

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eighth  
Legislature***

OF THE

STATE OF MAINE

**1978**

**Second Regular Session**

January 4, 1978 — April 6, 1978

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**Senate Confirmation Session**

June 14, 1978

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September 6, 1978 — September 15, 1978

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APPENDIX

## SENATE

January 26, 1978

Senate called to Order by the President.

Prayer by Reverend Glendon Gammon, First Baptist Church, South Berwick, Maine.

Reverend GAMMON: O Gracious and eternal Father. We thank You for what this day will hold for all of us. We thank you Lord for the privileges of Life, for health and many of the blessings that we often take for granted. We thank you Lord for our Nation, for our Country, for our State and the results of responsible government. We pray Lord that you will be present to help, to guide, to direct, those who are involved directly with the process of government here today. So on their behalf O Father we ask for your help. Help us all to be conscious of the will of others, but always conscious of the will of God, praising you for goodness and mercy; but asking your guidance and thanking you for it. We pray in your wonderful name.

Amen

Reading of the Journal of yesterday.

**Committee on Liquor Control**

The Honorable Joseph Sewall  
President of the Senate  
State House  
Augusta, Maine 04330  
Dear President Sewall:

The Committee on Liquor Control is pleased to report that it has completed all business placed before it by the second regular session of the 108th Legislature.

Total Bills Received	1
Divided Reports	1

Signed:

Respectfully,  
RALPH M. LOVELL  
Senate Chairman

Which was Read and Ordered Placed on File.

**Committee Reports****Senate****Leave to Withdraw**

Mr. Greeley for the Committee on Transportation on, Bill, "An Act to Repeal Certain Laws Relating to the Registration of Commercial Vehicles Engaged in Interstate Commerce." (S. P. 629) (L. D. 1961)

Reported that the same be granted Leave to Withdraw.

Which Report Was Read and Accepted  
Sent down for concurrence

**Ought to Pass**

Mr. Redmond for the Committee on Fisheries and Wildlife on, Bill "An Act to Clarify the Definition of Residence for Purposes of the Inland Fisheries and Wildlife Laws." (Emergency) (S. P. 620) L. D. 1908)

Reported that the same Ought to Pass.

Which Report was Read and Accepted and the Bill Read Once and Tomorrow Assigned for Second Reading.

**Ought to Pass — As Amended**

Mr. Jackson for the Committee on Agriculture on, Bill, "An Act to Enable the Purchase and Administering of Barbituates for the Euthanasia of Pets and Animals." (S. P. 617) (L. D. 1905).

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-445).

Mr. Hewes for the Committee on Legal Affairs on, Bill, "An Act to Amend the Crime of Assault on a Law Enforcement Officer." (S. P. 661) (L. D. 2032).

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-444).

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.

**Orders of the Day**

The President laid before the Senate:

Bill, "An Act Relating to the Taxation of Certain Property Owned and Operated by Telephone or Telegraph Companies". (H. P. 1878) (L. D. 1932).

Tabled — January 24, 1978 by Senator Speers of Kennebec.

Pending — Consideration.

On Motion of Mr. Speers of Kennebec, the Senate voted to Insist.

The President laid before the Senate:

RESOLVE, to Amend the Apportionment of Multimember Districts of the House of Representatives into Single Member Districts. (H. P. 1906) (L. D. 1967).

Tabled — January 25, 1978 by Senator Speers of Kennebec.

Pending — Final Passage

On Motion of Mr. Collins of Aroostook, Retabled for One Legislative Day.

The President laid before the Senate:

House Report — from the Committee on State Government — Bill, "An Act to provide Flexibility in the Organizational Structure of the Department of Environmental Protection." (H. P. 1949) (L. D. 2028) Ought to Pass as Amended by Committee Amendment "A" (H-976).

Tabled — January 25, 1978 by Senator Speers of Kennebec.

Pending — Acceptance of Report

Which Report was Read and Accepted in concurrence. The Bill Read Once. Committee Amendment "A" Read and Adopted. The Bill, as amended, Tomorrow assigned for Second Reading.

Senator Hichens of York was granted unanimous consent to address the Senate on the record.

**"MINNETTE"**

I write these lines this morning for our lovely Minnette who reminded me that this will be the last verse she will get because she does not plan to run for her Senate seat this year, and she will leave a void that we will feel greatly here. (That is, of course, if we come back — it is the voter's choice — and in this Senate Chamber all have a vote and voice). For she has made her presence felt while she's been with us here, and lovely to look at — when days have been dark and drear. As Senate Chairman on committees she has duly served. She's acted so responsible — and she has well deserved the recognition she has got from friend and foe alike, regarding P.U.C. ideas — and the projected hike in rates and services that people in our state have had to face. And with Natural Resources — she's done well in her place. She's been a viable threat to me where poetry is concerned. And by her illustratious efforts — a lesson I have learned; to never rest on laurels that may have brought you fame, for someone's sure to come along to make themselves a name and make you second best or even lower in rank; but these have not been Minnette's thoughts — and I'll be very frank in stating I've enjoyed her verse — and sentiments expressed, and wish in her future attempts — the very, very best.

And on this 26th of January '78, which according to the records given me is the right date. Minnette observes a birthday — and I wouldn't dare to tell how old she is today, but I'd ask you to compare her with those who sit beside her — and I'm sure you will agree how young and beautiful she is — so I hope you'll join with me and wish God's blessings for the one whom we all hold most dear and wish her Senate greetings for the very best this year!

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

Mr. HICHENS: Mr. President, I would also

add to that, that for the next 31 days she and I are the same age.

Out of order and under suspension of the rules. The Senate voted to consider the following:

**Papers from the House****Study Report -Energy**

The Committee on Energy to which was referred the study relative to the State of Maine Energy Policy Statement have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill, "An Act to require the Licensing of Insulation Installers", (H. P. 1941) (L. D. 2105) to be referred to this Committee for public hearing and printed pursuant to Joint Rule 17.

Comes from the House, the Report Read and Accepted and the Bill referred to the Committee on Energy.

Which Report was Read and Accepted and the Bill referred to the Committee on Energy and Ordered Printed in concurrence.

**Papers from the House****Study Report - Transportation**

The Committee on Transportation to which was referred the study relative to the transportation problems and needs of and the alternatives to the present transportation system between the Casco Bay Islands and between the Casco Bay Islands and the Portland City mainland, have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill, "An Act to Provide Residents of the Islands in Casco Bay with Additional Transportation Service" (H. P. 2042) (L. D. 2107) to be referred to this Committee for public hearing and printed pursuant to Joint Rule 17.

Comes from the House, the Report Read and Accepted and the Bill referred to the Committee on Transportation. Which Report was Read.

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

Mr. MINKOWSKY: Mr. President and Members of the Senate: I just want to reiterate to the Members of the Senate that the Transportation Committee had this Bill during a regular session. At that particular public hearing we spent approximately four hours and a half in debating the transportation needs of the Island in Casco Bay. They never reached a firm conclusion, although much of the testimony of the Committee received during that particular segment of time indicated that the level of service was very very adequate and there would be no necessity to pursue this particular area any further.

A study order was introduced, which a subcommittee was appointed by the Senate Chairman, Senator Greeley, to go down to the Portland Area and to weigh and to analyze and to discuss this matter with the people of Casco Bay. A subcommittee is three people. Mainly; myself, Representative Jacques and Representative Hutchings from the House, were named to that particular committee.

To refresh to the Members of the Senate what this controversy is all about, I am going to read a statement of fact first and then give you an analogy of our participation during this five hours that we spent during the subcommittee hearing and our findings.

The residents of the Island of Casco Bay, wish to have more transportation service between the island and the main land. At the present time residents of the islands of Casco Bay are restricted to transportation as provided by the Casco Bay Lines. Some of the residents have indicated that the level of service is not sufficient. Sufficiently convenient for the residents. This Bill will allow residents of Casco Bay Islands to use vessels capable of transporting six or less passengers between the Islands and the main land for compensation. That is

the key crux of the particular matter. To transport these people when the Casco Bay Lines are not running, for compensation. The vessels are restricted to operating during the hours the Casco Bay Lines is not operating. The vessels are prohibited from operating within a thirty minute period from the departure of the Casco Bay Lines vessels.

During our subcommittee hearing we had two members from the Maine Public Utility Commission there, and very few people, I think that there was about four people at the Committee Hearing from Casco Bay or from the Islands and none of the Representatives or people interested in that particular situation. The only person that came in was one of the Representatives from Portland a Representative Connolly about 3:30 when most of the meeting was completed. But insofar as the other Representatives of the Portland delegation, no one showed up. The question arose that particular segment time, "Was there adequate notification?" The answer was definitely yes. We had advertised the public hearing and our Legislative Aid had sent a note to each one of the members of the Portland delegation indicating the date and the time that hearing would be held and also the House put out a bulletin showing all the different hearings being held and that also was indicated on that particular bulletin. So insofar as the argument has been used that they did not have adequate notification, I beg to disagree with them.

The subcommittee was asked to address five different areas and we addressed them in this particular manner. And I would like to read for the record the findings, the recommendations of the Committee on Transportation.

Mr. Chairman I've got the wrong report unfortunately. Mr. President possibly if somebody might table this matter for a few moments until I can get the subcommittee report I could continue with this particular part of the debate.

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

Mr. CONLEY: Mr. President and Members of the Senate: I see no need to table this item because I will give the good Senator from Androscoggin, Senator Minkowsky ample opportunity to search for his report. I hope that it does not take as long as it does the Casco Bay Line to get some people off the islands on occasions though.

This is a very serious problem confronted with islanders who pay taxes to the City of Portland. It has been said that there are as many islands in Casco Bay as there are number of days in the year. And I am not absolutely sure of that but we often refer to the three hundred and sixty-five islands off the mainland of Portland.

I would only say that I would hope that the Senate would recede and concur with the House this morning and refer this study and the accompanying Bill to the Committee on Transportation for perhaps two good reasons. One is that it is true what the good Senator from Androscoggin stated, that a subcommittee hearing was held at the Public Safety Building in the City of Portland. I do not know what day it was and that the meeting was over approximately around 3:30 in the afternoon. But I can assure you that most members of the Portland delegation have to work for a living as many of the Islanders have to work for a living and found it almost impossible to be at that meeting at that particular time. What we are concerned about is that every year we come to the Legislature, we have Bills dealing, and its unfortunate that we have to say the Casco Bay Lines, but it is the only source of transportation to the Islanders with the sole exception of one individual who is granted a license to operate. The time when people cannot get off the Islands or get from the mainland down to the Islands but that is at a very heavy costs to the individual.

A few months ago, as a member of the City

Council, I was awakened around 11:30 at night to find that there were some thirty-five people stranded down at the Casco Bay Wharf hoping to get home that particular evening, but found that CBL had cancelled their schedule that evening because of the weather conditions confronting the local area at the time. I do not know what you do when you have families, you have children, you have members of your family awaiting your arrival down on the Islands, waiting for family members to return home, only to find that they cannot get off the mainland and get down to their homes, because of the weather element. That evening I took it upon myself to call the City Manager, John E. Menario at the time, related to him the very serious problem that came about, and he ordered the Portland Fire Boat to go to Casco Bay Wharf to take these thirty odd people on board and transport them down to the the Island that night. Only to find out the next morning after corporation council had reviewed what had been done the previous evening that had anything happened to the City Fire Boat that the City itself may have been in danger for a very severe liability suit had anything happened to those people.

I think that sooner or later the Islands off Portland are going to have to be picked up just as the Islands off Rockland are operated under the State. There is no way in the world that people are going to be able to afford the excessive costs, the increased rates, that are taking place today with Casco Bay Lines. I am not going to prolong this issue today, but all I ask is that you give the Islanders and the citizens of Portland the opportunity of coming before the Transportation Committee to present their side of the argument and to at least get the Bill before the Senate and the House to the opportunity to debate it rationally.

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

Mr. MINKOWSKY: Mr. President and Members of the Senate: I can assure the good Senator from Portland, Senator Conley, that adequate debate has materialized and I think that I can verify this when reading the conclusions and findings of the majority of the Committee of Transportation.

Another point that I think should be clarified is the subcommittee did meet at the Portland Public Safety Building from 1 p.m. until 5:15 not at 3:30 as indicated by the Senator, and I would say there was no more than nine people in attendance that particular hearing. The second point the Senator speaks about is the using the Portland Tugboat when John Menario maybe a year or two ago was the City Manager of Portland, but I would like to call the Senates attention, there was an article in the Portland Express on January 19th, 1978 from one of the critics apparently from Peaks Island off the Casco Bay Line service who has the following to say which is entirely different compared to the regular feelings express previously.

January 19, 1978

"They Were Snug As A Bug On A Tug"

One of the stormiest day, with the roughest winds and the highest tides of the winter, Jan. 9, 1978, Casco Bay Lines ran every one of its 16 trips to the bay islands with the exception of the 10 a.m. to Peaks when the tide was too far above the landing for safety.

It seems appropriate to point out that the courage, efficiency and concern of the human beings who run our boats did such a commendable job. They deserve a word of thanks.

All of the staff exercised caution in holding the ramps and assisting passengers. And none of them went home early as many mainlanders could do.

In a chronic bickering over transportation to the islands, which operates without public funds, it seems appropriate on some occasions to remember who provides our lifeline, so often with courage and beyond the call of duty.

Always a captain can refuse to run — but none of them did that memorable day.

Imperfections exist, and are to be dealt with reasonably and responsibly. But the kindness of well earned commendation should also be used at the appropriate time.

And oh, yes, to you mainlanders who commonly say, "Wasn't it cold coming up on the boat today? No. Our boats are heated. The trip is beautiful." That was signed by a Mrs. Bea Chapman of Peaks Island.

I think basically, that in itself gives you some of the feelings of some of the Islanders; that they are not all in total disagreement. But just to give you a caption of what the Transportation Committee did; not only during the subcommittee hearings but during the regular session we spent that four hours and a half on this particular Bill, the Committee came up with the following recommendations.

"The Findings and Recommendations of the Majority of the Committee on Transportation"

1. "Water transportation poses unique problems for a water transportation commuter service that does not permit the same level of service that a land transportation system can provide."

2. "Casco Bay Lines, as far as the Committee can determine, is not incurring exorbitant or unwarranted costs of operation for the conditions under which it must operate. Since Casco Bay Lines is regulated by the Public Utilities Commission, just and reasonable rates for the ferry service have been maintained. In addition, commission regulation has served to prevent any significant degree of mismanagement of the line."

And these were all questions that were posed to us by the Islanders.

3. "Casco Bay Lines provides service between the Casco Bay Islands and Portland City Mainland that exceeds the minimum level of service proposed by the PUC. In addition, water transportation service in Casco Bay exceeds the level of service offered in any other coastal-island section of Maine."

4. "The existence of one or several additional carriers, regulated or unregulated, in Casco Bay will have an adverse effect upon existing service and thereby jeopardize regular and timely water transportation service in Casco Bay. In general, additional carriers that provide service at any time (upon demand) will siphon users from a scheduled service. Furthermore, other carriers that provide service during hours when the scheduled service is not operating or when the scheduled service is in transit will also siphon users from the scheduled service."

5. "In order to effectively regulate several water transportation carriers, including private vessels operating upon demand, it is necessary to provide for the adequate enforcement of regulation. The cost of providing an acceptable level of enforcement would be determined by the number of vessels providing service, but licensing, inspections, and rate cases would most probably be very expensive."

6. "To regulate the operation of additional carriers in Casco Bay would not only jeopardize scheduled service, but would also jeopardize the public safety and welfare. Although vessels are inspected by the coast guard, the inspections are very limited. In addition, unregulated vessels would probably operate uninsured as a vessel for hire."

7. "The City of Portland is presently investigating several sites for the construction of a new city wharf, terminal, and parking facilities that will be made available to Casco Bay Lines. The new facilities, if constructed, will enable Casco Bay Lines to provide more efficient and higher level of service than presently exists."

8. "At the present time transportation between the Casco Bay Islands and the Portland City mainland is primarily the financial responsibility of the users of the service. In the

event that the transportation service is inadequate or user rates become unreasonable, the City of Portland has the primary responsibility to its island citizens to improve the existing service or share the cost of the service."

At this particular point Mr. President and members of the Senate, it was brought out by a member from one of the associations of Casco Bay that, Portland has an ordinance going back to 1921; and \$10,000 in 1921 is worth maybe a couple hundred thousand dollars today that, that money was set aside primarily to subsidize the existing water transportation service run under the free enterprise system. They have made inquiries along that line according to a spokesman from Casco Bay Lines, but never have received one single cent from the City of Portland to subsidize the service to passengers to the Casco Bay Islands.

"City assistance can be in the form of subsidies to Casco Bay Lines or in the form of public ownership and operation of the service. The City of Portland, along with several neighboring municipalities, operates a public bus system. City officials have not investigated the need or desirability of a municipal owned and operated ferry service in Casco Bay."

In other words, if they wanted to purchase Casco Bay Lines to include it under the Portland Transit District fine. But these are some of the things that the City of Portland should be investigating and not throwing this particular decision on the Legislature insofar as further transportation of Islanders by people who are not registered, licensed by the Coast Guard, or have adequate insurance to carry passengers.

Now the recommendations for the Committee are as follows:

1. "The proposal to permit operators of private vessels to carry 6 or less passengers for compensation in Casco Bay will be detrimental to existing service in Casco Bay. As a result, the proposal is rejected by the subcommittee."

2. "The proposal to enact enabling legislation to permit the residents of the Casco Bay Islands to purchase and operate Casco Bay," meaning the Portland Transit District, "is also rejected by the subcommittee. The residents of the islands have neither conducted an economic feasibility study of the proposal nor have they reached the decision to actively pursue an investigation of the proposal. Enabling legislation in this case should be enacted only at the time that there is a general consensus among the residents of the islands to acquire the operation, that the residents show evidence of the ability to purchase and manage the operation, and that a tentative schedule of service and rates has been developed."

Presently, none of these things have been done.

3. The residents of the Casco Bay Islands are presently responsible for financing service between the islands and the Portland mainland. Since a number of islands' residents, charge that the service of Casco Bay Lines can be improved and the firm's cost reduced, these charges along with the request for additional service should be presented to the Public Utilities Commission. First and foremost, the Commission, upon petition of the residents, could use its professional staff to conduct a financial analysis of the service and the economic feasibility of providing additional service.

4. The City of Portland has the primary responsibility to its island citizens to improve inadequate service or to share the cost of service that has become too great for the users. The City of Portland therefore, should investigate the level and cost of transportation between the Casco Bay Islands and the Portland mainland. If additional service is required or if the cost of service is unreasonable, it is the obligation of the city to insure its island citizens that adequate service is maintained at a reasonable cost.

The City of Portland via Private and Special Laws, 1885, Chapter 495 as amended by P&SL

1921, c. 154, is authorized to provide a maximum of \$10,000 to Casco Bay Lines to defray expenses of the service. The City of Portland rejected a request of the owner of Casco Bay Lines for a municipal subsidy to stabilize rates. In the opinion of the Subcommittee, the City of Portland should re-evaluate its policy concerning municipal subsidies to Casco Bay Lines which may require an increase in maximum appropriation permitted by law.

5. In the event that municipal subsidization of Casco Bay Lines is insufficient to provide adequate service at reasonable rates, the City of Portland should investigate the feasibility of purchasing and operating the ferry service as a municipal transit system. In addition, the City of Portland should investigate the availability of federal funds such as urban mass transit funds for the operation of a municipal ferry service.

6. If the City of Portland is unable or refuses to bear the burden of providing its island citizens with adequate service at reasonable rates, the State should investigate the feasibility of subsidizing the ferry service. At the present time, ferry service to coastal islands, except to islands in Casco Bay, is subsidized by the State at roughly 50% of total cost of operation.

7. The City of Portland is presently investigating the feasibility of constructing with federal and local funds new city wharf, terminal, and parking facilities which will be made available to Casco Bay Lines. Since this part of Portland's waterfront project is in the research phase, the Committee is unable to make any recommendations concerning ferry docking and service facilities.

Mr. President and Members of the Senate, I would bring these statistics to the Committee, the full Committee on Transportation that the subcommittee found at the present time, just to show you that we have done what I consider a yeoman's job in weighing, evaluating, analyzing and disseminating the Casco Bay dilemma as they sometimes refer to it as being. But to go through another hearing would basically be, I would say, an insult to the subcommittee who worked very diligently on this report as well as taking up a great deal of time of the Transportation Committee to do this thing all over. But I am going to stop at this point and I will let the decision lie in the hands of the Chairman of the Transportation Committee if he desires to pursue this thing without the public hearing.

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

Mr. MERRILL: What is the pending motion?

The PRESIDENT: The pending question before the Senate is the acceptance of the Committee Report, and referral of the Bill, Item 1-1 Supplemental Senate Journal Number 2.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I think the Senate would agree that we received a Report and I now move that the Bill be ordered printed and sent down for concurrence to the Committee on Transportation.

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

Mr. MINKOWSKY: Mr. President and Members of the Senate: I think basically what I have read to the Members of the Senate will save the Senate additional costs and expense and say that the Committee on Transportation going through this particular thing again on this special session. That was the basic reason why I gave you the complete full report, was to spare us any further grievances during this particular session, insofar as this particular matter is concerned. I am quite sure that these people, as they have done in the past, and was brought out clearly, if they cannot make it back to the Islands after 10:00 o'clock at night there is always friends on the Islands that are very glad to come over in their boats to pick them up. The only question is there is a water taxi

service to the Islands at the present time, of which is registered with the PUC but the cost is about \$20.00 per trip. And I am saying Mr. President, that they choose to live on the Islands which is brought out by the Committee. It is their prerogative to make necessary arrangements to get back on time. But Mr. President, also, I think I would ask for a division on the pending motion, this Bill be referred to the Committee on Transportation, and I would hope that you would vote against the pending motion to refer to the Committee on Transportation.

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

Mr. MERRILL: Mr. President, I request a Roll Call.

The PRESIDENT: A Roll Call has been requested.

The Chair recognizes the Senator from Cumberland, Senator Hewes.

Mr. HEWES: Mr. President and Members of the Senate: I cannot think that just because someone chooses to live in a certain area that we are supposed to disregard their welfare.

As I came through Portland by the Harbor this morning, you could not see a hundred yards out there. There are times when the service is not adequate. The fact that there was debate for four and a half hours shows that there is interest in this particular issue. I am a very strong free enterprise person, but I think that ultimately, there is going to have to be Government support or Government operation of a ferry service in Casco Bay just as there is in other parts of the state. I sincerely hope that you will vote to refer this matter to the Committee on Transportation.

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

Mr. HUBER: Mr. President, I move the previous question.

Mr. PRESIDENT. Is it the pleasure of the Senate that the previous question be put now? It is a vote.

In order for the Chair to order a Roll Call, it must be the expressed desire of one-fifth of those Senators present and voting.

Will all those Senators in favor of a Roll Call please rise in their places to be counted.

Obviously more than one-fifth having arisen, a Roll Call is ordered.

The pending question before the Senate, is the Acceptance of the Committee Report on the Committee of Transportation.

A yes vote will be in favor of accepting the Committee Report.

A nay vote will be opposed.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, is the question accepting the Report and ordering the Bill referred to the Committee on Transportation?

The PRESIDENT: The Senator is correct. The Chair was in error.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

#### ROLL CALL

YEAS — Carpenter, Chapman, Conley, Cummings, Danton, Farley, Greeley, Hewes, Hichens, Huber, Jackson, Katz, Levine, Lovell, Mangan, Martin, McNally, Merrill, O'Leary, Snowe, Speers, Trotzky, Usher.

NAYS — Collins, D.; Collins, S.; Minkowsky, Morrell, Pierce, Pray, Redmond, Wyman.

ABSENT — Curtis.

23 Senators having voted in the affirmative and 8 Senators in the negative, with 1 Senator being absent, the Motion to Accept the Committee Report and to refer the Bill to the Committee on Transportation does prevail.

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

#### Papers from the House House Paper

Bills requiring reference to Committee were

acted upon in concurrence.

(Off Record Remarks)

On Motion of Mr. Huber of Cumberland, Ad-  
journed until 12 noon, Friday, January 27, 1978.