

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

INDEX

Senate Confirmation Session

June 14, 1978

INDEX

First Special Session

September 6, 1978 — September 15, 1978

INDEX

Second Special Session

October 18, 1978

INDEX

Third Special Session

December 6, 1978

INDEX

APPENDIX

seek to characterize this as a \$19.8 million plan or a \$14.1 million plan with 5.7 held in obedience. I suppose as a matter of schismatics but I would just like to have an understanding in my own mind and I think of everyone here in the Senate that we will be prepared to deal honestly with this \$5.7 million and to recognize that there are two possible problems before this would be implemented and it is my full hope and expectation that it will be implemented but I think that we ought to make that clear to everyone that if we have to come back and appropriate extra monies for some purpose, that we will, honestly, all of us, take a look at the spending position that that would put us in and act in a way that we think is in the best interest of the State from the standpoint of sound fiscal management.

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

Mr. JACKSON: Mr. President and Members of the Senate: I rise to concur with the good Senator from Kennebec, Senator Speers. And I know that we have something here which I hope will be acceptable to both bodies of the Legislature and the Governor. One thing that I would like to point out to the good Senator from Cumberland, Senator Merrill, when I asked him the question yesterday, and his response was, and I would not want anybody to mislead. His answer was, "I would postpone the one time tax relief until we return in January then if the money materializes, most members of the body are so confident that it will, then we will go ahead and grant this proposal."

I think that we have attempted to take a positive step with this Amendment and I am sure that we accept the good faith attempt of the Senator from Cumberland to guide us in the right direction.

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

Mr. SPEERS: Mr. President and Members of the Senate: I wish to comment on the statement made by the good Senator from Cumberland, Senator Merrill.

I think that basically he is indeed correct, and that should the unfortunate occur and that the revenue income actually does not meet the revenue estimates and should we indeed have a situation in the special session or indeed ever at the beginning of the 109th Legislature where there is an exceptional appropriation that is needed over and above what is contemplated at this time. That obviously the source of revenue is going to have to be reviewed and certainly this as well as any other source of revenue that may be identified at that time, will, of course, be reviewed and the amount of revenue will, of course, have to be met for that particular appropriation.

Senate Amendment "A" Adopted.

The Bill, as amended, Passed to be Engrossed in non-concurrence. Sent down forthwith for concurrence.

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

Mr. HUBER: Mr. President, I move that L. D. 2049 be taken from the Special Appropriations Table.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate remove from the Special Appropriations Table: L. D. 2049, An Act to Provide for Refunding of Municipal Claims under the Maine Tree Growth Tax Law.

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

Mr. JACKSON: Mr. President, I move that we suspend the rules.

The PRESIDENT: The Senator from Cumberland, Senator Jackson, now moves that the Senate Suspend its rules. Is it the pleasure of the Senate? It is a vote.

Mr. JACKSON: Mr. President, I would like to reconsider the action whereby this Bill was Passed to be Engrossed.

The PRESIDENT: The Senator from Cumberland, Senator Jackson, now moves that the Senate reconsider its action whereby this Bill was Passed to be Engrossed. Is it the pleasure of the Senate? It is a vote.

Mr. JACKSON: I move that we reconsider the adoption of Committee Amendment "A" as amended.

The PRESIDENT: The Senator from Cumberland, Senator Jackson, now moves that the Senate reconsider its action whereby it adopted Committee Amendment "A" as amended. Is it the pleasure of the Senate? It is a vote.

Mr. JACKSON: Mr. President, I further move reconsideration of Adoption of House Amendment "A" to Committee Amendment "A".

The PRESIDENT: The Senator from Cumberland, Senator Jackson, now moves that the Senate reconsider its actions whereby it adopted House Amendment "A" to Committee Amendment "A". Is it the pleasure of the Senate? It is a vote.

Mr. JACKSON: Mr. President, I move the Indefinite Postponement of House Amendment "A".

The PRESIDENT: The Senator from Cumberland, Senator Jackson, now moves the Indefinite Postponement of House Amendment "A". Is it the pleasure of the Senate? It is a vote.

Mr. JACKSON: Mr. President, I move the reconsideration of House amendment "B" to Committee "A".

The PRESIDENT: The Senator from Cumberland, Senator Jackson, now moves that the Senate reconsider its action whereby it adopted House Amendment "B" to Committee Amendment "A". Is it the pleasure of the Senate? It is a vote.

Mr. JACKSON: Mr. President, I move the Indefinite Postponement of House Amendment "B".

The PRESIDENT: The Senator from Cumberland, Senator Jackson, now moves the Indefinite Postponement of House Amendment "B". Is it the pleasure of the Senate? It is a vote.

Mr. JACKSON: Mr. President, I further move the indefinite postponement of Committee Amendment "A".

The PRESIDENT: The Senator from Cumberland, Senator Jackson, now moves Indefinite Postponement of Committee Amendment "A". Is it the pleasure of the Senate? It is a vote.

Mr. JACKSON: I now present Senate Amendment "A" and move its adoption.

The PRESIDENT: The Senator from Cumberland, Senator Jackson, now offers Senate Amendment "A" to L. D. 2049 and moves its adoption. The Secretary will Read Senate Amendment "A".

Senate Amendment "A" (S-601) Read.

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

Mr. PRAY: I would like to pose a question through the Chair to the Senator from Cumberland as to whether or not he has a Senate Amendment "A" to Senate Amendment "A".

So as to a parliamentary question is, if he does, would not this be a proper time to offer that amendment?

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

Mr. JACKSON: Mr. President, I do have the amendment to the amendment. I am sorry I should have been on my feet. I apologize to the good Senator from Penobscot.

Mr. President, I now present Senate Amendment "A" to Senate Amendment "A" and move its adoption.

The PRESIDENT: The Senator from Cumberland, Senator Jackson, now offers Senate Amendment "A" to Senate Amendment "A" and moves its adoption. The Secretary will read Senate Amendment "A".

Senate Amendment "A" (S-602) Read and

Adopted.

Mr. JACKSON: I present Senate Amendment "C" to Senate Amendment "A" and move its adoption.

The PRESIDENT: The Senator from Cumberland, Senator Jackson, now offers Senate Amendment "C" to Senate Amendment "A" and moves its adoption. The Secretary will Read Senate Amendment "C".

Senate Amendment "C" (S-608) Read.

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

Mr. SPEERS: An inquiry to the Chair, are we still on L. D. 2049?

The PRESIDENT: The Chair would answer in the affirmative.

The Chair recognizes the Senator from Penobscot, Senator Pray.

Mr. PRAY: Mr. President and Members of the Senate: I apologize for holding this process. As we are going through here, I would like to ask a question to the sponsor of this amendment as to if he could briefly explain what the amendment does. I am turning the pages and still do not know the filing number.

The PRESIDENT: The Senator from Penobscot, Senator Pray, has posed a question to the Senator from Cumberland, Senator Jackson, who may answer if he so desires.

The Chair recognizes that Senator.

Mr. JACKSON: Mr. President and Members of the Senate: First Senate Amendment "A" to the original Bill was an amendment which was needed to bring the correct position of spending into place, the appropriation, and after further consideration, we were told that we were under funding the program by in excess of \$200,000.

Senate Amendment "C" was presented to Senate Amendment "A" to drop the price of reimbursement from 17 cents per acre for the tree growth properties to at least 11 cents an acre and it brings the funding level back into the appropriate place of \$325,000.

Senate Amendment "C" to Senate Amendment "A" Adopted.

Senate Amendment "A", as amended, Adopted. The Bill, as amended, Passed to be Engrossed in non-concurrence. Sent down forthwith for concurrence.

Out of order and under suspension of the rules, the Senate voted to consider the following.

Committee Reports House Leave to Withdraw

The Committee on Education on, Bill, "An Act to Authorize a Bond Issue in the Amount of \$500,000 for use by the Maine Maritime Academy for the Renovation of a Leavitt Hall at the Academy. (H. P. 2313) (L. D. 2207)

Reports that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

Which was Read and Accepted in concurrence.

The Committee on Education on, Bill, "An Act to Authorize Bond Issue in the Amount of \$7,350,000 for the Acquisition, Construction and Renovations of Higher Education Facilities and Equipment at the University of Maine, including the campuses at Augusta, Farmington, Fort Kent, Machias, Orono, Portland/Gorham and Presque Isle (H. P. 2303) (L. D. 2206)

Reports that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

Which was Read and Accepted in concurrence.

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

Mr. SPEERS: Mr. President, I move that the Senate take from the table Joint Order S. P. 764.

The PRESIDENT: The Senator from Kenne-