

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

February 28, 1979

Senate called to Order by the President.

Prayer by the Right Reverend Frederick B. Wolfe, Episcopal Bishop of Maine.

Reverend WOLFE: Let us pray! Since it is of thy mercy, O Gracious Father, that another day is added to our lives, we here dedicate both our souls and our bodies to thee and thy service. In a sober, righteous and Godly life, in which resolution do Thou O Merifull God, confirm and strengthen us, that as we grow in age, we may grow in grace and in the knowledge of thee.

In particular we implore thy grace and protection for the ensuing day, keep us temperate in all things, and diligent in our several callings. Grant us patience under our afflictions, give us grace to be just and upright in all of our dealings, quite and peaceable, full of compassion, and ready to do good to all people, according to our abilities and opportunities.

Direct us in all our ways, defend us from all dangers and adversities and be graciously pleased to take us and those who are dear to us, under thy Fatherly care and protection. These things and whatever else though shall see to be necessary and convenient to us, we humbly beg. Amen.

Reading of the Journal of yesterday.

**Papers From the House
House Papers**

Bill, "An Act to Require Conspicuous Posting of Retail Gasoline and Diesel Fuel Prices." (H. P. 624) (L. D. 766)

Bill, "An Act Relating to Determination of Refund Values on Beverage Containers." (H. P. 623) (L. D. 765)

Come from the House, referred to the Committee on Business Legislation and Ordered Printed.

Which were referred to the Committee on Business Legislation and Ordered Printed, in concurrence.

Bill, "An Act to Establish the School Finance Act of 1979." (H. P. 589) (L. D. 746)

Bill, "An Act to Revise the Method of Allocation of Educational Subsidies to Local Units." (H. P. 591) (L. D. 747)

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

Which were referred to the Committee on Education and Ordered Printed, in concurrence.

Bill, "An Act to Require Voters to Show Proof of Residence When They Register to Vote." (H. P. 625) (L. D. 767)

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

Which was referred to the Committee on Election Laws and Ordered Printed, in concurrence.

Bill, "An Act to Clarify the Freedom of Access Law." (H. P. 628) (L. D. 770)

Bill, "An Act to Amend the Criminal History Record Information Act." (H. P. 626) (L. D. 768)

Bill, "An Act to Repeal the Criminal History Record Information Act." (H. P. 627) (L. D. 769)

Bill, "An Act Concerning Appeals to the Superior Court." (H. P. 601) (L. D. 748)

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

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

Bill, "An Act to Increase the Wage Base on Which Employers Shall Pay Unemployment Compensation Benefits." (H. P. 603) (L. D.

749)
Bill, "An Act to Require the Disclosure of Relevant Information in Workers' Compensation Rate Filing Proceedings." (H. P. 605) (L. D. 760)

Bill, "An Act to Provide for an Offset for Holiday Pay under the Employment Security Law." (H. P. 604) (L. D. 750)

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

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

Bill, "An Act Providing an Exemption for Churches and Religious Institutions to the Statute Governing Dissemination of Obscene Matter to Minors." (H. P. 606) (L. D. 751)

Bill, "An Act to Remove Duplicating License and Inspection Requirements for Victualers." (H. P. 607) (L. D. 752)

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

Which were referred to the Committee on Legal Affairs and Ordered Printed, in concurrence.

Bill, "An Act to Revise the Statute for Municipalities Undertaking Activities Pursuant to Housing and Community Development Act of 1974." (H. P. 612) (L. D. 754)

Bill, "An Act to Provide Voter Approval of County Budgets." (H. P. 609) (L. D. 753)

Come from the House, referred to the Committee on Local and County Government and Ordered Printed.

Which were referred to the Committee on Local and County Government and Ordered Printed, in concurrence.

Bill, "An Act to Provide Reserve Funds to Increase Employees' Salaries." (Emergency) (H. P. 614) (L. D. 755)

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 Repeal the Sales Tax on Fuel Oil and to Enact in its Place an Excise Tax on Fuel Consumed in Industrial and Manufacturing Establishments." (H. P. 615) (L. D. 756)

Comes from the House, referred to the Committee on Taxation and Ordered Printed, in concurrence.

Which was referred to the Committee on Taxation and Ordered Printed, in concurrence.

Bill, "An Act to Allow Municipal Law Enforcement Officers to Use Blue Flashing Lights on Personal Vehicles During an Emergency." (H. P. 616) (L. D. 757)

Bill, "An Act to Provide for an Exit Sign at the Orono Exit and at the Stillwater Exit on I-95 to Direct Traffic to the University of Maine at Orono." (H. P. 617) (L. D. 758)

Bill, "An Act to Revise the Laws Relating to Motor Vehicle Operators' Licenses." (H. P. 618) (L. D. 759)

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

Which were referred to the Committee on Transportation and Ordered Printed, in concurrence.

**Communications
DEPARTMENT OF STATE**

February 27, 1979

To the Honorable Senate and House of Representatives of the 109th Legislature:

Enclosed you will find House Joint Resolution Number 1 of 1979 passed by the General Assembly of the State of Kansas relative to the calling of a constitutional convention by the several states.

Very truly yours,

JAMES S. HENDERSON
Deputy Secretary of State
(S. P. 264)

Which was Read and with accompanying papers, ordered placed on file.
Sent down for concurrence.

**SENATE CHAMBER
President's Office**

February 26, 1979

Honorable David Ault
Honorable Judy Kany
Chairmen, State Government Committee
State House
Augusta, Maine 04333

Please be advised that on February 21, 1979, Arthur A. Stilphen, Commissioner of Public Safety has, with the advise and consent of Governor Joseph Brennan, nominated Colonel Allen Weeks to be reappointed Chief of the Maine State Police.

Pursuant to MRSA, Title 25, Section 1501, this nomination will require confirmation by the Joint Standing Committee on State Government.

Sincerely,
JOSEPH SEWALL
President of the Senate
JOHN MARTIN
Speaker of the House
(S. P. 265)

Which was read and referred to the Committee on State Government.
Sent down for concurrence.

Committee on State Government

February 26, 1979

Speaker of the House of Representatives
President of the Senate of the 109th Maine Legislature

Pursuant to 26 M.R.S.A. 1609 the Joint Standing Committee on State Government unanimously recommends retention of the Displaced Homemakers Act, 26 M.R.S.A. - c. 21.

During its brief existence the Displaced Homemakers Council has begun to be effective. Questions regarding effectiveness, future needs, costs of retention and methods of attaining the purposes of the Displaced Homemakers Act are addressed in the accompanying Six Month Report of the Displaced Homemakers Center.

Sen. DAVID AULT
Chairman
Rep. JUDY KANY
House Chairman

Which was Read and with accompanying papers, ordered placed on file.

Senate Papers

Senator Clark of Cumberland presented, Bill, "An Act to Establish Special Retirement Provisions for CETA Employees." (Emergency) (S. P. 268)

Which was referred to the Committee on Aging, Retirement and Veterans and Ordered Printed.

Sent down for concurrence.

Senator Shute of Waldo presented, Bill, "An Act to Require Insurance Claim Payments Because of Motor Vehicle Damage to Include Payment for the Reduction in the Trade-in Value of the Motor Vehicle." (S. P. 266)

Which was referred to the Committee on Business Legislation and Ordered Printed.

Sent down for concurrence.

Senator Najarian of Cumberland, Cosponsor: Senator McBreairey of Aroostook presented, Bill, "An Act Relating to Political Fundraising by State Employees." (S. P. 270)

Which was referred to the Committee on Election Laws and Ordered Printed.

Sent down for concurrence.

Senator Clark of Cumberland presented, Bill,

"An Act to Provide for Self-help for Minor Repairs under the Landlord-tenant Statutes." (S. P. 267)

Senator Trotzky of Penobscot presented, Bill, "An Act to Prohibit Abortions after Viability." (S. P. 262)

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

Sent down for concurrence.

Senator O'Leary of Oxford presented, Bill, "An Act Making it Unlawful for any Persons to Manufacture, Sell or Offer for Sale or Exchange any Product which Seeks to Imitate an Alcoholic Beverage by Looks, Taste and Smell, Excluding Certain Products." (S. P. 269)

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

Sent down for concurrence.

Order

An Expression of Legislative Sentiment recognizing that:

Pernel and Grace Colson of the Town of Penobscot will, on the 28th day of February, celebrate their 71st wedding anniversary... (S. P. 261) is presented by Senator Perkins of Hancock Cosponsored by Representative Bowden of Brooklin.

Which was Read and Passed.

Sent down for concurrence.

On motion by Senator Gill of Cumberland.

WHEREAS, the Legislative Council has before it "Joint Resolution Memorializing Congress to call a Constitutional Convention to limit the Annual Federal Budget;" and

WHEREAS, this matter should be publicly heard before a committee of the Legislature; now, therefore be it

ORDERED, the House concurring, that the Legislative Council be directed to refer the "Joint Resolution Memorializing Congress to Call a Constitutional Convention to Limit the Annual Federal Budget" to the Joint Standing Committee on Judiciary for the purpose of a public hearing. (S. P. 263)

Which was Read

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

Senator CONLEY: Mr. President, I rise on a Parliamentary Inquiry through the Chair.

The PRESIDENT: The Senator may state his inquiry.

Senator CONLEY: Mr. President, I would ask the Chair as to whether or not the Order that has just been presented is in violation of Joint Rule 35 dealing with Memorials?

The PRESIDENT: The Chair would rule, in the case of this Order that Joint Rule 35 does not prevail, and that this Order is in order to be presented before this body.

The Senator from Cumberland Senator Gill has the floor.

Senator GILL: Mr. President and Members of the Senate.

On June 1978 the Gallop Poll reported that the American people, by more than a 7 to 1 margin favored requiring the Congress to balance expenditures with revenues, each year.

There has been much hoo-ha and in some of the National media they have done the topic an injustice by focusing on the personalities who are often running for the presidency. One particular Governor of a west coast state has obscured the issues, and has no interests in educating the public to the points of view of both sides, and is only whipping up a storm and calling attention to himself for his presidential quest.

I, for one, would like the opportunity to hear various sides of the question, of a Proposed Constitutional Amendment. What are the mechanics involved? How would it work? What do the economists say? What emergency clauses would be adopted for exceptions and for what reasons?

Everyone has his own idea what a Constitu-

tional Amendment would mean. But are we talking about a Balanced Budget every year? Are we talking about a Balanced Budget over a 5 year period? Will we run with an unbalanced budget for three years as long as we balance it at the end of 5 years? Do we limit it to one item? All questions are unclear. What I ask is that the question of a Constitutional Amendment be given fair hearing before the Judiciary Committee of this Legislature, to answer these and numerous other more probing questions.

We have not considered Constitutional Amendments of this significance, many times during the life item of this republic.

I feel that the 184 members of this Legislature, never intended to delegate powers to 5 members of this Legislative Council, the authority to censor or decide the merits of important issues on their own.

To deny this measure an opportunity to go before a Public Hearing and openly debate on the Floor of the Senate and the House, is an abuse of the entire Legislative Process. The founding fathers in Article 5, of the US Constitution specifically provides a mechanism for the states of the union to propose amendments, the question of whether this State through its Legislation wants to invoke the powers under Article 5, as has 29 other states in the union, is a question that should be decided by the 184 members elected members of this body, and not by 5 or 10 members of the Legislative Council.

It seems to me, that a Legislature which has devoted considerable time to honoring, Chester Greenwood the inventor of the earmuffs and many other non major pieces of Legislation, would spend some of its precious time, for consideration of a matter of great importance to the State and the Nations. I would ask that this Order Receive Passage.

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

Senator KATZ: Mr. President, this Joint Order recognizes the reluctance of Democratic Leadership, sitting in the Legislative Council, to vote in favor of the admission of this Resolution.

It is the position of the Democratic Leadership, as I understand it, that Joint Rule 35, requires the affirmative vote of 6 members of Leadership, for the admission of any Joint Resolution. We deny that it was the intent of the Rank and File Legislator, to screen out and muzzle a member of the Legislature in such a case as this.

The Joint Rule goes back to the turbulent days of the 1960's when there where Foreign Policy Memorials floating all over this third floor. Our Legislative Halls were being turned into a battle ground for this point of view or that.

For example, although you and I may deplore, and be personally outraged at the attack on the American Embassy in Tehran, ours is not the proper forum for such an expression, nor would our words have any weight. The Foreign Policy of the United States is in other hands.

Joint Rule 35 sort to protect our precious time from lengthy excursions into the field of foreign policy. As a member of that Legislature that earlier passed it, I can tell you that had it been suggested at that time, that Joint Rule 35 would be used to screen out a Joint Resolution of this kind, properly drafted, and filed in a timely manner, it never would have passed. If this issue had come up earlier in this session, on the basis that it is coming up now, we would not on a performer manner, adopted it this year either.

The question before us today really isn't whether a Constitutional limitation on Spending is a good idea or a disastrous idea. The question before us is not whether a Constitutional Convention can be strictly limited to a single issue or whether it can run away with some kind of disastrous consequences.

The issue is none of those, the issue is simply one of an open Legislature with 184 popularly elected Legislators representing the million people in the State, being improperly muzzled by a gag rule. imposed by 5 partisan leaders. I just simply do not understand the position of the Democratic Party, partisanship has simply not come up, in any State in the Union, where this has become an issue. It is split all over the place. I can tell you that the Republican party, is not united in support of the substance of this Resolution, many of us have deep concerns, on the possibility, however slight, of a Constitutional Admendment. We do feel that our Democratic brothers and sisters, in this body made a mistake yesterday, in the pursuit of whatever partisan concerns seemed to be important at that time.

We deny that the members of this Senate have given away any of our rights under Joint Rule 35, to dispose of this Resolution by public hearing and floor debate. Article 5 of the United States Constitution specifies two distinct ways to amend the constitution. Our last experience was in the 106th Legislature when L.D. 161 was drafted to ratify the ERA Amendment. L. D. 161 was filed in a timely manner, and dealt with by the Legislature without reference to any kind of illicit screening.

Today we deal with the other side of exactly the same point. A Joint Resolution which seeks to amend the Constitution via the second route. State Initiation. Speaking for Republican Leadership we deny that Joint Rule 35, gives us any more rights of decision making, with respect to this Resolution which has been drafted in accordance with Article 5 than any other rank and file member of this body, or indeed the other body. We believe that to assume the contrary is improper and abuse of our power.

I ask that you join with me today, in helping the Senator from Penobscot, Senator Trotzky, to have his day in court. We think that he has meticulously abided by the Joint Rules, and to deny him his rights would be demeaning of the Legislative process. Mr. President, so that all of our colleagues and all members of this State, can reflect upon the degree to which some members of this body seek to impose an undemocratic gag rule. I request that the vote be taken by the Roll Call.

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

Senator CONLEY: Mr. President and Members of the Senate. First I would like to call your attention to the calendar and I would ask each of you to read the calendar and exactly what the Order says.

We will just go to the first portion where it says "Whereas the Legislative Council has before it "Joint Resolution Memorializing Congress to call a Constitutional Convention to Limit the Annual Federal Budget;" I would again call your attention to Joint Rule 35. Joint Rule 35 clearly states, that any Memorial. No Memorial shall be in order for introduction unless approved by a Majority of the Legislative Council.

The good Senator from Kennebec, the Majority Floorleader, has related to the history, somewhat, of Foreign Affairs Resolutions, that were introduced in both Halls, the House as well as the Senate. That we were being overloaded with these Joint Memorials, dealing with Vietnam, dealing with Abortion, dealing with the School Prayer, dealing with the Food Stamp Program as set up by the Department of Agriculture, we even go to the point where we dealt with Harpooning of Seals up in Newfoundland.

Mr. President, it was after a great deal of reluctance on my part that I joined you sir, in bringing about a change in the Joint Rules, Joint Rule 35. I am saying today to the members of this Senate, if you want to introduce Joint Memorials or Memorials Memorializing Congress on any subject, then change the Joint

Rules, that is all that we have to do.

I would state one other thing that when the good Senator from Kennebec, Senator Katz, spoke of the fact that the past Legislature dealt with ERA. What we were doing was ratifying the amendment of ERA after Congress had passed it.

I would like to know, what precedence has ever been established in this Legislature or any previous Legislature, that had a Joint Resolution Memorializing Congress, sent to a Joint Standing Committee for a Public Hearing. We are not members of Congress, if Senator Katz, the good Senator from Kennebec, wants to amend the Constitution, I suggest that he run for Congress, that is where you do it.

I know that local communities are always upset when we start passing more and more laws, mandating this, mandating that, we get upset when Congress mandates laws back to the states. Now we are turning around and we are telling the United States Congress, what to do.

The people of this State are not so naive that they do not read the newspapers daily, that they do not know what the position of Representative Snowe or Representative Emery or Senator Cohen or Senator Muskie's position is, with respect to a Balanced Federal Budget. Let them answer at the polls, but let us not waste any more of our time dealing with total nonsense before this Legislature. I would urge the Senate to vote against the pending motion.

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

Senator PRAY: Mr. President and Members of the Senate. As pointed out by the sponsor of this order today, in reference to sending it to a committee, I would respond to the comments made by my Minority Floorleader here.

It was the argument presented by Senator Gill, the Senator from Cumberland, that we send it to the Judiciary Committee so that a number of questions could be answered.

Some of those questions were as to what would happen, what would take place? Would it be for 1 year, 2 years, 5 years what would the formula be? I believe that if we all stopped and looked at Article 5 of the Constitution, first of all we would see that the Article is written that "any Constitutional Convention would take any amendments and it is plural, in Article 5, it does say amendments that would come before it, any amendments proposed. So there is the question, as to whether or not it would be limited to just that one issue.

As far as the Judiciary Committee, holding a public hearing to answer questions to the general public, as to the formula that would be worked out, we would be putting the responsibility upon the Judiciary Committee, to say actually what Congress will do. I think that we can save a lot of time, from holding a public hearing and just tell the general public, that if we did pass the Resolution calling for a Constitutional Convention, that that would still be left up to Congress. That the Judiciary Committee could not answer to the general public, as to the time frame of which Congress would work upon it, and to the details of a Balanced Budget would be. I think that we are just pulling a little bit of a farce here to the general public, if we are saying that through a Public Hearing, we would be informing them. I think that it is more of a grand play by the GOP and I think that it is about time that we put it out actually where it is, and let the people know.

I think that there has been enough press in the state as to the financial state of the country and the financial State of Maine. You just look at today's paper, we see that the Foreign Oil States are raising the price of oil, that definitely would effect any economy. We do not control when those prices will go up, we would have to adjust, as we presently do at this time.

A few years ago the State of Maine has a deficit of 34.6 million dollars in Unemployment Fund of which we borrowed from the Federal

Government. Under a Balanced Budget, would we have gone to the Federal Government to borrow that money? Those are questions that are left unanswered, and we are going into a situation of asking Congress for a quick fix solution to balancing the budget. I say that there are only two ways to balance the budget, to cut or raise taxes. Are you advocating that we raise taxes? Are you advocating that raise taxes, are you advocating that we cut with a meat axe those revenues which help us in this State keep our taxes down?

The PRESIDENT: The chair recognizes the Senator from Kennebec, Senator Pierce.

Senator PIERCE: Mr. President and Members of the Senate. My good friend the Assistant Minority Leader suggested that we lay it out for all to see. Then proceeded to make some kind of an argument, but I for one certainly could not understand, other than I take it that he was debating the merits of this issue.

Where did the partisanship come from, in this whole matter? Why are the Democratic members of this Senate lining up solidly against this? I really do not know, if you talk about the merits, there is obviously not partisanship involved; There are obviously members of both parties on both sides of this issue.

If you talk about are they going to face other issues in the same vein, the Right to Life and so forth, there is no partisanship there. I really do not understand the partisanship.

I have not been in Leadership very long, and I hope I am not in leadership long enough ever not to remember what it was like, when I wasn't in Leadership. I always try to see both sides, because there are two distinct sides and sometime you see things differently. I have never been bashful to question Leaders of my own party, or Leaders of the other party. I never will be bashful to do that. To me the issue here is very, very, clear. This is a misuse and an abuse of power that was entrusted to us, 5 of us in this body and 5 of us in the other body, by you and by members of the other body.

I think that the Legislative Council, of which I am chairman, as a result of this issue, could and should be severely criticized for the actions that we are taking today.

I think that it was ironic that it was a Democratic member of this Senate who put a bill in to abolish the Legislative Council. I assume because he felt that it had too much Legislative power. But yet in an instance when it is clearly misusing its power, he lines up and says, "OK, I will go along with what my Leadership says" I would never do it and I am surprised that the members of the Democratic Caucus are willing to do this, because I think that the ground that they stand on is untenable. I think that perhaps today, at long last, after several weeks we, have finally found Senator Silverman's lost flock of sheep.

The PRESIDENT: A Roll Call has been requested.

The Chair recognizes the Senator from Cumberland, Senator Clark.

Senator CLARK: Mr. President and Members of the Senate. I listened respectfully, to the remarks of my good friend from Kennebec Senator Pierce, and disagree with him.

I believe that Joint Rule 35, does stifle debate. I would welcome an opportunity, to eliminate Joint Rule 35, which we adopted in the words of the other good Senator from Kennebec, Senator Katz, the Majority Floorleader, proforma.

This is a procedural issue, whether we like it or not. Is there precedent for ordering the Legislative Council to report out an issue? It is my belief that there is none.

I support the position of Maine's Senior Senator Edmund Muskie in dealing with important Fiscal Matters of National Government. This is not the time for demagoguery or playing to the crowds. It is a time for serious consideration, of bringing Fiscal Matters not only in the State of Maine, but in the Nation under control.

My perception of the Order before us this morning is simply this. It is a charade, a flim-flam, if you will. It is more politically motivated, as opposed to responsible management, motivated.

Last year everyone seemed to want to run for office on the Kent-Roth issue cutting Federal Taxes, 1/3 across-the-board. This year it would appear fashionable to ride the Quick-fix so-called Balanced Budget con-con.

This Senator from Cumberland, is as much in favor of balancing the Federal Budget as anyone else. The issue, however, has to be approached with intelligence, deliberation, good-faith, and above all in accordance with our own Joint Rules.

To do less would be to start off, with a stumble, and I prefer to take a positive stride forward. We must act in the interests of all of the citizens of the State, as well as the Nation. I would submit to you if Joint Rule 35, is the stumbling block then let's get rid of it. Thank you, Mr. President.

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

Senator LOVELL: Mr. President and Ladies and Gentlemen of the Senate. I will be brief. I am the oldest member in this Senate, and I have been retired 6 years. The value of my dollar when I retired has dropped 45c. Now I am getting too old to work, we have got to stop this inflation, and we have got to start to stop it in every State in the Union.

Now there had already been a great number of states that have passed this Constitutional Amendment to have a Constitutional Convention. I can see no harm to start here and now, in the State of Maine before the Judiciary Committee to get some input, to get Maine involved in this balancing the budget.

Our State Budget we have balanced it, our town budgets we balance, how are we going to keep on going, forever? You younger people who are here now, fifteen, twenty years from now I will not be around, but you are going to be around but your dollar is only going to be worth about a dime. So what are you going to do then, when you have to pay \$5. for a loaf of bread, so if you do not start and balance the budget now, and now is the time to start before it is too late. You are going to have a mass recession and possibly a civil war and revolution in the United States. I hope you will vote for this Order.

The PRESIDENT: The Chair recognizes the Senator from Washington, Senator Silverman.

Senator SILVERMAN: Mr. President and Members of the Maine Senate. You can say Rule 35, does not allow this into Public Hearing, into the Maine Senate or the Maine House or the Maine Legislature.

But sometimes there are more important issues than that Rule. We have let our Federal Congress, lead us into an arena of inflation, of the prices of everything, raising higher and higher and there has been no checkmate. It is got to the position, where the people are going to demand action. Certainly some of us have said that there are politicians who are playing it for their own gains. But beyond that there is a realistic approach, the people are going to demand action of what it is costing to live in the State of Maine, and what it is costing to live in our nation.

Now Congress cannot hide behind or under the rug forever. They have got to do something, and therefore concerned citizens through this vehicle, are saying, the people of the United States and the State of Maine are tired of inflation eating up their dollars and their earnings and their wages. Now either you do something in Washington, or we are going to demand that you do something in Washington, and in turn solve this problem. Which if you took a poll today is the major concern of every American. Thank you.

The PRESIDENT: A Roll Call has been requested. Under the Constitution, in order for

the Chair to order a Roll Call 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 question before the Senate is the Motion by the Senator from Cumberland. Senator Gill, that S. P. 263 be Passed.

A Yes vote will be in favor of Passage.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA—Ault, Chapman, Collins, Devoe, Emerson, Gill, Hichens, Huber, Katz, Lovell, McBreairty, Perkins, Pierce, Redmond, Shute, Silverman, Sutton, Trafton

NAY—Carpenter, Clark, Conley, Cote, Martin, Minkowsky, Najarian, O'Leary, Pray, Usher

ABSENT—Danton, Farley, Teague, Trotzky
A Roll Call was had.

18 Senators having voted in the affirmative and 10 Senators in the negative, with 4 Senators being Absent, the Order Received Passage.

Sent down for concurrence.

Committee Reports

House

Divided Report

The Majority of the Committee on Legal Affairs on, Bill, "An Act Relating to Payment for Sales in Retail Stores under the Liquor Laws." (H. P. 6) (L. D. 12)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-37)

Signed:

Senators:

FARLEY of York

COTE of Androscoggin

Representatives:

McSWEENEY of Old Orchard

DELLERT of Gardiner

GAVETT of Orono

CALL of Lewiston

VIOLETTE of Van Buren

SOULAS of Bangor

MAXWELL of Jay

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

Signed:

Senator:

SHUTE of Waldo

Representatives:

STOVER of West Bath

BROWN of Gorham

DUDLEY of Enfield

Comes from the House, Bill and Papers, Indefinitely Postponed.

Which Reports were Read.

On Motion by Senator Katz of Kennebec, Tabled 1 Legislative Day, pending Acceptance of Either Committee Report.

Senate

Change of Reference

Senator Cote for the Committee on Local and County Government on, Bill, "An Act to Authorize County Appointment of Electrical Inspectors." (S. P. 248) (L. D. 698)

Reported that the same be referred to the Committee on Business Legislation.

Which Report was Read and Accepted and the Bill, Referred to the Committee on Business Legislation.

Sent down for concurrence.

Leave to Withdraw

Senator Ault for the Committee on State Government on, Bill, "An Act Relating to Compensation of the Secretary of the Public Utilities Commission." (S. P. 146) (L. D. 323)

Reported that the same be granted Leave to

Withdraw.

Which Report was Read and Accepted.

Sent down for concurrence.

Ought to Pass — As Amended

Senator Teague for the Committee on Taxation on, Bill, "An Act Relating to Supplemental Assessments under the Taxation Statutes." (S. 68) (L. D. 105)

Reported that the Same Ought to Pass as amended by Committee Amendment "A" (S-19)

Which Report was Read and 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 Small Grants Program for Municipal Conservation Commissions." (H. P. 266) (L. D. 343)

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

Senate

Bill, "An Act to Strengthen Regional Library Systems." (S. P. 77) (L. D. 166)

Which was Read a Second Time and Passed to be Engrossed.

Sent down for concurrence.

Orders of the Day

The President the Chair laid before the Senate the First Tabled and specially assigned matter;

Bill, "An Act to Require Motorcycle Operators and Passengers and Motor Driven Cycle Operators and Passengers to Wear Helmets if they are Minors." (H. P. 114) (L. D. 123)

Tabled—February 27, 1979 by Senator Minkowsky of Androscoggin.

Pending—Passage to be Engrossed

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator O'Leary.

Senator O'LEARY: Mr. President and Members of the Senate: Those of you, who have served either of the last two sessions with me, know how I feel about the constitutional rights of an individual's freedom of choice.

Mr. President when I have finished my presentation here today, I would like someone to table this Bill, and ask the question of the Attorney General about the constitutionality?

Can we restrict ones right to operate a certain motor vehicle in a manner that is different from others? Whether it be because of age, or color or sex or religion? In the state of Illinois the question was asked and the Helmet Law in its entirety was found unconstitutional.

Mr. President and Members of the Senate, I would submit to you that most Motorcyclists are proud of the machines, whether they be 16, 17, 18 or 60 and we do have them operators over the age of 60. They keep them highly polished, finely tuned and mechanically perfect. A Motorcyclist is more aware, more cautious than any motorist, any automobile operator. They are more aware of the danger that may be encountered by mechanical troubles, or reckless use of their machines. The ability of a motorcyclist to avoid an accident, is far beyond that of auto-operator. His visibility is unhindered, and his maneuverability is exceptional.

You heard the good Senator from Androscoggin, Senator Minkowsky tell you tests have conclusively proven that these helmets will only stand an impact of 4 miles per hour. So if you really want to do something amend the Bill making it to read, that those under the age of 18 will wear a helmet when their motorcycle is either in the process of starting or stopping, otherwise you will never see a motorcycle doing 4 miles per hour.

Mr. President and Members of the Senate:

Especially those of you who have never owned or operated a motorcycle. Let me tell you that there is a loss of peripheral vision with a helmet. There is a gain however, and it is of false security.

There is one important loss and that is the loss of hearing. As you know Mr. President and Members of the Senate, the Blue Knight Motorcycle Club is composed of men who are Law Enforcement Officers. One member riding with a friend of his, related to the Committee on Transportation, two years ago, that his friend through the loss of hearing swerved in the wrong direction and went under a Tractor Trailer.

To give you an example of what the real hard facts are, and the point to be made is that helmets can and do kill.

In the State of New York, there was an increase of 38% of those killed on motorcycles, because of broken necks. The helmet hits between the 3rd and 4th vertebra. A broken neck is clean, it is quick, it is certain, is it what you really want?

You heard the good Senator from Penobscot, Senator Trotzky, tell you about those who may become welfare cases, if they do not wear a helmet, did he mention those in autos that do not wear safety belts? You heard the good Senator from Cumberland Senator Conley, express his concern for the lives of these young motorcyclists.

I signed Ought to Pass, on a Bill that he vibrantly supported in these Chambers, that would remove the School Bus lettering and the flashing red lights from the Portland Transit Company buses, that transport school children, believe me they are a lot less guarded than the age 18. The Senator from Waldo, Senator Shute described to me yesterday the tragic events of his daughter in a motorcycle accident. The broken leg, the surgery, the costs settlement and so on. She was wearing a helmet, the helmet was great and saved her from scrapes and scratches which helped preserve her beauty, I am sure.

However, there is uncontested testimony from doctors and I think that this is the key, by doctors that if there is a head injury from impact, and the helmet is not removed immediately, so that the brain and skull can expand, the victim is sure to die. Is that what we are trying to do here, kill our youngsters?

Mr. President and Members of the Senate. I was the sponsor of L. D. 9, An Act to Repeal the Requirement for Wearing Motorcycle Helmets. The governor chose to Veto this Bill, with certain reservations. At that time I addressed each of these issues and the vote to override in this body was 26 to 5. Mr. President, I do not think that at this time, that it is necessary to address all the same issues, but perhaps inject here some of my own thoughts.

Mr. President and Members of the Senate. I am going to unbare here today just a little for you to understand me and how I believe. When it seemed certain that I was taking that long journey, I became a believer in the hereafter. I have been part way there and back, every day is a beautiful day, especially when you awaken in the morning, Mr. President. If it is the desire of those here today, that we would much rather kill our kids quick, then I say pass this bill, if we would rather have them scarred and maimed, perhaps, but still alive, then we ought to kill this bill.

Ever since the passage of the helmet Repeal Law I have suffered a little bit, in my mind and my heart, because of the newspaper stories, that I would pick up and read where someone was killed and not wearing a helmet. I was bothered, I was prepared in my own thoughts, of reintroducing a mandatory helmet bill. However, on November 16, 1978 on the front page of my newspaper, an article appeared in the top left hand portion, entitled "Cycle deaths up, but not linked to the helmet repeal". As I read the article I was convinced in my own mind

that perhaps, I had done the right thing. I do sometimes question whether I had done right or wrong, but I am convinced, in my own mind that what I had done is right.

Also, Mr. President there was an increase in those who died of cervical fracture and internal injuries, which corresponded with the year that we had a helmet law, so everything balanced out.

I would like to sum it all up, Mr. President with the words of our former governor. In his veto message he said, "If L. D. 9 should become Law, we in the Executive shall closely monitor this situation and if there is any evidence of an increase in serious injuries due to the lack of helmets, we will propose Legislation to reinstate the helmet requirements."

Mr. President and Members of the Senate. Although I did not have much communication with our former governor, I know that he would have directed his aids to follow it up. Where is no recommendation it seems asinine that here today we are attempting to pass a Bill requiring those under the age of 18 to wear helmets. The best part of it is that since the repeal of the Helmet Law Bill there has not been one, not one accidental death of a person under the age of 18.

Mr. President, I know that I perhaps bored the members of this body, however I feel that I have an obligation to defend that freedom of choice, without any through ado I move that this Bill and all of its accompanying papers be Indefinitely Postponed.

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

Senator CARPENTER: Mr. President and Ladies and Gentlemen of the Senate: Just briefly, I would hope that we would oppose the Motion pending before the body, to kill this Bill, I spoke on the issue earlier this week and indicated my support.

I think that we do a lot of things, here in Augusta, which we do not know what the ramifications will be, on down the road a little ways. This Bill, simply stated will require anyone under the age of 18 on a Motorcycle either driver or passenger, shall wear a helmet.

Now I realize that in terms of balancing the Federal Budget it is a bit mundane. But I think that probably, in terms of the people of the State of Maine, especially our young people, this issue which the good Senator from Oxford Senator O'Leary, has already debated and I am sure, will see more debate this morning. Probably is more important than the debate that took place a few moments ago in this chamber.

I would hope that this morning, that we would keep the Bill as it is, I would hope that you would oppose the motion, to kill the Bill, and also oppose any amendment, such as the one that I am looking at under filing of S 20, that may be coming along later, which would negate the entire effect of the bill.

I do not think that it is too much to require, if we do not allow persons under the age of 18 to do a lot of things in this State. Why don't we, is it because we are scared of them? Do we not allow persons under the age of 20 to drink alcoholic beverages because we are afraid of them or what they will do to our State? Do we not allow persons under the age of 16 to drive a motor vehicle because we are afraid what they are going to do to the State economy or to the State?

I would maintain that primarily the laws that are on the books, for guarding the move from a minor to adulthood, are on the books primarily because the Legislature has felt in its collective wisdom, that it was for the good of the child. This is the reason that most of these laws are on the books. I would hope that we could go ahead and put, this particular statute into the books, also for the good of the child. Thank you.

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

Senator HICHENS: Mr. President and Members of the Senate: As related the other day, I

did vote for repeal of the helmet law. Mainly on the situations which have just been explained, by the good Senator from Androscoggin.

I felt that people, at times, could not hear with helmets on; at times their helmets got blurred and their vision was impaired, so I voted to repeal the Helmet Law.

But I am very concerned, about the passengers especially on cycles as I also explained the other day. I have just sent a note to the Senator and asked that we might change it to include just passengers. He informs me that if we go along with the Second Reading he has an amendment all written out. I hope you will vote against his proposal. Send this along to the Second Reading and have it changed to include, just the passengers so that the persons operating the motorcycle will not have their vision or their hearing impaired, as they ride with a helmet on.

The PRESIDENT: The Chair recognizes the Senator from Aroostook Senator Martin.

Senator MARTIN: Mr. Speaker, Ladies and Gentlemen of the Senate: Earlier this week, I supported this Bill, I have however changed my position on it, I would like to tell you why.

I am concerned about the enforcement aspect, I had a call earlier from the Supreme Court Judge in my Senate District. He told me one thing, that if you can not enforce it do not pass it. I have had a couple of days to think about this, and I am just wondering how they will enforce it? Are they going to require minors to carry their birth certificates? Are they going to stop every motorcycle and check them out? I mean think about this, I would therefore support the pending motion.

The PRESIDENT: The Chair recognizes the Senator from Penobscot Senator Pray.

Senator PRAY: Mr. President and Members of the Senate: I rise at this time to try to dispute some of the arguments, that have been presented here.

First of all, let us start with some of the arguments, presented by the Senator from Oxford Senator O'Leary, in reference first of all, to the concerns he has that we are identifying a certain age and a question of Constitutionality.

Now I would like to be a little serious about this issue, because you require individuals over 40 to take an eye test. Is there a constitutional question there, that we are separating age?

We also in the Legislative process, through the constitution, decide that an individual must be 25 to run for the Senate, must be, I believe it is 20 to run for the House, yet the voting age is 18.

I think that we are not being inconsistent if we decide that because of a particular age, that individuals have to take additional precaution which we consider in Legislation to be, for the benefit of society, for the health and welfare of society.

In reference to the hearing loss that a helmet supposedly gives to the driver who is wearing it. Should we if we are to be concerned about hearing and motor vehicles of all sorts, perhaps band radios, or how loud a radio can be turned up? I am sure that many of the younger generation, riding around in an automobile sometimes has a radio on, today's music, sometimes blaring out to sometimes where they can not hear a horn on a vehicle coming up to pass them.

In reference to the remarks of the Senator from Aroostook Senator Martin. As to how the law can be enforced, I would suspect that it would be enforced the same way that the present motor vehicle laws are passed. If we happen to be coming down the highway and the Senator from Aroostook Senator Martin, was driving his automobile whether or not a state trooper or a law enforcement officer would know if he even has a license. Perhaps we should repeal requiring a license, because unless you were stopped and asked for a license, they are not going to see it. There is no

requirement for a Birth Certificate to show when you were born, because your drivers license on a motorcycle or an automobile has your date of birth on it.

It is the same as the decision of a Law Enforcement Official to stop somebody who is weaving around the road or the individual looks as if he is quite young, without a helmet the Enforcement Officer may then stop them and ask them, as to whether or not they have a license and whether or not they are in violation of the law.

A few years ago, we came out with the Liquor ID Card to separate the 18 and 17 year olds, when the drinking age was lowered to 17. The drinking age has been raised, but the Liquor ID Card, is still a verification of identification and age. So we commonly require for the benefit of society, identification process, which a store owner or a bartender has the ability to ask to see. I think that this law would be enforced exactly the same way as the existing statutes that we have.

The question that we are addressing, if we defeat the present motion to kill the entire Bill. I will move the Indefinite Postponement of the Amendment. Is the safety of those individuals who we through our statutes have considered to be not yet quite mature enough to make most of the time those safe decisions. We have done it in a number of other measures, and we are not fixed upon a particular age, sometime drinking it is 20, and driving at 16. I think that you can get a drivers license. Contracts we decide that it is 18 and so on, we are all over the board on it.

But this issue is a concern of safety, well being and welfare of those individuals of a younger age, which are on a very dangerous vehicle a motorcycle. I in my younger years owned one, and did some pretty foolish things with it, luckily I survived. That is the issue, that is the question, that we have to address today. Thank you.

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

Senator MINKOWSKY: Mr. President and Members of the Senate: I will be very brief today.

As I had stressed yesterday to this body, enforcement of this particular requirement would be virtually impossible, here in the State of Maine. The good Senator from Penobscot who is debating the point that Senator Martin brought up earlier about enforcement, stated Yes the driver or operator of that motorcycle, does have a license which states his age. But if he is driving along any one of the roads in the State of Maine, and picks up a passenger, the passenger may or may not have identification verifying his age.

This is a very important point, do we want through harassment of these people who are driving motorcycles in the State of Maine by law enforcement as a mechanism of getting at them for some particular reason. This is a very important point, to stress to you people today. We have a very short driving season here in the State of Maine. The major concern of the Motorcycle Clubs in the State of Maine has been an educational one. They stress this over and over again, at the Public Hearings which I attended, along with the members of the Transportation Committee Chaired by Senator Emerson.

It was rather interesting yesterday to note, that people who voted on the Roll Call, I requested, were approached by various members of the third house, on this particular issue. Not predicated because they were lobbying a Bill for a particular firm or organization, but individuals, as individuals. I further made inquiries about these individual lobbying efforts, by the members of the third house, and it was rather interesting to note that they matriculated down, from a member in the leadership of the second house.

Further on, I found out it was rather interesting this thing was an issue amongst the insurance carriers in the State of Maine. Amongst some of the hospitals who did not collect their bills because of injuries. This was not relevant to the kids, who are passengers on motorcycles. Any person as I said yesterday, who is concerned with the welfare, if they want the security of a helmet let it be their prerogative to place the helmet on the head of that child they want to take as a passenger. Do not mandate everything including common sense.

It is what we are asking for, in this particular measure today, to mandate common sense. I, as a father of six kids, most likely in driving a motorcycle, would put a helmet on my four year old daughter's head. I want to make that decision myself, I do not want to be told by the State of Maine or through its Law Enforcement Agencies, what I should or what I should not do.

We are going too far today, in mandating many requirements for the people of this State. If we want to maintain some degree of freedom, we better start changing our posture about mandating every single thing under a law. Which in many cases and in this particular case here is basically unenforceable.

The motorcycle organizations, who are very concerned about this, and basically as I stressed yesterday it is discrimination. You are saying to one particular class of people you are not able to make, logical, sound, intelligent decisions. To another class who may not have driven a motorcycle for more than 2 or 3 hours, because he is over 18 years of age it is perfectly OK if you do not wear a helmet, you are an expert.

As Senator O'Leary so ably pointed out the deaths that occurred in the State of Maine, there is not a single one under age 18, they are all from 19 up to 52 years of age. There are 920 youngsters who are registered to operate motorcycles in the State of Maine, there is not a single one of those people to the best of our recollection or the statistics we were able to develop that were injured or killed. I would urge this body to support the motion of the good Senator from Oxford Senator O'Leary, in the Indefinite Postponement of this particular Bill and all of its accompanying papers.

The PRESIDENT: The Chair recognizes the Senator from Oxford Senator O'Leary.

Senator O'LEARY: Mr. President would you ask the Secretary to read the Committee Report, please?

The Committee Report was Read.

The PRESIDENT: Is the Senate ready for the question? The Chair recognizes the Senator from Cumberland Senator Conley.

Senator CONLEY: Mr. President, I hope the few remarks I have to make will bring an end to the debate on this very important Bill.

I think it is an extremely important Bill, since if you are concerned really as to what happens to some young kid when he takes a trip off from a bicycle at a considerate amount of speed, I think you should vote for this Bill.

I live in an area where there are just large numbers of children, and the fact is as you see them playing inside, you just think of how beautiful it is and how lovely it is and you can cherish that nothing will ever happen to anyone.

We build contraptions like motorcycles and we put young kids on them who are not quite mature, who puts another kid on the back who is even less mature. His life is at the stake of the individual behind that wheel.

As I stated the other day we have mandated many many things with respect to putting a vehicle on the road, in an automobile to make sure it was safe. I think if we have any concern for the lives of these young kids then we should vote for this Bill and against the pending motion.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from York Senator Hichens.

Senator HICHENS: I am sorry to disappoint the good Senator from Cumberland, in that he was not the last speaker on this.

But I am still very much concerned about the passenger, and when the arguments were raised about not being able to tell their age, I am concerned about 12, 13, 14 year olds whom an officer could detect very easily. May be when they are up to 17 they could not tell if they were of age or not. The driver of that vehicle would be very certain that he knew whether they were of age or not before he let them become a passenger, both for insurance and for his own protection in case there was an accident.

A few years ago on the Radio I heard a new broadcaster finish off his news broadcast with what he thought was a humorous saying, what I thought was quite humorous at the time. He told about how "George had invited his girlfriend Ruth to go on a motorcycle ride with him. They were riding along and they went over a hump in the road, and the passenger was thrown off, George continued on his way Ruthless-ly. It sounded funny at the time, but it is not funny anymore because we have had many instances where passengers have been thrown off the bike and sometimes the driver has gone along and not even know that he was going alone. I still think that we should pass this along and have it amended to include the passengers.

The PRESIDENT: The Chair recognizes the Senator from Aroostook Senator Carpenter.

Senator CARPENTER: If it has not already been done, I would request the Yeas and Nays.

The PRESIDENT: A Roll Call has been requested. Under the Constitution in order for the Chair to order a Roll Call 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 less than one-fifth having arisen a Roll Call is not ordered.

The Chair will order a Division.

The pending question before the Senate is the Motion by the Senator from Oxford Senator O'Leary that this Bill and its accompanying papers be Indefinitely Postponed.

Will all those Senators in favor of Indefinite Postponement, please rise in their places to be counted.

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

13 Senators having voted in the affirmative and 11 Senators in the negative, the Motion to Indefinitely Postpone does prevail.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin Senator Minkowsky;

Senator MINKOWSKY: Mr. President having voted on the prevailing side, I now move that the Senate Reconsider its action and urge that you vote against me.

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

Senator CONLEY: Mr. President, I request a Roll Call on the motion.

The PRESIDENT: A Roll Call has been requested. Under the Constitution in order for the Chair to order a Roll Call 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 question before the Senate is the Motion by the Senator from Androscoggin Senator Minkowsky that the Senate Reconsider its Action whereby it Indefinitely Postponed L. D. 123.

The Chair recognizes the Senator from Cumberland Senator Conley.

Senator CONLEY: Mr. President, I would

urge the Senate to vote Yes on the pending question.

The PRESIDENT: A Yes vote will be in favor of Reconsideration.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA—Carpenter, Clark, Collins, Conley, Devoe, Gill, Hichens, Najarian, Perkins, Pray, Shute, Silverman, Trafton.

NAY—Ault, Chapman, Cote, Emerson, Huber, Lovell, Martin, McBreairey, Minkowsky, O'Leary, Pierce, Redmond, Sutton, Usher.

ABSENT—Danton, Farley, Katz, Teague, Trotzky.

A Roll Call was had.

13 Senators having voted in the affirmative and 14 Senators in the negative, with 5 Senators being Absent, the Motion to Reconsider does not prevail.

Sent down for concurrence.

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

Order

An Expression of Legislative Sentiment recognizing that:

John Fields of Auburn celebrated his 100th birthday on February 28, 1979... (S. P. 273) is presented by Senator Trafton of Androscoggin, cosponsored by Representatives Broudeur of Auburn and Michael of Auburn.

Which was Read and Passed.

Sent down forthwith for concurrence.

The PRESIDENT: The Chair congratulates the Senator from Oxford, Senator O'Leary, for having done such a fine job presiding yesterday.

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