

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

SENATE

Thursday, March 20, 1975

Senate called or order by the President.
Prayer by Rev. Father Nicholas Dufault of Biddeford:

Almighty God, our help and refuge, fountain of wisdom and tower of strength, who knows that we can do nothing without your guidance and help, we beseech Thee, assist these our brethren and direct them to divine wisdom and power, that they may fruitfully and according to your will accomplish the tasks set before them, so that they may be profitable to themselves and to others and to the glory of your holy name. Be mindful, O Lord, of these legislators and of all civil authorities of this city and state in which we dwell and of every city and land. Guide them unto every good work which is acceptable and pleasing to you, and grant us all peaceful times that we may lead a calm and tranquil life, blameless and Godly, ever serving you, and that we may be accounted worthy to the last to enter into the kingdom of heaven.

Hear our prayer, O Lord, for you are merciful and compassionate and love mankind, and too are due all glory and honor and worship. Amen.

Reading of the Journal of yesterday.

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

Joint Order (S.P. 180) Relative to Legislative Council Study of Distribution of Social Service Funds.

In the Senate February 27, 1975, Read and Passed as Amended by Senate Amendment "A" (S-14).

In the House March 14, 1975, Read and Passed as Amended by Senate Amendment "A" as Amended by House Amendment "A" (H-82) There to; in non-concurrence.

In the Senate March 18, 1975, the Senate voted to Insist.

Comes from the House, that Body having Adhered.

Or motion by Mr. Gahagan of Aroostook, the Senate voted to Recede and Concur.

STATE OF MAINE

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

**IN MEMORIAM
Having Learned Of The Death Of
PAULL L. CARON
of WESTBROOK**

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. 928)

Comes from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

House Papers

Bills and Resolution today received from the House requiring Reference to Committees were acted upon in concurrence, except for the following:

Bill, "An Act to Revise Certain Statutory Provisions for the Licensing of Boarding Homes and Day Care Facilities." (H. P. 864) (L. D. 1073)

The Committee on Reference of Bills suggests that this Bill be referred to the Committee on Health and Institutional Services.

Comes from the House referred to the Committee on Human Resources and Ordered Printed.

On motion by Mr. Speers of Kennebec, tabled and Specially Assigned for March 24, 1975, pending Reference to Committee.

Communications

State of Maine

**MAINE STATE RETIREMENT
SYSTEM**

AUGUSTA, MAINE 04330

Honorable James B. Longley

Governor of Maine

State House, Augusta

Members, 107th Legislature

Dear Governor Longley and Members of the Legislature:

In accordance with the provisions of 5 M.R.S.A. Section 1005, the Trustees of the Maine State Retirement System herewith submit an annual report and review of the financial condition of the System for the fiscal year ending June 30, 1975. Also included are the reports of the Actuary, the Executive Director, the Investment Consultant, and the Group Life Insurance Underwriter.

The Maine State Retirement System was created by the Legislature in 1947, and combined the State Employees' Retirement System and the Maine Teachers' Retirement Association.

The System is administered by a Board of Trustees — seven in number: three members appointed by the Governor with the advice and consent of the Council; one member elected by the Maine Teachers' Association; one member elected by the Maine State Employees' Association; one member appointed by the governing body of the Maine Municipal Association: one member, who is a recipient of a retirement allowance through the Maine State Retirement System, selected by the foregoing members of the Board.

As this is a part-time Board, assistance in the actual administration is rendered by the Executive Director and his staff. A consulting Actuary is employed, under the provisions of the law, who is the technical advisor of the Board on matters regarding the operation of the funds, whose duty it is to make all computations of benefits provided for under the law and to determine on approval of the Board what funding requests shall be made of the Legislature. A Medical Board consisting of three non-members is also provided for under the law. This Board determines the validity of disability and service incurred disability claims.

Subsequent to June 30, 1974, the Board engaged the firm of Claims Service International, Inc. to review and investigate disability retirement claims. In October, 1974, the Board engaged Northeast Bank N. A. of Lewiston and Auburn to provide custodial services for the System's investments, and terminated the investment advisory contract with Standard and Poor's/InterCapital, Inc.

Effective October 22, 1974, Robert Bourgault replaced Frank G. Tupper as Representative on the Board for the Maine Teachers' Association for the duration of Mr. Tupper's Term.

In addition to administering the basic

retirement law, the Board is also charged with administering the Group Life Insurance Plan, and the Federal Social Security Law as it applies to political subdivisions.

Very truly yours,

Board of Trustees

Maine State Retirement System

John E. Menario, Chairman

Fred M. Berry, Member

Robert Bourgault, Member

Donald A. Brown, Member

Wesley W. Chute, Member

Mary L. Kurr, Member

Marvin A. Rowe, Member

(S. P. 357)

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

Sent down for concurrence.

Senate Papers**Agriculture**

Mr. Reeves of Kennebec presented, Bill, "An Act Relating to the Statutes Concerning Licensing of Dogs." (S. P. 351)

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

Sent down for concurrence.

Appropriations and Financial Affairs

Mr. Reeves of Kennebec presented, Bill, "An Act to Appropriate Funds for Adequate Topographic Mapping of the State." (S. P. 355)

Which was referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

Judiciary

Mr. Johnston of Aroostook (Cosponsor: Mr. Clifford of Androscoggin) Presented, Bill, "An Act Appointing Three Additional at Large District Judges and Requiring them to be Residents of the Northern Part of the State." (S. P. 356)

Mr. Graffam of Cumberland presented, Bill, "An Act to Grant Liquor Enforcement Inspectors the Same Powers of Arrest as Sheriffs." (S. P. 359)

Which were referred to the Committee on Judiciary and Ordered Printed.

Sent down for concurrence.

Labor

Mr. Pray of Penobscot presented, Bill, "An Act Concerning the Definition of Child and Student under the Workmen's Compensation Statute." (S. P. 353)

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

Sent down for concurrence.

Legal Affairs

Mr. Graffam of Cumberland presented, Bill, "An Act Relating to the Definition of Public Place in the Statute Prohibiting Drinking of Alcoholic Beverages in Public Places not Licensed for the Sale of Liquor." (S. P. 360)

Which was referred to the Committee on Legal Affairs and Ordered Printed.

Sent down for concurrence.

Local and County Government

Bill, "An Act to Increase the Borrowing Capacity of the Town of Bradley." (S. P. 354)

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

Sent down for concurrence.

Natural Resources

Mr. O'Leary of Oxford presented, Bill, "An Act to Clarify Standing before the

Board of Environmental Protection." (S. P. 352)

Which was referred to the Committee on Natural Resources and Ordered Printed. Sent down for concurrence.

Public Utilities

Mr. Graham of Cumberland presented, Bill, "An Act Relating to Utility Deposit Practices." (S. P. 358)

Which was referred to the Committee on Public Utilities and Ordered Printed. Sent down for concurrence.

Orders

On motion by Mr. Speers of Kennebec. ORDERED, the House concurring, that Joint Rule 3 be amended by adding a new paragraph to read as follows:

If a committee responds to an order directing inquiry upon any matter by presenting a report recommending legislation, such legislation shall be introduced when the report is transmitted to the Legislature. Such legislation shall bear the designation of the committee reporting. (S. P. 361)

Which was Read.

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

Mr. BERRY: Mr. President, I have read this with considerable interest because I think many times committees do report back to the legislature recommending legislation and the matter dies because of inaction. I think this purpose, of course, is a laudable one to circumvent this problem.

However, I have seen many recommendations of committees calling for legislation which involve a considerable expenditure of time and money and effort to solve the problem, and I wonder if by any chance this would cause problems if a committee were to report that some type of legislation should be passed, but this recommendation might entail, say, months of expenditure of time and effort and a lot of money to promulgate the legislation. I only cite this as an instance of a practical problem that might arise. I am certainly 100 percent in agreement with the spirit of the order.

The PRESIDENT: Is it now the pleasure of the Senate that this Order receive passage?

The Chair recognizes the Senator from Cumberland, Senator Berry.

Thereupon, on motion by Mr. Berry of Cumberland, tabled and Tomorrow Assigned, pending Passage.

Committee Reports

House

Leave to Withdraw

The Committee on Local and County Government on, Bill, "An Act Increasing the Annual Payment to the Washington County Law Library." (H. P. 380) (L. D. 473)

Reported that the same be granted Leave to Withdraw.

The Committee on Local and County Government on, Bill, "An Act Increasing Payments to Oxford County Law Library." (H. P. 217) (L. D. 272)

Reported that the same be granted Leave to Withdraw.

Come from the House, the reports Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought to Pass

The Committee on Local and County Government on, Bill, "An Act to Establish County Commissioner Districts in

Penobscot County." (H. P. 56) (L. D. 68)

Reported that the same Ought to Pass.

The Committee on Legal Affairs on, Resolve, to Reimburse Edgar Tupper of Madison for Loss of Beehives by Bear.

Reported that the same Ought to Pass.

The Committee on Legal Affairs on, Bill, "An Act Relating to Conveyance or Loan of Property to the Cumberland County Recreation Center." (H. P. 540) (L. D. 656)

Reported that the same Ought to Pass.

The Committee on Business Legislation on, Bill, "An Act to Increase Certain Fees Paid to the State Board of Nursing." (H. P. 496) (L. D. 614)

Reported that the same Ought to Pass.

The Committee on Legal Affairs on, Bill, "An Act to Amend the Charter of Erskine Academy." (H. P. 592) (L. D. 732)

Reported that the same Ought to Pass.

The Committee on Education on, Bill, "An Act Amending the Charter of the Boothbay-Boothbay Harbor Community School District to Require that District to Provide and Fund Pupil Transportation." (H. P. 629) (L. D. 780)

Reported that the same Ought to Pass.

Come from the House, the Bills and Resolve Passed to be Engrossed.

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

Ought to Pass—As Amended

The Committee on Business Legislation on, Bill, "An Act to Revise the Laws Relating to the State Board for Registration of Architects." (H. P. 179) (L. D. 196)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-86).

The Committee on Labor on, Bill, "An Act Relating to Pulmonary and Cardiac Diseases Under the Workmen's Compensation Act." (H. P. 230) (L. D. 286)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-85).

(On motion by Mr. Roberts of York, tabled and Specially Assigned for March 24, 1975, pending Acceptance of the Committee Report.)

The Committee on Business Legislation on, Bill, "An Act Relating to Apprentice and Journeymen Plumbers and Establishing the Classification of Trainee Plumber." (H. P. 240) (L. D. 318)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-87).

The Committee on Business Legislation on, Bill, "An Act Relating to Limit of Insurance Risk Exposure under the Maine Insurance Code." (H. P. 292) (L. D. 344)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-83).

The Committee on Business Legislation on, Bill, "An Act to Clarify Certain Laws Relating to Boxing." (H. P. 388) (L. D. 480)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-88).

The Committee on Business Legislation on, Bill, "An Act Relating to Education and Training under the Laws of Barbering." (H. P. 437) (L. D. 545)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-84).

The Committee on Business Legislation on, Bill, "An Act to Provide for a Booth License under the State Barber Laws." (H. P. 438) (L. D. 539)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-89).

The Committee on Business Legislation on, Bill, "An Act Increasing Certain Permit, Examination and License Fees for Hairdressers and Providing for Biennial Renewal of Certain Licenses." (H. P. 453) (L. D. 559)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-90).

Come from the House, the Bills Passed to be Engrossed as Amended by Committee Amendments "A".

Which reports were Read and Accepted in concurrence, except for the tabled matter, and the Bills Read Once. Committee Amendments "A" were Read and Adopted in concurrence and the Bill, as Amended, Tomorrow Assigned for Second Reading.

Ought to Pass in New Draft

The Committee on State Government on, Resolution, Proposing an Amendment to the Constitution Decreasing to \$40,000,000 the Limitation on Legislative Authority to Insure Payment of Loans to Industrial, Manufacturing, Fishing and Agricultural Enterprises for which Payment the Legislature may appropriate Moneys or Issue Bonds, or both, on Behalf of the State. (H. P. 50) (L. D. 62)

Reported that the same Ought to Pass in New Draft under New Title: Bill, "An Act to Decrease the Insuring Limitation on Certain Programs of the Maine Guarantee Authority." (H. P. 832) (L. D. 959)

Come from the House, the Bill in New Draft Passed to be Engrossed as Amended by House Amendment "A" (H-91).

Which report was Read and Accepted in concurrence and the Bill in New Draft Read Once. House Amendment "A" was Read and Adopted in concurrence and the Bill, as Amended, Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Judiciary on, Bill, "An Act to Make Legal Confinement for Mental Illness a Ground for Divorce." (H. P. 21) (L. D. 29)

Reported that the same Ought to Pass in New Draft under New Title: An Act Relating to Irreconcilable Marital Differences as a Ground for Divorce and Mental Illness as an Impediment to Divorce" (H. P. 911) (L. D. 1032)

Signed:

Senators:

COLLINS of Knox
CLIFFORD of Androscoggin
MERRILL of Cumberland

Representatives:

HOBBS of Saco
HUGHES of Auburn
MISKAVAGE of Augusta
PERKINS of South Portland
McMAHON of Kennebec
BENNETT of Caribou
SPENCER of Standish
HENDERSON of Bangor

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Representatives:

GAUTHIER of Sanford
HEWES of Cape Elizabeth

Come from the House, the Majority report Read and Accepted and the Bill in New Draft Passed to be Engrossed as Amended by House Amendment "A" (H-94).

Which reports were Read.

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

Mr. DANTON: Mr. President and Members of the Senate: There is something about this bill that it just doesn't seem to me that there is fair play involved here. What this bill will do, if a person is in a mental institution, it will allow the spouse to get a divorce. Now, certainly that doesn't sound right to me.

If this person was to be in an institution and the spouse was to get a divorce, and through the use of wonder drugs that we have today this person was to be released and was allowed to go home, and they find either the man or the wife with a new bride or a new groom, I certainly don't think that would help that person who was in the institution.

This bill is a very unfair bill. It has been in this legislature many, many times. A member of my family who served in this legislature for three terms and served on the Judiciary Committee heard this bill, and we discussed it prior to my ever serving in the Maine Legislature. Our laws here in Maine are liberal enough. I think we are about as liberal as Reno is, as far as getting divorces, and I move the indefinite postponement of this bill and all its accompanying papers. And I request a roll call.

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

Mr. MERRILL: Mr. President and Members of the Senate: I would like to speak against the motion of the good Senator from York and say a few words about this bill, the work that went into it in Committee, and why I think it received such strong favorable support from the Committee.

The bill that originally came into the Committee would do what I think the Senator from York, Senator Danton, is suggesting that this bill would do, but would not. The bill that came into Committee would make separation because the person was put in a mental institution, because one of the spouses was put in a mental institution, would make that in and of itself grounds for divorce. The bill before us right now does not do that.

What it does do is that the second section of this bill provides that mental illness will not be a bar to a person getting a divorce from his spouse for any of the reasons that he could get a divorce for if it were not for the mental illness, and that would include irreconcilable differences.

Now, obviously, if we just want to talk about the ground of irreconcilable differences, the counseling provision is not going to be too meaningful in the situation where the person has serious mental problems and is in a mental institution. But the first part of this bill provides that in cases where there has not been counseling for two years the judge may waive the counseling provision. But here again, this is not mandatory. This leaves it to the discretion of the court.

Now, it seemed to the members of the Committee that this struck a fair compromise between the interests that the good Senator from York spoke to so ably and the interests of the family in some of these situations. I think we have to keep in mind that in some of these situations there is a spouse left at home trying to take care of several children, and after a period of time of over two years passes in some situations it becomes very difficult for that spouse to hold that family together. And although it does represent in some cases a

tragedy to the person who is left — in this case just discussing this specific aspect of the bill — is left in a mental institution. I think that we have to keep in mind, as sort of the primary object of our consideration in all these matters, the family. And I think that it was because of the concern for the family that we allowed this difference.

I would ask the Senate to consider the distinction between this bill and the type of bills that have been considered in the past. This does not create a new grounds for divorce. What it does do is take away the impediment that a person has in trying to divorce someone who is mentally ill. And it provides that in cases where there has been two years of separation and no counseling has taken place that the judge may waive the counseling requirement. It is up to the judge. Under circumstances where the person may soon be rehabilitated, those representations can be made to the court, and I am sure under those circumstances the judge would take those into consideration.

I ask the defeat of this motion and the passage of this legislation.

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

Mr. DANTON: Mr. President and Members of the Senate: I have never taken the vows but they tell me that somewhere along the line you have to say "for better or for worse". Now, this is an area that I am concerned about.

Now, I am just old enough to remember cases where one of the parties was in a mental institution and the other one stayed home, and they did exactly what they were supposed to do, bring up their family, and they didn't mind doing it one bit.

Maybe I am a little old-fashioned, but I feel that this bill just isn't a fair bill for someone confined to a mental institution.

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

Mr. COLLINS: Mr. President and Members of the Senate: I want to assure the Senator from York that in my experience — and I have had some of these very difficult cases in my law practice where one of the spouses is in a mental institution — I want to assure the Senate that I am confident our courts will give careful protection to the rights of the person who is mentally disabled.

I also want to concur with everything that the Senator from Cumberland, Senator Merrill, has said. The Judiciary Committee struggled with this bill through several sessions of debate: There were two bills before us. This bill is a rewrite of both bills and we think finds a middle ground that is fair to all concerned.

I want to emphasize the point that Senator Merrill made about the importance of the family. There are times when a family is divided by this unfortunate situation, and we have to consider what is fair for children and the spouse that is at home as well as the spouse who is institutionalized.

We recognize that nowadays very few persons are confined to a mental institution for more than one year, because of the availability of the wonder drugs, so there are very, very few cases to which this would apply. But we do know of some cases where we think that this could be a fair approach to the problem.

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

Mr. CONLEY: Mr. President and Members of the Senate: I rise not as the Minority Floor Leader but as one of us, and I concur with the thinking of the good

Senator from York, Senator Danton, because I honestly feel that the courts today make it just about as easy as can be for anyone who wants to get a divorce.

I think, if anything, there is a certain amount of encouragement because of the problems that we have in society, economics and so forth, that do play havoc with particularly low income people, where we force people to divide for the sole purpose of some of the economic gains within some of our social programs that we have within the state.

I find it a tough shot below the belt in the sense, as the good Senator from York, Senator Danton, has mentioned, that you do have cases of mental illness, and this is one area that is very disturbing to me. Again, I just can't buy it. I think this bill has met its fate many times in previous sessions, and I think it should join those that have died in past legislatures.

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

Mr. CARBONNEAU: Mr. President, I move we table this matter for two legislative days.

The PRESIDENT: The Senator from Androscoggin, Senator Carbonneau, now moves that Item 6-18, L. D. 29, be tabled for two legislative days, pending the motion of the Senator from York, Senator Danton, that the bill be indefinitely postponed.

The Chair recognizes that Senator.

Thereupon, on motion by Mr. Danton of York, a division was had. Five having voted in the affirmative, and 25 having voted in the negative, the motion did not prevail.

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

Mr. MERRILL: Mr. President and Members of the Senate: I would just like to answer briefly the remarks made by my colleague from Cumberland, the good Senator, Senator Conley. I agree with him that in many cases what happens in our courts I think makes it a little too easy for people to break the bonds of matrimony. I think there were many members on the Committee who shared that concern and shared the concern that family life is being eroded in this country and that sometimes marriage is entered into too lightly, and people break the bonds of marriage too easily.

But the irony of our system is that if the two people agree that they want a divorce, no matter how meager the grounds, no matter how silly the reason, the court then goes through the charade of granting a divorce on the grounds of irreconcilable differences after counseling, or it can say that there was some sort of mental or physical cruelty, and go through that charade and grant a divorce. And the divorce is simple.

The problem comes about in the two areas that we are trying to address here, where a person can't get a divorce because the spouse is mentally incapacitated, and it may have been going on for ten or fifteen years. And I don't think that it is fair in those cases to deprive the child of having another parent. I think that if we think realistically about the results of what happens to the people who are left at home under those circumstances, I think we can see the value of this legislation.

So I think that the Committee shared the concern and tried to draft a very narrow document with some safeguards built into it that I think will do as much as it can to meet the concerns of the Senators from Cumberland and York, and at the same

time allow for some of these situations that go on for a protracted amount of time to be dealt with by the courts.

The PRESIDENT: The pending question before the Senate is the motion by the Senator from York, Senator Danton, that this bill, L. D. 29, and all its accompanying papers be indefinitely postponed. A roll call has been requested. In order for the Chair to order a roll call, it must be the expressed desire of more than one-fifth of the Senators present and voting. Will all those in favor of a roll call please rise in their places until counted.

Obviously more than one-fifth having arisen, a roll call is ordered. The pending question before the Senate is the motion of the Senator from York, Senator Danton, that L. D. 29 and all its accompanying papers be indefinitely postponed.

The Secretary will call the roll.

ROLL CALL

YEAS: Senators Berry E.; Carboneau, Conley, Cyr, Danton, Gahagan, Graffam, Greeley, Jackson, Johnston, Marcotte, McNally, Reeves, Thomas, Wyman.

NAYS: Senators Berry, R.; Cianchette, Clifford, Collins, Corson, Cummings, Curtis, Graham, Huber, Merrill, Pray, Roberts, Speers, Trotzky, Sewall.

ABSENT: Senators Hichens, Katz, O'Leary.

A roll call was had. 15 Senators having voted in the affirmative, and 15 Senators having voted in the negative, with three Senators being absent, the motion did not prevail.

Thereupon, the Majority Ought to Pass in New Draft Report of the Committee was Accepted in concurrence and the Bill in New Draft Read Once. House Amendment "A" was Read and Adopted in concurrence and the Bill, as Amended, Tomorrow Assigned for Second Reading.

Senate

Ought to Pass — As Amended

Mr. Berry for the Committee on Marine Resources on, Bill, "An Act to Provide for Marine Resource Education by the Department of Marine Resources." (S. P. 222) (L. D. 735)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-31).

Mr. Berry for the Committee on Marine Resources on, Bill, "An Act Relating to the Labeling of Shrimp." (S. P. 195) (L. D. 645)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-32).

Which reports were Read and Accepted and the Bills Read Once. Committee Amendments "A" were Read and Adopted and the Bills, as Amended, Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Public Utilities on, Bill, "An Act Creating the Newport Water District." (S. P. 194) (L. D. 661)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-34).

Signed:

Sensors:

CUMMINGS of Penobscot
GREELEY of Waldo
CYR of Aroostook

Representatives:

TARR of Bridgton
NADEAU of Sanford
KELLEHER of Bangor
LITTLEFIELD of Hermon
SAUNDERS of Bethel

LUNT of Presque Isle
BERRY of Buxton
GRAY of Rockland
SPENCER of Standish

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Representative:

LEONARD of Woolwich

Which reports were Read, the Majority Ought to Pass as Amended Report of the Committee Accepted and the Bill Read Once. Committee Amendment "A" was Read and Adopted and the Bill, as Amended, Tomorrow Assigned for Second Reading.

Second Readers

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

House

Bill, "An Act Relating to the Provision of Aftercare Services to Entrusted Juveniles." (H. P. 376) (L. D. 475)

Bill, "An Act Relating to Benefits to Convicts upon Discharge." (H. P. 308) (L. D. 371)

Bill, "An Act Relating to Required Information on Packages under the Weights and Measures Law." (H. P. 488) (L. D. 607)

Bill, "An Act Authorizing Additional Indebtedness for School Administrative District No. 15." (H. P. 601) (L. D. 744)

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

House — As Amended

Bill, "An Act to Allow the Use of Initial Type Plates on Pickup Trucks." (H. P. 62) (L. D. 74)

Bill, "An Act to Provide for the Receipt and Custody of Prisoners of the United States." (H. P. 150) (L. D. 169)

Bill, "An Act to Authorize the Director of the Bureau of Parks and Recreation to Prohibit the Use of Canoes with Motors on Part of the Allagash Wilderness." (H. P. 387) (L. D. 587)

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

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

An Act Relating to Possession of Intoxicating Liquor by Persons under 18 Years of Age in On-sale Premises. (S. P. 181) (L. D. 582)

(On motion by Mr. Speers of Kennebec, tabled and Specially Assigned for March 26, 1975, pending Enactment.)

An Act Relating to the Sale of Vinous Liquors in Original Containers. (S. P. 183) (L. D. 584)

An Act Designating the Bureau of Taxation as the State Revenue Bureau and to Correct Errors and Inconsistencies in the Property Tax Laws. (H. P. 110) (L. D. 156)

(On motion by Mrs. Cummings of Penobscot, tabled and Tomorrow Assigned, pending Enactment.)

An Act to Protect Physicians. Engaged in Peer Review. (H. P. 174) (L. D. 204)

An Act Relating to the Use of Leg Hold Traps under the Inland Fish and Game Law. (H. P. 400) (L. D. 489)

An Act Relating to Use of Studded Tires on Motor Vehicles. (H. P. 433) (L. D. 544)

An Act to Require Industrial Accident Insurers to Maintain Agents within the State of Maine. (H. P. 456) (L. D. 590)

An Act Relating to Change in Location or Status Concerning Vehicle Registrations. (H. P. 459) (L. D. 562)

An Act Authorizing the Bureau of Forestry to Provide Funds to the Penobscot and Passamaquoddy Tribes to Procure Shade Trees. (H. P. 526) (L. D. 643)

An Act Relating to Nepotism in State Hiring and Promotional Practices. (H. P. 615) (L. D. 728)

An Act to Prohibit the Unlawful Piracy and Resale of Recorded Musical Performances. (S. P. 269) (L. D. 855)

Which, except for the tabled matters, were Passed to be Enacted and, having been signed by the President, were by the Secretary presented to the Governor for his approval.

Emergencies

An Act to Provide for Renewal of Notary Public and Justice of the Peace Commissions. (S. P. 116) (L. D. 381)

An Act to Amend the Charter of the Freeport Sewer District. (H. P. 441) (L. D. 515)

These being emergency measures and having received the affirmative votes of 29 members of the Senate, were Passed to be Enacted, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

Emergency

An Act to Create a Law Enforcement Education Section within the Criminal Division of the Department of the Attorney General. (S. P. 141) (L. D. 444)

(On motion by Mr. Huber of Cumberland, placed on the Special Appropriations Table.)

Orders of the Day

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

Bill, "An Act Relating to Interest on Awards in Workmen's Compensation Cases." (H. P. 487) (L. D. 606)

Tabled — March 18, 1975 by Senator Speers of Kennebec.

Pending — Passage to be Engrossed. (In the House — Passed to be Engrossed as amended by Committee Amendment "A" (H-64).

On motion by Mr. Roberts of York, retabled and Specially Assigned for March 24, 1975, pending Passage to be Engrossed.

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

Bill, "An Act to Clarify the Laws of the Passamaquoddy Tribe of Indians." (H. P. 279) (L. D. 331)

Tabled — March 18, 1975 by Senator Speers of Kennebec.

Pending — Enactment. Which was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

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

House Report — from the Committee on Transportation — Bill "An Act Relating to the Use of Colored Lights on Certain Fire and Emergency Vehicles." (H. P. 411) (L. D. 499) Ought to Pass.

Tabled — March 18, 1975 by Senator Speers of Kennebec.

Pending — Acceptance of Report.

(In the House — Passed to be Engrossed as amended by House Amendment "A" (H-63).)

On motion by Mr. Speers of Kennebec, retabled and Specially Assigned for March 26, 1975 pending Acceptance of the Committee Report.

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

Joint Resolution to Request State Agencies Not to Use the Abbreviation of the State's Name in Advertising or Other Promotional Activities. (H. P. 925)

Tabled — March 19, 1975 by Senator Clifford of Androscoggin.

Pending — Motion of Senator Conley of Cumberland to Indefinitely Postpone.

(In the House — Read and Adopted.)

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

Mr. DANTON: Mr. President and Members of the Senate: As I said yesterday I would, I inquired with the two departments that used this form of advertising to get an idea as to what they had for commitments in contracts.

In the Department of Commerce and Industry, they have somewhere around \$26,000 that will be running out between now and Labor Day, and the Maine Lottery has about \$10,000 in tickets that they will be using up between now and the first part of summer.

I am not opposed to a resolution, but I would hope that the sponsor of this resolution perhaps would introduce another one. We should kill this one, have him introduce another one, and put in a specific time like Labor Day or thereafter.

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

Mr. CURTIS: Mr. President and Members of the Senate: I am not the sponsor of this resolution but I would like to mention that the resolution is phrased in terms of a request to the state. And the resolve portion of the resolution reads, "Resolved, that we, the members of the 107th Legislature in regular session assembled, do respectfully urge and request that no state agency, board, commission, department, or institution use the abbreviation of the name 'Maine' in any advertising or other promotional activity."

It seems to me that we have debated this particular item sufficiently and I don't think it necessary that we go to the expense of introducing another resolution. It certainly was the intent of the folks who, like myself, debated the bill itself that the existing advertising which has been printed — unwisely perhaps, we might think — but at any rate, it has been printed and the money has been spent for it, that it ought to be used, just like the departments obviously intend to. When that has been used and the lottery tickets distributed, and the other items used up, then it is clearly the intent of the Legislature that we urge and request that the state departments not abbreviate the state name anymore, but use a certain amount of dignity in the use of the name "Maine".

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

Mr. DANTON: Mr. President and Members of the Senate: I can agree with the Senator from Penobscot, Senator Curtis. The one thing we have to take into consideration is that we have new department heads in these two departments and, while we may

understand exactly what this order does, I am not all that sure that they do, and I would hate to see them take and grind up a total of close to 50 or 60 thousand dollars worth of advertising in contracts that we have.

I don't think this order is necessary. They are getting out of using "Me." anyway, so we might as well kill the order. They are going to get out of using "Me.", and that will be the end of it.

The PRESIDENT: Is the Senate ready for the question? The pending motion before the Senate is the motion of the Senator from Cumberland, Senator Conley, that this joint resolution be indefinitely postponed. The Chair will order a division. Will all those in favor of the motion of the Senator from Cumberland, Senator Conley, for indefinite postponement please rise in their places until counted. All those opposed to the pending motion will please rise.

A division was had, 18 having voted in the affirmative, and 10 having voted in the negative, the Joint Resolution was Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

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

House Report — from the Committee on Taxation — Bill, "An Act to Impose a Sales Tax on Rental Fee for Cable T.V." (H. P. 126) (L. D. 159) Ought to Pass.

Tabled — March 19, 1975 by Senator Speers of Kennebec.

Pending — Acceptance of Report.

(In the House — Bill and Accompanying papers Indefinitely Postponed.)

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

Mr. CLIFFORD: Mr. President and Members of the Senate: This bill provides for a new tax, and I think that the last thing the public wants at this time is a tax increase, especially in an area of a tax which is regressive, the sales tax.

It is a discriminatory tax because a very few people will be paying for the benefit of many. It is a tax on the rental fees for cable television. The estimates are that 14 percent of the citizens of households have cable television, and by its very nature cable television is limited in the number of people it serves, and always will be limited. And the people who use cable television are, for the most part, the people who can least afford a tax increase, the poor and especially the elderly poor. For them it is the prime source of entertainment. Television, as far as their lives are concerned, is not a luxury but a necessity, for them to be informed. It is inexpensive entertainment for them and it is educational for them and for their children.

In some areas of the state, in fact in a substantial part of the state, cable television is essential for any worthwhile reception of television. I think this is the wrong time for this legislature to be imposing a new tax on a limited number of people, and especially on people, for the most part, who can least afford that tax.

So, Mr. President, I would move that this bill and all accompanying papers be postponed indefinitely in concurrence with the other body.

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

Mr. SPEERS: Mr. President and Members of the Senate: We are talking about a basic responsibility and we know that we are faced, particularly this year, with very few revenues with which to serve the people of the State of Maine. We have a budget which we are looking at at the present time to see whether or not that budget serves the people of the State of Maine, or serves the needs of the people, with the revenues that we now have. We have a lot of bills that are floating around these legislative halls that would provide other services for the people of the State of Maine, and very few of them take into consideration where the money is going to come from in order to provide those services. And I think it is irresponsible for the legislature to be talking about providing numerous services without also taking into account where the money is going to come from and in passing the necessary taxes that are going to have to provide the money.

The good Senator from Androscoggin, Senator Clifford, has mentioned that this would be a tax which would strike particularly at the elderly and the poor, but he cites no survey or no figures that would indicate that this is the portion of society on which this tax would fall most heavily. He mentioned that those areas which use cable television are those areas where there is poor reception but, in fact, most of the areas where there is cable TV are in the most populous areas of the state, those areas that do get television reception from the Portland or Bangor areas. So we are not denying a source of entertainment, we are not denying television altogether; we are simply looking to a luxury of cable television and saying that this is a source of revenue.

Mr. President and Members of the Senate, this is a bill that would provide for the State of Maine \$175,000 per year. Now, there are a lot of bills that are floating around here, and those of you who have been around here before know what the day of reckoning is like at the end of the session when the Appropriations Table starts to be cleared, and there are any number of bills that go down the drain that provide for \$20,000, \$30,000 or \$40,000, for very worthwhile projects; projects like cystic fibrosis, or projects like cerebral palsy, even projects that provide for helping communities in keeping their economic activities very viable. So when we talk about \$175,000, while it may not seem like a great amount in comparison to the entire budget which numbers in the millions, nevertheless, there are any number of small bills that are in the legislative session this year, very worthwhile projects where money is needed to keep these projects just afloat. And we are talking about ignoring an opportunity to bring in \$175,000 per year to the State of Maine.

Now, why is this tax so objectionable? We have a sales tax on electricity that is provided for lighting our homes, but we suggest not to have one on cable television. We have a tax on fuel which provides heat for our homes, but we think it is too much to ask for one for cable TV? We have a tax on the use of our telephones. We even have a tax on food and on the clothing that we wear. I don't think it is too much to ask for a tax for the privilege of using cable television, for that luxury, and I would strenuously oppose the motion of the good Senator from Androscoggin.

The PRESIDENT: The Chair recognizes

the Senator from Androscoggin, Senator Berry.

Mr. BERRY: Mr. President and Members of the Senate: I agree with the good Senator from Androscoggin, Senator Clifford, and at points with my good friend from Kennebec, Senator Speers. But I think some of the things he has mentioned as far as taxes being imposed upon the people, such as for heat, clothing, food, and other items he has mentioned, are imposed on a majority of the people in the State of Maine. Cable television is not imposed upon people. It is not a necessity, I agree. But in some instances, such as educational television, I think it is beyond a privilege. I think it is something that children need.

I think the Senator from Androscoggin is correct when he says that cable television is located in areas where people can least afford the luxury. It is the one form of entertainment these people do have.

In citing my own instance, in my district, cable television is located in the highly populated area downtown in the City of Auburn. We are surrounded by hills, it is very bad reception, and people cannot receive a good signal without cable television. This downtown area is very low income. The people who don't need cable television are located on the outlying areas.

I also think that the Senator from Kennebec is correct when he says no actual statistics have been provided. I would like the opportunity to provide some of these statistics, and I would hope that somebody would table this.

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

Mr. CONLEY: Mr. President and Members of the Senate: I agree with what the good Senator from Kennebec, Senator Speers, has stated, that we are in need for money this year. The good Governor, in fact, has stated that the present budget is a balanced budget. We know it is not. He has said it is a keep the store open budget, and we know it is not. In fact, we could probably more label it as a going out of business budget more than anything else.

We are aware of the fact that there are the many needed services that the good Senator from Kennebec, Senator Speers, related too, but this tax, or proposed tax before us, is like asking for a box car to carry a peanut in.

\$175,000 dollars is a lot of money for one or two programs, but this one is aimed directly at very few sections of the state, because even the large metropolitan area of the state in southern Maine, Portland, South Portland, Cape Elizabeth, and so forth, do not have cable television. It is aimed directly at people like in Oxford County who have to have cable television to depend on any programs or relaxation or enjoyment because of the poor reception.

I would hope that the members of the Senate would go along and concur with the other body and defeat this bill. And when the time comes, I think that we are going to have to face up to our responsibilities and take a good careful look and start thinking about what kind of revenues we have to raise to meet our obligations.

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

Mr. Carbonneau of Androscoggin then moved that the Bill be tabled and Tomorrow Assigned, pending the motion of Mr. Clifford of Androscoggin to Indefinitely Postpone the Bill.

On motion by Mr. Speers of Kennebec, a division was had. Eight having voted in the affirmative, and 21 having voted in the negative, the motion did not prevail.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Cyr.

Mr. CYR: Mr. President and Members of the Senate: One of the cardinal rules in taxation is that it has to be equitable and uniform. Now, the reason I am opposed to this tax is for that same cardinal rule. It is not uniform and it is not equitable. Only one segment, one segment of the population, of the public, would be paying for it, the segment that cannot get television with an outside aerial. It would be only the segment that has to have cable television to do it. And for that reason, I will support the motion to indefinitely postpone.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Johnston.

Mr. JOHNSTON: Mr. President and Members of the Senate: I share with the good Senator from Kennebec his concern about the funds in the State of Maine, and I thank him for the dissertation relating to that. However, there are approximately 45,000 users of cable television in Maine. There are approximately 100,000 people in Aroostook County. Now, I am not suggesting that all 45,000 of those people are from Aroostook County, but I am certainly suggesting that it is not fair that somebody in Fort Fairfield, Maine should pay a tax on a service that somebody in Bangor, Maine can get for nothing. This is a highly discriminatory tax, and I urge that we indefinitely postpone the measure in concurrence.

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

Mr. REEVES: Mr. President and Members of the Senate: In District 20 there is no cable television, and I don't feel that I could support this tax measure unless cable television did come to District 20, and then I might consider it. However, I would like to disagree with the Senator from Androscoggin, Senator Clifford, that the public does not want any taxes and that we shouldn't vote for taxes.

I, for one, would vote for taxes when it is shown that they are fair taxes and that they are needed, but I think this does not fit into that category. But I do share the concern of the Senator Speers in looking ahead to the days of the Appropriations Table and how to fund these measures. On one in particular, to help the fishermen along the coast for gear damage by foreign fishing vessels, 50,000 dollars, this would go towards that, but I don't think they would want to see the people taxed in some other part of the state just to see this bill go through. I think they would insist on a fair tax.

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

Mr. SPEERS: Mr. President and Members of the Senate: I would disagree with the suggestions that have been made that at some point in the future would be time to face this veery critical question. The bill is before us now, and it provides 175,000 dollars per year. Therefore, the time to face that question is now.

I would object to the comment that this bill is not a uniform tax; it is a uniform tax. It would be taxing the use of cable television reception, and that is as uniform as taxing the use of telephone wires or taxing the use of electricity, or any other commodity that is taxed by the sales tax of

the State of Maine. It is a tax that is levied against those who of their own free will and choice choose to use that particular commodity.

We have heard how necessary it is for some people in the State of Maine to have cable television in order to get any kind of reception, but we have had no figures and no survey done on the 45,000 users of cable television to find out whether or not they can receive free reception, as do most of the people in the State of Maine. I would submit that most of the users of cable television can receive reception from other stations, and that the use of cable reception is simply a luxury. They don't have to go to cable reception in order to get any kind of reception. There may be some, one or two, or it may be even more than that, that do, but by far the vast majority of the users are able to get reception from the other areas of the state.

I would simply like to point out again that this is 175,000 dollars that will come into the coffers of the state for a luxury, the use of cable television.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Johnston.

Mr. JOHNSTON: Mr. President and Members of the Senate: In a seldom witnessed slip of the tongue, I think the good and able Senator from Kennebec made a good point. If we want to raise money for the State of Maine, and we need money, let's tax all television sets. Let's put a unit tax on all television sets.

With relation to his statement that we can receive television and receive it acceptably in some areas in Maine, I would extend an invitation to the Senator from Kennebec and all members of this body to my home, where I don't have a cable, in Northern Aroostook County, and let you judge for yourselves the quality of that reception.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Cyr.

Mr. CYR: Mr. President and Members of the Senate: I think that we are on the same beam, the two Senators from Aroostook, and I still disagree with the Senator from Kennebec, Senator Speers, in that this is an equitable tax and a uniform tax. He cites as an example the telephone tax and the electricity tax. Now, I think there are very few homes in the State of Maine that wouldn't have electricity, so that is uniform. And the same applies for the telephones. If you can show me where you can put an outside aerial for a telephone, then possibly I would go for this tax. But as long as you have a segment of the television industry that can get television with an outside aerial, and you have another segment where it is a necessity in order to get television to have cable, but now you are going to tax that segment, I certainly disagree with him wholeheartedly that it is equitable and that it is uniform.

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

Mr. CLIFFORD: Mr. President, I would request that when the vote is taken it be by a roll call.

The PRESIDENT: A roll call has been requested. The Chair recognizes the Senator from Penobscot, Senator Curtis.

Mr. CURTIS: Mr. President and Members of the Senate: This is a particularly difficult issue for me to decide because I am in one of those districts that has hundreds and hundreds of subscribers to cable television. And frankly, I wish we didn't have any taxes at all.

Since we have to have taxes of some type, my own personal preference is for an increase in the income tax. We all know that Senators are prohibited by the Maine Constitution from introducing taxation measures, therefore, we have to consider and dispose of what comes before us. Here we see an item that is going to tax across the board everybody who uses this particular service. It will affect some of my constituents who utilize cable television and it will not affect some others. It means a substantial amount of money to the state, and I think it is about time we started biting the bullets around here and providing that income.

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

Mr. MERRILL: Mr. President and Members of the Senate: Without speaking as an advocate on this issue, I would just like to address one point that has been raised as a question several times. There has been a great deal of discussion about who actually ends up getting cable television, and when this was before the committee I sought to get that information from the people who were in the business of selling it, in the business who would know who their customers are. After long and protracted questioning that went on after the hearing, it seems to me the best person you can sell a cable to is a person who obviously is in an area where he can't get reception, and that constitutes quite a bit of the number of people who do get cable television, assuming that everybody in the area can watch a couple of television stations.

Then what I found out from talking to people in the business of selling cable is that there are two primary groups that are best to sell to. One of those is the poor, and particularly the elderly poor, who have no other opportunities for entertainment. They are the people to whom it is very easy for a salesman to sell this cable television because it provides them with something they couldn't otherwise afford. The other group are the very rich, who are willing to pay the price of cable television possibly just so they can watch one symphony a month that they are particularly interested in. Those are the groups that are most likely to buy this cable television, and those are the groups within each of the communities that have cable that will be taxed by this bill.

I must say that the bill received a very favorable report out of committee, and I think the reason for that is that those of us on the committee wanted to start providing for this body and the other body a chance to look at some various tax proposals and make some decisions now about what we are going to do about the problems which the Majority Leader has addressed that we all know we are going to have to face sooner or later.

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

Mr. REEVES: Mr. President and Members of the Senate: Just one last question. I would like to ask through the Chair why cable television has not been taxed in the past? Why wasn't this tax imposed as it was on other such services?

The PRESIDENT: The Senator from Kennebec, Senator Reeves, has posed a question through the Chair which any Senator may answer if he so desires.

The Chair recognizes the Senator from Aroostook, Senator Cyr.

Mr. CYR: Mr. President and Members

of the Senate: I served on the PUC and on the committee that heard testimony in regard to that special report that we wrote during the last session on cable television. And not possibly saying directly to you that I know the answer, but all the testimony that we received during the hearings that we have held over the State of Maine is that cable television, CATV, is not financially in a healthy state, and if you add a sales tax to it, in many cases it is going to be the last slap that they need to fold up. So I would possibly suspect that probably the reason why it wasn't taxed before is that the industry is in its infancy and is struggling financially to even survive.

The PRESIDENT: Is the Senate ready for the question? The pending motion before the Senate is the motion by the Senator from Androscoggin, Senator Clifford, that Bill, "An Act to Impose a Sales Tax on Rental Fee for Cable T.V.", be indefinitely postponed.

A roll call has been requested. In order for the Chair to order a roll call, under the Constitution it requires the affirmative vote of at least one-fifth of those Senators 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 pending motion before the Senate is the motion of the Senator from Androscoggin, Senator Clifford, that this bill and all its accompanying papers be indefinitely postponed. A "Yes" vote will be in favor of indefinite postponement; a "No" vote will be opposed.

The Secretary will call the roll.

ROLL CALL

YEAS: Senator Berry E.; Berry R.; Carbonneau, Cianchette, Clifford, Conley, Corson, Cummings, Cyr, Danton, Gahagan, Graffam, Graham, Jackson, Johnston, Marcotte, Pray, Reeves, Roberts, Thomas.

NAYS: Senators Collins, Curtis, Greeley, Huber, McNally, Merrill, Speers, Trotzky, Wyman.

ABSENT: Senators Hichens, Katz, O'Leary.

A roll call was had. 20 Senators having voted in the affirmative, and nine Senators having voted in the negative, with three Senators being absent, the Bill was Indefinitely Postponed in concurrence.

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

House Reports — from the Committee on Fisheries and Wildlife — Bill, "An Act Relating to Hunting Pheasants." (H. P. 346) (L. D. 430) Majority Report — Ought to Pass; Minority Report — Ought Not to Pass.

Tabled — March 19, 1975 by Senator Conley of Cumberland.

Pending — Motion of Senator McNally of Hancock to Accept the Majority Report.

(In the House — Bill and accompanying papers Indefinitely Postponed.)

On motion by Mr. Marcotte of York, retabled and Tomorrow Assigned, pending the motion of Mr. McNally of Hancock to Accept the Majority Ought to Pass Report of the Committee.

(Off Record Remarks)

On motion by Mrs. Cummings of Penobscot,

Adjourned until 12 o'clock tomorrow noon.