

# 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 20, 1979

Senate called to Order by the President.

Prayer by Father William Bartoul, St. Joseph's Maronite Church, in Waterville.

Father Bartoul: Let us pray,

Heavenly Father, you are the creator of all things. It is by your grace that we have gathered together, once more, to serve you and your people. Throughout the centuries, we have learned to be more sensitive to the needs before us and to be more compassionate toward our neighbors. We have united and governed through tribes, and villages, to cities and nations. The tasks set before these Senators are not less challenging than history has ever offered. For on this day, they are faced with the preservation of human dignities and individual welfare. Each time these Senators meet, as part of the governing body, they become caretakers of the citizens of Maine, the guardians of our rights and privileges, the bridge between silence and representation. At times their cause may seem tedious and monotonous, while other times prove to be strenuous and frustrating. Their role is no easy one, O Lord. Their peace is in Your hands.

For just as those around them may push and pull out of greed and ambition, the corruption bred by power is also pushing and pulling from within.

Each Senator maintains a power that can be wheeled in any direction. Each Senator holds the reins of Truth and Justice. Each Senator occupies a time and space that can overshadow almost any other citizen of Maine.

O Lord, these are special people, elected to do special work. Send forth your spirit to enlighten their hearts and strengthen their consciences so that they may serve and not strive to be served, so they may govern and not dictate, so they may be understanding and not judgmental. Bless this assembly gathered here today, and help them serve one another in a spirit of brotherhood and sisterhood. Bless these Senators, that their work may be done according to Your will. Amen.

Reading of the Journal of yesterday.

(Off Record Remarks)

**Papers From the House**  
**Non-concurrent Matter**

Bill "An Act Relating to Filing Abstracts of Divorce Decrees with Registry of Deeds." (S. P. 104) (L. D. 201)

In the Senate, March 12, Passed to be Enrolled as amended by Committee Amendment "A" (S-28).

Comes from the House, Passed to be Enrolled as amended by Committee Amendment "A" as amended by House Amendment "A" (H-101) thereto, in non-concurrence.

The PRESIDENT: The Senator from Penobscot, Senator Devoe, moves that the Senate Recede and Concur with the House.

Is this the pleasure of the Senate?  
The Motion Prevailed.

**Joint Orders**

An Expression of Legislative Sentiment recognizing that: Lias Ellen Flanagan, a junior at Deering High School of Portland, has won first prize in the 16th annual statewide "Ability Counts" writing and survey contest sponsored by the Governor's Committee on Employment of the Handicapped... (H. P. 1044)

Comes from the House, Read and Passed.

An Expression of Legislative Sentiment recognizing that: Raymond C. Cotton on March 3, 1979, completed 50 years of loyal and efficient service as Town Clerk of Hiram... (H. P. 1045)

Comes from the House, Read and Passed.

Which were Read and Passed, in concurrence.

**House Papers**

Bill, "An Act to Revise the Service Requirements for Maine Veterans to Determine Eligibility for Veterans Benefits." (H. P. 943) (L. D. 1178)

Bill, "An Act to Extend World War Assistance to Single Veterans." (H. P. 942) (L. D. 1176)

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

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

Bill, "An Act to Assist in the Use of Foreign Trade Zones." (Emergency) (H. P. 944) (L. D. 1174)

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

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

Bill, "An Act to Extend a Barber Shop License 60 Days upon Death of the Barber to Allow Transitional Time for Getting a new License." (H. P. 969) (L. D. 1207)

Bill, "An Act Concerning Mergers of Banks Previously Held by Financial Institution Holding Companies." (H. P. 970) (L. D. 1190)

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

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

Bill, "An Act to Establish a Solid Waste Management Subsidy for Municipalities." (H. P. 948) (L. D. 1181)

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 Create the Bruce McCrea Game Sanctuary in Fort Fairfield." (H. P. 933) (L. D. 1175)

Committee on Fisheries and Wildlife suggested.

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

On Motion by Senator Katz of Kennebec, referred to the Committee on Fisheries and Wildlife, and Ordered Printed, in non-concurrence. Sent down for concurrence.

Bill, "An Act Concerning Reimbursement of Law Enforcement Officers for Off-duty Time Required for Criminal Prosecution." (H. P. 952) (L. D. 1206)

Bill, "An Act to Clarify the Responsibilities of the State Parole Board." (H. P. 977) (L. D. 1191)

Bill, "An Act to Exempt Teacher Certification Records from the Freedom of Access Statutes." (H. P. 953) (L. D. 1186)

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

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

Bill, "An Act to Amend the Employment Security Law Relating to Termination of Coverage." (Emergency) (H. P. 955) (L. D. 1173)

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

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

Bill, "An Act Providing Permanent Licensure of Automobile Inspection Mechanics." (H. P. 900) (L. D. 1205)

Committee on Business Legislation suggested.

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

On Motion by Senator Katz of Kennebec, referred to the Committee on Transportation and Ordered Printed, in concurrence.

Bill, "An Act Concerning State Reimbursement for Private School Transportation." (H. P. 947) (L. D. 1178)

Bill, "An Act Establishing a Procedure Under the Education Statutes for Withdrawal of a Municipality From a Vocational Region." (H. P. 945) (L. D. 1180)

Bill, "An Act to Permit Sorority Houses at University of Maine Campuses." (H. P. 946) (L. D. 1179)

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

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

Bill, "An Act to Provide that the Recall Petitions for Municipal Officers May Be Circulated." (H. P. 949) (L. D. 1182)

Bill, "An Act to Revise Certain Duties of the Commission on Governmental Ethics and Election Practices." (H. P. 950) (L. D. 1183)

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

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

Bill "An Act to Amend the Authority Granted to Municipalities to Enact Police Power Ordinances." (H. P. 957) (L. D. 1187)

Bill "An Act to Provide for the Fee for Examination by the Office of State Fire Marshal of Plans for the Construction of Hotels or Motels with 2 or More Stories." (H. P. 958) (L. D. 1188)

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

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

Bill "An Act to Enable Town Meetings to be Held Outside the Corporation Limits Subject to Certain Limitations." (H. P. 979) (L. D. 1192)

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 Increase Lobster Fishing License Fees and Establish a Lobster Advisory Council." (H. P. 959) (L. D. 1184)

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

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

Bill, "An Act to Abolish the Fuel Adjustment Clause." (H. P. 961) (L. D. 1189)

Bill, "An Act to Exempt Farmland from Sewer Assessments When the Land Receives no benefit from this Construction." (H. P. 960) (L. D. 1185)

Come 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 to Provide Ferry Service to Matinicus Plantation." (H. P. 984) (L. D. 1193)

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.

#### Study Report — Committee on Transportation

The Committee on Transportation to which was referred the study relative to Private Air Strips, pursuant to Joint Order (H. P. 2225) of the 108th Legislature have had the same under consideration, and ask leave to submit its findings and report that the accompanying Bill, "An Act to Provide Moneys for Snow Removal at Private Airports Open to the Public" (H. P. 1043) (L. D. 1194) be referred to the Committee for public hearing and printed pursuant to Joint Rule 17.

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

Which Report was Read and Accepted, in concurrence, and the Bill Referred to the Committee on Transportation, in concurrence.

#### Communication COMMITTEE ON HEALTH & INSTITUTIONAL SERVICES

March 19, 1979

The Honorable Joseph Sewall  
President of the Senate of Maine  
State House

Augusta, Maine 04333

Dear President Sewall:

In accordance with 3 M.R.S.A., Chapter 3, section 51, 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 Michael R. Petit to the position of Commissioner of the Department of Human Services.

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 2: Representatives 8

NAYS — Senators 0: Representatives 0

ABSENT — 3: Sen. Hitchens, Rep. Vincent, Rep. Payne

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 Michael R. Petit to the position of Commissioner of the Department of Human Services be confirmed.

Sincerely,  
BARBARA A. 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 Michael R. Petit be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Health and 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 on 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 — Ault, Carpenter, Clark, Collins, Conley, Cote, Devoe, Emerson, Gill, Huber, Katz, Lovell, Martin, McBrearty, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Pray, Redmond, Shute, Silverman, Sutton, Teague, Trafton, Trotzky, Usher, Sewall.

ABSENT — Chapman, Danton, Farley, Hi-

chens.

No Senators having voted in the affirmative and 29 Senators in the negative, with 4 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 Michael R. Petit is confirmed.

#### Senate Papers

Senator Silverman of Washington presented, Bill, An Act to Provide an Elderly Home Heating and Cooking Fuels Program. (Emergency) (S. P. 431)

Committee on Aging, Retirement and Veterans suggested, On Motion by Senator Pierce of Kennebec, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

Senator Trafton of Androscoggin, cosponsor: Senator Gill of Cumberland presented, Bill, An Act to Establish the Physical Therapist Practice Act. (S. P. 428)

Senator Clark of Cumberland presented, Bill, An Act to Amend the Unit Ownership Act. (S. P. 429)

The same Senator presented, Bill, An Act Relating to the Licensing of Auctioneers. (S. P. 430)

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

Sent down for concurrence.

Senator Ault of Kennebec presented, Bill, An Act to Require an Advisory Referendum on the Dickey-Lincoln Hydroelectric Power Project. (S. P. 427)

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

Senator Perkins of Hancock, Cosponsors: Senator Clark of Cumberland and Senator Gill of Cumberland presented, Bill, An Act to Require the Inspection of Hospital Pharmacies Prior to Licensure. (S. P. 432)

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

Sent down for concurrence.

#### Committee Reports

The following Ought Not to Pass report shall be placed in the legislative files without further action pursuant to Rule 22 of the Joint Rules: 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)

#### Change of Reference

The Committee on Education on, Bill, An Act Concerning the Powers of the Board of Trustees and the Treasurer of the University of Maine and Concerning Real Property Belonging to the University. (H. P. 793) (L. D. 1001)

Reported that the same be referred to the Committee on Judiciary.

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

Which Report was Read.

On Motion by Senator Katz of Kennebec, Tabled until later in today's session, pending Acceptance of the Committee Report.

#### Leave to Withdraw

The Committee on Appropriations and Financial Affairs on, Bill, An Act Appropriating \$1,500 for the Pink Panthers of Millinocket to Represent Maine in the Cherry Blossom Festival. (Emergency) (H. P. 555) (L. D. 702)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Judiciary on, Bill, An Act Relating to Right of Entry on Lands. (H. P. 418) (L. D. 515)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Labor on, Bill, An Act to Revise the Occupational Safety and Health Law to Conform with Federal Requirements. (H. P. 187) (L. D. 234)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Labor on, Bill, An Act to Extend Collective Bargaining Rights to County Employees. (H. P. 186) (L. D. 237)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Labor on, Bill, An Act to Provide that any Work Over 8 Hours in One Day shall be Compensated by 1½ Pay. (H. P. 217) (L. D. 265)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Taxation on, Bill, An Act to Provide for a Tax Credit for the Gas Tax Relating to Taxicabs. (H. P. 715) (L. D. 888)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Taxation on, Bill, An Act Concerning Registration Fees for Persons Appearing Before County Commissioners for a Tax Rebate. (H. P. 400) (L. D. 507)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Taxation on, Bill, An Act to Change the County Tax from a Property Tax to an Income Tax. (H. P. 567) (L. D. 715)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Transportation on, Bill, An Act to Require Slow-Moving Vehicles to Display Slow-Moving Vehicle Emblems while Operating on Maine's Highways (H. P. 359) (L. D. 465)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

Which Reports were Read and Accepted, in concurrence.

#### Ought to Pass

The Committee on Local and County Government on, RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Waldo County for the Year 1979. (Emergency) (H. P. 1009) (L. D. 1171)

Reported that the same Ought to Pass pursuant to Joint Order (H. P. 135)

Comes from the House, the Resolve Passed to be Engrossed.

The Committee on Local and County Government on, RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Knox County for the Year 1979. (Emergency) (H. P. 1008) (L. D. 1170)

Reported that the same Ought to Pass pursuant to Joint Order (H. P. 135).

Comes from the House, the Resolve Passed to be Engrossed.

The Committee on Transportation on, Bill, An Act Relating to Identification of Motor Vehicles used to Transport Handicapped Persons. (H. P. 326) (L. D. 403)

Reported that the same Ought to Pass.

Comes from the House, the Bill Passed to be Engrossed.

The Committee on Transportation on, RESOLVE, Appropriating Funds for State Share of Access Bridge in the Town of Medford. (H. P. 405) (L. D. 509)

Reported that the same Ought to Pass.

Comes from the House, the Resolve Passed to be Engrossed.

The Committee on Transportation on, RESOLVE, Providing for a Study to Reexamine the Location of an Additional River Crossing in the Town of Skowhegan. (H. P. 168) (L. D. 199)

Reported that the same Ought to Pass.

Comes from the House, the Resolve Passed to be Engrossed.

Which Reports were Read and Accepted in concurrence, and the Bills and Resolves Read Once and Tomorrow Assigned for Second Reading.

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:

Whereas, the Maine Agriculture Industry proudly proclaims the following reigning queens for 1979:

Maine Apple Queen — Miss Cindy Plossay  
Grange Agricultural Queen — Miss Marsha Cook

Maine Blueberry Queen — Miss Susan Gagnon

Maine Broiler Queen — Miss Sheridan Lafayette

Farm Bureau Queen — Miss Darlene Yeaton

Maine Egg Princess — Miss Rhonda Braley

Maine Potato Queen — Miss Lori Irving

Miss Rodeo Queen — Miss Julie Crowley

Maine Sea Goddess — Miss Laurie King  
(H. P. 1112)

Comes from the House, Read and Passed.

Which was Read and Passed, in concurrence.

#### **(Off Record Remarks)**

#### **Ought to Pass — As Amended**

The Committee on Health and Institutional Services on, Bill, An Act to Increase the Size of the Human Services Fraud Investigation Unit. (H. P. 338) (L. D. 437)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H. 99)

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

The Committee on Health and Institutional Services on, Bill, An Act to Increase the Personal Needs Allowance for Recipients of State Supplemental Income Residing in Adult Foster Homes and Boarding Homes. (H. P. 212) (L. D. 260)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H. 98)

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

Which Reports were Read and Accepted in concurrence, and the Bills Read Once. Committee Amendments "A" were Read and Adopted in concurrence, and the Bills, as amended, Tomorrow Assigned for Second Reading.

#### **Ought to Pass in New Draft**

The Committee on Appropriations and Financial Affairs on, Bill, An Act Making Additional Appropriations from the General Fund for the Current Fiscal Year Ending June 30, 1979 and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government. (H. P. 451) (L. D. 539)

Reported that the same Ought to Pass in New

Draft under new title, "An Act Making Additional Appropriations from the General Fund and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government", (H. P. 1007) (L. D. 1169).

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

Which Report was Read.

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

Senator KATZ: Mr. President, this is the Emergency Appropriations Bill on which Senator Huber and his colleagues have been working so hard. I hope we can rush it along a little bit today, but not to the degree that it would prohibit us from looking at the Bill with some leisure. I might suggest if the Senator is agreeable, that we Accept the Committee Report, give it its Second Reading under Suspension of the Rules, and then table it pending engrossment, so that you could have over night to look at it, have caucuses or anything else that you wish.

The Report was Accepted in concurrence, and the Bill, in New Draft, Read Once.

Under Suspension of the Rules, the Bill, given its Second Reading.

On Motion by Senator Conley of Cumberland, tabled for 1 Legislative Day, pending Passage to be Engrossed.

On Motion by Senator Collins of Knox, the Senate voted to reconsider its action of earlier in today's session whereby Bill "An Act to Exempt Teacher Certification Records from the Freedom of Access Statutes. (H. P. 953) (L. D. 1186) was referred to the Committee on Judiciary.

On Motion by Senator Collins of Knox, referred to the Committee on Education and Ordered Printed, in non-concurrence.

Sent down for concurrence.

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: The Future Farmers of America is a dedicated association of youth that proudly plays a major role in the agricultural industry of this state... (H. P. 1110)

Comes from the House, Read and Passed.

Which was Read and Passed, in concurrence.

#### **(Off Record Remarks)**

#### **Divided Report**

The Majority of the Committee on Legal Affairs on, Bill, An Act to Increase the Permissible State Discount to State Agency Stores to 12% Under the Alcoholic Beverages Statutes. (H. P. 88) (L. D. 100)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H. 97)

Signed:

Senators:

SHUTE of Waldo  
FARLEY of York

Representatives:

DUDLEY of Enfield  
VIOLETTE of Van Buren

CALL of Lewiston  
DELLERT of Gardiner

GAVETT of Orono  
McSWEENEY of Old Orchard Beach

SOULAS of Bangor  
BROWN of Gorham

STOVER of West Bath

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

Signed:

Senators:

COTE of Androscoggin

Representatives:

MAXWELL of Jay

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

Which Reports were Read.

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

Senator SHUTE: I move the Majority Ought to Pass Report.

The PRESIDENT: The Senator from Waldo, Senator Shute, moves that the Senate Accept the Majority Ought to Pass as amended, Report of the Committee.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator KATZ: Mr. President. Speaking as the Senator from Kennebec, I want to express some concerns with the Senate, as to the drift of the State in regard to its Liquor Business.

Just a hand full of years ago, the distribution of hard liquor was in the hands of the State. Then the Legislature opened the door a little bit and we started establishing what we call "agency stores." We opened the door a little further than we thought we had opened the door and pretty soon those of us who were in the Legislature found out to our deep concern, that some of the Agency Stores were selling liquor on Sunday, which is a rather interesting question of policy that had never really been faced by the Legislature.

Now here is a Bill to increase the profit for the agency stores in selling liquor. I am going to lay down a scenario for you and suggest what may very well happen in the State of Maine.

As the sale of liquor in agency stores becomes more popular and more profitable and more desirable when you have two markets and one of them is an agency store and one isn't. We are going to build a very strong very influential constituency a new kind of special interest group in the State, that will have an awful lot to say, about what the State does with respect to distribution of liquor.

I will predict an extension of selling hours, a proliferation of outlets, an increase in difficulty in monitoring who sell what, when and how.

In a state that has had a sweet, clean smell with respect to the sales of hard liquor for many many years. I have deep concern that we are putting ourselves in the possible pitfall that other states have fallen into, where the distribution of liquor becomes so diversified and into so many hands and the potential for so many bad apples pops up that we will lose the sweet smell that we have had.

I am not sure I am going to over turn such an overwhelming committee report in the Senate, but I think making the sale of liquor more profitable for these agency stores will be a step in a direction that we will rue taking.

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

Senator FARLEY: Mr. President and Members of the Senate: The title of the Bill before you is rather deceiving. What the original bill wanted to do is to allow 12% at the agency stores a discount rate, that would have cost the State of Maine in the neighborhood of about \$350,000.

The Committee was not about to do that, so what we did was on the Committee Amendment, the majority of us, this is permissive legislation, that the State Agency Stores now charge under the Committee Report, up to 3% above and beyond the cost of the State Stores. There was I think justifiable testimony before the Committee that some of these agency stores under the agency concept, were having problems. The Committee felt that if they wanted, on their own to go up the 3% above the costs in the State Liquor Stores they could, however that is permissive legislation if they want to, they can choose not to.

Do not be deceived by the original Bill that would have allowed them 12% discount buying from the State Liquor Store, and that is not the case with the Committee Amendment.

The PRESIDENT: Is the Senate ready for

the question?

A Division has been requested.

Will all those Senators in favor of the Motion by the Senator from Waldo, Senator Shute, that the Senate, Accept the Majority Ought to Pass as amended, 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.

The Chair recognizes the Senator from Kennebec, Senator Pierce.

Senator PIERCE: Mr. President, I would request the Yeas and Nays.

The PRESIDENT: A Roll Call has been requested. Under the Constitution, in order for the Chair to order a Roll Call, it requires the affirmative vote of at least one-fifth of those Senators present and voting.

Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

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

The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: Mr. President, and Ladies and Gentlemen of the Senate. This Bill, doesn't open up the sale of liquor at all in the state. I think Senator Farley fairly explained the Bill, all that the Bill, does is to increase the profit margin for the Agency Stores. Now at the present time the agency stores receive 8% above, what the cost of liquor is, that is the profit margin.

The bill itself called for a 12% profit margin, for the agency stores, and this of course, would have come out of the state funds, or a loss of State Revenue of about \$3,000,000. This bill, the amended bill, allows the retail outlet stores, to charge 3% higher than our State Liquor Stores. The committee felt that this was an opportunity to give the agency stores a little more profit, yet not take any revenue away from the State of Maine. So this doesn't open up at all the liquor industry business as Senator Katz, alluded to, in his remarks. It does not affect that at all. All this affects is the price, now if you put the price up in the Agency Stores people might even buy less liquor, so it might help the liquor industry.

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

Senator KATZ: Mr. President, I thank the gentleman, I think that he underlined the point that I really wanted to make, that as you make the sale of liquor more profitable to Agency Stores, and make being an Agency Store more desirable, the demand to become Agency Stores will certainly proliferate and as the Agency Stores proliferate some of the problems, that I have been trying to explain to you are going to occur.

Right now a supermarket probably has a labor cost of about 8%, and gets about 8% back from the State. If you increase the take to the market or the mama and papa stores, where the labor costs are lower, from 8% to 10% or 11% as may be provided under this permissive bill, you are going to find many many more people want to have liquor in their little mama and papa stores.

Your control of the sale of liquor will diminish, that is the only basis that this Bill is important, not because of possible loss of revenue or anything else.

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

Senator MINKOWSKY: Mr. President and Members of the Senate: After looking over the amendment to the regular L. D., I get a little apprehensive, because in this particular amendment, we are charging a premium over and above the retail price the State Liquor Stores are now charging the people who purchase this particular product.

I guess that the reason why I do not like this particular amendment at the present time, is

simply because I believe that we are talking about a 75% mark up, in the cost of booze here in the State of Maine.

This is in my estimation is an exorbitant cost for a closed monopoly that the State has in charging its citizens. But now that we have these agency stores throughout the State of Maine basically to serve as a convenience to the people of the locality as well as our summer tourist trade, it seems a ludicrous thing to do to charge the 3% more than the retail price of which we are making a 75% profit.

If this went the opposite way, by giving the agency stores, 12% which is still not a sufficient amount of money to operate and take the gamble with, that would be something entirely different. I certainly would urge the Acceptance of the Majority Report with the hopes of amending out this particular amendment at some future date.

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

Senator PERKINS: Mr. President, Ladies and Gentlemen of the Senate my Majority Party Leader has made expressions of concern that he has with regard to the Agency Stores getting more profit and perhaps opening up the sale of liquor, at particular hours.

I suggest that the opposite is true that when a department of some store particularly a mama and papa store becomes unprofitable, then the inclination is to find a manner in which you can increase more profits this tendency is an unprofitable department. Therefore I suggest the opposite is true, that indeed the department is only receiving 8% and rest of the store has to turn around and support that department, then I would urge you to support the majority report, which would give them more profit, and there would be less tendency for the question.

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, as amended, Report of the Committee.

A Yes vote will be in favor of Accepting the Majority Report.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

#### ROLL CALL

YEA—Ault, Clark, Farley, Gill, Huber, Lovell, Martin, McBreairty, Minkowsky, O'Leary, Perkins, Pray, Redmond, Shute, Sutton, Usher.

NAY—Carpenter, Collins, Conley, Cote, Devoe, Emerson, Hichens, Katz, Najarian, Pierce, Silverman, Teague, Trafton, Trotsky. ABSENT—Chapman, Danton.

A Roll Call was had.

16 Senators having voted in the affirmative, and 14 Senators in the negative, with 2 Senators being absent, the Motion to Accept the Majority Ought to Pass Report in non-concurrence, does prevail.

The Bill Read Once. Committee Amendment "A" Read and Adopted, in non-concurrence.

The Bill, as amended, Tomorrow Assigned, for Second Reading.

#### Senate

##### Leave to Withdraw

Senator Gill for the Committee on Health and Institutional Services on, Bill, An Act to Facilitate the Placement and Care of Handicapped Individuals in Skilled Nursing Facilities and Intermediate Care Facilities. (S. P. 231) (L. D. 683)

Reported that the same be granted Leave to Withdraw.

Senator Ault for the Committee on State Government on, Bill, An Act to Create the Division of Assistance for Small Business. (S. P. 305) (L. D. 905)

Reported that the same be granted Leave to Withdraw.

Which Reports were Read and Accepted. Sent down for concurrence.

#### Second Readers

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

#### House

Bill, An Act to Permit Participating Local Districts of the Maine State Retirement System to Discontinue Special Retirement Benefits Prospectively. (H. P. 361) (L. D. 470)

Bill, An Act Concerning the Release of Certain Information Furnished for the Filing of Liens for Support Payments. (H. P. 461) (L. D. 574)

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

#### House — As Amended

Bill, An Act to Require Certification of Teachers in Bilingual Education Programs. (H. P. 122) (L. D. 130)

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

Bill, An Act Raising the Amount of the Homestead Exemption in Attachment and Bankruptcy Proceedings. (H. P. 419) (L. D. 532)

Which was Read a Second Time.

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

Senator CLARK: Thank you, Mr. President, Mr. President, I move that the Senate Reconsider its action whereby it Adopted Committee Amendment "A".

The PRESIDENT: The Senator from Cumberland, Senator Clark moves that the Senate Reconsider its Action Whereby it Adopted Committee Amendment "A" to L. D. 532.

Is this the pleasure of the Senate?

It is a vote.

The Senator has the floor.

Senator Clark: Mr. President, I belatedly move that we Adopt Senate Amendment "A" (S-42) and move its Adoption.

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

Senate Amendment "A" Read and Adopted. Committee Amendment "A" as amended, Adopted, in non-concurrence.

The Bill, as amended, Passed to be Engrossed, in non-concurrence.

Sent down for concurrence.

#### Senate

Bill, An Act Relating to Certificate of Deposit as it Applies to Survivors. (S. P. 192) (L. D. 459)

Which was Read a Second Time.

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

Senator DEVOE: Thank you, Mr. President and Members of the Senate. I have a question or two and a couple of doubts that this Bill raises, perhaps somebody on the Business Legislation Committee can address them?

At the present time our joint bank account statute is rather unusual, in that the joint bank accounts, between spouses are favored to the extent that the entire amount, when one spouse predeceases the other, the entire amount in that joint bank account becomes the property of the surviving spouse.

As to bank accounts, between other people, whether it be a spouse and a child, and uncle and a niece, an aunt and a nephew there is a \$5,000 limitation.

Recently Certificates of Deposit have come into vogue, so that banks are increasingly being favored by depositors who come in and say I want to buy a 1 year, 2 year, 4 year Certificate of Deposit.

As I read this Bill, this Bill, will eliminate the \$5,000. exemption which presently exists for joint bank accounts between all other people who are not husband and wife. It is favoring people who leave their money in time

deposits and it leaves the present penalty, if you can call it a penalty, that is in the statute, for people who chose for whatever reason, not to transfer their money from a demand savings account into Certificates of Deposit.

It leaves the bank in the happy situation, of still having the money on deposit and perhaps even being able to encourage the depositor after the death of one of the joint holders of the Certificate of Deposit to leave it on deposit. As I view this Bill, L. D. 459, it is less than a half way modification of the Joint Bank Account statute.

I would have preferred to see the Bill treated with all other joint bank accounts, and to have all joint bank accounts, treated the same rather than singling out certificates of deposit, for special treatment. Thank you very much Mr. President.

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

Senator FARLEY: Mr. President and Members of the Senate: The Bill before you does not, if you think from Senator Devoes testimony, that this works with all joint accounts that is not true.

The only thing that it addresses is the Certificate of Deposit, and what it says is that when you purchase a Certificate of Deposit and you have a beneficiary or a joint member on that Certificate of Deposit, that at the time of death all of the money on the Certificate of Deposit will be given to the beneficiary or the joint holder.

Presently the law says even if you had someone you took and bought a Certificate of Deposit with the intention of passing that certificate of deposit on to somebody else everything over \$5,000 would go into the estate.

Now the reason that we did not expand into the savings accounts or checking accounts, is because the problem arises on many occasions and one certainly, to me, within the last year.

Check Accounts on many occasions, they have 3 or 4 children, they are out of town and for convenience perhaps you may have trouble. In my personal case my dad had problems writing his signature, was a little bit embarrassed, but was of sound mind, ask a younger brother to be a co-signer on his checking account. My dad for his own reasons had a very very unusually high personal checking account, I told him about it so did his banker. Quite frankly he told us both to mind our own business.

But in the last year my younger brother because it was more convenient for him, he happened to be staying there and was a cosigner on the checking account.

Now when my dad passed away, under the law the first \$5,000 legally went to my younger brother. We did not have a problem, but the problem can arise, under savings accounts, and checking accounts. That is the reason why they were not put into this bill before you.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Penobscot Senator Devoe.

Senator DEVOE: Thank you, Mr. President, Mr. President, I have an estate in my office now that I am handling for a family. The lady who died happened to have joint bank accounts with her two children, each of the joint bank accounts were in excess of \$5,000. Now when these funds were deposited in the bank, nobody at the bank explained to this lady, last fall when the accounts were opened, that there was a \$5,000. limitation. It is presently in our statutes, that joint bank accounts between people who are not spouses with each other, married to each other, have a \$5,000. limitation.

I ask the Senate if in that situation, you had had one child who would have had for example a \$10,000. evidenced solely by a pass book with mother's and daughter's names on it, and her other child at another bank had a \$10,000. certificate of deposit with her son. If this bill were to be law the son would walk away with the

entire \$10,000., because his mother happened to be persuaded by the bank, you ought to leave this at interest for a longer period of time, therefore get the benefit of a higher rate of interest, and yet as to the \$10,000. joint account evidenced solely by her pass book the daughter would have to pay \$5,000. to her mother's estate and would get only the first \$5,000. Assuming of course that she had not contributed to the proceeds of the joint bank account.

Now this is what the State will be doing if this Bill becomes law, you will be putting people in the situation where people who have Certificates of Deposit, the surviving certificate holder will be the outright owner of the entire proceeds. In contrast too, a situation where a parent and child for example might have a joint bank account of \$10,000. and not in a certificate of deposit, but evidenced solely by the pass book, in that instance the surviving joint holder will receive only the first \$5,000. and will have to pay the balance of \$5,000. to the estate.

It does not seem to be an equal treatment of what is actually the same thing, that is \$10,000 on deposit, why should you single out a Certificate of Deposit and leave the rest of the Joint Bank Account law just the way that it is?

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

Senator CLARK: Thank you, Mr. President, Men and Women of the Senate. L. D. 459 intentionally sought to seek out and isolate certificate of deposits from all other financial arrangements with Maine Financial Institutions for that was the intent of the sponsor.

The committee report is a unanimous committee report from the Business Legislation Committee and it is my understanding that the new uniform probate code, currently in committee, with a joint standing committee on judiciary would lend direction with precise attention to the elimination of all limitations.

It is further my understanding that the Bureau of Banks supports total elimination of limitations as reflective of the testimony of the Superintendent of Banks, Jack Durham and it is also my personal opinion that the elimination of all limitations on all financial arrangements whether they be checking accounts or CD would be appropriate. The fact of the matter is that the Senator from York, Senator Farley, addresses an issue in an isolated fashion namely Certificates of Deposit and the Joint Standing Committee on Business Legislation, thought that the bill had merit, still thinks that the bill has merit, and reported it out with a unanimous ought to pass report. I think that it would be appropriate, Mr. President, if we moved this Bill on and I do move that it be engrossed.

The Bill, Passed to be Engrossed.  
Sent down for concurrence.

#### Enactors

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

An Act to Amend the Safe Drinking Water Act. (S. P. 155) (L. D. 330)

An Act Relating to Certification of Plumbing Inspectors. (S. P. 154) (L. D. 372)

An Act to Include the Fire Chief or his Designee in Filing Statements of Fire Occurrence. (H. P. 439) (L. D. 556)

An Act to Revise the Laws Concerning Fire Exits. (H. P. 314) (L. D. 420)

An Act to Clarify the Law Relating to the Maine Criminal Justice Sentencing Institute. (H. P. 281) (L. D. 359)

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 Require that Heads of State Agencies Report to the State Auditor any Suspected Improper or Illegal Financial Activity in their Agency. (H. P. 195) (L. D. 244)

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

An Act Providing Funds for Young Women's Christian Association Fair Harbor Shelter in Portland. (S. P. 194) (L. D. 461)

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

#### Orders of the Day

The President laid before the Senate the first tabled, and specially assigned matter:

Joint Order — Relative to Joint Rule 35 regarding Memorials. (S. P. 342)

Tabled — March 16, 1979 by Senator Pierce of Kennebec

Pending — Passage

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

Senator KATZ: Mr. President and Members of the Senate: The first 3 tabled bills, go back to a time when there was some civil disorder, a few weeks ago and we have been tabling these from time to time.

We now find that we have one more than we need to deal with any issue if we ever arrive at a conclusion, so it is my intention today to move the Indefinite Postponement of tabled item #1, and the other 2 will be tabled unassigned.

On Motion by Senator Katz of Kennebec, Joint Order was Indefinitely Postponed.

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

Joint Order — Relative to Joint Rule 6-A regarding Legislative Papers. (S. P. 359)

Tabled — March 16, 1979 by Senator Pierce of Kennebec

Pending — Passage

On Motion by Senator Katz, of Kennebec, Retabled.

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

Joint Order — Relative to Joint Rule 6 and adding a New Joint Rule 35A. (H. P. 897)

Tabled — March 16, 1979 by Senator Pierce of Kennebec

Pending — Passage

On Motion by Senator Katz of Kennebec, Retabled.

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

House Reports — from the Committee on Education — Bill, "An Act to Provide for a Student Member of the Board of Trustees of the University of Maine." (H. P. 155) (L. D. 194) Majority Report Ought Not to Pass; Minority Report — Ought to Pass as Amended by Committee Amendment "A" (H-88).

Tabled — March 19, 1979 by Senator Katz of Kennebec

Pending — Motion of Senator Trotzky of Penobscot to Accept Majority Ought Not to Pass Report

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

Senator DEVOE: Thank you, Mr. President. Mr. President, I will be brief in my remarks. Before the Senate votes on this Bill, I would simply like to speak in favor of it and to point out to the members of this Senate that this Bill embodies the principle that we see more and more today in the State of Maine.

A principle that in large part has been encouraged and hastened by this Legislature. The principle is that the people who benefit, that is, members of the public or a segment of the public benefit from the use of certain institutions or services be allowed a voice in the governing, our association recently had members of the public appointed to the board of overseers. This Senate just a week or 10 days ago, approved a bill by which membership of laymen on the Judicial Council was increased,



and yet if the Senate were to oppose this Bill, it being contrary to what it has in the past, time and time, again voted to do, and that is to give members of the public who benefit from services a chance to have their voices heard in the particular institution, in this case the University of Maine. It is for that reason Mr. President that I am opposing the Ought Not to Pass Report of the Committee on Education. Thank you very much.

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

Senator MINKOWSKY: Mr. President and Members of the Senate. I would certainly concur with the remarks made by the good Senator from Penobscot, Senator Devoe. You could allow this Bill a chance at this time by rejecting the Majority Ought Not to Pass Report and Accept the Minority Report, of which I am a signer thereof.

I would like to call the Senate's attention to the Minority Committee Report under (H-88) and just give you a synopsis of what this will do in the amended version.

It states that any standing committee of the Board of Trustees excluding committees with responsibilities, with matters of personal or employee relations, shall include one student member, with full voting rights. The student member shall be a full time student and shall be selected by the board of trustees, from a list submitted by the University Organization of Student Governments.

There has been some concern that there are presently several standing committees which have input with the University of Maine. But I guess that the greatest majority of the Students that I have spoken to feel that they would feel more secure if they had a single member to express their peers' point of view to the entire board. So on that particular basis Mr. President, I sincerely hope that you would reject the Majority Ought Not to Pass Report and then Accept the Minority Report as amended.

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

Senator TROTZKY: Mr. President and Members of the Senate: I urge you to Accept the Majority Ought Not to Pass Report of the Committee. First of all this Bill is basically intervention in the internal administration of the University of Maine. This legislature in the past has not interfered in the internal workings of the University.

What the amendment does is that it states that on Standing Committees of the Board of trustees, most of these committees shall include one student member with full voting rights. A Standing Committee of the Board of Trustees is not set up by the legislature, and therefore in my mind and in the mind of most of the Committee the Legislature has no right mandating that students serve on them.

By the way, presently the Board of Trustees does have subcommittees set up and there are student members on a few of these, Student Affairs, Finance and Educational Policy and the Physical Facilities Committee. I feel that it is wrong for this Legislature to turn around and mandate, that students shall serve on the committees.

The PRESIDENT: Is the Senate ready for the question?

The pending question before the Senate is the Motion by the Senator from Penobscot, Senator Trotzky that the Senate Accept the Majority Ought Not to Pass Report of the Committee.

The Chair will order a Division.

Will all those Senators in favor of the Motion to Accept the Majority Report, please rise in their places to be counted.

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

The Chair recognizes the Senator from Penobscot, Senator Pray.

Senator PRAY: 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 Penobscot, Senator Trotzky.

Senator TROTZKY: Mr. President and Members of the Senate: The Original Bill, L. D. 194 was an Act to provide for a student member of the board of trustees in the University of Maine. This is what the bill was all about to put a student on the board of trustees, and mandate that there be one spot set aside for that. Right now there are people appointed by the governor. The Governor can if he wants to, appoint a student to serve on the board of trustees therefore the Majority of the Committee felt that there was no need for the Bill.

Then the Minority of the Committee turned around and came up with this amendment saying that we will mandate that students serve on the subcommittees and again it is redundant. There is no need for mandating this, I do not think that it is good policy and students do have input into the University, because the University Board of Trustees has put students on certain of these Committees. I feel this is total interference in the administration of the University of Maine which this Legislature has stayed away from in the past.

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

Senator MINKOWSKY: Mr. President and Members of the Senate: If the taxpayers of the State of Maine, are going to pay anywhere from 62% to 65% of the total operation of the University of Maine, and we are not satisfied with what the board of trustees are presently doing, I think that we get another point of view and that is from the student.

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

Senator PIERCE: Mr. President and Members of the Senate: Having been involved in Education and dealing with students for some period of time, I think that the first session that I was up here, I voted for this Legislation, it is a Bill that has been around for awhile, I voted against it last time and I think that I am going to vote against it again today. The reasons that I am doing so are two fold, 1. I see no evidence of insensitivity on the part of the University or no lack of student input or evidence that they are not listening to students. Thus far in any testimony that I have heard in talking with people I think that there is some fear that perhaps in the future that that might happen, but I do not think that it is happening now. 2. It seems to me that if you are going to mandate a student, on these committees, shouldn't you equally mandate a faculty member, shouldn't you mandate a parent, shouldn't you mandate all sorts of groups, that should be represented.

I think that perhaps while on the surface it sounds great to mandate a student on these, and I certainly would always want student input into the running of the University I do not think that it is a very good idea for us to interfere in the University management in this particular way.

The PRESIDENT: Is the Senate ready for the question?

The pending question before the Senate is the Motion by the Senator from Penobscot, Senator Trotzky that the Senate Accept the Majority Ought Not to Pass Report of the Committee.

A Yes vote will be in favor of Accepting the Majority Report.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

#### ROLL CALL

YEA—Ault, Collins, Cote, Emerson, Gill, Hichens, Huber, Katz, Lovell, McBreaity, Perkins, Pierce, Redmond, Shute, Sutton, Trotzky.  
NAY—Carpenter, Clark, Conley, Devoe, Farley, Martin, Minkowsky, Najarian, O'Leary, Pray, Silverman, Teague, Trafton, Usher.

ABSENT—Chapman and Danton.

A Roll Call was had.

16 Senators having voted in the affirmative and 14 Senators in the negative, with 2 Senators being absent, the Motion to Accept the Majority Ought Not to Pass Report does prevail.

Sent down for concurrence.

The PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Teague.

Senator TEAGUE: Is the Senate in possession of L. D. 155?

The PRESIDENT: The Chair would answer in the affirmative.

Senator TEAGUE: I move we reconsider whereby this Bill was passed to be enacted.

The PRESIDENT: The Senator from Somerset, Senator Teague, moves that the Senate Reconsider its Action Whereby it Enacted.

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

On Motion by Senator Katz, of Kennebec, Tabled for 1 Legislative Day, pending the Motion of the Senator from Somerset, Senator Teague.

The PRESIDENT: The Chair would direct the Senate's attention to Bill, An Act Concerning the Powers of the Board of Trustees and the Treasurer of the University of Maine and Concerning Real Property Belonging to the University. (H. P. 793) (L. D. 1001) tabled earlier in today's session.

The Report Accepted in concurrence, the Bill referred to the Committee on Judiciary, in concurrence.

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