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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June 14, 1978
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First Special Session
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APPENDIX
As Amended

As Amended

Grant-loan Scholarship Fund for the New England Assigned for suant to Joint and Authorizing Expenditures of Washington 2156) (L. D. 2168) to be Engrossed.

Reading of the Journal of yesterday.

Papers from the House
Non-concurrent Matter


In the House, February 27, 1978 Passed to be Engrossed as amended by Committee Amendment "A" (H-1048).

In the Senate, March 1, 1978 Passed to be Engrossed as amended by Senate Amendment "D" (S-498) thereto, in non-concurrence.

Comes from the House, that Body having Adhered.

Motion of Mr. Collins of Knox, the Senate voted to Recede and Concur.

(Off Record Remarks)

On Motion of Mr. Huber of Cumberland, Recessed until the Sound of the Bell.

(Recess)

(After Recess)

Senate called to order by the President.

Committee Reports House
Ought to Pass

The Committee on Local and County Government on.

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Washington County for the year 1978. (Emergency) (H. P. 2156) (L. D. 2168)

Reported that the same Ought to Pass (pursuant to Joint Order H. P. 1986).

Comes from the House, the Resolve Passed to be Engrossed.

Which Report was Read and Accepted in concurrence and the Bill Read once and Tomorrow Assigned for Second Reading.

Senate Leave to Withdraw

Mr. Katz for the Committee on Education on, Bill, "An Act Appropriating Funds to the Grant-loan Scholarship Fund for Positions at the New England College of Osteopathic Medi-

PRESIDENT:

The Senator from York, Senator Hichens.

Mr. Hichens, I now present Senate Amendment "A" to (L. D. 2169) and move its Adoption.

The President recognizes the Senator from York, Senator Hichens, now offers Senate Amendment "A" to (L. D. 2169) and moves its Adoption. The Secretary will Read Senate Amendment "A".

Senate Amendment "A" (S-508) Read. On Motion of Mr. O'Leary of Oxford, Tabled until later in Today's Session, pending Adoption of Senate Amendment "A".

The President called before the Senate:

PENDING: For Laying of the County Taxes and Authorizing Expenditures of Oxford County for the Year 1978. (Emergency) (H. P. 2156) (L. D. 2168)

Tabled — March 1, 1978 by Senator Speers of Kennebec Pending Motion of Senator O'Leary of Oxford to Recede and Concur.

The Senate voted to Recede and Concur.

The President called before the Senate:

Bill, "An Act to Improve the Short-term Investment Capabilities and Debt Management of the State." (H. P. 1975) (L. D. 2061)

Tabled — March 1, 1978 by Senator Speers of Kennebec Pending Motion of Senator Hichens of York to Adopt Senate Amendment "A" (S-506) to Committee Amendment "A" (H-1048)

The President recognizes the Senator from Aroostook, Senator Collins.

Mr. Collins: Mr. President, I move the indefinite postponement of Senate Amendment "A" and would speak my Motion.

The President: The Senator has the Floor.

Mr. Collins: Mr. President and Members of the Senate: This original Bill which is the Committee Amendment, provides some changes in the debt management, the short-term investments that are made by the treasurer of the State.

It does several things. It increases the trade of bonds from $500,000 to $1,000,000. It permits a treasurer of the State to purchase secondary securities that are necessary to the Bill.

The amendment that is proposed does 2 or 3 things which are unnecessary to the Bill. It suggests, for example, that the treasurer would be required to have a bond for every municipality that participated in an investment pool. The amendment feels that the communities are adequately protected by the provision for the half a million dollar bond for municiplities that do choose to use this vehicle. The Amendment further provides that the Treasurer shall make daily reports to municipalities anytime that there is a movement of cash that effects that
municipality, and it further provides that the cost of these reports shall be borne by the Maine Municipal Association.

I think that it is the view of the Committee that the amendment contributes to the Bill and is entirely unnecessary and I would remind you that the Bill just makes it possible for those municipalities that wish to participate to do so. It has nothing at all and if it further permits the municipalities to do their own investment polls if they wish outside of the vehicle of the State Treasurer. So I would hope that you would support my motion to indefinitely postpone the Amendment.

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

Mr. President, I disagree with the Senator from Aroostook. This amendment provides that the various municipalities and counties funds will be protected against mismanagement if the Treasury of the State laws does not cover the municipalities and county treasurers. I think if we are interested in our municipalities and our counties in which we live, this Amendment is needed and I hope that you will go against his motion.

On Motion of Mr. Speers of Kennebec, the PRESIDENT announced the Senate was in recess for One Legislative Day. Pending the Motion of the Senator from Aroostook, Senator Collins, to indefinitely postpone Senate Amendment "A".

The Senate adjourned on Monday, March 1, 1978 by Senator Minkowsky of Androscoggin

Pending — Motion of Senator Lovell of York to Indefinitely Postpone Senate Amendment "B".

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

Mr. MINKOWSKY: Mr. President and Members of the Senate: It is clear to me and to the Transportation Committee that a decision regarding the future of the Maine Turnpike should be made now.

The opponents of returning the tolls have indicated that the Legislature does not really have to do anything until 1981. Since both State Law and Federal Law and Federal Involvement would require a removal of tolls at the time, at that time, and the opponents would then have achieved their objectives through default, I believe, this position is understandable as far as they are concerned. The truth of the matter is that a logical and orderly procedure is required and this is what the Transportation Committee addressed. If we are to avoid an increase of taxes of Maine citizens by default. First this Legislation must be determined a policy regarding a continuation of a toll collection system. Then Legislation must be prepared to present to the Congress and a Congressional Process must be followed over a period of a great many months. Then if successful, arrangements for State and Federal Financial Adjustments and a transition of the turnpike operation to the Department of Transportation must be finalized. Rather obviously it would be somewhat senseless to ask the Congress to act prior to the Maine Legislature in making a policy decision in this regard. The Legislative Committee on Transportation through diligent efforts of Senator Lovell and others have done a great deal of work on this particular Bill, even while the Committee was not in session has worked long and hard hours to evaluate this entire subject. Senator Lovell has already done a great deal gained by further delay, except the risk that we will have, unless the tax increases on the citizens of Maine by default. Mr. President, I would move the indefinite postponement of Senate Amendment "A".

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

Mr. FARLEY: Mr. President and Members of the Senate: The present bill that you have before you on the Session 335 calls for toll facilities and the Department of Transportation to make a decision as to where these facilities are going to be located.

First of all, I do not believe that one more minute spent in public hearings is going to change anything. If I get any more information than we have right now, they have had a study order. They have had hearings in the Biddeford-Saco area and in the Lewiston area and they have heard this year on the Bill. I am now with the Committee on the work sessions.

The debt that we owe the Federal Government is not going to be settled until we decide where the toll barriers are going to go. We will not know how much we owe the Federal Government until those areas are placed. The Amendment before you places the location of those barriers and also ask that those barrier systems will not be set up until all the Federal money has been paid back and all the bonds, except paid off. If we pass this legislation as it is today, we have the House Amendment "F" taken off the 40 day provision for the Legislature to act. If we do not reach a decision regarding a continuation of a toll collection system the Department of Transportation can insert any plan he wants to. The Legislature will have no say at all. We have done away with that by House Amendment "A". All we have to do is to keep the toll barriers stirred up and they will go wherever they want them. On The Bill now not just toll barriers he can keep existing toll gates open. All the things presented here last year and a copy of the turnpike. Along the turnpike. They will be bartered stirred up and they will go wherever they want them. On The Bill now not just toll barriers he can keep existing toll gates open. All the things presented here last year and a copy of the turnpike. Along the turnpike. They will be bartered stirred up and they will go wherever they want them. On The Bill now not just toll barriers he can keep existing toll gates open. All the things presented here last year and a copy of the turnpike. Along the turnpike. They will be bartered stirred up and they will go wherever they want them. On The Bill now not just toll barriers he can keep existing toll gates open. All the things presented here last year and a copy of the turnpike. Along the turnpike. They will be bartered stirred up and they will go wherever they want them. On The Bill now not just toll barriers he can keep existing toll gates open. All the things presented here last year and a copy of the turnpike. Along the turnpike. They will be bartered stirred up and they will go wherever they want them.

Senator Hichens.

Mr. President, I would now like to ask for reconsideration and hope that you will vote against me. The PRESIDENT: The Senator from York, Senator Lovell, now moves that Senate Amendment "A" be considered its action whereby it indefinitely postponed Senate Amendment "A".

Will all those Senators in favor of reconsideration please say no.

Will all those Senators opposed please say yes.

A Viva Voice Vote being had, the Motion to Reconsider does not prevail.

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

Mr. DANTON: Mr. President, I move that the Senate reconsider its action where it indefinitely postponed Senate Amendment "B" (S-567) to (L. D. 2157).

The PRESIDENT: The Senator from York, Senator Danton, now moves that the Senate reconsider its action whereby it adopted Senate Amendment "B" to (L. D. 2157). Is it the pleasure of the Senate? It is a vote.

The Chair recognizes the same Senator who now offers Senate Amendment "C" (L. D. 2157). Is it the pleasure of the Senate? It is a vote.

Mr. DANTON: Mr. President, I now offer Senate Amendment "C" (L. D. 2157).

The Chair recognizes the Senator from York, Senator Danton, now offers Senate Amendment "C" (L. D. 2157) and moves its adoption. The Secretary will read Senate Amendment "C" (S-511).

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

Mr. SPEERS: Mr. President, has the Amendment been distributed?

The PRESIDENT: The Chair would answer the question in the affirmative.

The Chair recognizes the Senator from Cumberland, Senator Hewes.

Mr. HEWES: Mr. President and Members of the Senate: I would like to urge you to vote in favor of this Amendment. Yesterday when we were in Committee of the Whole, there were some questions as to the validity of that but primarily because of the great esteem held for the Members of the Senate from York County in the past. He has now withdrawn that and I would urge you to adopt this, which in effect, says that the Legislature does not make a decision during its Session as to the rates to toll. Then the Commissioner's recommendations shall go into effect.

Senate Amendment "C" Adopted. This Bill, as amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

Mr. Katz of Kennebec was granted unanimous consent to address the Senate on the Record.

Mr. KATZ: Mr. President and Members of the Senate. Sometimes when I am worried I begin thinking it is too late to start something new. Now I am worried about the Kennebec River. When I came into work into my office on Monday morning and my office faces the Kennebec River. I saw some footprints across the River. Somebody had walked across. I have never seen footprints across the Kennebec River just below the dam in my life. Particularly in the summer time. But I have never seen the Kennebec River in a situation that is so potentially dangerous. I am not talking about flooding of parking lots in Front Street in Augusta. I mean