

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh
Legislature*

OF THE

STATE OF MAINE

1975

KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

February 11, 1975

Senate called to order by the President.
Prayer by the Honorable Robert W. Clifford of Lewiston:

God of all people, we thank you for the unique opportunity of serving you by serving in positions of public trust. We ask for wisdom in helping to set the state's course, and for courage in helping to keep that course. We pray for renewed faith in you so that we may better understand our work and our lives. Amen.

The PRESIDENT: The Chair will interrupt proceedings this morning to welcome in the rear of the chamber several former members of this body: Judge Reid, who was a Senator; former Senator Benjamin Butler; former Senator Harold Beckett, I see back there.

Before I ask the Senator from Washington, Senator Wyman, to escort our next guest to the rostrum — and I would ask the Senator from Washington if he would do this — I would like to introduce Robert Haskell to those of you who are not aware possibly of his many accomplishments. This morning, as I am sure most of you know, a portrait was unveiled of former Governor Haskell in the rotunda. I would just like to tell those of you who are not aware of his many accomplishments what Bob Haskell has done here in the state and some of his public accomplishments.

He first went to the House of Representatives in 1945, and then came up into the Senate in 1947 and served continuously in the Senate until 1959, when he was Governor for five days when Senator Muskie, then Governor Muskie, went to the U.S. Senate. In the interim Bob Haskell was Majority Floor Leader for two terms at least in this body, he was on the Appropriations Committee, he was chairman of the Legislative Research Committee, and was President of the Senate for two terms. He resigned from the Senate position when he was elevated to the presidency of the Bangor Hydro Electric Company, I believe I am correct, in 1960. He has also been a trustee of the University of Maine for many years. He is on the executive committee of the Diamond International Corporation, which is, as you know, a worldwide complex of pulp and paper manufacturing. He is chairman of the Board of the Merchants National Bank of Bangor, and he has been president and chairman of the Eastern Maine Medical Center. So he is truly a man of achievement and a man for all seasons. I think the Senate is very honored to have had him in here in years past. I am glad to welcome him here this morning, and I wish he would come to the rostrum to say a few words.

Thereupon, Senator Wyman of Washington escorted former Governor Haskell to the rostrum, where he addressed the Senate as follows:

Mr. HASKELL: Thank you, Mr. President. Joe has told me two things: First, to be very brief and, second, and more important, to make no comment on any Legislative problem, and I will follow out both of those.

I would like to reminisce just a little bit and tell you the background of this honor that I have had today. Late in December sixteen years ago, Governor Muskie and his council commissioned ex-Governor Baxter as a *dedimus* justice. One day after that, the ex-Governor stood up on this

rostrum with me and I accepted the constitutional oath as Governor of the State of Maine. To me, I think the desire of Percy Baxter to participate in that honor to me was the high spot.

You might be interested in my memory of the Senates I presided over, and they were truly remarkable. I will start with the back row on my left. Sitting in the corner seat was Bill Silsby, who later became a distinguished judge in our court system. One of your guests, Judge Reid, sat in the middle of the Kennebec delegation, and he became one of our distinguished jurists. Sitting in the middle of the Androscoggin delegation, still in this back left row, was Al Lessard, and he was elevated to the Superior Court. That is quite a record for one corner of this Senate.

Going over to the back row on my right, Allen Woodcock in the Penobscot delegation became a long-term Judge of Probate of Penobscot County. Sitting two seats away from him was Benny Butler. Now, Benny was the star of both of our sessions, and the only Senator that I ever had occasion to raise this up in the air, and he got the signal and sat down, but he was very, very effective as a legislator, and I am sure he was effective as a municipal judge up in his Farmington, Franklin County residence. Sitting down on the very end in the Cumberland County Delegation was Phil Chapman, and I guess his disingishment comes from the fact that he was at least a candidate for Governor.

Now going down here in this front row, I had as a member of that Senate a man who spent seven years in the Blaine House and later joined the Executive Department of the Federal Government in Washington, and of course I refer to John Reed.

Now probably, if I had to select one of these four segments in extolling their accomplishments and predicting the accomplishments that they are going to have, I would pick the row that Minnette is in. And I will make the firm prediction that one of its members, probably before this legislature adjourns, will gain national and international fame, and it will come from a joint announcement of the Human Rights Commission and the blueberry king of the world when the announcement is made that Hollis is going to put indoor toilets and running hot and cold water on every blueberry field in Washington County. (Applause and laughter)

I could also point with pride to the fact that Roy Sinclair was in that first row, and Roy Sinclair originated, supported and worked hard for three sessions to get the forerunner of taking local education costs off the burden of local property taxes. God rest his soul. I am confident that in Benny Katz you have a follower of that philosophy. And speaking of Benny, one of the prime reasons I have for making this a very brief appearance is the hope that the House and the Senate, by virtue of his efforts, will accomplish equity in the length of time spent in session. I read the L. D.'s religiously and one constitutional amendment with Benny's name on it, if it is passed in both branches and is accepted by the people, I suspect will equalize the time that the Senate spends in session with the House. I have forgotten the name, but it has something to do about final enactment of the bills.

Mr. President, you have been very nice to me this morning, you have said nice things about me. A few of them might be true; a lot of them are not true, but I deeply appreciate it, and I give you the appreciation of an old man who gets

honors such as this only once in a lifetime, and I have had it. Thank you very much.

The PRESIDENT: The Chair will ask the Senator from Waldo, Senator Greeley, to escort the Governor down to the House of Representatives, where he will be recognized.

Thereupon, Senator Greeley of Waldo escorted former Governor Haskell from the Senate amid the applause of the Chamber, the members rising.

The PRESIDENT: I would also like to thank this morning the good Senator from Washington, Senator Wyman, and his able assistant, Mrs. Barbara Strout, for the wonderful coffee which they put on for everyone this morning. (Applause)

Reading of the Journal of yesterday.

Papers From The House Joint Order

ORDERED, the Senate concurring, that the State Controller supply for the use of the Legislature 200 copies of a list of state employees, including a list of officers and employees of the University of Maine to be obtained by the State Controller from the University of Maine, with their salaries paid as of January 1, 1975, 160 of the said copies to be deposited in the Office of the Clerk of the House and 40 of the said copies to be deposited in the Office of the Secretary of the Senate; and be it further

ORDERED, that said list be distributed one to each Member of the House of Representatives and Senate and the balance to the Clerk of the House and Secretary of the Senate for such distribution as they may see fit. (H. P. 448)

Comes from the House, Read and Passed.

Which was Read.

On motion by Mr. Speers of Kennebec; tabled until later in today's session, pending Passage.

Joint Resolution STATE OF MAINE

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

IN MEMORIAM

Having Learned Of The Death Of
Frederick W. Leveque
of Blue Hill

The Senate and House of Representatives of the State of Maine do hereby extend their sincere heartfelt condolences and sympathy to the bereaved family and friends of the deceased; and further

While duly assembled in session at the State Capitol in Augusta under the Constitution and Laws of the State of Maine, do herein direct that this official expression of sorrow be forthwith sent to the family of the deceased on behalf of the Legislature and the people of the State of Maine. (H. P. 499)

Comes from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

House Papers

Bills and Resolves today received from the House requiring Reference to Committees were acted upon in concurrence.

Communications State of Maine

Department of Transportation

State Office Building
Augusta, Maine 04330

February 11, 1975

Governor James B. Longley and
Members of the 107th Legislature

Transmitted herewith is a copy of the Highway and Bridge Improvement Program for Fiscal Years 1976 and 1977, a copy of the Highway Maintenance Paving Program for the 1975 and 1976 summer seasons and a copy of the 1974 Highway Sufficiency Report.

The Highway and Bridge Improvement Program for Fiscal Years 1975 and 1976 lists those projects which the Department has determined to be the priority items that should be authorized for improvement in accordance with the recommendations for financing during the next biennium. The program requires a total of \$17.1 Million of State Funds to enable the matching of \$52.6 Million of Federal Funds.

The Highway Maintenance Paving Program for the 1975 and 1976 summer seasons provides for the paving of nearly 1,900 miles. This proposal represents a program that involves the same annual level of funds as provided during the 1974 summer season; however, due to spiraling costs, the program will result in fewer annual miles than the paving accomplishments made during the 1974 summer season.

The 1974 Highway Sufficiency Report provides information indicating the relative adequacy of approximately 4,000 miles of rural Federal Aid and State Highways. This information is part of the basic criteria used for the selection of improvements for the Department's biennial improvement programs.

We trust that this material will be of interest and will provide information and clarification regarding the Department's efforts to maintain and improve Maine roads.

Very truly yours,

ROGAR L. MALLAR, Commissioner
Maine Department of Transportation
(S. P. 185)

Which was Read and with accompanying papers Ordered Placed on File.

Sent down for concurrence.

Senate Papers

Energy

Mr. Trotzky of Penobscot presented, Bill, "An Act Creating the Passamaquoddy Hydro-electric Tidal Power Authority." (S. P. 178)

Which was referred to the Committee on Energy and Ordered Printed.

Sent down for concurrence.

Labor

Mr. Graffam of Cumberland presented, Bill, "An Act to Permit Minors under 16 to be Employed by Hotels." (S. P. 182)

Which was referred to the Committee on Labor and Ordered Printed.

Sent down for concurrence.

Liquor Control

Mr. Graffam of Cumberland presented, Bill, "An Act Relating to Possession of Intoxicating Liquor by Persons under 18 Years of Age in On-sale Premises." (S. P. 181)

The same Senator presented, Bill, "An Act Relating to the Sale of Vinous Liquors in Original Containers." (S. P. 183)

Which were referred to the Committee on Liquor Control and Ordered Printed.

Sent down for concurrence.

Natural Resources

Mr. Corson (By Request) presented, Bill, "An Act Concerning the Incorporation of New Towns." (S. P. 177)

Which was referred to the Committee on Natural Resources and Ordered Printed.

Sent down for concurrence.

State Government

Mr. Trotzky of Penobscot presented, Bill, "An Act Creating the Machias Bay Industrial Port Authority." (S. P. 179)

Which was referred to the Committee on State Government and Ordered Printed.

Sent down for concurrence.

Transportation

Mr. Graffam of Cumberland presented, Bill, "An Act Relating to Lights on Motor Vehicles of State Liquor Inspectors." (S. P. 184)

Which was referred to the Committee on Transportation and Ordered Printed.

Sent down for concurrence.

Orders

On motion by Mr. Gahagan of Aroostook, WHEREAS, the Legislature believes that quality social services should be fairly and equitably available to improve the well-being of Maine citizens; and

WHEREAS, services in the areas of alcoholism and drug abuse prevention, mental health, rehabilitation, mental retardation, senior citizens and priority social services often provide similar or overlapping benefits to individuals; and

WHEREAS, the organization of state government agencies and the state financial assistance for such community based services is uncoordinated; now, therefore, be it

ORDERED, the House concurring, that the Legislative Council study the distribution of social service funds, including the organization of state agencies responsible for administration of such services, state financial assistance of such community based services, the organizational and functional interrelationships of community agencies interrelating state financial assistance and such related matters as the Committee may deem appropriate and present its findings and recommendations, including any necessary legislation, to the next special or regular session of the Legislature; and be it further

ORDERED, that the state departments and state agencies responsible for administration of such services are respectfully directed to cooperate with the Committee and to provide such technical and other assistance as the Committee deems necessary or desirable to carry out the purposes of this Order, including but not limited to, personnel and staff as a part of their regular employment without additional appropriation; and be it further

ORDERED, upon final passage, that copies of this Order be transmitted forthwith to state departments and agencies as notice of this directive. (S. P. 180)

Which was Read.

On motion by Mr. Speers of Kennebec, tabled pending Passage.

Committee Reports

House

Change of Reference

The Committee on Health and Institutional Services on, Bill, "An Act to Clarify the Laws Relating to Superior Court Commitment of Mentally

Disordered Persons." (H. P. 170) (L. D. 225)

Reported that this Bill be referred to the Committee on Judiciary.

Comes from the House, the report Read and Accepted and the Bill referred to the Committee on Judiciary.

Which report was Read and Accepted and the Bill referred to the Committee on Judiciary in concurrence.

Leave to Withdraw

The Committee on State Government on Bill, "An Act to Make the General Election Day a Bank and Business Holiday." (H. P. 166) (L. D. 211)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the report Read and Accepted.

Which report was Read and Accepted in concurrence.

Senate Ought to Pass

Mr. Thomas for the Committee on Business Legislation on, Bill, "An Act Relating to Record of Sales of Used Merchandise of Auctioneers." (S. P. 73) (L. D. 213)

Reported that the same Ought to Pass.

Mr. Greeley for the Committee on Transportation on, Bill, "An Act Relating to Filing of Record of Locations and Changes of Highways." (S. P. 83) (L. D. 237)

Reported that the same Ought to Pass.

Mr. Cyr for the Committee on Transportation on, Bill, "An Act to Authorize the Issue of an Additional Pair of Specially Designated License Plates to Maine Members of the United States Senate and House." (S. P. 92) (L. D. 263)

Reported that the same Ought to Pass.

Which reports were Read and Accepted, the Bills Read Once and Tomorrow Assigned for Second Reading.

Mr. Graffam for the Committee on Local and County Government on,

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

Reported that the same Ought to Pass.

Which report was Read and Accepted and the Bill Read Once.

On motion by Mr. Speers of Kennebec, and under suspension of the rules, the Bill was then given its Second Reading and Passed to be Engrossed.

Thereupon, under further suspension of the rules, sent down forthwith for concurrence.

Second Readers

The Committee on Bills in the Second Reading reported the following:

House

Resolve, to Reimburse Ernest F. Murphy of Old Orchard for a Claim Concerning a Tax Refund for Retail Gasoline Shrinkage. (H. P. 68) (L. D. 80)

Bill, "An Act Relating to Use Fuel Tax Audits." (H. P. 124) (L. D. 160)

Bill, "An Act Allowing the Department of Military, Civil Emergency Preparedness and Veterans Services to Pay a Lump Sum Final Settlement in Accordance with the Workmen's Compensation Act." (H. P. 127) (L. D. 141)

Bill, "An Act to Clarify Provisions in the Motor Fuel Tax Law." (H. P. 131) (L. D. 161)

Which were Read a Second Time and Passed to be Engrossed in concurrence.

House-As Amended

Resolve, to Reimburse Paul R. Nyberg of Mechanic Falls for Motor Vehicle Damage Caused by State Ward. (H. P. 45) (L. D. 57)

Bill, "An Act to Increase the Penalty for Premeditated Animal Fights." (H. P. 162) (L. D. 205)

Which were Read a Second Time and Passed to be Engrossed, as Amended, in concurrence.

Orders of the Day

Mr. Greeley of Waldo was granted unanimous consent to address the Senate:

Mr. GREELEY: Mr. President and Members of the Senate: The reason I have asked for this permission is that I would like to tell you a story. But it isn't the kind of story I usually tell; this story is about Jim Reid.

I first met Jim Reid back in 1947 when he was a county attorney and in my first term in this Senate. For several years Jim and I were close friends, we had bowling matches together, and we got to know each other quite well. I did find out that Jim Reid graduated from the Somerville High School in 1924 or 1925, and then he went to Harvard, where he graduated in 1929. Jim was an outstanding athlete at Somerville High School and he loved hockey and football.

When he went to Harvard, he came out for football that fall, and the unfortunate situation was that he broke his ankle. He took good care of his ankle all winter, and the next spring he thought he would try it again, so he came out for football. Well, the Harvard coach said the first fifty men around the track get the uniforms. They already told Jim that he couldn't play football on account of his ankle, but Jim went around the track, and as it happened he came in first, but he didn't get any uniform.

Well, soon after that, Harvard was having a cross-country meet with Holy Cross, and the Harvard football coach was talking to the cross-country coach, and the cross-country coach said he was kind of discouraged, that he wished he had another man or two on his cross-country team. So the Harvard coach said "Why don't you go see young Reid." He said, "When we issued the football uniforms the other day Reid came in first." So the cross country coach went over to talk to Jim, and Jim wasn't too interested in running; he would rather play football. But they finally talked him into the act, and so when the meet came about on a Saturday, Jim asked the coach, "What am I supposed to do?" Well, the cross-country coach said, "You stay just as close to the Harvard captain as you can and watch him." They started out and had been running for quite some time, and the Holy Cross captain was ahead, the Harvard captain was in second place, and Jim was in third. Jim knew where the finish line was, so it wasn't long before Jim pulled up along side the Harvard captain, and he said, "What is the trouble, aren't you going to catch that guy?" The Harvard captain said, "Do you think you could do it?" and Jim says, "Of course I can do it." So he told Jim to go ahead. So Jim struck out and he came in first and won the cross-country meet.

As I understand it, the Sunday paper came out with an article and said "Young Reid disobeys orders and wins cross-country meet." Well, you might like to know that sometime after that Jim Reid was elected captain of the Harvard track team, and he set a national two-mile

record and held it for sixteen years. That is Jim Reid. (Applause)

The PRESIDENT: The Chair would be delighted if former Senator Reid would say a few words.

Mr. REID: This was not my doing. Ed insisted on telling that story. I would like to say, however, that two of the great track stars were Richardson and Lindsey from the University of Maine. They were famous for coming in hand-in-hand in the New England meets. But in the fall of '28 both of them ran in the national cross-country race in New York, and there were 133 runners, I think. The three of us came in 1-2-3, and I am not going to say which one was first either.

The PRESIDENT: Thank you, Judge Reid. (Applause)

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

Mr. KATZ: Mr. President, today is a day of mixed happiness and sorrow and nostalgia, but one of the "progressive" things that has been done is the opening of the new parking garage across the street.

The garage has 430 parking spaces. Two-thirds of them are covered. We spent 1.75 million dollars to build it, and it was the first building, I think, that was constructed under the so-called design-build concept, where we knew exactly to the penny what we were going to spend before we got into it, so there is no cost to overrun, and it is a very interesting building. 430 parking spaces certainly should make some kind of a dent in our parking problem, but I would like to raise some questions to the Senate this morning. I am sure that the Senate does not have the answers, but I would like to express some deep concerns on my part. And let me say, Mr. President and members of the Senate, in no respect are my remarks critical of the very hard decisions that have been made by people who have been wrestling with decisions.

The parking garage is free. It makes it easier for all of us to find a parking space. It makes it easier for all of us, the public and state employees, to get into one's car and drive alone to the parking at the state house complex.

At a time when we are wrestling with energy problems in the United States, although there are precious few demands being made on us, at a time when there seems to be a general philosophical agreement that we have got to cut down on our consumption of energy, I think the State of Maine has taken one beautiful step forward in increasing the use of energy, and the State of Maine has, I think, taken a step forward in saying that there really isn't any emergency because the more parking that is needed, the more people choose to get into their cars at a convenient time and drive one-on-one, we are going to have a parking space for them.

The fact is that this parking garage was authorized by the last legislature, and one of the commitments - although commitment sounds like contract, and I don't mean it that much - one of the commitments that was made was that, although it could not be completely self-liquidating, there would be a charge, there would be a charge of parking. This morning there is no charge.

The reason there isn't any charge is because the mechanics of staffing the garage and levying a charge were such that people who gave it some thought felt that "Let's let it go the way it is and see

how it works", and I respect their judgment.

But I was to express this morning my sense that, although we are always yapping at Washington to show some leadership in the conservation of energy, there are certain things that we can do in the State of Maine and there are certain things this legislature can do. And making business as usual, or convenient parking on demand as usual, even more convenient for the public encourages the public not to sacrifice, and encourages us not to be aware of the pressures that should be upon us.

If there is any sense of urgency within the State of Maine to reduce the use of our energy, it is 100 percent in the form of cost: the fact that fuel oil costs us more, the fact that gasoline costs us more. I just have kind of a sad feeling that somehow the State of Maine has dropped the ball in being so insensitive to the energy implications in its parking garage.

The President laid before the Senate the first tabled and Specially Assigned matter:

SENATE REPORTS — from the Committee on State Government — RESOLUTION, Proposing an Amendment to the Constitution Prohibiting Anyone under Sentence for a Felony from Seeking or Holding a Constitutional Office. (S. P. 43) (L. D. 95) MAJORITY REPORT — Ought Not to Pass; MINORITY REPORT — Ought to Pass.

Tabled — February 5, 1975 by Senator Hichens of York.

Pending — Acceptance of Either Report. The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Curtis.

Mr. CURTIS: Mr. President, because we have just received an opinion of the Attorney General, which was written yesterday, and have not had an opportunity to analyze it, I would request that somebody might table this item for two additional days.

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

Thereupon, on motion by Mr. Speers of Kennebec, tabled and specially assigned for February 13, 1975, pending Acceptance of Either Report.

The President laid before the Senate the second tabled and Specially Assigned matter:

Bill, "An Act to Authorize Bond Issue in the Amount of \$1,050,000 for Acquisition and Construction of Facilities for the Care and Treatment of the Severely and Profoundly Mentally Retarded." (S. P. 172)

Tabled — February 6, 1975 by Senator Speers of Kennebec.

Pending — Reference. (Committee on Reference of Bills suggested this Bill be referred to the Committee on Appropriations and Financial Affairs.)

On motion by Mr. Speers of Kennebec, retabled and tomorrow assigned, pending Reference.

The President laid before the Senate the third tabled and Specially Assigned matter:

Bill, "An Act to Provide for 6-person Juries in Civil Cases." (S. P. 16) (L. D. 90)

Tabled — February 6, 1975 by Senator Speers of Kennebec.

Pending — Passage to be Engrossed. (Committee Amendment "A" (S-3.))

On motion by Mr. Collins of Knox, and under suspension of the rules, the Senate voted to Reconsider its prior action whereby Committee Amendment "A" was Adopted.

The same Senator then presented Senate Amendment "A", Filing No. S-6, to Committee Amendment "A" and moved its Adoption.

Senate Amendment "A" to Committee Amendment "A" was Read and Adopted and Committee Amendment "A", as Amended by Senate Amendment "A" thereto, was Adopted and the Bill, as Amended, Passed to be Engrossed.

Sent down for concurrence.

(See action later in today's session.)

Reconsidered Matter

On motion by Mr. Corson of Somerset, the Senate voted to reconsider its prior action whereby Bill, "An Act to Require the Use of Voting Machines in Municipalities of More than 5,000 Population" (H. P. 392) (L. D. 484) was referred to the Committee on Appropriations and Financial Affairs.

Thereupon, on further motion by the same Senator, referred to the Committee on Election Laws in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the Joint Order, House Paper 448, tabled earlier in today's session by Mr. Speers of Kennebec, pending Passage.

Thereupon, on motion by Mr. Speers of Kennebec, retabled, pending Passage.

(See action later in today's session.)

Reconsidered Matter

On motion by Mr. Merrill of Cumberland, the Senate voted to reconsider its action whereby Bill, "An Act to Provide for 6-person Juries in Civil Cases" (S. P. 16) (L. D. 90), was Passed to be Engrossed, as Amended.

Thereupon, on motion by Mr. Conley of Cumberland, tabled and specially assigned for February 13, 1975, pending Passage to be Engrossed.

Out of order and under suspension of the rules, the Senate voted to take up the following:

House Paper

Bill, "An Act to Permit Counties to Borrow Money in Anticipation of Taxes." (H. P. 507)

Comes from the House, the Bill Passed to be Engrossed without Reference to Committee.

Mr. Jackson of Cumberland moved that the Bill be tabled and Specially Assigned for February 12, 1975, pending Reference.

On motion by Mr. Speers of Kennebec, a division was had. 13 Senators having voted in the affirmative, and 19 Senators having voted in the negative, the motion did not prevail.

Thereupon, under suspension of the rules, the Bill was Read Once.

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

Mr. KATZ: Mr. President, may I inquire through the Chair whether the bill actually is in print and has an L. D. number? In the event the answer is in the negative, might I request through the Chair a brief explanation of our action?

The PRESIDENT: The Senator from Kennebec, Senator Katz, poses a question through the Chair to anyone who may care to answer.

The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President, earlier last week this body and the other body passed a bill to authorize the County of Cumberland to borrow in anticipation of taxes. That was a very quick action taken on the part of the legislature because that particular county had a particularly pressing situation whereby it needed to borrow the money in order to remain in business. Since that time, we have been informed that numerous other counties are in exactly the same position, and while some of us have been somewhat reluctant to lump all of the counties in the same boat and pass another bill very quickly simply because two or three others are in the same position of needing the authorization nearly immediately, nevertheless, because it is anticipated that all of the counties will be in this situation within the next few weeks, it was felt that we could authorize all of them at the same time. This bill is needed immediately because of two or three other counties that are in that particular position at the present time.

The PRESIDENT: Is it now the pleasure of the Senate that, under suspension of the rules, this bill be given its second reading by title only at this time?

Thereupon, under suspension of the rules, the Bill was given its Second Reading and Passed to be Engrossed.

Under further suspension of the rules, sent forthwith to the Engrossing Department.

Reconsidered Matter

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

Mr. CLIFFORD: Mr. President, I would like to make a parliamentary inquiry as to Item 1-1, House Paper 448, which was tabled on motion of the Senator from Kennebec, Senator Speers. I would inquire as to the method of removing that item from the table.

The PRESIDENT: The Chair would answer the Senator from Androscoggin, Senator Clifford, that by custom in the Senate the person tabling a bill would be given the courtesy of removing it from the table, and especially the Majority Floor Leader.

The Chair recognizes the same Senator.

Mr. CLIFFORD: Mr. President, might I inquire as to the intention of the good Senator from Kennebec, Senator Speers, as to when it might be removed from the table?

The PRESIDENT: The Senator from Androscoggin, Senator Clifford, poses a question through the Chair to the Senator from Kennebec, Senator Speers, who may answer if he so desires.

Thereupon, Mr. Berry of Cumberland was granted unanimous consent to address the Senate.

Mr. BERRY: Mr. President and Members of the Senate: What we are seeing here is the debating of a tabling motion, and I think the entire procedure is out of order.

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

Mr. CLIFFORD: Mr. President, I move that the Senate reconsider its action whereby this matter was tabled, and I would request a roll call.

The PRESIDENT: The Senator from Androscoggin, Senator Clifford, moves that the Senate now reconsider its action whereby Item 1-1 on today's advance journal was tabled, and the Senator requests a roll call.

In order for the Chair to order a roll call, it must have the expressed consent of at least one-fifth of the members present and voting. Will all those Senators in favor of ordering a roll call please rise and remain standing until counted.

Obviously more than one-fifth having arisen, a roll call is ordered.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ: Mr. President, might I ask through the Chair of the Secretary what our Senate Rules or our Joint Rules have to say with respect to something that is tabled unassigned?

The PRESIDENT: The Chair would advise the Senator from Kennebec, Senator Katz, that the Secretary advises the Chair that a tabling motion unassigned may be reconsidered.

The pending question before the Senate is reconsideration of the tabling of Item 1-1, House Paper 448, on today's advance journal.

The Secretary will call the roll.

ROLL CALL

YEAS: Senators Berry E.; Carbonneau, Cianchette, Clifford, Conley, Cyr, Danton, Graham, Greeley, Hichens, Johnston, Marcotte, McNally, Merrill, O'Leary, Pray, Reeves, Wyman.

NAYS: Senators Berry R.; Collins, Corson, Cummings, Curtis, Gahagan, Graffam, Huber, Jackson, Katz, Roberts, Speers, Thomas, Tritzky.

A roll call was had. 18 Senators having voted in the affirmative, and 14 Senators having voted in the negative, the motion prevailed.

Thereupon, on motion by Mr. Speers of Kennebec, tabled and Specially Assigned for February 12, 1975, pending Passage.

Committee Reports Ought to Pass

The Committee on Education on, Bill, "An Act Authorizing Additional Indebtedness for School Administrative Districts Nos. 25 and 42." (H. P. 57) (L. D. 69)

Reports that the same Ought to Pass.

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

Which report was Read and Accepted in concurrence and the Bill Read Once.

Thereupon, under suspension of the rules, the Bill was given its Second Reading and Passed to be Engrossed in concurrence.

Under further suspension of the rules, sent forthwith to the Engrossing Department.

(Off Record Remarks)

On motion by Mrs. Cummings of Penobscot, adjourned until 9:30 o'clock tomorrow morning.