

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Ninth
Legislature***

OF THE

STATE OF MAINE

Volume II

First Regular Session

May 7, 1979 to June 15, 1979

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STATE OF MAINE
One Hundred and Ninth Legislature
JOURNAL OF THE SENATE

June 7, 1979

Senate called to Order by the President.

Prayer by the Honorable Carroll Minkowsky of Lewiston.

Senator MINKOWSKY: As we gather on this 97th Legislative Day, let us ever be mindful of our commitment to our oath of office, to serve the best interests of our constituents with direction and guidance from God. Amen.

Reading of the Journal of yesterday.

Senator Conley of Cumberland was granted unanimous consent to address the Senate, Off the Record.

On motion by Senator Pierce of Kennebec, Recessed until the sound of the Bell.

Recess

After Recess

The Senate called to order by the President.

(Off Record Remarks)

Senator Collins of Knox, was granted unanimous consent to address the Senate, On the Record.

Senator COLLINS: Mr. President and Members of the Senate: May I ask for attention for a moment to the Errors Bill which is on the Table.

We have a logistical problem in the printing of this bill. It's a voluminous bill. As you will recall we set out some rules for ourselves about no floor amendments, unless they were printed 24 hours in advance of offering. That rule also binds the Committee Amendments, which has been placed with the printing process this morning. Perhaps it will be ready by 2 or 3 o'clock this afternoon. But if we adhere to that Rule, we will not be able to offer it until tomorrow at about the same time.

Now I'm hoping that you may consider whether or not to Suspend that Rule for the purpose of the Committee Amendment. If you do not we probably can still live with the process. But what I'm more concerned about is the floor amendments. I'm told by research that there are 8 to 12 Senate Floor Amendments. I'm only personally aware of 1, but I'm hoping that you will make a special effort to get your amendment into process, so that it will meet the 24 hour test. Of course, the Senate Members of the Judiciary Committee, Senator Trafton, Senator Devoe, and myself will appreciate any information you can give us about this so that we will know how to act.

If you do not feel you should give us this information, we understand. But we do ask your cooperation just as much as you can toward getting this bill through both bodies, because if it is not in the position for Engrossment when we leave here tomorrow night, there's a real danger that it might not survive the end of the session. Or cause all kinds of mechanical difficulties. So we will appreciate your cooperation on this.

I understand that as your Floor Amendments are being produced, that they will be brought to your attention. I hope you'll make it a point to promptly step out and sign them and get them into production. Thank you very much.

**Papers from the House
Non-concurrent Matter**

Bill, "An Act to Make Substantive Changes in the Forestry Statutes." (H. P. 1126) (L. D. 1396)

In the Senate May 31, Passed to be Engrossed as amended by Committee Amendment "A" (H-428) as amended by Senate Amendment

"B" thereto (S-254), in non-concurrence.

Comes from the House, Passed to be Engrossed as amended by Committee Amendment "A" as amended by Senate Amendment "A" thereto and House Amendment "A" (H-670), in non-concurrence.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator McBreairty. Senator MCBREAIRTY: Mr. President, I move that we Insist.

The PRESIDENT: The Senator from Aroostook, Senator McBreairty, moves that the Senate Insist.

Is this the pleasure of the Senate?

The Motion Prevailed.

Non-concurrent Matter

Bill, "An Act Relating to Funding and Support for Alcoholism Treatment and Rehabilitation Centers." (H. P. 723) (L. D. 910)

In the House June 4, Passed to be Engrossed.

In the Senate June 5, Bill and accompanying papers, Indefinitely Postponed, in non-concurrence.

Comes from the House, that Body having Adhered.

The PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Teague.

Senator TEAGUE: Mr. President, I move we Recede and Concur.

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

The Chair recognizes the Senator from York, Senator Farley.

Senator FARLEY: I request a Division, Mr. President.

The PRESIDENT: A Division has been requested.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Senator CONLEY: Mr. President, I would hope that the Senate would not Recede and Concur with the House. Again what this bill proposed to do is to establish a dedicated revenue fund probably in the next session of the Legislature. I believe that if we're going to appropriate money, then we should look at exactly what the Department needs in a source of revenues, and to establish our priorities in that manner.

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

Senator HUBER: Mr. President and Members of the Senate: I also would oppose the Recede and Concur Motion. I think if anything this area, this program or programs as is in fact the case, need more attention not less attention.

Despite the admirable aims of this Bill, I think the affect of it will be to reduce attention in the area of Alcohol Rehabilitation and Treatment and hopefully Prevention. We now have programs within the Department of Human Services to the tune of \$2,950,000 plus some additional \$628,000 in the Part II Budget. There are programs within Mental Health and Corrections, within the Department of Education, within to some extent the Department of Public Safety, and I presume elsewhere.

I think there should be a real effort on the part of this Legislature to try and coordinate these programs and try and develop something effective. The practical affect of this Bill would be to reduce attention to these programs rather than increase it.

If, in fact, they need more funding, if, in fact, they need increased attention, I think the Legislature should make a special effort to do so in the near future, probably in the interim between sessions for action by the Special Session. I think the effect of this bill will be exactly the opposite of the intent of the Bill. I do hope the Senate will not Recede and Concur.

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

Senator HICHENS: Mr. President and Members of the Senate: I appreciate the remarks of

the good Senator from Cumberland, but this is the same thing that we've been hearing for the last 10 or 12 years. We're going to do something about it, nothing has been done about it. I think this is an opportunity we have to do something about it, without setting up strict dedicated funds. I hope that you'll go along with the motion to Recede and Concur.

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

Senator SILVERMAN: Mr. President and Members of the Senate: I do believe the Senator from Cumberland has brought something to our attention. But I do question, over the years time and time again many of us have put in Bills for the need of funding for Alcohol Prevention and Alcohol Treatment. Yet each time for some reason when they reach the Appropriations Table, they are forgotten.

I'm quite certain many of us realize the State of Maine makes \$54,000,000 off of alcohol, consumed, purchased, and sold in this State. Yet, when it comes to helping those families and those people with the problem, 2.9 million at the most out of \$54,000,000.

I realize when we start talking dedicating funds for Alcohol Rehabilitation, Prevention and Treatment that many people on Appropriations, all of a sudden get somewhat scared, because they're using those funds for other purposes.

I would challenge those that there are going to be 2 or 3 bills on the Special Appropriations Table. One in the field of prevention at the Education Level, one in the field of Alcohol Treatment and Rehabilitation. I would only hope that those bills receive recognition, because you can't forever profit off the misfortunes of others without alcohol problems and not in turn properly fund the treatment that they need in this day and age. Thank you.

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

Senator CONLEY: Mr. President, a few years ago prior to the passage of the ODAP Program, this State appropriated approximately \$84,000 for the Division of Alcoholism Services. We have come a long way and we have a long way to go. But the rational approach is not by giving a blank check to any bureaucrat. I think this Legislature, each and every member of this Legislature should decide as to how the revenues of this State are to be spent.

I'm opposed to dedicated revenue in the Highway Department, Fish and Game, right down the line. The fact of the matter, those things happened before I ever came down the pike. I don't want to see another revenue account set up that would just give one bureau within the whole State System the opportunity of establishing a blank check.

I agreed with what the good Senator from Washington has stated, Senator Silverman. I certainly have supported those programs dealing with alcohol, that I felt were in the best interests of that problem. That doesn't mean that because somebody introduces a bill or everyone introduces a bill that it's a good bill. We should evaluate it before we fund it, I again would urge the Senate to vote against the pending motion.

The PRESIDENT: Is the Senate ready for the question?

A Division has been requested.

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

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

8 Senators having voted in the affirmative and 23 Senators in the negative, the Motion to Recede and Concur does not prevail.

The Chair recognizes the Senator from York, Senator Farley.

Senator FARLEY: I move that the Senate Adhere.

The PRESIDENT: The Senator from York.