

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

**OF THE**

***One Hundred and Ninth***

***Legislature***

**OF THE**

**STATE OF MAINE**

**SECOND REGULAR SESSION**

**January 2 to April 3, 1980**

**THIRD SPECIAL SESSION**

**May 22, 1980**

**THIRD CONFIRMATION SESSION**

**July 17, 1980**

**FOURTH CONFIRMATION SESSION**

**July 24, 1980**

**FIFTH CONFIRMATION SESSION**

**September 12, 1980**

**REPORT, HEARING TRANSCRIPT AND  
RELATED MEMORANDA OF THE JOINT  
SELECT COMMITTEE ON INDIAN LAND  
CLAIMS**

STATE OF MAINE  
One Hundred and Ninth Legislature  
Second Regular Session  
JOURNAL OF THE SENATE

February 12, 1980

Senate called to order by the President.

Prayer by the Rev. Reginald Couture of the Union Congregational Church of Ellsworth Falls.

Reverend COUTURE: I bring you greetings in the name of our Lord and Saviour, Jesus Christ.

As we once more celebrate the birthday of a great leader of our country, Abraham Lincoln, may we be mindful that we are emancipated of the doubts and fears and inadequacies that fall upon us. May these be replaced by the strength, courage and affectiveness first as citizens then, as leaders of our State.

We ask, O' God, that you give us the strength, the wisdom, and the knowledge to do so in the name of thy son, Jesus Christ our Lord and Redeemer. Amen.

Reading of the Journal of yesterday.

Papers from the House  
Non-concurrent Matter

Bill, An Act to Provide Low-interest Loans for Middle and Low Income Families for Residential Energy Conservation Improvements. (S. P. 743) (L. D. 1922)

In the Senate, February 5, 1980, referred to the Committee on Energy and Natural Resources.

In the House, February 6, 1980, referred to the Committee on State Government, in non-concurrence.

In the Senate, February 7, 1980, referred to the Committee on Appropriations and Financial Affairs, in non-concurrence.

Comes from the House, that Body having Adhered.

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

Senator KATZ: Mr. President, I move that the Senate Adhere.

The PRESIDENT: The Senator from Kennebec, Senator Katz, moves that the Senate Adhere.

The Chair recognizes the Senator from Cumberland, Senator Najarian.

Senator NAJARIAN: I move that the Senate Recede and Concur.

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

The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator KATZ: I request a Division.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of the Motion to Recede and Concur with the House, please rise in their places to be counted.

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

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

Senator CARPENTER: I request a Roll Call.

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

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

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

The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator KATZ: Mr. President, I can assure Members of the Senate that if the motion to Recede and Concur fails and the motion to Adhere succeeds, you will then have an opportunity in another bill that is presently being

moved along.

I think right here the question is whether or not the Senate must yield every time to the other body, or whether the judgement of the Senate on occasion is so pure and clean that it must be upheld.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Cumberland, Senator Najarian.

Senator NAJARIAN: Mr. President, and Members of the Senate, I would hope that the Senate would Recede and Concur on this. I suppose it's futile for me to try and persuade the majority of this body any differently from the majority leader, but this bill deals with the Maine State Housing Authority, which the State Government Committee has traditionally dealt with. So logically that's where this bill should be referred.

If we refer it to this committee now, we'll save a lot of time, and a lot of expense, it's already printed, and another bill is going to be sent up which will be identical to this one. It just seems to me a little foolish to fool around on reference to committee, and have to go through the same exercise again just to prove that you're stronger than the body down at the other end, or so forth.

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

Senator CONLEY: Mr. President, apparently we do have a great deal of time still left. As I look at the House Calendar, I'm reminded that there are 29 Legislative Days still left in this session. Apparently we could whip another bill up from the Governor's Office on the 28th day and slip it through both houses without a public hearing.

It's my understanding that's exactly what is going to happen, if this Senate Adheres on this bill today. The only reason that's being done is again to save face. It just seems to me we're all mature people, allegedly, I think the Constitution says we've got to be 25 years of age to run for the Senate. You know, when somebody hits the age of 25, you know you're older than 7, you're supposed to be able to know and reason what's right and what's wrong. I'm not going to lecture to this very knowledgeable body. It certainly has far more wisdom than I do, but for God's sake, I have 12 children, and not one of them has ever responded in the manner, such as is being responded to today. So I would urge the Senate to save time, to expedite the matters of all these very, very, very important emergency pieces of legislation that have been submitted to this Special Session of the Legislature for the will of the people of this State, we expedite, Recede and Concur and get on with the business.

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

Senator SILVERMAN: Thank you Mr. President, and Members of the Senate.

A bill dealing with the Maine State Housing Authority always goes to State Government, and that's what this bill is: "An Act to Provide Low-interest Loans for Middle and Low Income Families for Residential Energy Conservation Improvements."

Now if you're trying to kill the bill, it's quite obvious you can do it by Adhering. If you're trying to let a bill of this importance to middle and low income families, because we have an energy crisis in Maine, you let this bill go to State Government, because that's where it's going to go eventually. Thank you.

The PRESIDENT: Is the Senate ready for the question?

The pending question before the Senate is the Motion by the Senator from Cumberland, Senator Najarian, that the Senate Recede and Concur with the House.

A Yes vote will be in favor of the Motion to Recede and Concur.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA—Carpenter, Clark, Conley, Cote, Minowsky, Najarian, O'Leary, Pray, Silverman, Usher.

NAY—Ault, Chapman, Collins, Devoe, Emerson, Gill, Hichens, Huber, Katz, Lovell, McBreaity, Perkins, Pierce, Redmond, Shute, Sutton, Teague.

ABSENT—Danton, Farley, Martin, Trafton, Trotzky.

10 Senators having voted in the affirmative, and 17 Senators in the negative, with 5 Senators being absent, the Motion to Recede and Concur does not prevail.

Is it now the pleasure of the Senate to Adhere?

It is a vote.

(Off Record Remarks)

Joint Order

An Expression of Legislative Sentiment recognizing that:

Amy Banks of Brewer High School Girls Basketball Team who has scored 1,000 points in competitive play. (H. P. 1815)

Comes from the House, Read and Passed.

Which was Read and Passed, in concurrence.

Communications

Committee on Energy and Natural Resources  
Feb. 11, 1980

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

Augusta, Maine

Dear President Sewall:

In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th Maine Legislature, the Joint Standing Committee on Energy and Natural Resources has had under consideration the nomination of Harvey DeVane of Ellsworth to the position on the Board of Environmental Protection.

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 Clerk called the roll with the following result:

YEAS: Senators — 3  
Representatives — 10  
NAYS: Senators — 0  
Representatives — 0

ABSENT: 0

Thirteen 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 Harvey DeVane to the position of the Board of Environmental Protection be confirmed.

Sincerely,  
S/JAMES MCBREAIRTY  
Senate Chairman

S/WILLIAM B. BLODGETT  
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Energy and Natural Resources has recommended that the nomination of Harvey DeVane be confirmed.

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

The Chair recognizes the Senator from Cumberland, Senator Conley.

Senator CONLEY: Mr. President, could I pose a question through the Chair, if I may, on

the calendar. Is the calendar correct in it's report of the Senators, Yeas 3, and House Members Nays 10? Before the Roll is called I'd like to know exactly what the position of the committee is.

The PRESIDENT: The Chair finds this a very reasonable question.

The Chair recognizes the Senator from Aroostook, Senator McBreairty, to clarify this typographical situation.

Senator McBREAIRTY: Mr. President, and Members of the Senate. The vote was unanimous in favor of confirmation, 3 Senators and 10 House Members voted in favor of confirmation. So there is a mistake on the calendar. A mistake somewhere.

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

Senator KATZ: Mr. President, I find it not surprising at all that Harvey DeVane hasn't even been confirmed yet and here he is mixed up in controversy.

The PRESIDENT: Is the Senate satisfied with the explanations?

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, Chapman, Clark, Collins, Conley, Cote, Danton, Devoe, Emerson, Gill, Hichens, Huber, Katz, Lovell, McBreairty, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Pray, Redmond, Shute, Silverman, Sutton, Teague, Trotzky, Usher, Sewall.

ABSENT—Farley, Martin, Trafton.

No Senators having voted in the affirmative and 30 Senators in the negative, with 3 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 Harvey DeVane is confirmed.

#### Orders

Expressions of Legislative Sentiment recognizing:

The Newport Women's Club, which has contributed greatly to the restoration of Sabaticook Lake. (S. P. 754) is presented by Senator Emerson of Penobscot (Cosponsor: Representative Reeves of Newport).

Gordon Corbett of Yarmouth, who is the 1980 Maine Teacher of the Year. (S. P. 755) is presented by Senator Clark of Cumberland (Cosponsor: Representative Jackson of Yarmouth).

The Marion Chapter of the Order of Eastern Star which has observed its 80th anniversary. (S. P. 756) is presented by Senator Ault of Kennebec (Cosponsor: Representative Dellert of Gardiner).

Which were Read and Passed.

Sent down for concurrence.

#### Committee Reports

##### House

##### Ought to Pass

The Committee on Judiciary on, Bill, "An Act to Increase the Fees for the Drivers Education Evaluation Program." (H. P. 1691) (L. D. 1801)

Reported that the same Ought to Pass.

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

The Committee on Legal Affairs on, Bill, "An Act to Redefine Golf Club, under the Liquor Laws, to Include Clubs with over 1,200 Yards per 9 Holes." (H. P. 1688) (L. D. 1796)

Reported that the same Ought to Pass.

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

The Committee on Legal Affairs on, Bill, "An Act Relating to Confidentiality under the Lottery Law." (H. P. 1692) (L. D. 1802)

Reported that the same Ought to Pass.

Comes from the House, the Bill Passed to be

Engrossed.

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

#### Ought to Pass — As Amended

The Committee on Health and Institutional Services on, Bill, "An Act Providing for the Return of Patients to Mental Health Institutions." (H. P. 1683) (L. D. 1792)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-778).

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

The Committee on Judiciary on, Bill, "An Act Relating to Suspension of Nonappearance under the Motor Vehicle Laws." (H. P. 1644) (L. D. 1753)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-774).

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

The Committee on Public Utilities on, Bill, "An Act Amending the Charter of the York Sewer District." (H. P. 1740) (L. D. 1858)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-773).

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 Business Legislation on, Bill, "An Act to Amend the Fair Credit Reporting Act." (H. P. 1734) (L. D. 1852)

Reported that the same Ought to Pass in New Draft under New Title: Bill, "An Act Authorizing the Bureau of Consumer Protection to Inform and Advise the Public and to Investigate and Prosecute Complaints Under the Fair Credit Reporting Act." (H. P. 1814) (L. D. 1926)

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

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

#### Divided Report

The Majority of the Committee on Fisheries and Wildlife on, Bill, "An Act Relating to Hunter Safety." (H. P. 1612) (L. D. 1722)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-765).

Signed:

Senators:

REDMOND of Somerset

PIERCE of Kennebec

USHER of Cumberland

Representatives:

JACQUES of Waterville

MASTERMAN of Milo

VOSE of Eastport

PAUL of Sanford

PETERSON of Caribou

DOW of West Gardiner

MacEACHERN of Lincoln

CHURCHILL of Orland

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

Representatives:

TOZIER of Unity

GILLIS of Calais

Comes from the House, the Bill Passed to be

Engrossed as amended by Committee Amendment "A" (H-765) and House Amendment "A" (H-780).

Which Reports were Read.

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

Senator PRAY: Mr. President, I would like to pose a question through the Chair to some member of the committee, in reference to this bill as amended by the Committee Amendment.

Noticing the Committee Amendment, it says, that the words "for a period not to exceed 5 years" is stricken and are replaced with: "for a period not to exceed 5 years." Seemingly by reading the amendment, we are adding exactly the same words that the amendment crosses out. Could someone explain that?

The PRESIDENT: The Senator from Penobscot, Senator Pray, has posed a question through the Chair to any member of the committee who may care to answer.

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

Senator O'LEARY: Mr. President, I'm not a lawyer, but I would like to have someone whose knowledge of the law is great to answer a question. I think there is an assumption in this bill where it says "recklessly endangered." I think that this is a dangerous presumption to be giving to someone. So therefore, if I don't have an answer, I'm not correct. I move the Ought Not to Pass Report.

On Motion by Senator Usher of Cumberland, Tabled until later in today's session, pending Acceptance of either Committee Report.

#### Second Readers

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

##### House — As Amended

Bill, "An Act Relating to Interest on Supplemental Assessments under the Tax Laws" (H. P. 1750) (L. D. 1866)

Bill, "An Act Pertaining to the Time for Recording a Tax Lien Mortgage." (H. P. 1736) (L. D. 1854)

Bill, "An Act to Clarify the Obligations of Certain Public Utilities Regarding Assessments to Defray Expenses of the Public Utilities Commission." (H. P. 1748) (L. D. 1864)

Bill, "An Act Providing for Administrative Changes in the Maine Revised Statutes Relating to Taxation." (H "A" H-779) (H. P. 1751) (L. D. 1867)

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

##### Senate — As Amended

RESOLVE, Authorizing Execution of Leasehold Agreement Between Department of Educational and Cultural Services and the City of South Portland Establishing a Greenbelt and Public Park Area on the Southern Maine Vocational-Technical Institute Campus as Part of the Spring Point Shoreway. (Emergency) (S. P. 674) (L. D. 1778)

Bill, "An Act to Develop Elderly Congregate Housing in Maine." (S. P. 724) (L. D. 1873)

Bill, "An Act to Permit the Department of Transportation to Acquire Railroad Operating Equipment." (S. P. 666) (L. D. 1720)

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

Sent down for concurrence.

##### Enactors

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

An Act to Provide for Per Diem Compensation for Active Retired Judges. (H. P. 1636) (L. D. 1745)

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

An Act to Allow the City of Portland to Sell or Lease its Central Fire Station. (S. P. 678) (L.

D. 1785)

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

**RESOLVE**, Authorizing the Commissioner of Mental Health and Corrections to Convey the State's Interest in a Certain Parcel of Land and Buildings in Augusta to the Community Shelters for Children, Inc. (H. P. 1606) (L. D. 1717)

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

#### Orders of the Day

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

Bill, "An Act to Amend the Pay Schedule of Physicians to Include Actuaries." (S. P. 707) (L. D. 1843)

Tabled—February 11, 1980 by Senator Conley of Cumberland.

Pending—Motion of Senator Chapman of Sagadahoc to Recede and Concur.

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

Senator PRAY: Mr. President and Members of the Senate. Yesterday I asked a question, or raised a concern and I would like to ask the question today to perhaps the Chairman of the Committee or some other member of the Committee.

My concern yesterday was, that wages and salaries are subject to negotiations. Reading the Committee Amendment and the emergency preamble it states: "That whereas the statutory salary levels for actuaries employed by the State is inadequate and effectively preclude their recruitment". Clearly it seems to me, that this is something that should come through the collective bargaining process and the necessary legislation to change salary levels would follow collective bargaining. Basically what we are doing I would think at this time, would be kind of having an end run, on the collective bargaining process.

The PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Chapman.

Senator CHAPMAN: Mr. President and Members of the Senate. This bill addresses the establishment of a pay level necessary and adequate in order to hire actuaries.

For a long time the Bureau of Insurance has desired and expressed the need for actuaries, to assist them in analyzing rate requests particularly. A few years ago that request was granted by this Legislature and a pay level established which was clearly too low to attract anyone to apply for the positions.

This Bill recognizes that the original establishment of the pay scale was inadequate, incorrect, and corrects that error by establishing a level that is correct, is commensurate with the amount necessary to hire actuaries.

No one occupies this position now, no one has occupied this position. Clearly it was an error in the first instance and this is establishing a proper scale within which to seek persons to fill these positions.

This is a Governor's bill, it addresses an urgent need. As I have said, there is no one occupying this position at the present time, you are not changing a pay scale for anyone who is currently employed. It is important as evidenced by the fact that the Governor is still standing behind his bill, in spite of the issue being brought to his attention that it might possibly also be addressed in the collective bargaining agreement, that this is a matter of urgent need. It is somewhat unique in that no one has occupied this position, the Legislature is certainly in order to address it as it is right now, and I would urge the Senate to Recede and Concur on this matter.

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

Senator CLARK: Thank you, Mr. President. Mr. President, men and women of the Senate. It is indeed an unfortunate situation when the Assistant Minority Floorleader suggests, ever so gently, that the current contract is indeed suffering an alleged breach.

I would suggest to you, to that gentleman and to the members of this body that the issue is perhaps more succinctly, should range changes be a negotiable item. The fact is that, that has not been addressed in the current contract. The suggestion that this is in fact an alleged breach of the current contract has no validity. I would suggest that we unanimously endorse the committee's unanimous Ought to Pass Report, and concur with the remarks of the very capable Senate Chairman of that committee.

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

Senator PRAY: Mr. President, I do not question the need for the change. I do question the procedure. If any of you can remember last year's contract, the negotiations, if you'll check the next to last paragraph there is an agreement between both sides that no attempts will be made to change any of the salaries that are set.

Now I understand that there is no one presently employed, but the salaries are statutorily set. This group, though there is none, they are listed under the professional and technical unit, a similar situation was raised last year with the Department of Transportation's Civil Engineers. An agreement was made in last year's contract and enabling legislation came through as spelled out by the contract to change the Civil Engineers to put them up to a more comparable stage to the private sector.

I am not going to oppose the motion at this time, but I do think that some serious consideration should go prior to Enactment.

The PRESIDENT: The pending motion before the Senate is the motion by the Senator from Sagadahoc, Senator Chapman that the Senate Recede and Concur with the House.

Is this the pleasure of the Senate.

It is a vote.

The Chair laid before the Senate the second tabled and specially assigned matter:

JOINT ORDER—relative to Lakeville Plantation (H. P. 1811)

Tabled—February 11, 1980 by Senator Pierce of Kennebec.

Pending—Passage.

On Motion by Senator Katz of Kennebec, Retabled for 1 Legislative Day.

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

#### Papers from the House Committee Reports Ought to Pass

The Committee on State Government on, **RESOLVE**, to Honor James B. Longley. (H. P. 1792) (L. D. 1910)

Reports that the same Ought to Pass.

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

Which Report was Read.

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

Senator KATZ: Mr. President, and Members of the Senate, most of us present in this Chamber served during the tenure of Governor Longley. By any yardstick his tenure was different from that of his predecessors or quite possibly those that follow him.

The other night on Public Broadcasting the Majority Leader of the House and I were both interviewed about our perceptions of public service. I found it strange that although we were not in the same room, we both said the same thing.

Jim Tierney said that it was the goal of his life, an object of his life to make the difference. I think my remarks were almost exactly the same except, I said that one of the real gratifi-

cations of public life is to touch upon the lives of other people for good.

If this is the measure of public service, I guess Jim Longley touches upon Maine lives like nobody did before him for a good many years, at a time when many people didn't realize the ball game was changing, many people didn't understand the impact of the end of the era of cheap energy, Jim Longley did. The very painful job he did in State Government, and the very courageous job that he did in State Government, without any question is going to make the work of the legislatures which follow just a little easier. Not harder, but a little easier. I'm very pleased to see this Joint Resolution in front of us. I hope Mr. President, that having given it its first reading, you will subsequently suspend the rules so that we may give it its second reading at this time.

The Ought to Pass Report of the Committee, Accepted, in concurrence.

Under Suspension of the Rules, the Resolve read twice, and Passed to be Engrossed, in concurrence.

Sent forthwith.

#### Ought to Pass — As Amended

The Committee on Judiciary on, Bill, "An Act to Eliminate the Requirement for Certain Adjudicatory Proceedings before the Board of Registration in Medicine. (H. P. 1642) (L. D. 1751)

Reports that the same Ought to Pass as amended by Committee Amendment "A" (H-782).

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

Which Report was Read.

The Ought to Pass, as amended, Report of the Committee, Accepted, in concurrence, and the Bill Read Once. Committee Amendment "A" Read and Adopted, in concurrence, and the Bill, as amended, Tomorrow Assigned for Second Reading.

#### Orders of the Day

The Chair laid before the Senate: Bill, "An Act Relating to Hunter Safety." (H. P. 1612) (L. D. 1722), tabled earlier in today's session by Senator Usher of Cumberland, pending Acceptance of either Committee Report.

The Chair recognizes the Senator from Penobscot, Senator Pray.

Senator PRAY: Mr. President, I move that we accept the Majority Ought to Pass Report.

The PRESIDENT: The Senator from Penobscot, Senator Pray, moves that the Senate accept the Majority Ought to Pass, as amended, Report of the Committee.

Is this the pleasure of the Senate?

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

Senator O'LEARY: Mr. President, I think I'm going to have to oppose that motion. I'll briefly give my reasons.

The word endangered in here scares me a little bit. If you look at the law that they are attempting to change. I believe that they had to find you guilty of whatever is being done, before they would take your license. Now it's only to assume or to reasonably believe, and these words scare me.

I'm not a lawyer and I move the Indefinite Postponement of this bill and all its accompanying papers.

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 the Indefinite postponement of L. D. 1722, please rise in their places to be counted.

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

5 Senators having voted in the affirmative,

and 20 in the negative, the motion to Indefinitely Postpone does not prevail.

The Majority Ought to Pass, as amended, Report of the Committee, Accepted, in concurrence, and the Bill Read Once. Committee Amendment "A" Read and Adopted, in concurrence. House Amendment "A" Read and Adopted, in concurrence, and the Bill, as amended, Tomorrow Assigned for Second Reading.

On Motion by Senator Katz of Kennebec, there being no objections, all items previously acted upon were sent forthwith.

Senator Conley of Cumberland was granted unanimous consent to address the Senate, Off the Record.

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

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

Senator Conley of Cumberland was granted unanimous consent to address the Senate, On the Record.

Senator CONLEY: Mr. President, I could not allow this body to adjourn today without, myself as the Democratic Floorleader, paying homage to that great American President of years ago, Abraham Lincoln. I believe he is a symbol of the Republican Party, the great leader of the Republican Party, so I want to wish you all a very happy birthday, when you pay your respects and tribute to good ole Abe.

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

Senator PIERCE: Mr. President, I move the Senate stand adjourned, and when it does so, it does so in memory of our greatest President, Abraham Lincoln, until 10 o'clock tomorrow morning.

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