacted state, they are impacted communities. And if in fact the argument presented by the Senator from Kennebec is valid, then we responsible taxpayers of the country should advocate very strongly that the Federal Government kill this program. If in fact the originally concept of this program has been changed and if we are now dealing with impacted states, then I would challenge the Senator from Kennebec to indicate to me how Maine is an impacted state. The State of Maine receives substantial funds in the form of Sales Tax Revenues or Income Tax Revenues from personnel who reside on these bases. The communities involved receive nothing. The economic benefits as I mentioned before of having a base in one community are spread through the entire State.

So I would hope that you would vote in favor of this Amendment. I am convinced that it is there. I am convinced that it is just and in fact if down the road if we pass this Amendment and down the road the State does not allow a funding Bill to in fact be equalized, they would grant all of the impacted funds to the communities. So in an sense we are sharing the risk. We disqualify ourselves from the other side of the 50 percent. Thank you.

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

Mr. KATZ: I would not want the Senate to feel that the position of the Committee on Education would withhold these Federal Funds from the Town of Brunswick. That is not the case. What we are saying is as we distribute state funds to all our communities, we have to look at a variety of things including how much money they are receiving for the education of federal kids. I am not suggesting that we withhold any Federal Funds from the Town of Brunswick, but I am saying that this has a very real impact on how many state dollars should flow to the Town of Brunswick. Now one impact, lets see if I can fine tune this a little bit. Brunswick is one of only two towns I believe, of these 874 communities that spend above state average. Brunswick has an extremely high and laudatory dedication to good education. They spend considerably above the state average. And in the process of making this commitment to education and I applaud it, it is true that in Brunswick that you can identify local dollars that are going to help pay for the cost of the Federal Children. But if this Amendment is passed, you will find in other communities and I suspect that the Gentlemen from York, Senator Hichens, could probably identify this in some of the communities that he represents, where there are no local dollars presently being used to support the education of children and all the rest of these communities that the effect of passing this amendment is to reimburse communities for expenses they are presently not undertaking. And putting state dollars along with Federal dollars when the Federal Dollars are taking care of the local needs. I want all of you to remember that this Bill is going to cost a \$1,000,000.00 of general fund resources and all of our constituents are going to have to pay for that.

I request a Division.

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

Mr. MORRELL: I apologize for speaking a third time. These are not state general funds. These funds are paid by the Federal Government to the communities involved. To say that it is going to cost the general fund more is not correct, the State insofar as it calculates its general funds should not be considering these funds. They go to the communities they were

intended for the communities. That was the purpose, that still is the purpose. Now if you believe that they are intended somehow to benefit what ever degree the State is impacted, and I can not imagine how it is, then you would disagree with me. You would also in good conscience have to urge our Congressional Delegation to vote to kill the program. Again I urge you to support the Amendment.

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

Mr. KATZ: One last comment Mr. President, less there seem to be a difference of opinion between the good Senator and myself, I do not think that there is. What is at question here is not the Public Law PL 874 funds. The question is to what extent should the State supplement these funds out of the general fund source.

And that is the issue before you, if you vote for this amendment, you are supplementing the 874 funds received by these communities, to the extent of something just over an additional \$1,000,000.00 from General Fund Sources. And you are raising the cost of this Bill from a \$168,000,000 to \$173,000,000 to something over \$174,000,000. That is the issue that we are facing.

The PRESIDENT: Is the Senate ready for the question? A Division has been requested.

The Chair recognizes the Senator from Washington, Senator Wyman.

Mr. WYMAN: Mr. President, I would request a Roll Call.

The PRESIDENT: A Roll Call has been requested. In order for the Chair to order a Roll Call, it must be the expressed desire of one-fifth of those Senators present and voting.

Will all those Senators in favor of a Roll Call please rise in their places to be counted.

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

The pending question before the Senate is the Adoption of Senate Amendment "B" to Committee Amendment "A"

A yes vote will be in favor of Adopting Senate Amendment "B".

A nay vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

#### ROLL CALL

YEA — Chapman, Collins, Curtis, Hichens, Martin, McNally, Merrill, Morrell, Pray, Trotzky, Wyman

NAY — Collins, Conley, Cummings, Danton, Farley, Greeley, Hewes, Huber, Katz, Levine, Lovell, Mangan, Minkowsky, O'Leary, Pierce, Redmond, Speers, Usher.

ABSENT — Carpenter, Jackson, Snowe.

11 Senators having voted in the affirmative and 18 Senators in the negative, with 3 Senators being absent, Senate Amendment "B" Fails of Adoption.

Committee Amendment "A" was Adopted in concurrence.

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

Mr. KATZ: Mr. President, now that this Bill is in the position of being Passed to be Engrossed, I would like to make a couple of brief comments that might be helpful to understand that which we have done. It is my understanding that our debate here today has been broadcast live by public broadcast radio. I would like to go through the level of funding very, very briefly.

The funding level at which we presumably are voting on today is \$173 million of state money. The Bill that was presented by the Governor was at the level of \$168 million. Our experience over the last couple of years has been because are bills are now deficit proof, we always lapse dollars. Dollars that we appropriate but do not spend. It is my understanding that in the fiscal year of '77 we lapsed over \$5 million of education dollars that we appropriated but did not spend. It would appear that in the year 78, we are also going to be lapsing something in the same order of \$5 million. Dollars that we appropriated but will not spend. As

we deal with this Bill here today, there appears to be a \$5 million gap between what the Governor has recommended and what this Legislature appears to be on the way to enacting. I would like to suggest to Members of the Senate, and perhaps make it very, very clear to the people of the State of Maine, that in its form, the Bill you will be enacting here this week will lapse a multi-million dollar sum into the general fund. If past performance means anything, it may very well be that by the end of the fiscal year for which we are legislating, we may lapse as much as \$5 million, in which case the distinction between the posture of the Governor with his \$168 million approach and this Legislature's response which is a \$173 million, maybe very, very small indeed. I want you to know that we have attempted to put into form a Bill which reflects the Governor's positions as closely as we can a Bill which attempts to reflect as closely as we can the positions of those who supported the repeal of the Uniform Property Tax. There is no where in this Bill any punitive implications at all. I think this Legislature can be proud that even though many of us did not agree with those who sought successfully the repeal of the Uniform Property Tax, there has been no striking out, no vindictiveness, no dragging of the heels. We have as honestly and as capably as we can, brought up to the enactment stage a Bill which reflects the majority of Maine peoples point of view as reflected on the repeal of the Uniform Property Tax.

And I particularly again want to thank the two Senate Members of my Committee who really did not understand that Senators appointed to second Committee are not suppose to be there all the time and were all the time. I want to thank the other House Members who put aside all differences and attempted to be as honest and candid and responsive to the will of the people as possible.

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

Mr. SPEERS: Mr. President, I move that the rules be suspended in order for this Bill be given its Second Reading at this time.

The PRESIDENT: The Senator from Kennebec, Senator Speers, now moves that the Senate suspend its rules in order that this Bill may be given its Second Reading by title only at this time. Is it the pleasure of the Senate? It is a vote.

The Bill Read a Second Time. This Bill as amended Passed to be Engrossed in concurrence. Sent forthwith to the Engrossing Department.

#### Senate

##### Leave to Withdraw

Mr. Pray for the Committee on Health and Institutional Services, on, Bill, An Act to Clarify Statutes Relating to the Confidentiality of the Records of the Department of Mental Health and Corrections. (S. P. 662) (L. D. 2042).

Reports that the same be granted Leave to Withdraw.

Which Report was Read and Accepted.

Sent down for concurrence.

##### Enactors

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

An Act to Permit Persons Other Than Arborists to Take Down Trees by Topping or Sections. (H. P. 1858) (L. D. 1925)

On Motion of Mr. Chapman of Sagadahoc, Tabled for One Legislative Day, pending enactment.

An Act Authorizing Municipalities to Provide Textbooks and Other Secular Services to Elementary and Secondary Pupils Attending Private Schools. (H. P. 1889) (L. D. 1946)

An Act to Provide for the Sale of Electricity to Public Utilities. (H. P. 2036) (L. D. 2100)

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

#### Emergency

An Act Concerning Pilot Projects for more Effective and Efficient Delivery of Services to Preschool Handicapped Children. (S.P. 684) (L. D. 2106)

On Motion of Mr. Huber of Cumberland, Placed on the Special Appropriations Table.

#### Orders of the Day

The President laid before the Senate:

RESOLVE, For Laying of the County Taxes and Authorizing Expenditures of Oxford County for the Year 1978. (Emergency) (H.P. 2105) (L.D. 2142)

Tabled — Earlier in the Day by Senator Speers of Kennebec

Pending — Motion of Senator O'Leary of Oxford to Recede and Concur with the House

On Motion of Mr. Huber of Cumberland, Retabled for One Legislative Day.

The President laid before the Senate:

Senate Reports — from the Committee on Fisheries and Wildlife — Bill, "An Act to Ensure the Safety of Minors Taking Canoe Trips While Attending Summer Camp." (S. P. 630) (L. D. 1989) Majority Report — Ought to Pass as Amended by Committee Amendment "A" (S-489); Minority Report — Ought to Pass as Amended by Committee Amendment "B" (S-490)

Tabled - Earlier in the Day by Senator Conley of Cumberland

Pending - Acceptance of Either Report

The Chair recognizes the Senator from Kennebec, Senator Redmond.

Mr. REDMOND: Mr. President, I move that we accept the Majority Report of the Committee.

The PRESIDENT: The Senator from Somerset, Senator Redmond, now moves that the Senate accept the Majority Ought to Pass as amended by Committee Amendment "A" Report of the Committee. Is it the pleasure of the Senate?

The Chair recognizes the Senator from Penobscot, Senator Pray

Mr. PRAY: Mr. President, I would request a Division on the pending Motion and would like to speak to that request.

The PRESIDENT: The Senator has the Floor.

Mr. PRAY: Mr. President and Members of the Senate: This Bill has long been awaiting to come out on the floor for debate. Day after day I have had a number of individuals ask me whatever happened to the Bill.

Before we get into debate on the merits of the two Reports, I would like to give you a brief history on exactly what the delay has been. We had the public hearing and several long tedious work sessions at which time the Maine Camp Directors Association came in with a different proposal each time. The proposal that is now pending is their final version, Report "A". You will notice that all Members of the Committee agreed that something should be passed, Report "A" or Report "B". Now I could give you a brief run down as to the difference.

Report "A" deals basically with setting up a curriculum board using the existing board that we have on the Junior Guide Program setting it up will also include Trip Leaders Permit. Present statutes require or has no requirements for anybody to get Trip Leaders permit. All you have to do is mail in your \$5.00 or \$10.00 depending on if you were from the State of Maine and the Department would send you back a certificate so that you could be a Trip Leader. In the proposed Report, Report "A" under subsection 2054, we set up a ratio of one staff member per six minor. One of those staff members on any groups larger than that or one individual with six minors, has to hold a Trip Leaders Permit it then spells out what the requirements are. In Report "B", if we are able to defeat the pending motion and I would remove Report "B", we set up this same requirement ratio of staff members per minors taking a camping trip or a canoe trip. The