

# 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

March 1, 1979

Senate called to Order by the President.

Prayer by Reverend William N. Hamilton, First Congregational Church of Christ, of Wiscasset.

Reverend HAMILTON: They who wait upon the Lord, will renew their strength, they will mount upon wings as eagles; they shall run and not be weary; they shall walk and not faint.

Let us pray! God of our Republic; God of this Legislature; God of all people; we acknowledge our awe at the responsibilities placed upon us.

We confess our struggle to do right, in the midst of conflicting opinions, we know well our limitations and short comings.

Be with us this day as the bringer of confidence, that we may discharge our responsibilities honestly, speak boldly in the face of conflict, and surpass our limits, to the end that the people who have trusted us to represent them will indeed be served.

Help us to rejoice in this fellowship of government, knowing that no matter what side we are on at any time, we are united in service. Be among us as we gather this day. Amen.

Reading of the Journal of yesterday.

Senator Katz of Kennebec, was granted unanimous consent to address the Senate, Off the Record.

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

**Recess**

**After Recess**

The Senate called to order by the President.

(Off Record Remarks)

**Papers From the House**

**House Papers**

Bill, "An Act to Amend the Maine Commercial Fertilizer Law". (H. P. 584) (L. D. 771)

Bill, "An Act to Regulate the Distribution, Labeling and Sale of Plant and Soil Amendments". (H. P. 585) (L. D. 772)

Bill, "An Act to Regulate the Distribution, Labeling and Sale of Agricultural Liming Materials". (H. P. 586) (L. D. 773)

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

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

Bill, "An Act to Clarify and Amend the Investment Provisions of the Maine Insurance Code". (H. P. 621) (L. D. 778)

Bill, "An Act to Amend Returnable Beverage Container Statutes to Require Distributor Operation of Redemption Centers and to Require Refillable Containers". (H. P. 639) (L. D. 793)

Bill, "An Act to Establish Standards for the Sale and Installation of Foam Plastic Insulation". (H. P. 622) (L. D. 779)

Comes 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 Giving Local School Committees more Control with Respect to the Setting of School Calendars". (H. P. 640) (L. D. 794)

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

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

Bill, "An Act to Amend the Prohibition of Issuing Fisheries and Wildlife Licenses to Persons Convicted of Certain Offenses". (H. P. 641) (L. D. 795)

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

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

Bill, "An Act Concerning Child Abuse and Neglect". (H. P. 602) (L. D. 775)

Bill, "An Act to Amend the Laws Relating to Criminal History Record Information". (H. P. 629) (L. D. 780)

Bill, "An Act to Centralize the Administration of Uniform Reciprocal Enforcement of Support Act Petitions Filed in the State of Maine by the Official Child Support Agency of Another State". (H. P. 643) (L. D. 796)

Comes 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 Establish the Beer and Wine Franchising Act". (H. P. 608) (L. D. 776)

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.

Bill, "An Act to Prohibit Housing Discrimination Against Families with Children". (H. P. 630) (L. D. 781)

Committee on Legal Affairs suggested.

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 Abolish the Ogunquit Village Corporation". (H. P. 631) (L. D. 782)

Bill, "An Act to Clarify the Requirements for the Adoption of a Development District Program Under the Municipal Developments District Act". (H. P. 645) (L. D. 774)

Comes 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 for Full Disclosure of Tax Information on Tax Bills". (H. P. 610) (L. D. 791)

Bill, "An Act to Provide for Public Notice of Any Municipal Tax Increase". (H. P. 611) (L. D. 792)

Committee on Local and County Government suggested.

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

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

Bill, "An Act to Require the Public Utilities Commission to Study the Safe and Proper Decommissioning of Nuclear Generating Facilities in Maine". (H. P. 632) (L. D. 783)

Bill, "An Act to Require Periodic Management Audits of all Public Utilities". (H. P. 633) (L. D. 784)

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

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

Bill, "An Act Creating a State House and Blaine House Commission". (H. P. 613) (L. D. 777)

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 Provide that the Rate for Delinquency Charges for Property Taxes shall be no Greater than 3% of the Rate of Municipal Borrowing". (H. P. 634) (L. D. 785)

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

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

Bill, "An Act Concerning the Categories of "Horseless Carriage" and "Antique Motor Car" under the Motor Vehicle Statutes". (H. P. 635) (L. D. 786)

Bill, "An Act to Increase the Dollar Amount of an Accident that Must be Reported from \$200 to \$500". (H. P. 636) (L. D. 787)

Bill, "An Act to Prohibit Vehicles from Passing School Buses on School Property while Buses are Receiving or Discharging Students". (H. P. 637) (L. D. 788)

Comes 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.

(Off Record Remarks)

**Communications**

**BUREAU OF TAXATION**

To the Members of the 109th Legislature:

The accompanying report of the State-owned delinquent tax lands is submitted in accordance with provisions of Title 36, MRSA, section 1283.

A similar report was submitted in 1976 to the members of the 108th Legislature. The report listed a total of three parcels or interests at that time owned by the State on account of tax delinquency. The 108th Legislature authorized such property to be disposed of by the State Tax Assessor, either by sale to designated persons or by sale to the highest bidder (Chapter 1, Resolves of 1977).

Of the three parcels or interests which the State Tax Assessor was authorized to dispose of by sale the following action has been taken:

Sold to designated persons	1
Sold to highest bidder	2
Total received from authorized disposal of three parcels of interest	\$1,562.45

The current report includes four parcels or interests acquired through liens maturing since the last session of the Legislature. Review has been made of each parcel on the basis of which the descriptive material and recommendations included in the present report are made.

In the case of each parcel, this report shows the entire amount of tax, interest and costs that would have accrued had the property remained in taxation to date. This figure is given as an indication of the total amount of tax liability that should be considered outstanding in the case of each parcel.

Respectfully submitted,

R. L. HALPERIN

State Tax Assessor

(S. P. 294)

Which was Read and with accompanying Report, Ordered placed on file.

Sent down for concurrence.

**COMMITTEE ON HEALTH  
AND INSTITUTIONAL SERVICES**

February 28, 1979

The Honorable Joseph Sewall

President of the Senate

State House

Augusta, Maine 04333

Dear President Sewall:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 109th Maine Legislature, the Joint Standing Committee on Health and Institutional Services has

had under consideration the nomination of Edward F. Gorham to the position of Member on the Health Facilities Cost Review Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 109th Maine Legislature that this nomination be confirmed. The vote was taken by the Yeas and Nays. The Committee Assistant called the Roll with the following result:

YEAS:

Senators	1	
Representatives		9

NAYS:

Senators	0	
Representatives		0

ABSENT 3

Senator Hichens, Senator Carpenter, Representative Vincent

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Edward F. Gorham to the position of Member on the Health Facilities Cost Review Board be confirmed.

Sincerely  
BARBARA GILL  
Senate Chairman  
SANDRA PRESCOTT  
House Chairman

Which was Read and Ordered Placed on file.

The PRESIDENT: The Joint Standing Committee on Health and Institutional Services has recommended that the nomination of Edward F. Gorham be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Health & Institutional Services be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th Legislature, the vote will be taken by the yeas and nays. A vote of YES will be in favor of overriding the recommendation of the Committee. A vote of NO will be in favor of sustaining the recommendation of the Committee. Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.  
The Secretary will call the Roll.

#### ROLL CALL

YEA — None

NAY — Carpenter, Chapman, Clark, Collins, Conley, Cote, Devoe, Emerson, Farley, Gill, Huber, Katz, Lovell, Martin, McBreairey, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Pray, Redmond, Shute, Silverman, Sutton, Trafton, Usher, Sewall

ABSENT — Ault, Danton, Hichens, Teague, Trotzky

No Senators having voted in the affirmative and 28 Senators in the negative with 5 Senators being absent and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of Edward F. Gorham is confirmed.

#### Senate Papers

Senator Carpenter of Aroostook presented, RESOLVE, to Provide Minimum Retirement Credit for Elwood Lloyd of Smyrna. (S. P. 284)

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

Sent down for concurrence.

Senator Najarian of Cumberland presented, Bill, "An Act to Expand the Availability of Certain Social Services by Increasing Income Eligibility." (S. P. 281)

Senator Lovell of York, Cosponsors: Senator Conley of Cumberland, Senator Danton of York, Senator Redmond of Somerset presented, Bill, "An Act to Increase the State Tourism Promotion Effort under the Tourism Promotion and Information Services Act." (S. P. 292)

Which were referred to the Committee on

Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

Senator Najarian of Cumberland presented, Bill, "An Act Concerning Certificates of Contribution under the Maine Insurance Code." (S. P. 280)

The same Senator presented, Bill, "An Act Concerning Insurance Proceeds under the Maine Insurance Code." (S. P. 282)

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

Sent down for concurrence.

Senator Trotzky of Penobscot presented, Bill, "An Act to Amend the Form of Election Ballots to Omit the Secretary of State's Name under Certain Conditions." (S. P. 272)

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

Sent down for concurrence.

Senator Usher of Cumberland presented, Bill, "An Act to Increase the Fee for Tagging Wild Game to \$1." (S. P. 277)

Which was referred to the Committee on Fisheries and Wildlife and Ordered Printed.

Sent down for concurrence.

Senator Najarian of Cumberland presented, Bill, "An Act to Amend the Maine Certificate of Need Act of 1978." (S. P. 283)

Which was referred to the Committee on Health and Institutional Services and Ordered Printed.

Sent down for concurrence.

Senator Hichens of York presented, Bill, "An Act Concerning Indeterminate Sentence to the Maine Youth Center." (S. P. 285)

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

Sent down for concurrence.

Senator Hichens of York presented, Bill, "An Act to Restore the Power of Arrest to Private Investigators." (S. P. 275)

Reference to the Committee on Judiciary was suggested.

On Motion by Senator Katz of Kennebec, referred to the Committee on Legal Affairs and Ordered Printed.

Sent down for concurrence.

Senator Usher of Cumberland presented, Bill, "An Act to Provide for Extension of the Time Period During which Notice must be Given under the Workers' Compensation Act." (S. P. 278)

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

Sent down for concurrence.

Senator Danton of York presented, Bill, "An Act to Simplify the Requirements for Licensing Certain Clergymen to Perform Marriages." (S. P. 287)

The same Senator presented, Bill, "An Act to Provide Malt and Table Wine Licenses for Ship Chandlers." (Emergency) (S. P. 288)

The same Senator presented, Bill, "An Act to Provide for Consistent Hours of Operation by State Retail and Agency Liquor Stores." (Emergency) (S. P. 293)

The same Senator presented, Bill, "An Act to Allow Reduced Pricing of Discontinued Liquor Items." (Emergency) (S. P. 290)

The same Senator presented, Bill, "An Act to Provide for Metric Measurements." (S. P. 286)

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

Sent down for concurrence.

Senator Danton of York presented, Bill, "An Act to Enable the Ocean Park Association to Qualify for Tax Exempt Status under the United States Internal Revenue Code." (Emer-

gency) (S. P. 291)

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

Sent down for concurrence.

Senator Danton of York presented, Bill, "An Act to Repeal Mandatory Public Meetings by the State Liquor Commission." (S. P. 289)

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

Sent down for concurrence.

Senator Najarian of Cumberland presented, Bill, "An Act to Prohibit Motor Trucks from Passing Moving Motor Vehicles When Visibility is Low." (S. P. 279)

Senator Usher of Cumberland, presented, Bill, "An Act to Provide for the registration of Off-road Motorcycle Type Vehicles." (S. P. 276)

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

Sent down for concurrence.

#### Orders

An Expression of Legislative Sentiment recognizing that:

Stearns High School of Millinocket has won the Eastern Maine Class B Girls' Basketball Championship. . . (S. P. 271) is presented by Senator Pray of Penobscot, Cosponsored by Representatives Marshall of Millinocket, and Birt of East Millinocket.

An Expression of Legislative Sentiment recognizing that:

On February 23, 24 and 25, 1979, Lewiston "La Ville Mere Du Mouvement De La Raquette Aux Etats-Unis," was the scene of the 55th International Snowshoe Congress, sponsored by the City of Lewiston and Le Club Montagnard. . . (S. P. 274) is presented by Senator Minkowsky of Androscoggin, Cosponsored by Senator Cote of Androscoggin.

Which were Read and Passed.

Sent down for concurrence.

#### Committee Reports House

The following Ought Not to Pass reports shall be placed in the Legislative Files without further action pursuant to Rule 22 of the Joint Rules:

Bill, "An Act to Provide the Bureau of Consumer Protection with a Toll-free Telephone Number." (H. P. 257) (L. D. 302)

Bill, "An Act to Require that Alternates on the Maine Labor Relations Board Fill Unexpired Terms when Vacancies Occur." (H. P. 224) (L. D. 272)

Bill, "An Act to Reorganize the Department of Defense and Veterans Services within the Office of the Governor." (H. P. 355) (L. D. 471)

#### Leave to Withdraw

The Committee on State Government on, RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide that the Membership of the House of Representatives shall be Three Times that of the Senate and That Each Senate District Shall be Composed of Three Contiguous House Districts. (H. P. 110) (L. D. 119)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

Which Report was Read and Accepted, in concurrence.

#### Ought to Pass

The Committee on Marine Resources on, Bill, "An Act to Increase the Limit on bonded Indebtedness of the Eastport Port Authority From \$500,000 to \$6,000,000." (Emergency) (H. P. 108) (L. D. 137)

Reported that the same Ought to pass.

Comes from the House, the Bill passed to be

Engrossed as amended by House Amendment "A" (H-43).

Which Report was Read and Accepted in concurrence and the Bill Read Once. House Amendment "A" was Read and Adopted in concurrence, and the Bill, as amended, Tomorrow Assigned for Second Reading.

#### Ought to Pass in New Draft

The Committee on Local and County Government on, Bill, "An Act Converting Mount Chase Plantation into the Town of Mount Chase." (Emergency) (H. P. 145) (L. D. 163)

Reported that the same Ought to Pass in New Draft under same title. (H. P. 638) (L. D. 764)

Comes from the House, the Bill, in New Draft, Passed to be Engrossed.

Which Report was Read and Accepted in concurrence and the Bill, in New Draft, Read Once and Tomorrow Assigned for Second Reading.

#### Divided Report

The Majority of the Committee on Education on, Bill, "An Act to Require that Reading be Taught in all Schools in Grades 1 through 12." (H. P. 13) (L. D. 30)

Reported that the same Ought Not to Pass.

Signed:

Sensors:

TROTZKY of Penobscot  
MINKOWSKY of Androscoggin  
GILL of Cumberland

Representatives:

CONNOLLY, Jr. of Portland  
BEAULIEU of Portland  
LEIGHTON of Harrison  
DAVIS of Monmouth  
FENLASON of Danforth  
LOCKE of Sebec  
ROLDE of York  
BIRT of E. Millinocket  
BOWDEN of Standish

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-42).

Signed:

Representative:

LEWIS of Auburn

Comes from the House, the Majority Report Read and Accepted.

Which Reports were Read.

The Majority Ought Not to Pass Report of the Committee. Accepted, in concurrence.

#### Divided Report

The Majority of the Committee on Labor on, Bill, "An Act to Require Personnel Files to Include Medical Records and Nurses' Station Notes." (H. P. 139) (L. D. 158)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-41)

Signed:

Sensors:

SUTTON of Oxford  
LOVELL of York  
PRAY of Penobscot

Representatives:

WYMAN of Pittsfield  
BEAULIEU of Portland  
MARTIN of Brunswick  
DEXTER of Kingfield  
TUTTLE of Sanford  
BAKER of Portland  
McHENRY of Madawaska  
FILLMORE of Freeport

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

Signed:

Representative:

LEWIS of Auburn

Comes from the House, the Majority Report Read and Accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A".

Which Reports were Read.

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

#### Second Readers

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

##### Senate — As Amended

Bill, "An Act Relating to Supplemental Assessments under the Taxation Statutes. (S. P. 68) (L. D. 105)

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

Sent down for concurrence.

#### Enactors

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

An Act Concerning Prisoner Participation in Public Works Projects. (H. P. 213) (L. D. 261)

An Act to Amend the Laws Relating to the Maine Historic Preservation Commission. (H. P. 194) (L. D. 243)

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

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

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

Senator CONLEY: Mr. President, and Members of the Senate. I find this Bill, that is before us this morning, although its intent may be wanting to deal with the health problem dealing with smoking, I certainly can feel strongly about that, but I feel the imposition of the State, mandating language down to local municipal bodies and making it an infraction of the law, for one to smoke at a public meeting is one, I believe most of the people of this State would not be in favor of.

The other day Senator Minkowsky, the good Senator from Androscoggin, offered an amendment that dealt solely and strictly with the State, I could accept that.

I believe that local communities should be able to make that decision themselves. I believe that perhaps most of your communities would establish such a rule within its chambers if they found smoking to be obnoxious to them in a Public Meeting. Again, I believe there is such a thing, most of us have believed in, as Local Control. It is my feeling that it should be left purely and strictly to local communities to make this decision for themselves.

As I heard a colleague of mine say this morning, "If I am a bad boy, send me to my room, or send me out of the room, but do not send me to the Courtroom." That is what this Bill does! When the vote is taken Mr. President, I request that it be taken by the Yeas and Nays.

The PRESIDENT: A Roll Call has been requested.

The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Senator CARPENTER: Mr. President and Ladies and Gentlemen of the Senate. We have debated this Bill, now on several occasions. I would hope this morning that we would Enact this Bill, and send it on its way.

I think, perhaps, the most apropos comments on the whole issue that I have seen yet, is one that I read in the paper this morning, made by the sponsor of the Bill. In which he says, "another person's right to smoke, stop right at my nose," or right at his nose.

As I stated last week, when I spoke on this issue, I do smoke and I attend probably as many public meetings as most of you. As the good Senator from Cumberland, Senator Conley, just pointed out someone this morning said, "Send me to my room or send me out of the room." I guess that is all this Bill asks, is if you want to smoke, if the urge is that compelling, that you do leave the room.

When I went home last weekend, I was a

little bit surprised at the amount of support I found for this Bill. I had constituent meetings in 3 small towns in my district last weekend. In 2 of those towns, I found a good bit of support for the Bill. One store owner, who sells cigarettes said to me, "I sell a lot of chewing tobacco also. If there were a wide spread practice of people going to public meetings, and not only chewing tobacco, but spitting all over everyone, there would be a great human cry and probably a Bill to prevent it would go through the Legislature without so much as a recorded vote."

I guess all we are asking this morning, we are not asking that the State tell me or you or anyone else, they can or cannot smoke. I saw an account in the paper this morning, by the Senator from Kennebec, Senator Katz, to the effect that: How would we feel if Congress told us we could not smoke? That is not the intent of this Bill, that is not the meaning of this Bill. The Bill simply says that everyone should have the God given right to breathe clean air at a public meeting.

Public Meetings, are by and large, Government Meetings. Why should Government Meetings, why should government be dominated, be run by people who smoke or who do not object to cigarette smoke? Don't the people who have asthmatic conditions, bronchial conditions or allergies, don't they have the right to attend and participate in our government? I think they do.

I do not think this Bill, is nearly as far reaching or as radical as many of the oponents have made it out to be. I think the majority of the people out there, who at this point non-smokers, by the way. I really do think that a majority of the people, think it is a pretty good idea, an idea who's time is well overdo.

I would hope that when the vote is taken this morning on the Roll Call, we show the people in the State of Maine, we not only tell the industrial plants of this State, the paper companies, the starch factories and the other processing plants to clean up the air. We can also tell the people of the State of Maine, the individual people in the State of Maine, that we would like them to do something about cleaning up the air at public meetings. Thank you.

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

Senator DEVOE: Thank you Mr. President, and Members of the Senate. I intend to pair my vote this morning, with the Senator from Kennebec, Senator Ault.

I would like to make some comments on this Bill, It is the beginning of a trend, for the Legislature to send edicts to local units of government. It is a trend, I guess started a few years ago and seems to be in vogue at this point.

Imagine what our constituents would say, if Congress had passed a Law saying that there shall be No Smoking at any unit of government meeting, be it State Legislature, be it Local Selectmen Meeting, or Directors of School Administrative District. The human cry that we would hear, in my opinion would be unbelievable. Looking at Washington from Orono, or Machias, or Portland, or Kingfield, Congress seems a more remote level of government. The most immediate level of government above the Local Communities seems to be the State Legislature.

We are now proposing to Enact a Statute which gives a veto power to one person at a meeting. This Legislature does not act giving anyone except the Governor of the State a veto power. Ordinary laws are passed by a majority vote, emergency laws are passed by a two-thirds vote. It is my recollection of previous reviews of the statute, that nowhere in any of the 39 titles that we have in our Maine Statutes at this point, is there any mechanism setup by which one person out of a small or large number of people is given a veto power. The sponsors of the Bill, and the amendment that is now on the Bill from the Senate simply gives

one person a right to veto and control the habits, be they good or bad, of 20, 30, 40 or 100 other people.

It is for this reason that I am opposed to the Bill, we are beginning to declare at the state level, that it is perfectly all right for one person to veto the actions that may wish to be taken by some other people at a meeting. I would be much happier and much more able to support this bill, if first of all we were limiting at the State level of Government an opportunity to see if by collective action on the local level. Giving local communities and local levels of government, an opportunity to see if by collective action, on the local level, they could do something about it, to accommodate people who wish to smoke or people who resisted the idea of smoking.

We are crossing that hurdle of giving local areas of government any chance to see if anything can be worked out. We are immediately brushing them aside and saying, you shouldn't have that right to see if there is any accommodation that can be reached. Instead we here in Augusta, in our collective wisdom, are going to decide for you that you should not have the opportunity, at a local Selectmens Meeting, to see whether something can be worked out on the local level. For that reason, Mr. President, I wish to register my objection to this Bill. Thank you very much.

The PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Perkins.

Senator PERKINS: Mr. President and Ladies and Gentlemen of the Senate. I listened with interest to the good Senator from Penobscot and would have to agree that we are being invaded by regulations from all levels of government.

I can only harken back to a Sewer Project in a local town which is close to me, which was held up because the funding and the employment did not encompass some of the minorities, the whole project was held up for a matter of months. So I give to you the fact that the Federal does pass on to us regulations.

I hasten to point out to you, that the amendment that I offered does include Local Control. I added this amendment because I felt that the locals should have control. I feel if you do not offer this local control you are depriving these people who find it against their health to attend these meetings. I think when you are not exempting them from their taxes, when they are not able to attend these meetings.

The good Senator, Senator Minkowsky, offered an amendment the other day exempting schools, and educational facilities from this. I would be very remiss if I supported that because 70% of Maine's Total Budget is spent on Education. So 70% of Maine's Budget could not be voted on by people who are allergic or have untoward reactions to smoke.

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

Senator LOVELL: Mr. President and ladies and Gentlemen of the Senate. I missed the debates on this particular Bill, and I feel that I should express my opinion on this Bill.

When I ran for reelection for the Senate 2 or 4 years ago, I ran on a home rule stand, I think we passed a Bill of some sort for Home Rule.

Let the communities decide what is best for them. Now we have over 400 communities in the State of Maine, with less than a 1,000 population. Should we decide for these communities? Should we decide for these cities?

Since 1820, since Maine became a State, we have allowed smoking in the Senate. Now, if this bill was just not to allow smoking in the Senate, I could stand going without smoking in the Senate, I would go for it.

This is all over the State, this is against Home Rule, I think that probably what expresses my feelings more than anything else is the article I read in the Press Herald Editorial: "The legislative proposal to impose a ban on smoking at all public meetings in the state is a perfect example of an unnecessary intrusion

into our lives by big government.

Don't get us wrong. We see no reason why smoking shouldn't be banned at town meetings, city council sessions and other meetings held in public areas."

"In fact we ban them in Town Meetings in Sanford, and various meetings. But we also see no reason why the decision to ban smoking at such meetings cannot be made at the local level by individual public bodies, rather than to have a blanket ban imposed by state law."

In other words, the state is trying to dictate too much to the towns. This is one instance where Local Control ought to be allowed to function unencumbered by the convulsive regulators in Augusta.

I might say that in the last twelve years, there has been an increase in cigarette sales. I do not know if it is an increase in smoking or just the price increase has brought in more money into cigarette companies, but nevertheless with all the extra smoking our life span is now 10 years longer, than it was 15 years ago.

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

Senator GILL: Members of the Senate. I would like to continue reading from the same article that Senator Lovell has read from.

It goes on to say: "There's no question that smoking is offensive to a growing number of people, and smoking at public meetings can be both annoying and unhealthy for those who do not indulge in the habit."

They go on to say that: "Nevertheless, we wish the Legislature would resist the impulse to regulate the personal habits." I maintain that when did we allow personal habits of people to interfere and restrict participation by the general public, in public matters? 70% of the State's money is spent in Education, and Educational issues are arrived at on the local level, yet we restrict people who are not able to go to public meetings, because of their health.

I was interested this weekend, I received quite a few calls this weekend, I have received a lot of mail on this subject. They are from people who are afflicted, who cigarette smoke does bother when in unventilated rooms, they just can't attend meetings.

I also received calls, advertisers this weekend, it seems very interesting to me, that the lobby that is working on this particular issue is so concerned with the local issue, and not the tobacco at large. I did not hear from advertisers who spoke to me, they were concerned that they were told, that if this Bill passed that in the future what would happen is another Bill would come in to restrict advertising for bill boards, newspapers, radio, etc. This is the tack that is being used.

The people I talked to they pray that they be heard. They want to participate, I might say, I consider all this debate about Local Control to be a Red Herring, which to me shines pretty good in the moonlight, but after awhile becomes very offensive, and differs to a lot of people, it is a health hazard too.

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

Senator HUBER: Mr. President, I request permission to pair my vote with the Senator from Somerset Senator Teague, who if he were here, would be voting Yes on this matter and I would be voting No.

The PRESIDENT: The Senator from Cumberland, Senator Huber, requests Leave of the Senate to pair his vote with the Senator from Somerset, Senator Teague, who if he were here would vote Yea and the Senator from Cumberland Senator Huber would vote Nay.

Is it the pleasure of the Senate to Grant this Leave?

It is a vote.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator KATZ: Mr. President, I ask leave of the Senate to pair my vote with that of Senator Hichens, if the Senator from York were here he would be voting Yea, and I would be voting

Nay.

The PRESIDENT: The Senator from Kennebec, Senator Katz, requests Leave of the Senate to pair his vote with the Senator from York, Senator Hichens, who if he were here would vote Yea and the Senator from Kennebec, Senator Katz, would vote Nay.

Is it the pleasure of the Senate to Grant this Leave?

It is a vote.

The Chair recognizes the Senator from Cumberland, Senator Clark.

Senator CLARK: Mr. President, I ask Leave of the Senate to pair my vote with that of the Senator from York, Senator Danton, who if he were here would be voting Nay and I would be voting Yea.

The PRESIDENT: The Senator from Cumberland, Senator Clark, requests Leave of the Senate to pair her vote with the Senator from York, Senator Danton, who if he were here would vote Nay and the Senator from Cumberland, Senator Clark would be voting Yea.

Is it the pleasure of the Senate to Grant this Leave?

It is a vote.

The Chair recognizes the Senator from Penobscot, Senator Devoe.

Senator DEVOE: Thank you Mr. President. Mr. President, I request Leave of the Senate to pair my vote with the vote of Senator Ault of Kennebec, who if he were here and voting would be voting Yea and I would be voting Nay.

The PRESIDENT: The Senator from Penobscot, Senator Devoe, requests Leave of the Senate to pair his vote with the Senator from Kennebec, Senator Ault, who if he were here would vote Yea and the Senator from Penobscot, Senator Devoe, would be voting Nay.

Is it the pleasure of the Senate to Grant this Leave?

It is a vote.

The Chair recognizes the Senator from Somerset, Senator Redmond.

Senator REDMOND: Mr. President, and Members of the Senate. In view of the fact that I was absent last week, when this Bill was debated. In view of some very strong feelings that I have, and I think that the record would show, that I am a very strong advocate of Local Control, there is no question about that.

However, in recent years, I have discovered the people of Maine and the people of the Nation, have decided to listen to our Health Experts. Coming from rural Maine, it is traditional that there is a sawmill in most every town, this is very important to the bread winners of that town. The Health Experts have told us that it is not right for the sawmill owner to install a boiler and a smoke stack and spread the smoke from the sawdust throughout the village and let the people inhale that smoke, whether they want to or not.

So the State has imposed some regulations that prohibit this, I believe that we are all in accordance with this. I firmly believe that at public hearings or at public meetings, we should not force people to inhale somebody else's smoke which is harmful to their health. Thank you.

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

Senator SHUTE: Mr. President, I ask Leave of the Senate to pair my vote with the Senator from Penobscot, Senator Trotzky, who if he were here he would be voting Yes and I would be voting No.

The PRESIDENT: The Senator from Waldo, Senator Shute, requests Leave of the Senate to pair his vote with the Senator from Penobscot, Senator Trotzky, who if he were here would vote Yea and the Senator from Waldo, Senator Shute, would be voting Nay.

Is this the pleasure of the Senate?

It is a vote.

The PRESIDENT: Is the Senate ready for the question?

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 Enactment.

A Yes vote will be in favor of Enactment.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

#### ROLL CALL

YEA — Carpenter, Chapman, Collins, Emerson, Gill, McBreairty, Najarian, Perkins, Pierce, Redmond, Silverman, Sutton, Trafton, Usher

NAY — Conley, Cote, Farley, Lovell, Martin, Minkowsky, O'Leary, Pray

ABSENT — None

PAIRED—Huber-Teague; Katz-Hichens; Clark-Danton; Devoe-Ault; Shute-Trotzky.

A Roll Call was had.

14 Senators having voted in the affirmative and 8 Senators in the negative, with 10 Senators Pairing their vote, the Bill was Passed to be Enacted.

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

Senator GILL: Mr. President, I ask that this vote be Reconsidered and that we all vote against the motion.

The PRESIDENT: The Senator from Cumberland, Senator Gill, now moves that the Senate Reconsider its action whereby this Bill was Passed to be Enacted.

Will all those Senators in favor of Reconsideration, please say Yes.

Will all those opposed, please say no.

A Viva Voce Vote being had, the Motion to Reconsider does not prevail.

Having been signed by the President was by the Secretary presented to the Governor for his approval.

An Act to Increase Mileage Reimbursement of Witnesses. (H. P. 125) (L. D. 135)

An Act to Increase the Mileage Reimbursement of Jurors. (H. P. 124) (L. D. 131)

On Motion by Senator Huber of Cumberland, Passed on the Special Appropriations Table.

RESOLVE, to Authorize the County of Cumberland to pay \$1,069.72 to Stanley E. Payson of Scraborough and Shirley M. Jordie of Portland. (H. P. 19) (L. D. 36)

Which was Finally Passed and having been signed by the President, was by the Secretary presented to the Governor for his approval.

#### Emergency

An Act Converting Long Island Plantation into the Town of Frenchboro. (H. P. 51) (L. D. 60)

#### Emergency

An Act to Conform the Acknowledgment Provision of the Recording Statute to the Uniform Recognition of Acknowledgments Act. (H. P. 158) (L. D. 186)

These being emergency measures and having received the affirmative votes of 25 Members of the Senate, were Passed to be Enacted, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

#### Orders of the Day

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

House Reports — from the Committee on Legal Affairs — Bill, "An Act Relating to Payment for Sales in Retail Stores under the Liquor Laws." (H. P. 6) (L. D. 12) Majority Report — Ought to Pass as Amended by Committee Amendment "A" (H-37); Minority

Report — Ought Not to Pass

Tabled — February 28, 1979 by Senator Katz of Kennebec

Pending — Acceptance of Either Report

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

Senator SHUTE: I move the Senate Accept the Minority Ought Not to Pass Report.

The PRESIDENT: The Senator from Waldo Senator Shute, moves that the Senate Accept the Minority Ought Not to Pass Report of the Committee.

The Chair recognizes the Senator from Cumberland, Senator Huber.

Senator HUBER: Mr. President and Members of the Senate: I hope the Senate will not Accept the Ought Not to Pass Report and instead will Accept the Ought to Pass Report. As I hope, at the appropriate time, to present an amendment to this Bill, which I believe will make it more palatable, to those who presently oppose it.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from York, Senator Farley.

Senator FARLEY: I request that the Secretary Read the Report. The Committee Report was Read.

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

Senator SHUTE: Mr. President, Ladies and Gentlemen of the Senate: This Bill has been in here before, this is not the first time, that it has been in the Legislature. Over the past 10 years the age of the checkout person has dropped from 20 down to 18 down to 17. I wonder where you stop, on the age of the checkout person for liquor and wine.

The age of the supervisor in the store has also dropped. That has dropped from the age 20 down to the age 18. Yet in the last session of the Legislature, we raised the age people have to be, to buy wine and beer and liquor. We have raised it from 18 up to 20, yet at the same time we are lowering the age of the people, who can make the decision, as to who is going to check this out of the store.

Now under the Liquor Laws the supervisor in charge, the person 18 years old, in charge of the 17 year old checking out, they do not have to be in immediate charge of that person, all they have to be is in the store, in a supervisory capacity.

Now I know some of the arguments we heard in Committee, on this Bill, was it slows people up at the checkout counters. It sure does, slows you up just about 15 seconds, while somebody comes over to ring the sale, if the cashier happens to be 16 or under. But I did not hear anyone bring up the fact it slows you up about 10 minutes, while somebody makes out a Master Charge Account, Bank Americard Charge Account, or some of these Charge Accounts that really slow you up in a store.

The original Bill, of course, called that any minor could sell liquor at the checkout counter, 12, 13, 14 year olds, that was not taken to kindly too, by most members of the Committee. It was agreed, I guess, to some extent 16 year olds would be acceptable this year, and take care of the other problems another year. Thank you very much.

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

Senator HUBER: I would like to point out that the Amendment, I would like to have the opportunity to present, would increase the age of the manager supervising the checkout employees, from the present age 18 years to 20 years.

This would have the effect of taking the managers age out of the immediate peer group, of the checkout person, and I think in fact this would be tightening control in this area. The overall effect of the Bill, then would be, reducing the age of the potential checkout person from 17 to 16, but increasing the age of the

manager from 18 to 20. I hope the Senate will oppose the present Motion.

The PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Perkins.

Senator PERKINS: Mr. President, Ladies and Gentlemen of the Senate: I would rise to point out, in the State of Massachusetts, in the last 10 days, we have had 6 teenagers killed in automobile accidents, where the blood levels of alcohol was well above that of total intoxication.

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

Senator PRAY: Mr. President and Members of the Senate: I am going to oppose the present motion and go along with the suggestion of the Senator from Cumberland, Senator Huber.

I think we do have a situation here we should address, and we should not confuse it with consumption of alcohol or the teenage drinking problems we have addressed in the past. Basically the merits of the Bill, as it is before us and the situation which it deals with.

I have heard the comments made in reference to this slowing up check-out counters. So I take it basically we are talking about the number of chain stores or grocery stores of a large proportion. I think we also have to stop and consider, which we often do, those small businesses around the State which operate during the summer, usually hiring high school students to work, the situation that we put these facilities in as well.

I personally liked the original Bill, but I can buy the amendment Senator Huber proposes to offer, if we do reject the existing report and pass the Majority Ought to Pass Report. I would hope the members of the Senate would allow that courtesy, go along so we could address the amendment or other amendments that may come forth, to deal with the issue and deal with it in that light. Thank you.

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

Senator LOVELL: Mr. President, as Past Chairman of the Liquor Control Committee, I think without question, the good Senator from Waldo, Senator Shute, would rather see the age of 20, than the age of 17, which the Majority Report calls for.

Now I do not have a copy of that particular Bill, but I think this Bill should be tabled. Let Senator Huber put on an amendment of 20 years of age, that is the proper age. Now if the age is 17 or 18 kids who know the fellow real well, 15 and 16 they are coming in and they are going to let them have liquor. The fellow who is 20 years old, the older you get them, I think, you are better off.

That is why I worked so hard to raise the drinking age from 18 to 20, and I think Senator Shute feels the same way, so I would hope somebody would table this Bill, so this amendment could be put on by Senator Huber.

The PRESIDENT: Is the Senate ready for the question?

The pending question before the Senate is the Motion by the Senator from Waldo, Senator Shute, the Senate Accept the Minority Ought Not to Pass Report of the Committee.

The Chair will order a Division.

Will all those Senators in favor of Accepting the Minority Ought Not to Pass Report, please rise in their places to be counted.

The Chair recognizes the Senator from Aroostook, Senator Caprenter.

Senator CARPENTER: I request a Roll Call.

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 Chair recognizes the Senator from Arrostook, Senator Carpenter.

Senator CARPENTER: Mr. President, I did not intend to debate this Bill, but I would just point out one thing. Unless I am misreading the potential amendment, I have heard a great deal of argument in this Legislature in the 5 years I have been here, about Jobs, Employment, and putting people out of work. I would just point out to you, if this Bill, should die the present law would stay the way it was, 17 at the checkout. However if the proposed amendment is attached to this Bill, at some later time, I believe unless there is a Grandfather provision hidden somewhere, that I have not seen, it would put people 18 and 19, who are presently working in the small stores, that the good Senator from Penobscot, Senator Pray, referred to, they would be out of a job. So I would hope we would go along, keep this Bill this morning, and leave the law the way it is.

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

Senator PRAY: Mr. President and Members of the Senate: Often calling for a Roll Call on a measure is usually to put something on record of supporting or opposing a particular idea. I think the suggestion the Senator from Cumberland, Senator Huber, made was not in reference to asking people to show their support or opposition to the Bill, but to allow it to go one step further where he could offer an amendment and we could address that amendment.

My statement I made was, this amendment or other amendments, which may come along. There are several ideas which I would like to see considered in this body, in relationship to this matter. I would hope that we would reject the report and not be concerned with expressing our support or opposition to those matters, such as the drinking age, the number of automobile accidents with teenagers and the consumption of alcohol. I will just point out one thing. I said at the time when we raised the drinking age we are putting these individuals in automobiles, so of course, I said automobile accidents would go up.

In relationship to the matter before us, I do not think, and I do not want anybody to be under the impression, because of an individual's vote on this matter today, in reference to allowing it to proceed, is one of opposition or support.

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

Senator FARLEY: Mr. President and Members of the Senate: Those members within this body, that are looking for a moral issue, I assure you, you will not find anything morally wrong with this Bill at all. It is one of economics and convenience for store owners who have children of their own, who are 16 years of age or are hiring 16 year olds to merely check out a bottle of beer or wine, at the counter. Now if someone here in this body thinks that by the time he rings a button he can sip some of that beer, then he is a pretty good boy, I will tell you right now.

There may be some objection of the age of the supervisor in charge on the premises. The good Senator from Cumberland, Senator Huber, hopefully has an amendment, if we do disagree with the motion that is on the floor now, and at the Second Reading Senator Huber will present that amendment.

This is not a moral issue here, it is merely a bill for convenience of many stores who have expressed the problem with trying to find 18 year olds to work in stores. It is a lot easier obviously to find a 16 year old. I would hope that you would go along with the passage of this to the Second Reading. Thank you very much.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Hancock, Senator Perkins.

Senator PERKINS: Mr. President, I request leave of the Senate to pair my vote with the

Senator from Kennebec, Senator Ault, were he here he would be voting No and I would be voting Yes.

The PRESIDENT: The Senator from Hancock, Senator Perkins, requests Leave of the Senate to pair his vote with the Senator from Kennebec, Senator Ault, who if he were here would vote Nay and the Senator from Hancock, Senator Perkins, would be voting Yea.

Is it the pleasure of the Senate to Grant this Leave?

It is a vote.

The Chair recognizes the Senator from Kennebec, Senator Pierce.

Senator PIERCE: Mr. President, I request permission to pair my vote with the Senator from York, Senator Hichens, who if he was here he would be voting Yea and I would be voting Nay.

The PRESIDENT: The Senator from Kennebec, Senator Pierce, requests Leave of the Senate to pair his vote with the Senator from York, Senator Hichens, who if he were here would be voting Yea and the Senator from Kennebec, Senator Pierce, would be voting Nay.

Is it the pleasure of the Senate to Grant this Leave?

It is a vote.

The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: I ask Leave of the Senate to pair my vote with the Senator from Kennebec, Senator Katz, if he were here he would be voting No, I would be voting Yes.

The PRESIDENT: The Senator from Waldo, Senator Shute, requests Leave of the Senate, to pair his vote with the Senator from Kennebec, Senator Katz, who if he were here would be voting Nay and the Senator from Waldo, Senator Shute, would be voting Yea.

Is it the pleasure of the Senate to Grant this Leave?

It is a vote.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Senator CONLEY: Mr. President and Members of the Senate: I do not want my remarks to be misunderstood, but I do want to pose a question through the Chair with respect to the Pairing of Votes. It has been my understanding that one was to be in contact with the individual Senator with respect to his feelings to the vote and wishing to have his vote paired, because of the fact that he was going to be absent from the Chamber today. But I—as we go down through the calendar, was there an advanced Calendar, or something, with respect to Legislation that we could pair 12 votes. I just think that the rule should not be over worked, by the pairing of votes.

The PRESIDENT: The Chair hears the Senator and agrees wholeheartedly with his comments.

The Chair recognizes the Senator from Kennebec, Senator Pierce.

Senator PIERCE: Mr. President, just for the record in case there is any doubt in anyone's mind, Senator Hichens personally requested me to do this yesterday, when he was here. I happened to be right there when Senator Ault called this morning, from Washington.

The PRESIDENT: The Chair has no question about the integrity of the present pairing, but in the future I think that it would be well to keep the Senator from Cumberland, Senator Conley's remarks in mind.

Is the Senate ready for the question?

The pending question before the Senate is the Motion by the Senator from Waldo, Senator Shute, that the Senate Accept the Minority Ought Not to Pass Report of the Committee.

A Yes vote will be in favor of Accepting the Ought Not to Pass Report of the Committee.

A No vote will be opposed.

The Doorkeepers will secure the Chamber. The Secretary will call the Roll.

#### ROLL CALL

YEA—Carpenter, Chapman, Lovell, Mc-

Breairty, Najarian, Silverman, Trafton.

NAY—Clark Collins, Conley, Cote, Devoe, Emerson, Farley, Huber, Martin, Minkowsky, O'Leary, Pray, Redmond, Sutton, Usher.

ABSENT—Danton, Gill, Teague, Troitzky.

A Roll Call was had.

7 Senators having voted in the affirmative and 15 Senators in the negative, with 6 Senators Pairing their votes, and 4 Senators being Absent, the Motion to Accept the Minority Ought Not to Pass Report does not Prevail.

The Majority Ought to Pass, as amended, Report of the Committee, Accepted. The Bill Read Once. Committee Amendment "A" Read and Adopted, in non-concurrence. The Bill, as amended, tomorrow assigned for Second Reading.

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

#### Paper from the House House Paper

Bill, "An Act to Permit Region 3, Northern Penobscot County Vocational Region, to Borrow Operating Funds". (Emergency) (H. P. 717) (L. D. 823)

Committee on Education is suggested.

Comes from the House, Passed to be Engrossed Without Reference to Committee and Ordered Printed.

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

Senator CONLEY: Mr. President, I move that the Rules be suspended and the Bill be given its first reading at this time.

The PRESIDENT: The Senator from Cumberland, Senator Conley, now moves that L. D. 823 be given its First Reading at this time, without Reference to Committee.

Is this the pleasure of the Senate.

It is a vote.

The Bill Read Once. Under suspension of the Rules, the Bill given its Second Reading and Passed to be Engrossed without Reference to Committee and Ordered Printed, in concurrence.

Sent forthwith to the Engrossing Department.

Senator Trafton of Androscoggin, was granted unanimous consent to address the Senate, Off the Record.

On Motion by Senator Pierce of Kennebec, Adjourned until 12 noon tomorrow.