

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Ninth  
Legislature***

OF THE

**STATE OF MAINE**

**Volume I**

**FIRST REGULAR SESSION**

**January 3, 1979 to May 4, 1979**

STATE OF MAINE  
One Hundred and Ninth Legislature  
JOURNAL OF THE SENATE

Wednesday January 10, 1979

Senate called to order by the President.

Prayer by Reverend George C. Bland, Jr., South Parish Congregational Church, in Augusta.

Reverend BLAND: Let us pray! O God, you have given it to us, who must create the community in new ways, to be not only communal, but solitary; to deal by craft without fear; to doubt at times in the midst of challenge, that there is possibility. Help us O God, to achieve between perfection and mediocrity; excellence between what is right and wrong, what is constructive. Between triumph and despair, what is possible as we seek in freedom, given to us by you, the direction; the consensus that we need. We sense your blessing in our midst. Amen.

Reading of the Journal of yesterday.

**Papers from the House**  
**Joint Orders**

Expressions of Legislative Sentiment recognizing that:

Jeffrey McBurnie, the son of Mr. and Ms. Gordon McBurnie of Wade, has been recognized for his outstanding academic record by being chosen Valedictorian of Washburn District High School for 1978, (H. P. 34) is sponsored by Rep. Peterson of Caribou co-sponsored by Rep. Matthews of Caribou and Senator McBreairty of Aroostook.

Jill Cyr, the daughter of Mr. and Mrs. Irvin Cyr of Caribou, has been recognized for her outstanding academic record by being chosen Salutatorian of Caribou High School for 1978, (H. P. 33) is sponsored by Rep. Peterson of Caribou co-sponsored by Rep. Matthews of Caribou and Senator McBreairty of Aroostook.

Elaine Young, the daughter of Mr. and Mrs. Herschel Young of Washburn, has been recognized for her outstanding academic record by being chosen Salutatorian of Washburn District High School for 1978, (H. P. 32) is sponsored by Rep. Peterson of Caribou co-sponsored by Rep. Matthews of Caribou and Senator McBreairty of Aroostook.

Sharon Larson, the daughter of Mr. and Mrs. Arthur Larson of New Sweden, has been recognized for her outstanding academic record by being chosen Valedictorian of Caribou High School for 1978, (H. P. 31) is sponsored by Rep. Peterson of Caribou co-sponsored by Reps. Matthews of Caribou, Nelson of New Sweden and Senator McBreairty of Aroostook.

The North Star Chapter of the Demolay of Caribou has won its second consecutive New England DeMolay basketball championship, (H. P. 35) is sponsored by Rep. Peterson of Caribou, co-sponsored by Reps. Matthews of Caribou, Nelson of New Sweden and Senator McBreairty of Aroostook.

Come from the House, Read and Passed.

Which were Read and Passed, in concurrence.

**Joint Order**

ORDERED, the Senate concurring, that the Joint Rules of the One Hundred and Eighth Legislature, as amended, be the Joint Rules of this Legislature, with the exception of the following:

Joint Rule 13 is repealed and the following enacted in its place:

13. **Joint Standing Committees. There shall be no more than 19 Joint Standing Committees which shall be appointed as follows at the commencement of the first regular session, viz:**

**On Aging, Retirement and Veterans**  
**On Agriculture**  
**On Appropriations and Financial Affairs**  
**On Audit and Program Review**

**On Business Legislation**  
**On Education**  
**On Election Laws**  
**On Energy and Natural Resources**  
**On Fisheries and Wildlife**  
**On Health and Institutional Services**  
**On Judiciary**  
**On Labor**  
**On Legal Affairs**  
**On Local and County Government**  
**On Marine Resources**  
**On Public Utilities**  
**On State Government**  
**On Taxation**  
**On Transportation**

**Membership.** Each of these committees shall consist of no more than three on the part of the Senate and not more than ten on the part of the House. The first named Senate member shall be the Senate chairman. The first named House member shall be the House chairman. The Senate chairman shall preside and in his absence, the House chairman shall preside and, thereafter, as the need may arise, the chairmanship shall alternate between the members from each House in the order of their appointment to the committee. These committees may report by bill or otherwise.

Further amend the Joint Rules by repealing Joint Rule 20 and inserting in its place the following:

20. **Ought not to pass reports.** Any bill or resolve, which bears an ought not to pass notation signed either by all or by all but one of the members of the committee to which it has been referred, shall upon notification of such action to both Houses be placed in the legislative files. No further action shall be taken following such disposition unless such bill or resolve is recalled for reconsideration by a vote of two-thirds of both Houses; and be it further

Ordered, that the Director of Legislative Research is authorized to provide a nonsubstantive recodification of the Joint Rules for official use and publication. (H. P. 12)

Come from the House, Passed as amended by House Amendments "A" (H-1) and "D" (H-4) thereto.

Which was Read, House Amendment "A" (H-1) was Read and Adopted, in concurrence. House Amendment "D" (H-4) was Read.

On motion by Senator Katz of Kennebec,

House Amendment "D" (H-4) was Indefinitely Postponed.

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: Mr. President, I present an amendment and move its adoption.

The PRESIDENT: The Senator from Waldo Senator Shute presents Senate Amendment "A" to H P-12 and moves its adoption.

Senate Amendment "A" (S-2) Read on motion by Senator Katz of Kennebec, tabled pending adoption.

**Senate Papers**

Senator Perkins of Hancock presented, Bill, "An Act to Permit Deer Hunting with Muzzle-loading Rifles" (S. P. 39)

Senator Hichens of York presented, Bill, "An Act Relating to Age Limit for Motor Vehicle Operator Licenses." (S. P. 40)

Senator Danton of York presented, Bill, "An Act to Prevent the Biological Parents of Adopted Children from Taking These Children After They Have been Adopted." (S. P. 41)

Senator Collins of Knox presented, Bill, "An Act to Provide for the Registration and Protection of Trademarks." (S. P. 43)

Senator McBreairty of Aroostook, Co-sponsors: Senators Usher of Cumberland, Martin of Aroostook and Redmond of Somerset presented, Bill, "An Act to Test an Open Season on Moose for a One-Year Period." (S. P. 42)

On motion by Senator Katz of Kennebec, tabled, pending reference.

**Orders**

An Expression of legislative Sentiment recognizing that:

Mrs. Zadio Sturtevant of Waterville on December 30, 1978 attained the 100th anniversary of her birth, (S. P. 44) is presented by Senator Pierce of Kennebec, Co-sponsored by Representative Conary of Oakland.

Which was Read and Passed.

Sent down for Concurrence.

On motion by Senator Pierce of Kennebec, Recessed until the sound of the bell.

**Recess**

**After Recess**

Senate called to order by the President.

Out of Order and Under Suspension of the rules, the Senate voted to consider the following:

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

Joint Order relative to Joint Rules. (S. P. 38) In Senate, January 9, 1979, Read and Passed. Comes from the House, Passed as amended by House Amendment "A" (H-8) in non-concurrence.

The PRESIDENT: The Senator from Kennebec, Senator Katz, now moves that the Senate Recede. Is this the pleasure of the Senate?

The motion prevailed.

House Amendment "A" (H-8) was Read and Adopted, in concurrence.

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: I present an Amendment and move its adoption.

The PRESIDENT: The Senator from Waldo, Senator Shute, now presents Senate Amendment "A" to (S. P. 38) and moves its adoption.

Senate Amendment "A" (S-1) was Read.

The PRESIDENT: The Senator has the floor.

Senator SHUTE: Mr. President and Members of the Senate: The reason I submit this Amendment, this morning, is that it's my feeling that at the present time, operating under the rules adopted during the last session, that the second Friday after the convening of the Legislature, is not ample time, for either Legislators or the public to get Legislation, submitted in the Legislature. I found that in the few years, that I've been here, the public doesn't really get interested, in Legislation, until there is some publicity in the newspaper, about the Legislature. Hopefully, the publicity we get from now on will be, maybe a little better than what we have gotten so far. This year we're only going to have five legislative days to submit legislation. I think, as long as, we're going to have a Citizen-type Legislature, we do have to be a little more relaxed in our rules.

Each day that a person, well such as myself, if I come over here I lose a day's pay, when we're not in session. Some don't, but it doesn't give very much time to work on bills, also to have the public aware that the Legislature is in session, that there is a cloture date for legislation. For this reason, if we're going to keep our Citizen-type Legislature, I think, we would be far better off, to extend the cloture date. Then work a little harder after cloture date, even up to cloture date, but we have a constitutional amendment that limits the Legislature to a hundred days.

I know there is concern about getting legislature out, of here, on Memorial Day, but each one of us was elected to serve the office. I think we ought to be willing to serve the office. I think we ought to be willing to serve the office and if we have to go by Memorial Day, I think we should do that.

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

Senator DANTON: Mr. President and Members of the Senate: I can sympathize with the

good Senator from Waldo, Senator Shute.

But I think that where the election was early in November, and those that got elected either to the other body or this body, knew very well about pre-filing. Then we came to legislative conference and to the new legislators, it was explained, to them, that they should get their bills ready and introduced before January 12th.

Now the good Senator, Senator Shute from Waldo, has been here long enough, in fact, he's probably been here longer than I have, he knows that every Regular Session we get about 2,100 or 2,200 Bills introduced. Out of those 2,100 or 2,200 Bills, 5 or 6 hundred of them become law. The rest of them, not only tie up our time, but cost the taxpayers a lot of money.

I think we should do things to expedite matters, get our business done and go home. I don't think we should be here till July. We should try to be out of here by Memorial Day. Therefore, Mr. President, I move the Indefinite Postponement of this Order.

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

Senator KATZ: Mr. President, I support the remark from the good Senator from York, Senator Danton, and I request a division.

Mr. PRESIDENT: A Division has been requested.

Will all those Senators in favor of the Indefinite Postponement of Senate Amendment "A", please rise in their places to be counted.

Will all those Senators opposed, please rise in their places to be counted.

21 Senators having voted in the affirmative and 7 in the negative, the motion to Indefinitely Postpone does prevail.

#### Senate at Ease

The Senate called to order by the President.

The Order (S. P. 38), as amended, was Passed, in concurrence.

#### Joint Order

An Expression of Legislative Sentiment recognizing that:

The Honorable John L. Martin, Speaker of the Maine House of Representatives, has been elected President of the State Legislative Leaders Foundation. . . .

(H. P. 68)

Comes from the House, Read and Passed.

Which was Read and Passed, in concurrence.

#### Joint Resolution

A Joint Resolution In Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of Police Officer Timothy Willard of Paris.....(HP 67)

Comes from the House, Read and Adopted.

Which was Read.

The PRESIDENT: The Chair recognizes the Senator from Oxford Senator Sutton.

Senator SUTTON: Mr. President and my esteemed colleagues. I would just like to mention briefly, of this tragedy that came to our town just last week, in fact to the whole state.

This young 22 year old police officer, was killed, in the line of duty in our town. This is the first time in nearly 15 years that a police officer has been killed in the State of Maine.

He was in my son's class in high school, a very close friend of our family. So I would like to bring it especially to your attention.

I would also, like to suggest that there are some unanswered questions, that we should all be concerned with. A very deep underlying aspect of this thing, that goes far beyond, just the fact that a young officer was killed in the line of duty. That gets into the very fiber of our court systems, as well as, some of our police training. I would just like, to take this opportunity, to bring both of these to your attention. Thank you.

Out of Order and Under Suspension of the Rules, the Senate voted to consider the follow-

ing:

#### Communications STATE OF MAINE Senate Chamber President's Office

January 10, 1979

Chairmen, State Government Committee

109th Maine Legislature

Please be advised that Governor Joseph E. Brennan on January 8, 1979 nominated Arthur A. Stilphen of Portland to serve as Commissioner of the Department of Public Safety.

Pursuant to MRSA, Title 25, Section 2901, this nomination is subject to review by the Committee on State Government.

Sincerely,

JOSEPH SEWALL  
President of the Senate

JOHN MARTIN  
Speaker of the House

(S. P. 046)

Which was Read, and Referred to the Committee on State Government.

#### STATE OF MAINE Senate Chamber President's Office

January 10, 1979

Chairmen, Appropriations & Financial Affairs Committee 109th Maine Legislature

Please be advised that Governor Joseph E. Brennan on January 8, 1979 nominated Rodney L. Scribner of Augusta to serve as Commissioner of the Department of Finance & Administration.

Pursuant to MRSA, Title 5, Section 281, this nomination is subject to review by the Committee on Appropriations and Financial Affairs.

Sincerely,

JOSEPH SEWALL  
President of the Senate

JOHN MARTIN  
Speaker of the House

(S. P. 047)

Which was Read and Referred to the Committee on Appropriations and Financial Affairs.

Which was Adopted, in concurrence.

On motion by Senator Katz of Kennebec, the Senate voted to take from the table: JOINT ORDER (H. P.-12) relative to the Joint Rules.

On motion by Senator Katz of Kennebec, joint Order (H. P.-12) and accompanying papers Indefinitely Postponed, in non-concurrence.

Sent down forthwith for concurrence.

On motion by Senator Pierce of Kennebec, Recessed until 2 o'clock this afternoon.

#### Recess

#### After Recess

Senate called to order by the President.

#### STATE OF MAINE Senate Chamber President's Office

January 10, 1979

Chairmen, Natural Resources Committee

109th Maine Legislature

Please be advised that Governor Joseph E. Brennan on January 8, 1979 nominated Henry E. Warren of Manchester to serve as Commissioner of the Department of Environmental Protection.

Pursuant to MRSA, Title 38, Section 341, this nomination is subject to review by the Committee on Natural Resources.

Sincerely,

JOSEPH SEWALL  
President of the Senate

JOHN MARTIN  
Speaker of the House

(SP 048)

Which was Read and Referred to the Com-

mittee on Energy and Natural Resources.

#### STATE OF MAINE Senate Chamber President's Office

January 10, 1979

Chairmen, Transportation Committee

109th Maine Legislature

Please be advised that Governor Joseph E. Brennan on January 8, 1979 nominated Roger L. Mallar of Farmingdale to serve as Commissioner of the Department of Transportation.

Pursuant to MRSA, Title 23, Section 4205, this nomination is subject to review by the Committee on Transportation.

Sincerely,

JOSEPH SEWALL  
President of the Senate

JOHN MARTIN  
Speaker of the House

(SP 049)

Which was Read and Referred to the Committee on Transportation.

#### STATE OF MAINE Senate Chamber President's Office

January 10, 1979

Chairmen, Labor Committee

109th Maine Legislature

Please be advised that Governor Joseph E. Brennan on January 8, 1979 nominated David W. Bustin of Augusta to serve as Commissioner of the Department of Manpower Affairs.

Pursuant to MRSA, Title 26, Section 1401, this nomination is subject to review by the Committee on Labor.

Sincerely,

JOSEPH SEWALL  
President of the Senate

JOHN MARTIN  
Speaker of the House

(SP 50)

Which was Read and Referred to the Committee on Labor.

#### Order

On motion by Senator Katz of Kennebec, ORDERED, the House concurring, that a Joint Select Committee on Correctional Institutions consisting of 2 members of the Senate appointed by the President of the Senate and 8 members of the Senate appointed by the Speaker of the House of Representatives be appointed to deal with anticipated major legislation involving Maine's correctional institutions.

(SP 51)

Which was Read.

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

Senator KATZ: Mr. President, it was only yesterday, that at a meeting of the Joint Leadership, we identified the fact that there were significant issues in the Correctional System to be decided this session.

I come from Kennebec County, one of the jails that has been closed. My county is saddled with an enormous cost of transportation, transporting prisoners up to the County Jail in Penobscot.

Yesterday, we agreed that there would be a good reason, to have a Select Committee deal with major legislation pertaining to our Correctional Institutions.

Earlier today in one of those, quirk of fate, a news release says that the century old jail in Hancock County, in Ellsworth was in flames. 4 prisoners were injured, three of them critically, one of them were seen running from the cell block with his hair on fire.

Two men are being held for suspicion of arson in the Penobscot County Jail. The Cell Block has been damaged and its occupancy is uncertain and probably is not going to be available for occupancy.

The Joint Order creating this Select Committee, is thus even more timely than we presumed it was yesterday, and I urge its passage.

The PRESIDENT: Is it now the pleasure of the Senate that this Order, be passed and sent down for concurrence? It is a vote.

There being no objections, all items previously acted upon were sent down forthwith for concurrence.

On motion by Senator Katz of Kennebec, the Senate voted to remove from the table:

Bill, "An Act to Establish the Maine Probate Code." (S. P. 1) (L. D. 1)

Tabled — January 3, 1979 by Senator Katz of Kennebec

Pending — Reference

On motion by Senator Katz of Kennebec, referred to the committee on Judiciary and ordered printed.

Sent down for concurrence.

On motion by Senator Katz of Kennebec, the Senate voted to remove from the table:

Bill, "An Act to Make Drinking in an Unlicensed Public Place a Class E Crime." (S. P. 2) (L. D. 2)

Tabled — January 3, 1979 by Senator KATZ of Kennebec

Pending — Reference

On motion by Senator Katz of Kennebec, referred to the Committee on Legal Affairs and ordered printed.

Sent down for concurrence.

#### Senate at Ease

Senate called to order by the President:

On motion by Senator Katz of Kennebec, the Senate voted to take from the table:

RESOLUTION, proposing an Amendment to the Constitution of Maine to Limit Tax Increases to a One-year Period to Require Further Legislation and Economic Impact Analysis for the Further Continuation of any Tax Increase and to Require a Two-Thirds Vote of Each House to Extend the Tax. (S. P. 3) (L. D. 3)

Tabled — January 3, 1979 by Senator Katz of Kennebec

Pending — Reference

Which was referred to the Committee on State Government and ordered printed.

Sent down for concurrence.

On motion by Senator Katz of Kennebec, the Senate voted to take from the table:

Bill, "An Act to Remove Moose River from the Maine Forestry District." (S. P. 4) (L. D. 4)

Tabled — January 3, 1979 by Senator Katz of Kennebec

Pending — Reference

Which was referred to the Committee on Taxation and ordered printed.

Sent down for concurrence.

On motion by Senator Katz of Kennebec, the Senate voted to take from the table:

Bill, "An Act to Provide for Prepayment of State Bonded Debt." (Emergency) (S. P. 5) (L. D. 5)

Tabled — January 3, 1979 by Senator Katz of Kennebec

Pending — Reference

The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator KATZ: Mr. President, I move that this Bill be referred to the committee on Appropriations and financial Affairs.

On motion by Senator Katz of Kennebec, referred to the Committee on Appropriations and Financial Affairs and ordered printed.

Sent down for concurrence.

On motion by Senator Katz of Kennebec, the Senate voted to take from the table:

Bill, "An Act to Require Candidates for Nomination by Primary Petition to file Petitions by April 1st of Election Year." (S. P. 6)

(L. D. 6)

Tabled — January 3, 1979 by Senator Katz of Kennebec

Pending — Reference

Which was referred to the Committee on Election Laws and ordered printed.

Sent down for concurrence.

On motion by Senator Katz of Kennebec, the Senate voted to take from the table:

Bill, "An Act to Make Corrections of Errors and Inconsistencies in the Laws of Maine." (S. P. 7) (L. D. 14) (Emergency)

Tabled — January 3, 1979 by Senator Katz of Kennebec

Pending — Reference

Which was referred to the Committee on Judiciary and ordered printed.

Sent down for concurrence.

On motion by Senator Katz of Kennebec, the Senate voted to take from the table:

Bill, "An Act to Revise the Inland Fisheries and Wildlife Laws." (S. P. 8) (L. D. 15)

Tabled — January 3, 1979 by Senator Katz of Kennebec

Pending — Reference

Which was referred to the Committee on Fisheries and Wildlife and ordered printed.

Sent down for concurrence.

On motion by Senator Katz of Kennebec, the Senate voted to take from the table:

Bill, "An Act to Strengthen and Streamline the Habitual Offender Law." (S. P. 9) (L. D. 16) (Emergency)

Tabled — January 3, 1979 by Senator Katz of Kennebec

Pending — Reference

Which was referred to the Committee on Judiciary and ordered printed.

Sent down for concurrence.

On motion by Senator Katz of Kennebec, the Senate voted to take from the table:

Bill, "An Act Relating to School Buses Used by Nonprofit Organizations for the Purpose of Transporting Children to Organized Activities." (S. P. 31) (L. D. 19)

Tabled — January 9, 1979 by Senator Katz of Kennebec

Pending — Reference

Which was referred to the Committee on Transportation and ordered printed.

Sent down for concurrence.

On motion by Senator Katz, of Kennebec, the Senate voted to take from the table:

Bill, "An Act to Require that Trees Cut Along Highways or Public Ways be Cut at Ground level or that the Stumps be Removed." (S. P. 32) (L. D. 20)

Tabled — January 9, 1979 by Senator Katz of Kennebec

Pending — Reference

Which was referred to the Committee on Local and County Government and ordered printed.

Sent down for concurrence.

On motion by Senator Katz of Kennebec, the Senate voted to take from the table:

Bill, "An Act to Permit Hotel or Motel Managers to Eject Disruptive or Destructive Persons from their Premises and to Require these Persons to Assume Responsibility for any Damages Caused." (S. P. 33) (L. D. 21)

Tabled — January 9, 1979 by Senator Katz of Kennebec

Pending — Reference

Which was referred to the Committee on Legal Affairs and ordered printed.

Sent down for concurrence.

On motion by Senator Katz of Kennebec, the Senate voted to take from the table:

Bill, "An Act to Enable Voters who Cannot Read or Mark their Ballots or Whose Religious

Beliefs Prevent them from Marking Their Ballots to Obtain Assistance in Marking Their Ballots from Individuals of Their Choice." (S. P. 36) (L. D. 24)

Tabled — January 9, 1979 by Senator Katz of Kennebec.

Pending — Reference

Which was referred to the Committee on Election Laws and ordered printed.

Sent down for concurrence.

On motion by Senator Katz of Kennebec, the Senate voted to take from the table:

Bill, "An Act to Improve Public Access to Public Labor Negotiations." (S. P. 34) (L. D. 22)

Tabled — January 9, 1979 by Senator Katz of Kennebec

Pending — Reference

Which was referred to the Committee on Labor and ordered printed. Sent down for concurrence.

On motion by Senator Katz of Kennebec, the Senate voted to take from the table:

RESOLVE, to Reimburse the Town of Eastbrook in the Amount of \$25,644.35 for Losses Caused by Excessive State Valuation. (S. P. 35) (L. D. 23)

Tabled — January 9, 1979 by Senator Katz of Kennebec

Pending — Reference

Which was referred to the Committee on Appropriations and Financial Affairs and ordered printed.

Sent down for concurrence.

On motion by Senator Katz of Kennebec, the Senate voted to take from the table:

Bill, "An Act to Permit Deer Hunting with Muzzle-loading Rifles." (S. P. 39) (L. D. 25)

Tabled — January 10, 1979 by Senator Katz of Kennebec

Pending — Reference

Which was referred to the Committee on Fisheries and Wildlife and ordered printed.

Sent down for concurrence.

On motion by Senator Katz of Kennebec, the Senate voted to take from the table:

Bill, "An Act Relating to Age Limit for Motor Vehicle Operator Licenses." (S. P. 40) (L. D. 26)

Tabled — January 10, 1979 by Senator Katz of Kennebec

Pending — Reference

Which was referred to the Committee on Transportation and ordered printed.

Sent down for concurrence.

On motion by Senator Katz of Kennebec, the Senate voted to take from the table:

Bill, "An Act to Prevent the Biological Parents of Adopted Children from Taking These Children After They have been Adopted." (S. P. 41) (L. D. 27)

Tabled — January 10, 1979 by Senator Katz of Kennebec

Pending — Reference

Which was referred to the Committee on Judiciary and ordered printed.

Sent down for concurrence.

On motion by Senator Katz of Kennebec, the Senate voted to take from the table:

Bill, "An Act to Provide for the Registration and Protection of Trademarks." (S. P. 43) (L. D. 29)

Tabled — January 10, 1979 by Senator Katz of Kennebec

Pending — Reference

Which was referred to the Committee on Business Legislation and ordered printed.

Sent down for concurrence.

On motion by Senator Katz of Kennebec, the Senate voted to take from the table:

Bill, "An Act to Test an Open Season on

Moose for a One-year Period." (S. P. 42) (L. D. 28)

Tabled — January 10, 1979 by Senator Katz of Kennebec

Pending — Reference

The PRESIDENT: It has been suggested that this bill be referred to the Committee on Fisheries and Wildlife, ordered printed and sent down for concurrence.

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

Senator CONLEY: This has been an extremely dull Senate, up till this time.

I take note with a great deal of interest the Bill that is being referred and presently before the Senate.

For those members who have never served in this body, or the body down to the other end of the hallway, I would like to call your attention to an Act which I consider to be one of high controversy. I am sure that a very enlivened debate will take place, for the preservation of this majestic animal. I think that it is a tragedy that in this session that we, or at least, I will be, once again, confronted with having to try to preserve that majestic animal. I think that the Bill should be sent to the, happy hunting grounds, and that the moose should be left free to roam the great state, that we all cherish and love as well.

But to save the good Senator from Aroostook, Senator McBreairty, any anguish today, I shall sit down and allow this to go down to Fish and Game Committee, where I am sure with their wisdom they will give it its proper defeat.

Which was referred to the Committee on Fisheries and Wildlife and ordered printed.

Sent down for concurrence.

There being no objections, all items previously acted upon were sent down forthwith for concurrence.

On motion by Senator Pierce of Kennebec, Recessed until the sound of the bell.

#### **Recess**

#### **After Recess**

Senate called to order by the President.

Out of Order and Under suspension of the rules, the Senate voted to consider the following:

#### **Papers from the House**

##### **House Papers**

Bill, "An Act Concerning Nomination of Candidates for Municipal Officers." (H. P. 8) (L. D. 17)

Bill, "An Act to Change the Date of the Primary Election to the First Thursday after Labor Day." (H. P. 2) (L. D. 8)

Come from the House, referred to the Committee on Election Laws and Ordered Printed.

Which were referred to the Committee on Election Laws, and ordered printed, in concurrence.

Bill, "An Act to Prohibit Smoking at Public Meetings." (H. P. 5) (L. D. 11)

The Committee on Legal Affairs suggested.

Comes from the House, referred to the Committee on Health and Institutional Services and Ordered Printed.

Which was referred to the Committee on Legal Affairs and ordered printed, in concurrence.

Bill, "An Act Relating to the Liability of Parents for Damage by Children." (H. P. 4) (L. D. 10)

Comes from the House, referred to the Committee on Judiciary and Ordered Printed.

Which was referred to the Committee on Judiciary and ordered printed, in concurrence.

Bill, "An Act to Increase the Compensation for Substitute Teachers." (H. P. 3) (L. D. 9)

The Committee on Education suggested.

Comes from the House, referred to the Com-

mittee on Labor and Ordered Printed.

On motion by Senator Katz of Kennebec, referred to the Committee on Education, and ordered printed, in non-concurrence.

Sent down for concurrence.

Bill, "An Act Relating to Payment for Sales in Retail Stores under the Liquor Laws." (H. P. 6) (L. D. 12)

Comes from the House, referred to the Committee on Legal Affairs and Ordered Printed.

Which was referred to the Committee on Legal Affairs and ordered printed, in concurrence.

RESOLUTION, Proposing an Amendment to the Constitution to Provide for the Convening of the Legislature in January Instead of in December. (H. P. 1) (L. D. 7)

Comes from the House, referred to the Committee on State Government and Ordered Printed.

Which was referred to the Committee on State Government and ordered printed, in concurrence.

Bill, "An Act to Clarify the Requirements Relating to Identification of School Buses." (H. P. 7) (L. D. 13)

Comes from the House, referred to the Committee on Transportation and Ordered Printed.

Which was referred to the Committee on Transportation, and ordered printed, in concurrence.

Senator Katz of Kennebec, was granted unanimous consent to address the Senate, off the record.

On motion by Senator Pierce of Kennebec, Adjourned until 10 o'clock tomorrow morning.