

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh  
Legislature*

OF THE

STATE OF MAINE

1975

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Wednesday, February 26, 1975

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Frederick L. Niles of Minot.

The journal of yesterday was read and approved.

**Papers from the Senate  
Non-Concurrent Matter**

Bill "An Act Relating to Vehicle Operators Wearing a Radio Headset" (H.P. 204) (L.D. 249) on which the House accepted the Majority Report of the Committee on Legal Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (H-31) and passed the Bill to be engrossed as amended by Committee Amendment "A" on February 20.

Came from the Senate with the Minority "Ought Not to Pass" Report accepted in non-concurrence.

In the House: The House voted to recede and concur.

From the Senate: The following Joint Resolution: (S.P. 229)

In The Year of Our Lord One Thousand Nine Hundred and Seventy-five

Joint Resolution Memorializing

The Honorable

Casper W. Weinburger,  
Secretary of The Department of  
Health, Education and Welfare  
of the United States

To Restore Medicare-Medicaid Funds  
to the Local Hospitals  
of the Towns of Dexter,  
Milo and Similar Communities

WE, your Memorialists, the Senate and House of Representatives of the State of Maine now assembled in Regular Session of the One Hundred and Seventh Legislative Session, most respectfully present and petition the Secretary of the Department of Health, Education and Welfare and the United States Congress as follows:

WHEREAS, the Plummer Memorial Hospital has served the medical needs of Dexter, Maine continuously and well since its opening in 1920; and

WHEREAS, the townspeople of Dexter have aided and supported this hospital, and have provided an ambulance service for this hospital, serviced by the volunteer fire department; and

WHEREAS, the Plummer Memorial Hospital has been licensed by the State of Maine for the year 1975 to serve the people of Dexter, a license recognized by all major medical insurance companies, including Blue Cross-Blue Shield; and

WHEREAS, the Department of Health, Education and Welfare has decided, contrary to the almost unanimous vote of the March, 1974 Dexter town meeting, that the Plummer Memorial Hospital shall be closed and that the people of Dexter shall be forced to use a regional hospital to be built in Dover-Foxcroft, 13 miles to the north; and

WHEREAS, the department has decided, based upon a technical and controversial interpretation of one regulation of the Federal Fire Code, that the hospital, in existence since 1920, is in violation of that fire code and must be closed; and

WHEREAS, the Department of Health, Education and Welfare has, therefore, cut off all but emergency Medicare-Medicaid funds to the Plummer Memorial Hospital, an action intended to close that facility; and

WHEREAS, the people of Dexter have received little cooperation from the regional director of the Department of Health, Education and Welfare, who seems unconcerned about the welfare of the people of Dexter when that welfare conflicts with a regionalization plan previously decided upon; and

WHEREAS, the situation in Dexter is too often repeated in other areas of Maine; and

WHEREAS, the Legislature of this State sympathizes with the struggle of all people who desire to preserve their own hospital facilities and their independence from the dictates of a huge federal agency; now, therefore, be it

RESOLVED: That We, your Memorialists, hereby record our dissatisfaction with the actions of the Department of Health, Education and Welfare and with the actions and uncooperative attitude of certain of its regional representatives, and respectfully urge and petition the Secretary of Health, Education and Welfare and the Congress of the United States to take appropriate action to help the people of Dexter, Milo and similar communities to maintain their own hospital facilities as active and useful hospitals serving the local needs of rural areas by restoring the use of all Medicare-Medicaid funds; and be it further

RESOLVED: That a copy of this Memorial, duly authenticated by the Secretary of State, be immediately transmitted by the Secretary of State to the Secretary of the Department of Health, Education and Welfare of the United States, and to the Members of the Senate and House of Representatives of the United States Congress from this State.

Came from the Senate read and adopted.

In the House, the Resolution was read and adopted in concurrence.

Bills from the Senate requiring reference were disposed of in concurrence.

**Reports of Committees  
Leave to Withdraw**

Report of the Committee on Local and County Government on Bill "An Act Converting Rangeley Plantation into the Town of Haley" (Emergency) (S.P. 86) (L.D. 257) reporting Leave to Withdraw

Came from the Senate read and accepted.

In the House, the Report was read and accepted in concurrence.

**Ought to Pass**

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Expenses of the Legislature" (S.P. 148) (L.D. 511)

Came from the Senate with the Report read and accepted and the Bill passed to be Engrossed.

In the House, the Report was read and accepted in concurrence, the Bill read once and tomorrow assigned for second reading.

**Messages and Documents**

The following Communication:  
STATE OF MAINE  
SUPREME JUDICIAL AND  
SUPERIOR COURTS

5 McLellan Street  
Brunswick

February 20, 1975

Edwin H. Pert  
Clerk of the House  
of Representatives  
State House  
Augusta, Maine  
Dear Ed:

This is my formal notice of resignation as House Reporter to become effective February 6, 1975.

Very truly yours,  
/s/ MARSHALL GARBETT

The Communication was read and ordered placed on file.

**Petitions, Bills and Resolves  
Requiring Reference**

The following Bills were received and, upon recommendations of the Committee on Reference of Bills, were referred to the following Committees:

**Agriculture**

Bill "An Act to Provide for the Licensing of Agricultural Fairs" (Emergency) (H.P. 639) (Presented by Mr. McKernan of Bangor)

Bill "An Act Relating to the Maine Dairy and Nutrition Council" (H.P. 642) (Presented by Mr. Rollins of Dixfield)

Bill "An Act Creating the Maine Pesticide Control Act of 1975" (H.P. 653) (Presented by Mr. Berry of Buxton) (Ordered Printed)

Sent up for concurrence.

**Appropriations and Financial Affairs**

Bill "An Act to Increase Salaries of Justices of the Supreme Judicial and Superior Courts and Judges of the District Courts" (H.P. 656) (Presented by Mr. Hewes of Cape Elizabeth)

(Ordered Printed)

Sent up for concurrence.

**Business Legislation**

Bill "An Act Establishing Educational Requirements for Licensing of Real Estate Brokers" (H.P. 627) (Presented by Mrs. Byers of Newcastle) (Cosponsors: Mr. Silverman of Calais, Mr. Peakes of Dexter, Mr. Higgins of Scarborough)

Bill "An Act to Prohibit Retail Stores from Marking Previously Priced Items with Higher Prices" (H.P. 630) (Presented by Mr. Burns of Anson)

(Ordered Printed)

Sent up for concurrence.

**Education**

Bill "An Act Amending the Charter of the Boothbay-Boothbay Harbor Community School District to Require that District to Provide and Fund Pupil Transportation" (Emergency) (H.P. 629) (Presented by Mrs. Byers of Newcastle)

Bill "An Act to Establish a Cooperative Education Support Program" (H.P. 640) (Presented by Mrs. Lewis of Auburn) (Cosponsor: Mr. Quinn of Gorham)

Bill "An Act to Create a Non-geographic School Administrative Unit for the Bureau of Corrections" (H.P. 645) (Presented by Mr. Lynch of Livermore Falls)

Bill "An Act Providing Funds for Payment to Residential Schools as an Alternative to Incarceration of Juvenile Offenders" (H.P. 655) (Presented by Mr. Rolde of York)

(Ordered Printed)

Sent up for concurrence.

**Passed to Be Engrossed**

Bill "An Act to Extend the Time During which School Budgets may be Adopted"

(H.P. 660) (Presented by Mr. Lynch of Livermore Falls) (Approved by a Majority of the Committee on Reference of Bills pursuant to Joint Rule 10)

The Committee on Reference of Bills suggested the Committee on Education.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Lynch.

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: This is a bill which has been drafted through the cooperation of the Maine Municipal Association, the Legislative Education Committee. Bond counsel has been consulted, the Attorney General has been consulted on this. This is a bill that is an absolute necessity because of the problems that must be resolved in L.D. 1994. It is to buy us time in which we hope to do something more than a bandaïd job, and I would hope you would support the motions that are going to be made.

Thereupon, under suspension of the rules, the Bill was given its first reading without reference to any committee. Under further suspension of the rules, the Bill was read the second time, passed to be engrossed and sent to the Senate.

By unanimous consent, ordered sent forthwith.

#### Fisheries and Wildlife

Bill "An Act Increasing Certain Fees for Nonresident Fishing Licenses" (H.P. 644) (Presented by Mr. Walker of Island Falls)

(Ordered Printed)

Sent up for concurrence.

#### Health and Institutional Services

Bill "An Act to Define Rodents as Private Nuisances under the Public Health Statutes" (H.P. 651) (Presented by Mr. LaPointe of Portland)

Bill "An Act to Establish the Maine Safe Drinking Water Act" (H.P. 654) (Presented by Mr. Kennedy of Gray)

(Ordered Printed)

Sent up for concurrence.

#### Human Resources

Bill "An Act Relating to Protective Custody of Children under Health and Welfare Laws" (H.P. 638) (Presented by Mrs. Byers of Newcastle)

(Ordered Printed)

Sent up for concurrence.

#### Judiciary

Bill "An Act Establishing Mandatory Sentences Upon Conviction of Trafficking in Illegal Drugs" (H.P. 631) (Presented by Mr. Faucher of Solon) (Cosponsor: Mr. Shute of Stockton Springs)

Bill "An Act to Increase the Number of Good Time Days which may be Deducted Each Month from the Term of Imprisonment of a Convict" (H.P. 635) (Presented by Mr. Hughes of Auburn)

Bill "An Act Amending Certain Laws Relating to Parole" (H.P. 636) (Presented by Mr. Hughes of Auburn)

(Ordered Printed)

Sent up for concurrence.

#### Labor

Bill "An Act to Increase the Minimum Wage to \$3 an Hour" (H.P. 649) (Presented by Mr. Connolly of Portland) (Cosponsor: Mr. Talbot of Portland)

(Ordered Printed)

Sent up for concurrence.

#### Legal Affairs

Bill "An Act to Provide Criminal Penalty for Tampering with Passenger

Tramways" (H.P. 632) (Presented by Mrs. Tarr of Bridgton)

Bill "An Act Relating to Public Safety on Passenger Tramways at Ski Areas" (H.P. 633) (Presented by Mrs. Tarr of Bridgton)

Bill "An Act to Require Protective Headgear for Snowmobile Riders" (H.P. 634) (Presented by Mrs. Durgin of Kittery)

Bill "An Act to Require Minimum Standards for Automotive Fire Apparatus" (H.P. 637) (Presented by Mr. Faucher of Solon)

Bill "An Act to Remove the Limitation on the Amount of Real or Personal Property Authorized to be Held by the Portland Diet Mission" (H.P. 647) (Presented by Mr. Perkins of South Portland)

(Ordered Printed)

Sent up for concurrence.

#### Local and County Government

Bill "An Act to Clarify the Authority of Municipalities to Undertake Activities Pursuant to the Housing and Community Development Act of 1974" (Emergency) (H.P. 641) (Presented by Mr. Carey of Waterville)

Bill "An Act to Aid Municipalities in the Purchase of Surplus State Property" (H.P. 643) (Presented by Mr. Maxwell of Jay)

(Ordered Printed)

Sent up for concurrence.

#### Marine Resources

Bill "An Act Relating to the Taking of Lobsters in York River, County of York" (H.P. 652) (Presented by Mr. Rolde of York)

(Ordered Printed)

Sent up for concurrence.

#### Natural Resources

Bill "An Act to Provide Deadline within which the Board of Environmental Protection Must Act on Certain Permits and Licenses" (H.P. 628) (Presented by Mr. Blodgett of Waldoboro)

(Ordered Printed)

Sent up for concurrence.

#### Public Utilities

Bill "An Act Relating to Telephone Company Service by New England Telephone and Telegraph Company and Continental Telephone Company of Maine in the City of Old Town, Maine" (H.P. 657) (Presented by Mr. Gould of Old Town)

(Ordered Printed)

Sent up for concurrence.

#### Taxation

Bill "An Act Making Financial Aid Formulae Consistent with the 100% State Valuation" (H.P. 648) (Presented by Mr. Susi of Pittsfield)

Bill "An Act to Repeal Certain Tax Exemptions" (H.P. 650) (Presented by Mr. Susi of Pittsfield)

(Ordered Printed)

Sent up for concurrence.

#### Transportation

Bill "An Act to Require Driver's License Renewal Examinations at Age 55 and Older" (H.P. 646) (Presented by Mrs. Boudreau of Portland)

(Ordered Printed)

Sent up for concurrence.

#### Orders

Mr. Bowie of Gardiner presented the following Joint Order and moved its passage: (H.P. 658)

WHEREAS, The Legislature has

learned of the Outstanding Achievement and Exceptional Accomplishment of

THE TIGERS OF  
GARDINER HIGH SCHOOL  
CLASS A GIRLS  
BASKETBALL CHAMPIONS

FOR THE ACADEMIC YEAR — 1975

We the Members of the House of Representatives and Senate do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

The Order was read and passed and sent up for concurrence.

Mr. Blodgett of Waldoboro presented the following Joint Order and moved its passage: (H.P. 659)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of

THE MÉDOMAK VALLEY PANTHERS  
WINNERS OF THE WESTERN MAINE  
CLASS B  
BASKETBALL CHAMPIONSHIP FOR  
1975

We the Members of the House of Representatives and Senate do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

The Order was read and passed and sent up for concurrence.

On motion of Mr. Binnette of Old Town, it was

ORDERED, that Richard Spencer of Standish be excused for February 25 and 26 for personal business.

On motion of Mr. Binnette of Old Town, it was

ORDERED, that Thomas LaPointe of Portland be excused for February 26 and 27 for personal reasons.

#### Consent Calendar

##### First Day

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

Bill "An Act to Increase Funds Allowed by Court Order to a Minor without a Guardian" — Committee on Judiciary reporting "Ought to Pass" (S. P. 76) (L. D. 216)

Bill "An Act to Change the Name of Department of Inland Fisheries and Game to Department of Fisheries and Wildlife" — Committee on State Government reporting "Ought to Pass" (H. P. 413) (L. D. 588)

No objections being noted, the above items were ordered to appear on the Consent Calendar of February 27, under listing of Second Day.

#### Consent Calendar

##### Second Day

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

Bill "An Act to Increase the Length of Herring which may not be Sold" (H. P. 236) (L. D. 292)

Bill "An Act to Clarify the Powers of Coastal Wardens" (H. P. 407) (L. D. 496)

Bill "An Act to Clarify the Maine Consumer Credit Code as it Applies to Consumer Credit Sales Pursuant to which no Finance Charge is Made" (Emergency) (H. P. 303) (L. D. 366)

Bill "An Act Relating to the Presentation of Budgets by School Administrative Districts" (S. P. 49) (L. D. 130)

No objections having been noted at the end of the Second Legislative Day, the Senate Paper was passed to be engrossed in concurrence, and House Papers were passed to be engrossed and sent to the Senate for concurrence.

#### Passed to Be Engrossed

Bill "An Act Increasing the Number of Official Court Reporters" (S. P. 127) (L. D. 413)

Was reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed and sent to the Senate.

Bill "An Act to Authorize the State Liquor Commission to Grant Civic Associations Licenses to Sell Alcoholic Beverages for On-Premise Consumption" (S. P. 89) (L. D. 260)

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

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Lynch.

Mr. LYNCH: Mr. Speaker and Members of the House: I would like to ask the real significance of this bill. Apparently it is to do away with local option, and I am afraid if this is enacted and the Liquor Commission grants this license to a civic organization, next year, or the 108th, there will be a bill back in here to remove this.

Why haven't the local communities taken advantage of this local option provision?

Thereupon, the Bill was passed to be engrossed and sent to the Senate.

Bill "An Act to Permit Insurers to Limit Liability on Accident Policies in Certain Situations" (H. P. 24) (L. D. 32)

Bill "An Act Relating to Transporting Deer in Open View" (H. P. 344) (L. D. 428)

Were reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed and sent to the Senate.

#### Second Reader Tabled and Assigned

Bill "An Act to Provide for the Election of Each County Commissioner of York County by only the Electors of the District Represented" (H. P. 399) (L. D. 488)

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

(On motion of Mr. Gauthier of Sanford, tabled pending passage to be engrossed and tomorrow assigned.)

Bill "An Act to Prohibit the Use of Abbreviations of the State's Name" (H. P. 3) (L. D. 8)

Was reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed and sent to the Senate.

#### Passed to Be Enacted Emergency Measure

An Act Appropriating Funds to Reimburse Municipalities for Business Inventory Taxes (H. P. 82) (L. D. 100)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary a total was taken. 132 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Passed to Be Enacted

An Act Relating to Grants-in-aid for Construction and Maintenance of Public Facilities for Boats (H. P. 145) (L. D. 163)

An Act Relating to Fees for the Inspection of School Buses (H. P. 229) (L. D. 285)

An Act to Clarify Directional Signs Indicating Coastal Route at Exit 9 on the Maine Turnpike (H. P. 231) (L. D. 287)

An Act Relating to Contraband Cigarettes (H. P. 564) (L. D. 631)

#### Finally Passed

Resolve, to Reimburse Evelyn Bass of Bucksport for Loss of Beehives by Bear (H. P. 192) (L. D. 228)

Resolve, to Reimburse Virginia A. Brann of Windsor for Motor Vehicle Damage Due to State Construction (H. P. 196) (L. D. 240)

Resolve, to Reimburse Gordon Wiley of Littleton for Loss of Poultry by Fox (H. P. 265) (L. D. 312)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolves finally passed, all signed by the Speaker and sent to the Senate.

#### Orders of the Day

The Chair laid before the House the first tabled and today assigned matter:

Bill "An Act Relating to Wholesale Deliveries of Malt Beverages and Table Wine on Election Day" (H. P. 258) (L. D. 305)

Tabled — February 21, by Mr. Rolde of York.

Pending — Passage to be engrossed.

Mr. Raymond of Lewiston offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-37) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Raymond.

Mr. RAYMOND: Mr. Speaker and Members of the House: In all municipality elections, wholesalers and retailers and all retail licensees have the right to sell and consume alcoholic beverages on election day. The only two days it is not permitted is on the statewide primary and general election.

This bill, as amended, would permit all wholesalers and retail licensees the same privilege to sell on election day. The amendment is simply preventing discrimination against retail licensees and giving everyone concerned the same rights. I hope that the members of this House will support this bill as amended so as to give all licensees the same right and, consequently, prevent any discrimination.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I can agree

to a certain extent with the gentleman from Lewiston, Mr. Raymond, in his intent. However, this is a substantive change to this bill that is being presented for our consideration this morning. I feel that an amendment such as is being offered here this morning by Mr. Raymond should have had a hearing before the Liquor Control Committee and not be brought in and attached to the bill that is now up for our consideration.

My motion is, Mr. Speaker, to indefinitely postpone this amendment, and I would ask the House to support it.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, moves the indefinite postponement of House Amendment "A". The Chair will order a vote. If you are in favor of the indefinite postponement of House Amendment "A" you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

Thereupon, Mr. Lizotte of Biddeford requested a roll call.

The SPEAKER: A roll call has been requested. 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 Biddeford, Mr. Lizotte.

Mr. LIZOTTE: Mr. Speaker, Ladies and Gentlemen of the House: I rise to support the amendment for the simple reason that when we listened to this in committee, it seemed awful funny to me that if I am running a business and somebody comes in on election days and asks for any kind of beer or whatever, I have to tell them no, we can't sell it. And as he stands there, he sees the wholesale truck pull up in front of the store and bring in all the delivery. He tells me, look, I can't buy from you but you can buy it from them. I don't think that would be fair. So I would appreciate it if everybody would support the amendment on this bill.

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

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: For many years, I think, and I can't recall how far back, it was against the law, to sell malt liquor or hard liquor on election day. I think that we should not take that away. I believe that we should leave it right on the books.

As I look at this amendment, it might be germane to the bill, but in my book, it doesn't sound right. I think we had better leave the amendment out entirely and support the bill.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, that House Amendment "A" be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Albert, Bachrach, Bagley, Berry, G. W.; Berry, P. P.; Binnette, Birt, Blodgett, Boudreau, Bowie, Burns, Bustin, Byers, Call, Carey, Carpenter, Carroll, Carter, Chonko, Churchill, Clark, Connors, Cooney, Cox, Curran, P.; Curtis, Davies, DeVane, Doak, Drigotas, Dudley, Durgin, Farnham, Faucher, Fenlason, Finemore,

Flanagan, Garsoe, Goodwin, H.; Goodwin, K.; Gould, Gray, Greenlaw, Hall, Henderson, Hennessey, Hewes, Higgins, Hinds, Hughes, Hunter, Hutchings, Immonen, Ingegneri, Jackson, Jensen, Joyce, Kauffman, Kelleher, Kelley, Kennedy, Laffin, Laverty, LeBlanc, Lewis, Littlefield, Lovell, Lunt, Lynch, MacEachern, MacLeod, Mahany, Maxwell, McBreairty, McKernan, McMahon, Miskavage, Mitchell, Morin, Morton, Mulkern, Nadeau, Najarian, Norris, Palmer, Peakes, Pelosi, Perkins, S.; Perkins, T.; Peterson, P.; Pierce, Post, Rolde, Rollins, Saunders, Shute, Silverman, Snowe, Sprowl, Strout, Stubbs, Susi, Tarr, Teague, Theriault, Torrey, Tozier, Twitchell, Tyndale, Usher, Wagner, Walker, Webber, Wilfong, Winship, The Speaker.

NAY — Berube, Connolly, Cote, Dow, Dyer, Farley, Fraser, Gauthier, Jacques, Jalbert, Lizotte, Mackel, Martin, A.; Martin, R.; Quinn, Raymond, Rideout, Snow, Talbot, Truman.

ABSENT — Ault, Bennett, Curran, R.; Dam, Hobbins, Kany, LaPointe, Leonard, Lewin, Mills, Peterson, T.; Powell, Smith, Spencer, Tierney.

Yes, 116; No, 20; Absent, 15.

The SPEAKER: One hundred sixteen having voted in the affirmative and twenty in the negative, with fifteen being absent, the motion does prevail.

Mr. Lizotte of Biddeford moved the indefinite postponement of the Bill and all accompanying papers.

The SPEAKER: The Chair recognizes the gentleman from Jay, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: I would hope that this wouldn't happen. We have brought this bill up to this point. By indefinitely postponing this particular item, it would cause perhaps a crew of men to be laid off two days a year. This doesn't mean much, to be sure, but I see no harm in their making deliveries on election day. They can sell after the polls close at night and there is no harm in that either.

Mr. Kauffman of Kittery requested a roll call vote.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must be 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 pending question is on the motion of the gentleman from Biddeford, Mr. Lizotte, that this Bill and all its accompanying papers be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Berry, G. W.; Blodgett, Burns, Carey, Farnham, Faucher, Fenlason, Finemore, Hall, Henderson, Immonen, Jalbert, Laverty, Littlefield, Lizotte, Martin, A.; McBreairty, Raymond, Shute, Silverman, Sprowl, Theriault, Tyndale, Winship.

NAY — Albert, Bachrach, Berry, P. P.; Berube, Binnette, Birt, Boudreau, Bowie, Bustin, Byers, Call, Carpenter, Carroll, Carter, Chonko, Churchill, Clark, Conners, Connolly, Cooney, Cote, Cox, Curran, P.; Curtis, Davies, DeVane, Doak, Dow, Drigotas, Dudley, Durgin, Dyer, Farley, Flanagan, Fraser, Garsoe, Goodwin, H.; Goodwin, K.; Gould, Gray, Greenlaw,

Hennessey, Hewes, Higgins, Hinds, Hughes, Hunter, Hutchings, Ingegneri, Jackson, Jacques, Jensen, Joyce, Kauffman, Kelleher, Kelley, Kennedy, Laffin, LeBlanc, Lewis, Lovell, Lunt, Lynch, MacEachern, Mackel, MacLeod, Mahany, Martin, R.; Maxwell, McKernan, McMahon, Miskavage, Mitchell, Morin, Morton, Mulkern, Nadeau, Najarian, Norris, Palmer, Peakes, Pelosi, Perkins, S.; Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Post, Quinn, Rideout, Rolde, Rollins, Saunders, Snow, Snowe, Strout, Stubbs, Susi, Talbot, Tarr, Teague, Torrey, Tozier, Truman, Twitchell, Usher, Wagner, Walker, Webber, Wilfong, The Speaker.

ABSENT — Ault, Bagley, Bennett, Curran, R.; Dam, Gauthier, Hobbins, Kany, LaPointe, Leonard, Lewin, Mills, Powell, Smith, Spencer, Tierney.

Yes, 24; No, 111; Absent 16.

The SPEAKER: Twenty-four having voted in the affirmative and one hundred and eleven in the negative, with sixteen being absent, the motion does not prevail.

The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I am not particularly interested in getting involved in legislation concerning whether or not I should or should not buy alcoholic beverages. By the same token, I think the gentleman from Bangor, Mr. Kelleher, had somewhat of a cogent argument, as well as the gentleman from Lewiston, Mr. Raymond.

There seems to be some dissensions even with the members of the Liquor Control Committee on this item. I think, frankly, it might be an idea to hear both sides.

I am not going to make a motion, but I would like to urge, however, that the Chairman of the Liquor Control Committee make a motion. I think both sides of the arguments that have been presented here should be heard. We are here anyway, and I don't think one more bill will make a great deal of difference. We have done it in the past and I am sure we will do it in the future.

I would like to suggest to the gentleman from Jay, Mr. Maxwell, the House Chairman of the Liquor Control Committee, that he make a motion to recommit this bill so both sides can be heard. We would then be better informed, and maybe the gentleman from Lewiston, Mr. Raymond, might be satisfied. I think that the motion to recommit certainly would be in order.

Thereupon, the bill was passed to be engrossed and sent to the Senate.

The Chair laid before the House the second tabled and today assigned matter:

Bill "An Act Relating to Record of Sales of Used Merchandise of Auctioneers" (S. P. 73) (L. D. 213)

Tabled — February 21, by Mr. Palmer of Nobleboro.

Pending — Passage to be enacted.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The Chair laid before the House the third tabled and today assigned matter:

Bill "An Act Exempting Trucks Purchased by Nonresidents from Sales Tax" (H. P. 205) (L. D. 250)

Tabled — February 21, by Mr. Finemore of Bridgewater.

Pending — Passage to be enacted.

On motion of Mr. Finemore of

Bridgewater, retabled pending passage to be enacted and specially assigned for Friday, February 28.

The Chair laid before the House the fourth tabled and today assigned matter:

Bill "An Act Relating to Bonding of Gasoline Distributors and Use Fuel Dealers"

Tabled — February 21, by Mr. Pierce of Waterville.

Pending — Passage to be enacted.

On motion of Mr. Cox of Brewer, retabled pending passage to be enacted and tomorrow assigned.

The Chair laid before the House the fifth tabled and today assigned matter:

Bill "An Act to Provide Funds for the Continuation of Children's Mental Health Services within the State of Maine." (H. P. 623) (Committee on Reference of Bills suggested Committee on Appropriations and Financial Affairs.)

Tabled — February 25, by Mr. Goodwin of South Berwick.

Pending — Reference.

Thereupon, the Bill was referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence.

The Chair laid before the House the sixth tabled and today assigned matter:

Bill "An Act to Annex Township 4, Range 2 to the Town of Carrabassett Valley" (S. P. 78) (L. D. 218)

Tabled — February 25, by Mr. Palmer of Nobleboro.

Pending — Passage to be enacted.

This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 133 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### (Off Record Remarks)

On motion of Mr. Rolde of York, Adjourned until nine-thirty tomorrow morning.