

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 2, 1979

Senate called to Order by the President.

Prayer by Father James Michaud, St. Augustine's Church, Augusta.

Father MICHAUD: We pray. Father, hear the rumbles of our hearts, reach out and touch the darkness in us, so that we may lovingly lead the people entrusted in our care.

We are small, yet you trust us with so great a responsibility, may we as State Senators, rely on your powerfully gentle presence for guidance this day. We ask this through Christ our Lord. Amen.

Reading of the Journal of yesterday.

**Papers From the House
Joint Orders**

An Expression of Legislative Sentiment recognizing that:

The Wells High School Girls' Basketball Team coached by Terri Regan, has won the Western Division, Class C Basketball Championship... (H. P. 680)

An Expression of Legislative Sentiment recognizing that:

On February 25, 1979, the Wells Public Library was dedicated to Ethel Weymouth, a teacher of 43 years and benefactor of the library, who has donated many years of public service to the citizens of Wells. . . (H. P. 681)

An Expression of Legislative Sentiment recognizing that:

Daniel M. Curtis of Milbridge has attained the outstanding rank and distinction of Eagle Scout... (H. P. 682) Come from the House, Read and Passed.

Which were Read and Passed, in concurrence.

House Papers

Bill, "An Act to Provide Minimum Retirement Benefits for Mrs. Beatrice H. Colbath of Bangor." (H. P. 652) (L. D. 812)

Comes from the House, referred to the Committee on Aging, Retirement and Veterans and Ordered Printed.

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

Bill, "An Act to Provide Funds for Sterilization of Female Dogs." (H. P. 653) (L. D. 814)

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

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

Bill, "An Act to Protect Insurance Claim Adjusters and Appraisers from Conflict of Interest." (H. P. 654) (L. D. 813)

Bill, "An Act to Amend the Definitional Provisions of the Used Car Information Act." (H. P. 655) (L. D. 815)

Bill, "An Act to Allow the Temporary Placement of Real Estate Signs under the Maine Traveler Information Services Statutes." (H. P. 657) (L. D. 817)

Bill, "An Act Providing Motor Vehicle Dealers Additional Time in which to Perform Warranty Requirements Under the Used Car Information Act if Necessary Parts Have Not Been Received from the Manufacturer." (H. P. 656) (L. D. 816)

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 to Increase Parental Responsibility for Habitual Truants." (H. P. 658) (L. D.

818)

Bill, "An Act to Provide Cardiopulmonary Resuscitation and Basic Life Support as Voluntary Elective Courses in High Schools in Maine." (H. P. 659) (L. D. 819)

Bill, "An Act to Extend the National School Breakfast Program Availability to Maine School Children." (H. P. 660) (L. D. 820)

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 Provide Notification to Candidates of the Requirement to File a Campaign Report and to Provide the Necessary Forms." (H. P. 661) (L. D. 821)

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 Relating to Definition of "Subdivision" under the Subdivision and Land Use Regulation Laws." (H. P. 662) (L. D. 822)

Comes from the House, referred to the Committee on Energy and Natural Resources and Ordered Printed.

Which was referred to the Committee on Energy and Natural Resources and Ordered Printed, in concurrence.

Bill, "An Act to Provide Restitution to Innocent Victims of Crimes." (H. P. 644) (L. D. 798)

Bill, "An Act to Permit Nonprofit Legal Service Organizations." (H. P. 642) (L. D. 797)

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 Concerning the Term of Office of Plantation Assessors." (H. P. 651) (L. D. 804)

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

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

Bill, "An Act to Prohibit the Inclusion in the Rates of Public Utilities of Capitalized Costs for Property not in Use." (H. P. 646) (L. D. 799)

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

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

Bill, "An Act to Establish the Privacy Study Commission." (H. P. 647) (L. D. 800)

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.

Joint Resolution to Ratify An Amendment To The Federal Constitution To Provide For Representation of the District Of Columbia in The Congress. (H. P. 679) (L. D. 805)

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

On Motion by Senator Katz of Kennebec, tabled until later in today's session pending reference.

Bill, "An Act to Permit Municipalities to Levy a Sales Tax on Hotel Room Rental, Restaurants and Amusements." (H. P. 648) (L. D. 801)

Bill, "An Act to Amend the Tree Growth Tax

Law." (H. P. 649) (L. D. 802)

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 Provide Statutory Standards for Motor Vehicle Inspection." (H. P. 650) (L. D. 803)

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

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

Sent down for concurrence.

Senate Papers

Senator Collins of Knox presented, Bill, "An Act to End Subsidized Early Retirement Payments Under the Maine State Retirement System Statute." (S. P. 306)

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

Sent down for concurrence.

Senator Danton of York presented, Bill, "An Act to Increase the Reimbursement Rate to Residential Child Care Facilities." (S. P. 303)

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

Sent down for concurrence.

Senator Lovell of York presented, Bill, "An Act to Establish a Registry of Persons Holding Inactive Pharmacy Licenses." (S. P. 304)

Senator Chapman of Sagadahoc presented, Bill, "An Act Relating to the Licensing of Insurance Agents or Brokers." (S. P. 302)

Senator Redmond of Somerset presented, Bill, "An Act to Permit Security Brokers to Serve on the Board of Directors of Banks." (S. P. 308)

Senator Silverman of Washington presented, Bill, "An Act Requiring Certain Agreements Involving Consumer Transactions to be Written so that they are Readable and Understandable." (S. P. 300)

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

Sent down for concurrence.

Senator Silverman of Washington presented, Bill, "An Act to Recognize the Rights of Students to a Free Public Education." (S. P. 298)

The same Senator presented, Bill, "An Act to Provide Guidelines for Teachers or other Persons who use Force to Punish Students." (S. P. 301)

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

Sent down for concurrence.

Senator Silverman of Washington presented, Bill, "An Act to Extend the Deadline for Filing a Declaration of Candidacy." (S. P. 299)

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

Sent down for concurrence.

Senator Redmond of Somerset presented, Bill, "An Act to Prohibit Taking Antlerless Deer in Certain Municipalities and Townships." (S. P. 310)

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

Sent down for concurrence.

Senator Redmond of Somerset presented, Bill, "An Act to Require the Holiday Pay be Considered Wages For that Purpose of Unemployment Compensation." (S. P. 309)

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

Sent down for concurrence.

Senator Redmond of Somerset presented, Bill, "An Act to Correct Certain Obsolete Ref-

erences in Title 30 of the Maine Revised Statutes and to Make County Policies Concerning Pay Schedules, Vacation and Sick Leave Consistent with the State Policies." (S. P. 307)

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

Sent down for concurrence.

Senator Silverman of Washington presented, Bill, "An Act to Decrease the Maine Guarantee Authority Bonding Limit for Industrial Building Mortgage Insurance and Maine Recreational Project Mortgage Insurance to \$41,000,000." (S. P. 297)

Senator Chapman of Sagadahoc presented, Bill, "An Act to Create the Division of Assistance for Small Business." (S. P. 305)

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

Sent down for concurrence.

Senator Emerson of Penobscot, Cosponsor: Senator Usher of Cumberland presented, Bill, "An Act to Provide Reimbursement for Snow Removal on Accepted Ways." (S. P. 311)

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

Sent down for concurrence.

Orders

An Expression of Legislative Sentiment recognizing that:

Alphonse Symonovich of Waterville has been named Law Enforcement "Officer of the Year" by the Greater Waterville Exchange Club... (S. P. 295) is presented by Senator Pierce of Kennebec cosponsored by Representative Jacques of Waterville.

An Expression of Legislative Sentiment recognizing that:

Jerry Haynes of Oakland has been named Law Enforcement "Officer of the Year" by the Greater Waterville Exchange Club... (S. P. 296) is presented by Senator Pierce of Kennebec, Cosponsored by Representative Conary of Oakland.

Which were Read and Passed.

Sent down for concurrence.

Order

On motion by Senator Pierce of Kennebec, WHEREAS, We, the Members of the 109th Legislature, have special feelings of honor and respect for those individuals who have walked these halls in the past; and

WHEREAS, a great debt of gratitude is owed to those notable figures who by their outstanding ability and foresight have fashioned the laws of this State; and

WHEREAS, it is our fond wish that these friends and former colleagues be appropriately received with special honor and distinction in the setting of their past accomplishments; now, therefore, be it

ORDERED, the House concurring, that Wednesday, April 18, 1979, be set apart and designated as "Welcome Back Day" at the Maine Legislature and that a special committee composed of the Legislative Administrative Director, the Secretary of the Senate and the Clerk of the House of Representatives, chaired by the Legislative Administrative Director, is authorized to make all plans and arrangements to provide an appropriate homecoming for these returning individuals; and be it further

ORDERED, that all former presiding officers and members of the Senate and House are hereby cordially invited to be the guests of the 109th Legislature in session on that date; and be it further

ORDERED, that each member of the 109th Legislature be charged with the pleasant duty of urging all colleagues of former Legislatures within their districts to make every effort to return on "Welcome Back Day" and share the friendship and pleasant memories of their years of service to this State.

Which was Read and Passed.
Sent down for concurrence.

Committee Reports House

Leave to Withdraw

The Committee on State Government on, RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide That the House of Representatives Shall be Reduced From 151 to 132 Members. (H. P. 286) (L. D. 363)

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 Agriculture on, Bill, "An Act to Increase from 3¢ to 5¢ Per Inhabitant the Amount Appropriated Annually for the State Stipend Fund for Agricultural Societies." (H. P. 118) (L. D. 128)

Reported that the same Ought to Pass.

Comes from the House, the Bill Passed to be Engrossed as amended by House Amendment "A" (H-45).

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 — As Amended

The Committee on Education on, Bill, "An Act to Dissolve Membership of the Towns of Hope and Appleton from the Community School District." (Emergency) (H. P. 97) (L. D. 124)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-38)

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A".

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

Divided Report

The Majority of the Committee on Health and Institutional Services on, Bill, "An Act to Allow 17 Year Olds to Donate Blood without Parental Consent." (H. P. 251) (L. D. 291)

Reported that the same Ought Not to Pass.

Signed:

Senators:

GILL of Cumberland
CARPENTER of Aroostook
HICHENS of York

Representatives:

MATTHEWS of Caribou
BRENERMAN of Portland
PAYNE of Portland
CURTIS of Milbridge
MacBRIDE of Presque Isle
CLOUTIER of South Portland
PRESCOTT of Hampden

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass.

Signed:

Representatives:

BRODEUR of Auburn
NORRIS of Brewer
VINCENT of Portland

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

Which Reports were Read.

The PRESIDENT: The Chair recognizes the Senator from Kennebec Senator Pierce.

Senator PIERCE: Mr. President, I move the Ought to Pass Report be Accepted.

The PRESIDENT: The Senator from Kenne-

(S. P. 312)

bec Senator Pierce, moves that the Minority Ought to Pass Report of the Committee be Accepted.

The Chair recognizes the Senator from Aroostook Senator Carpenter.

Senator CARPENTER: Mr. Speaker, Ladies and Gentlemen of the Senate: I would oppose the Acceptance of the Ought to Pass Report. We heard relatively little demand, for this Bill, in the Committee, obviously the American Red Cross, was there.

As the situation presently exists, a 17 year old, must obtain a parental permission slip, if you will, in order to give blood, for the Red Cross or any other blood organization.

It was the feeling of the majority of the Committee Members, that this was not too much to ask, of a person who is under age. There are some potential side effects to giving blood, obviously none of them are too terribly drastic, I happen to be a blood donor myself. I guess the Committee just did not see the pressing need for this Bill.

We seem to be into an area of concern about parental responsibilities, as well as, parental rights. I guess we felt a 17 year old, under our statutes, is still a minor, in all instances I can think of, and this was not too much to ask for, to ask they get a permission slip from their parents. I would hope when the vote is taken you would oppose the pending motion, thank you.

The PRESIDENT: Is the Senate ready for the question?

The pending question before the Senate is the Motion by the Senator from Kennebec, Senator Pierce, that the Senate Accept the Minority Ought to Pass Report of the Committee.

The Chair will order a Division.

Will all those Senators in favor of Accepting the Ought to Pass Report of the Committee, please rise in their places to be counted.

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

No Senators having voted in the affirmative and 25 Senators in the negative the Motion to Accept the Ought to Pass Report does not prevail.

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

Senate

Ought to Pass

Senator Sutton for the Committee on Labor on, Bill, "An Act to Increase Penalties for Violation of the Statutes Concerning Minimum Wages." (S. P. 82) (L. D. 155)

Reported that the same Ought to Pass.

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

Second Readers

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

House

Bill, "An Act Converting Mount Chase Plantation into the Town of Mount Chase." (Emergency) (H. P. 638) (L. D. 764)

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

House — As Amended

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)

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

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

Which was Read a Second Time.

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

Senator HUBER: Mr. President, I move that the Senate Reconsider its action whereby it

Adopted Committee Amendment "A" to L. D. 12.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now moves that the Senate Reconsider its action where it Adopted Committee Amendment "A" to L. D. 12.

Is this the pleasure of the Senate?

It is a vote.

The Senator has the floor.

Senator HUBER: I present Senate Amendment "A" (S-21) to Committee Amendment "A" and move its Adoption.

The PRESIDENT: The Senator from Cumberland, Senator Huber, now offers Senate Amendment "A" to Committee Amendment "A" and moves its Adoption.

Senate Amendment "A" to Committee Amendment "A" was Read and Adopted.

Committee Amendment "A", as amended, by Senate Amendment "A" thereto was Adopted.

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

Senator CARPENTER: Mr. President, Ladies and Gentlemen of the Senate: What we have now is in my opinion, started out being a bad Bill, now it is worse.

We now have a Bill, that will allow 16 year olds, to sell beer, wine, whatever, at the mom and pop stores, it raises the supervisory persons age to 20. Not only are we putting I think undue amount of pressure on that 16 year old, we are also probably putting out of work, a lot of people. So I would hope this morning the Senate would see fit to kill this Bill.

The only great human cry, that I have seen for this Bill has been Shaws Supermarkets, and I do not see where the pressure can be that great on them, to sell goods over the counter that they have to dip into the 16 year old job market. I have a lot of faith in 16 year olds, I think that by and large 16 year olds and people of that age group are pretty good individuals. But I remember the great debate in this Senate, two years ago, about the legal drinking age, raising it to 20, and the one term that kept coming up time and time again, was peer pressure. There is so much peer pressure on a child to drink, there is so much peer pressure on a child to provide alcohol to his or her peers, I agree with that, there is a great deal of peer pressure.

I submit to you that if there is a 16 year old, working at checkout counter, there is going to be a tremendous amount of peer pressure, as there is now at 17 no doubt, to sell alcohol to their friends.

I see that in some small ways that this Bill would negate, the effects of the drinking age, raising which we did 2 years ago, whatever those effects may be. I really think this is a very tricky area to be getting into, I would therefore move the Indefinite Postponement of this Bill and all of its accompanying papers. I would ask when the vote is taken it be taken by 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 more than one-fifth having arisen a Roll Call is ordered.

The Chair recognizes the Senator from York Senator Lovell.

Senator LOVELL: As former Chairman of the Liquor Control Committee. I worked very hard to raise the age from 18 to 20.

Now I do not mind seeing a supervisor of a store, being 20, and an 18 year old to sell the liquor, but when you take and allow a minor, a 16 year old to sell liquor, that 16 year old mind is not that much developed nowadays in the schools. So consequently that 16 year old is

going to be influenced, a great deal, by his or her friends. Now it may mean a little bit more employment for 16 and 17 year olds, I would like this Bill, if it stated 18 year olds, and 20 year olds in the presence of 20 year olds.

When you go into Shaw Supermarkets or any supermarket you may have 16, 17, 18, I couldn't tell the age, at the checkout counter, or bagging up the liquor or so. So I think that the motion has already been made to Indefinitely Postpone it. Is it too late to have it tabled, to change that to 18, Mr. President or do we have to vote on the Indefinite Postponement?

The PRESIDENT: The Chair would advise the Senator, if he had a friend in the Chamber, who would like to Table this Bill for him, it is perfectly in order.

Senator LOVELL: Then I would suggest that this Bill be tabled, to change that 16 year old to the legal voting age of 18 years, if I could find somebody to table it.

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

Senator HUBER: Mr. President, and Members of the Senate: This Bill, has little if anything to do with the drinking age. It simply has to do with reducing the age of the clerk checking out beer or wine sales, from 17 to 16. It would provide additional control as amended. The Bill would require that the manager be 20 years old and clerks 18 years old, I think it increases control.

It has absolutely nothing to do with the drinking age that I can see, it would prevent some inconvenience to consumers in checking out. I cannot see that the action of checking out has anything to do with morality, anything to do with the drinking age, which is the sector raised here today. I hope that this Bill will be passed, as amended.

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

Senator LOVELL: I would request that we table this Bill for 1 Legislative day.

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

Senator PRAY: I request a Division.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of Tabling this Bill for 1 Legislative Day, please rise in their places to be counted.

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

12 Senators having voted in the affirmative and 15 Senators in the negative the Motion to Table does not prevail.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Kennebec, Senator Pierce.

Senator PIERCE: Mr. President, I would ask permission of the Senate to pair my vote, were the Senator from York, Senator Hichens here he would vote Yea and I would be voting Nay.

The PRESIDENT: The Senator from Kennebec, Senator Pierce asks 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 Hancock Senator Perkins.

Senator PERKINS: I request Leave of the Senate to pair my vote with the Senator from Kennebec, Senator Ault, were he here he would be voting Nay and I would be voting Yea.

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 be voting Nay and the Senator from Hancock, Senator Perkins, would be voting Yea.

It is the pleasure of the Senate to Grant this

Leave?

It is a vote.

The pending question before the Senate is the Motion by the Senator from Aroostook, Senator Carpenter, that this Bill together with all its accompanying papers be Indefinitely Postponed.

A Yes vote will be in favor of Indefinite Postponement.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

YEA—Carpenter, Chapman, Clark, Conley, Devoe, Emerson, Gill, Lovell, McBrair, Najararian, Pray, Shute, Silverman, Trafton, Usher.

NAY—Collins, Cote, Farley, Huber, Katz, Martin, Minkowsky, O'Leary, Redmond, Sutton, Teague.

ABSENT—Danton and Trotzky.

A Roll Call was had.

15 Senators having voted in the affirmative and 11 Senators in the negative, with 4 Senators pairing their votes, and 2 Senators being Absent, the Motion to Indefinitely Postpone does prevail.

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

Senator CARPENTER: Having voted on the prevailing side, I would move reconsideration and hope that you would vote against me.

The PRESIDENT: The Senator from Aroostook, Senator Carpenter, moves that the Senate Reconsider its Action whereby it Indefinitely Postponed this Bill.

The Chair recognizes the Senator from Kennebec, Senator Pierce.

Senator PIERCE: Mr. President, I think indeed perhaps we may want to reconsider our action on this Bill.

It seems to me if a 16 year old who is obviously a student, has enough gumption and enough initiative to want to be a check out clerk and that is what this amounts to in this Bill. That we should not prevent them from doing that, I think that we are making a very bad mistake in doing that.

I think that the wets and dries of this issue have the wrong hats on, because the question is very simple. Would you rather have a 16 year old checking out liquor, supervised by a 20 year old, or would you rather have a 17 year old, supervised by an 18 year old? Two peer groups are very clear here, I really think the wets and dries should swap hats.

Actually we are not losing the law we are tightening it up. We are giving opportunity to 16 years olds, who have that initiative, who want to work, to go out to work. This is primarily for big supermarkets I assume, probably around the Portland area and areas like that who hire 16 year olds, they are not going to hassle with them if this Law does not pass, they will just not hire them. They are not going to wait for them to go get somebody else, if it be 1 minute, 2 minutes, or 5 minutes, you know how the big chains work.

For us not to give the opportunity for these 16 year old students to work I think is absurd, I hope that the Senate would think about that and perhaps reconsider their vote. I would ask for the Yeas and Nays, on the Reconsideration Motion.

On Motion by Senator Collins of Knox, Tabled 1 Legislative Day, pending the Motion by the Senator from Aroostook, Senator Carpenter.

ENACTORS

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

An Act to Amend the Procedure of the State Board of Arbitration and Conciliation. (S. P. 73) (L. D. 127)

An Act to Dissolve the Proprietors of the Centre Meeting-House in Farmington. (H. P. 329) (L. D. 366)

An Act Relating to the Transfer of the Planning and Development Functions of the Urban

Renewal Authority of the City of Bangor. (H. P. 160) (L. D. 188)

An Act to Prohibit a Manufacturer or Wholesaler of Alcoholic Beverages to Hold a Retail License. (H. P. 109) (L. D. 202)

An Act to Revise Certain Motor Vehicle Laws. (S. P. 89) (L. D. 174)

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 Amending the Sardine Tax Law. (H. P. 128) (L. D. 133)

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

Senator KATZ: Mr. President and Members of the Senate: Because this is a change in the tax law, I find that I am unable to understand the nature of the change by looking at the engrossed copy of L. D. 133. I wonder if a member of the Committee might explain just what is being changed?

The PRESIDENT: The Senator from Kennebec, Senator Katz, has posed a question through the Chair, to any member of the Taxation Committee who may care to answer.

On Motion by Senator Katz of Kennebec Tabled 1 Legislative Day, pending Enactment.

Orders of the Day

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

House Reports — from the Committee on Labor — Bill, "An Act to Require Personnel Files to Include Medical Records and Nurses' Station Notes." (H. P. 139) (L. D. 158) Majority Report — Ought to Pass as Amended by Committee Amendment "A" (H-41); Minority Report — Ought Not to Pass

Tabled — March 1, 1979 by Senator Katz of Kennebec

Pending — Acceptance of Either Report

On Motion by Senator Katz of Kennebec, Retabled.

Senate at Ease

The Senate called to order by the President.

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

Enactor

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

Emergency

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

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

Senator KATZ: Mr. President, as I understand the facts of this Emergency piece of Legislation, which was brought into the Chamber without Reference to Committee, this Vocational District has some rather severe financial problems.

As I understand it all the towns in the district, have voted to authorize some borrowing, in order for them to meet their expenditures.

The bank which had agreed to loan them the money, found the existing law was defective and they were unclear as to whether they had adequate authority to loan the money to the district. This Bill which is an emergency, seeks to correct that defect. It is my understanding from the banker, who was in the Chamber the other day, that this will obviate the necessity of closing the school completely as of today, if we do not enact it.

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

Senator SILVERMAN: I would like to pose a question through the Chair to the Majority Floorleader. Does this in any way affect other

regions, as far as their law goes concerning Vocational, High School Education?

The PRESIDENT: The Senator from Washington, Senator Silverman, has posed a question through the Chair.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator KATZ: Mr. President and Members of the Senate. This is a very narrowly drawn implement directing its attention completely to the unique problem of this district.

The PRESIDENT: Is the Senate ready for the question?

This being an emergency measure and having received the affirmative votes of 26 Members of the Senate, was Passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

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

Communication HOUSE OF REPRESENTATIVES Speaker's Office Memorandum

To: Members, 109th Maine Legislature
From: Joseph Sewall, President of the Senate
John L. Martin, Speaker of the House
Date: March 1, 1979

Please be advised that any bill drafted after 1:00 P.M. on Friday, March 2, 1979 will be allowed for introduction only within three days from the time you are notified by the Office of Legislative Research that your bill has been drafted.

Legislation after this three-day period will not be accepted and will be considered dead for the session. (H. P. 770)

Comes from the House, Read and Ordered Placed on file.

Which was Read and Ordered Placed on File.

The PRESIDENT: The Chair would direct the Senate's attention to Joint Resolution to Ratify An Amendment To The Federal Constitution To Provide For Representation Of The District of Columbia In The Congress. (H. P. 679) (L. D. 805), which was tabled earlier in today's session by Senator Katz of Kennebec, pending reference.

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

Senator KATZ: I move that this Joint Resolution be Tabled.

The PRESIDENT: The Senator from Kennebec, Senator Katz, now moves that L. D. 805 be Tabled.

The Chair recognizes the Senator from Cumberland Senator Conley.

Senator CONLEY: I request a Division.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of the Motion by the Senator from Kennebec, Senator Katz, to Table this item, please rise in their places to be counted.

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

15 Senators having voted in the affirmative and 10 Senators in the negative the Motion to Table does prevail.

Senator Lovell of York, was granted unanimous consent to address the Senate, Off Record.

Senator Pray of Penobscot was granted unanimous consent to address the Senate, On the Record.

Senator PRAY: Mr. President, as a Member of the Democratic Leadership I sat here earlier this week, and listened to the chastisement of the actions of my party and the members of my party, by the Senator from Kennebec, Senator Katz. In reference to an issue that was in essence before the Legislative Council.

This morning, I saw a front page headline in the Portland paper, and on page 21 in the Classified Section of the Bangor Daily. This article: "D C voting blocked in House fight, Ratification of a Constitutional Amendment giving the National Capitol Voting Rights in the Congress, was dragged into a partisan power struggle in the Maine Legislature, Thursday triggered by the Issue of Balancing the Federal Budget."

Republicans, in the GOP controlled Senate, voted in caucus to block consideration of the Washington DC Voting Right Amendment and to retaliate for Maine Democratic Leaders' decision to squash open debate on a Proposal for a Constitutional Amendment Mandating a Balanced Federal Budget."

The article goes on to say: "That Senate Majority Leader Bennett Katz, Republican of Augusta, said that when the Voting Right Ratification comes to the Senate it will be Tabled, until the Democrats approve introduction of the Balancing Federal Budget Proposal. He said that they would hold the Voting Rights Ratification hostage quote, unquote to call the Democrats attention to the proprieties of our point of view."

This morning we saw that action take place. I for one am opposed to the Washington DC Amendment. So if there is a belief that you are holding the Democratic Party or all of its members hostage then that is incorrect.

To demote this Chamber or this Legislature, if the Senator from Kennebec, Senator Katz, was correct in his remarks about the Democratic Leadership earlier this week, was correct, is does not serve any purpose at this time to hold this Bill hostage, but only serves to pull the Republican Party down to those lowly depths that he sent us to earlier this week.

My concern is not the action, that this would demote the GOP, but that this type of action will serve only to increase the misperception of the people of the State of Maine of all of those people who serve in the Legislature. Thank you.

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

Senate at Ease

The Senate called to order by the President.

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

Papers From The House Joint Order

An Expression of Legislative Sentiment recognizing that:

Jeffrey Aalto, Thomas Henderson, David King, Scott Lemly, Louis Maguire, Jr. and Stephen Mitchell, all members of Troop 22 of the Pine Tree Council of the Boy Scouts of America, have attained the honor and distinction of Eagle Scout... (H. P. 719)

Comes from the House, Read and Passed.

Which was Read and Passed, in concurrence.

On Motion by Senator Pierce of Kennebec, Adjourned until Monday, March 5, at 10 o'clock in the morning.