

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Tenth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 3, 1980 to May 1, 1981

KJ PRINTING
AUGUSTA, MAINE

HOUSE

Monday, March 23, 1981

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Reverend Raymond Smith of St. Barnabus Episcopal Chapel, Augusta.

The members stood at attention during the playing of the National Anthem by the Mattanawcook Junior High School Band of Lincoln.

The journal of the previous session was read and approved.

Papers from the Senate

Bill "An Act to Encourage Small Power Production Facilities" (S. P. 474) (L. D. 1330)

Came from the Senate referred to the Committee on Public Utilities and ordered printed.

In the House, referred to the Committee on Public Utilities in concurrence.

Bill "An Act to Make Changes in the Tree Growth Tax Law" (S. P. 472) (L. D. 1328)

Bill "An Act to Increase the Benefits of the Elderly Tax and Rent Refund Act on a Sliding Scale According to Income" (S. P. 473) (L. D. 1329)

Came from the Senate referred to the Committee on Taxation and ordered printed.

In the House, referred to the Committee on Taxation in concurrence.

Reports of Committees
Leave to Withdraw

Report of the Committee on Judiciary reporting "Leave to Withdraw" on Bill "An Act to Require a Copy of Presentence Report be Furnished to the Defense as soon as it is Filed" (S. P. 291) (L. D. 817)

Report of the Committee on Judiciary reporting "Leave to Withdraw" on Bill "An Act to Provide Reimbursement for Parking Costs Incurred by Jurors" (S. P. 317) (L. D. 907)

Report of the Committee on Judiciary reporting "Leave to Withdraw" on Bill "An Act to Place Court Clerks and Assistants under the Judicial Department Personnel Classification Plan" (S. P. 384) (L. D. 1142)

Came from the Senate with the Reports read and accepted.

In the House, the Reports were read and accepted in concurrence.

Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought Not to Pass" on RESOLVE, Authorizing Richard Potvin, or his Legal Representative, to Bring Civil Action Against the State of Maine and the Maine State Lottery Commission (S. P. 292) (L. D. 818)

Report was signed by the following members:

Senators:

CHARETTE of Androscoggin
SHUTE of Waldo

— of the Senate

Representatives:

SWAZEY of Bucksport
STUDLEY of Berwick
COX of Brewer
PERRY of Mexico
TREADWELL of Veazie
DUDLEY of Enfield
GWADOSKY of Fairfield
STOVER of West Bath

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" on same Resolve.

Report was signed by the following members:

Senator:

VIOLETTE of Aroostook

— of the Senate.

Representative:

SOULAS of Bangor

— of the House.

Representative:

MCWENEY of Old Orchard Beach
— abstaining.

Came from the Senate with the Bill and accompanying papers indefinitely postponed.

In the House: Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Cox.

Mr. COX: Mr. Speaker, I move that the bill and all its accompanying papers be indefinitely postponed in concurrence.

The SPEAKER: The gentleman from Brewer, Mr. Cox, moves that this Bill and all its accompanying papers be indefinitely postponed in concurrence.

The Chair recognizes the gentleman from Biddeford, Mr. Racine.

Mr. RACINE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to ask for a division.

The reason that this Resolve was brought to the legislature is to authorize Mr. Potvin to have his day in court, the reason being that he is of the opinion that when the super drawing was conducted in 1975, the state was negligent, and all he is asking for is a day in court.

I would like to give you a little bit of background in the event that you do not remember what the super drawing was. There were seven people selected to participate in the grand prize, and the prize consisted of five \$1,000 prizes, one \$10,000 prize and one \$500,000 prize. The drawing was conducted on November 28, 1975, in front of a television audience, and all of the seven finalists were given numbers which were included on a large orange ball which was placed in a glass sphere, which could be witnessed by those that were in attendance as well as the television audience.

The way that the contest was run was that the first six balls that were removed from the sphere would win \$1,000 or \$10,000 if it was the sixth ball that was removed, and the last ball that remained in the sphere would win the \$500,000 prize.

The first three balls that were removed from the sphere, there were no problems—let me go back just a little bit. In order to remove the balls from the sphere, there was a scoop that would pick up the ball and bring it up to an opening. In order for the ball to be in line with the opening, the girl that was moving the handle had to stop the handle at the eight o'clock position. Also, she was blindfolded so she couldn't see what she was doing. So, the first three balls were removed without any problems. When the fourth ball was picked up, the girl that was blindfolded went beyond the eight o'clock position. At that time, the lottery director tried to get her to line up the ball so it would come out of the opening, but this procedure was unsuccessful, and at that time the lottery director should have physically manually removed the ball from the sphere, but he did not do so and that ball was placed back with the remaining three.

Now, at that time, when that ball should have been removed, the three remaining balls in the sphere had a two to one chance of winning the grand prize. However, when they put in the fourth ball, the odds were increased to three to one.

Mr. Potvin took his case to Superior Court and at that time there was a suit to dismiss filed by the state and that suit was denied by the Superior Court. However, at a later date, there was a decision rendered, *Drake vs. Smith*, which stated that the Maine Law Court has laid down a clear rule of law that the state government and its departments and agencies are immune from suit under the doctrine of sovereign immunity unless the legislature gives its consent that the state or agency be subject to suit.

This is all that Mr. Potvin is asking. He is asking for his day in court, and I don't think that we should sit up here and act as judge and jury. I think if someone has sufficient cause that the state was negligent, I think we should give them their day in court, and this is all he is asking for, nothing else, and I don't think that

we should sit up here and deny people that come to us and ask permission to sue the state.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Cox.

Mr. COX: Mr. Speaker, Ladies and Gentlemen of the House: I think I had better explain what the majority of the committee felt in this case, since it does involve policy of the committee and I think policy of the legislature.

Representative Racine has said we should allow someone to go to court when we have good reason to believe that the state has been negligent, and I believe that the majority of the committee believes this. However, we looked very carefully at the specifics in this Potvin case, we had the TV tape played and replayed showing the drawing and procedure. What Mr. Potvin's claim is, the director should have reached into the machine with his hand and remove this ball. We had testimony from the lottery director that this same procedure that was followed in Mr. Potvin's case was followed in other drawings. The procedure which Mr. Potvin claims should have been followed was not used in other drawings, and the procedure used in Mr. Potvin's instance was used in another instance in the same drawing—that is, refusal to allow a hand to be put into the apparatus.

Also, even had the procedure decided by Mr. Potvin been followed, the element of chance still remained, and we do not believe that Mr. Potvin should be allowed to sue the state and to get the money which he might or might not have received. He cannot claim for certain that he would have won under a different procedure and he had no definite measurable loss.

Pursuant to House Rule 19, Mr. McSweeney of Old Orchard Beach was excused from voting.

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Swazey.

Mr. SWAZEY: Mr. Speaker and Members of the House: I was a member of the Legal Affairs Committee on this and I would just like to say that I have been a nickel and dime gambler all my life, ever since I was in school when we were shooting marbles for keepsies. And looking at the lottery, it was a game of chance. Two channels broadcast this live and nothing I could see was done wrong. We played and replayed these tapes, and the director stated at the beginning that no one would touch the ball until it left the container and dropped into a cup, which was outside the container, into a holder.

I believe that this was a judgment call, and that is basically where I make my stand. It was a judgment call, and at that time he did what he thought was right, and I couldn't see anything wrong with that.

Mr. Hobbins of Saco requested a roll call vote.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call vote will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Hobbins.

Mr. HOBBS: Mr. Speaker, Men and Women of the House: It is very seldom that I rise to oppose the able Chair of the Legal Affairs Committee, Mr. Cox of Brewer; however, in this particular instance, I feel that a few words should be said for the record.

Mr. Potvin has asked this legislature for the right to bring his case to court in order to discuss and to allege several legal issues, one of these issues is a breach of implied contract, breach of warranty, breach of contract and negligence.

In the State of Maine, until we passed the Tort Claims Act, there was a doctrine called

sovereign immunity, and sovereign immunity basically said that the state was supreme and therefore you could not bring an action against the state to recover damages. However, that doctrine eroded during the late '60's and early '70's, and finally in a case in the city of Bath, *Davies vs. the City of Bath*, it was decided by the Court that unless the legislature acted, that there would be a carte blanche sovereign immunity lifting of that particular doctrine. The legislature, after much deliberation, enacted the Tort Claims Act in 1976.

As you can see from the presentation this morning, this alleged breach of contract occurred November 28, 1975, which took it outside of the purview of the Tort Claims Act.

I rise today to urge you, to request that you give Mr. Potvin his day in court in order that he may argue the issues which he alleges in his complaint. We in the legislature should not argue or discuss whether or not in fact any of these warranties were breached or whether or not there was negligence. I think that should be left up to the court system. I urge you to vote against the pending motion.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: I serve on that committee and I heard the testimony. I also saw some of these tickets, and it says "a game of chance" and that is just exactly what I thought it was a game, of chance. If I had bought a ticket, I was taking a chance. He took a chance in getting the right ball and he didn't get it, so I think he had his day in court.

He bought a ticket on a game of chance, and that is just what it turned out to be. I signed the "ought not to pass" report.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Brewer, Mr. Cox, that this Bill and all its accompanying papers be indefinitely postponed in concurrence. All those in favor will vote yes; those opposed will vote no.

Mr. McSweeney of Old Orchard Beach was excused pursuant to House Rule 19.

ROLL CALL

YEA — Aloupis, Armstrong, Austin, Baker, Bell, Berube, Bordeaux, Boyce, Brennerman, Brown, D.; Brown, K.L.; Cahill, Carroll, Chonko, Clark, Connors, Cox, Crowley, Cunningham, Curtis, Damren, Davies, Davis, Day, Diamond, J.N.; Dillenback, Drinkwater, Dudley, Fitzgerald, Foster, Fowlie, Gavett, Gwadosky, Hall, Hickey, Higgins, L.M.; Holloway, Huber, Hunter, Hutchings, Ingraham, Jackson, Jacques, Jordan, Joyce, Kany, Ketover, Kiesman, Kilcoyne, Lancaster, LaPlante, Leighton, Lewis, Lisnik, Livesay, Locke, Lund, MacBride, MacEachern, Macomber, Mahany, Manning, Martin, H.C.; Masterman, Masterston, Matthews, McColister, McGowan, McKean, Michael, Michaud, Mitchell, E.H.; Nelson, A.; O'Rourke, Paradis, P.; Paul, Perry, Peterson, Pouliot, Randall, Reeves, J.; Reeves, P.; Richard, Ridley, Salsbury, Small, Smith, C.B.; Smith, C.W.; Soule, Stevenson, Stover, Studley, Swazey, Tarbell, Telow, Thompson, Treadwell, Tuttle, Twitchell, Vose, Walker, Webster, Webster, Weymouth.

NAY — Beaulieu, Benoit, Boisvert, Brannigan, Brodeur, Brown, A.; Carter, Conary, Connolly, Dexter, Diamond, G.W.; Erwin, Gowen, Hanson, Higgins, Hobbins, Jalbert, Laverriere, Martin, A.; McHenry, McPherson, Mitchell, J.; Murphy, Nadeau, Nelson, M.; Norton, Paradis, P.; Pearson, Perkins, Post, Prescott, Racine, Roberts, Sherburne, Soulas, Strout.

ABSENT — Callahan, Carrier, Gillis, Hayden, Kane, Kelleher, Moholland, Rolde, Theriault.

EXCUSED — McSweeney.

Yes, 104; No, 36; Absent, 9; Excused, 1.

The SPEAKER: One hundred four having voted in the affirmative and thirty-six in the negative, with nine being absent and one excused, the motion does prevail.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act Providing for Pupil Screening for Scoliosis and Related Spinal Abnormalities" (H. P. 273) (L. D. 319) which was passed to be engrossed as amended by Committee Amendment "A" (H-81) in the House on March 13, 1981.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-81) as amended by Senate Amendment "A" (S-58) thereto in non-concurrence.

In the House: On motion of Mrs. Prescott of Hampden, tabled pending further consideration and tomorrow assigned.

Non-Concurrent Matter Later Today Assigned

Bill "An Act to Amend the Provisions Relating to the Maine School Management Association" (H. P. 1088) (L. D. 1307) which was referred to the Committee on Taxation in the House on March 16, 1981.

Came from the Senate referred to the Committee on Education in Non-concurrence.

In the House: On motion of Mr. Connolly of Portland, tabled pending further consideration and later today assigned.

Non-Concurrent Matter

Bill "An Act to Require Individually Marked Prices on Certain Retail Merchandise" (H. P. 445) (L. D. 507) on which the Bill and Accompanying Papers were recommitted to the committee on Business Legislation in the House on March 18, 1981.

Came from the Senate with the Majority "Ought Not to Pass" report of the Committee on Business Legislation read and accepted in non-concurrence.

In the House: On motion of Mr. Brannigan of Portland, the House voted to recede and concur.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act Changing the Name of the Department of Manpower Affairs and Clarifying the Term of its Commissioner" (H. P. 291) (L. D. 335) on which the Majority "Ought to Pass" Report of the Committee on State Government was read and accepted and the Bill passed to be engrossed in the House on March 16, 1981.

Came from the Senate with the Bill and Accompanying Papers Indefinitely Postponed in non-concurrence.

In the House: On motion of Mrs. Kany of Waterville, tabled pending further consideration and specially assigned for Wednesday, March 25.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act to Increase the Eating, Lodging and Recreational Place Licensing Fee" (H. P. 63) (L. D. 97) (H. "A" H-65) which was Passed to be Enacted in the House on March 18, 1981.

Came from the Senate Failing of Passage to be Enacted in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentlewoman from Hampden, Mrs. Prescott.

Mrs. PRESCOTT: Mr. Speaker, I move that this be tabled for two Legislative days.

Mrs. Berube of Lewiston requested a division.

The SPEAKER: All those in favor of this matter being tabled for two legislative days will vote yes; those opposed will vote no.

A vote of the House was taken.

Whereupon, Mrs. Mitchell of Vassalboro requested a roll call vote.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call vote will vote yes;

those opposed will vote no.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentlewoman from Hampden, Mrs. Prescott, that this matter be tabled pending further consideration and specially assigned for Wednesday, March 25. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Baker, Beaulieu, Benoit, Boisvert, Boyce, Brannigan, Brennerman, Brodeur, Carroll, Carter, Chonko, Clark, Connolly, Cox, Crowley, Davies, Diamond, G.W.; Diamond, J.N.; Erwin, Fitzgerald, Fowlie, Gowen, Gwadosky, Hall, Hickey, Higgins, Hobbins, Jacques, Jalbert, Joyce, Kany, Ketover, Kilcoyne, Laplante, Laverriere, Lisnik, Locke, MacEachern, Macomber, Mahany, Manning, Martin, H.C.; McColister, McGowan, McHenry, McKean, McSweeney, Michael, Michaud, Mitchell, E. H.; Mitchell, J.; Nadeau, Nelson, M.; Norton, Paradis, P.; Paul, Pearson, Post, Pouliot Prescott, Racine, Reeves, P.; Richard, Ridley, Roberts, Smith, C.B.; Soulas, Soule, Swazey, Thompson, Tuttle, Twitchell, Vose, Webster, The Speaker.

NAY — Aloupis, Armstrong, Austin, Bell, Berube, Bordeaux, Brown, A.; Brown, D.; Brown, K. L.; Cahill, Callahan, Conary, Connors, Cunningham, Curtis, Damren, Davis, Day, Dexter, Dillenback, Drinkwater, Dudley, Foster, Gavett, Gillis, Hanson, Higgins, L.M.; Holloway, Huber, Hunter, Hutchings, Ingraham, Jackson, Jordan, Kiesman, Lancaster, Leighton, Lewis, Livesay, Lund, MacBride, Martin, A.; Masterman, Masterston, Matthews, McPherson, Murphy, Nelson, A.; O'Rourke, Perkins, Perry, Peterson, Randall, Reeves, J.; Salsbury, Sherburne, Small, Smith, C.W.; Stevenson, Stover, Strout, Studley, Tarbell, Telow, Treadwell, Walker, Wentworth, Weymouth.

ABSENT — Carrier, Hayden, Kane, Kelleher, Moholland, Rolde, Theriault.

Yes, 75; No, 69; Absent, 7.

The SPEAKER: Seventy-five having voted in the affirmative and sixty-nine in the negative, with seven being absent, the motion does prevail.

Petitions, Bills and Resolves Requiring Reference

The following Bills were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Labor

Bill "An Act Relating to the Filing of First Reports and the Workers' Compensation Law" (H. P. 1215) (Presented by Representative Tuttle of Sanford)

(Ordered Printed)

Sent up for concurrence.

Tabled and Later Assigned

Bill "An Act to Authorize a Self-liquidating Bond Issue for Kennebec County for the Construction of a New Detention Facility" (H. P. 1216) (Presented by Representative Hickey of Augusta) (Cosponsor: Senator Pierce of Kennebec)

Committee on Local & County Government, was suggested.

On motion of Mr. LaPlante of Sabattus, tabled pending reference and tomorrow assigned.

State Government

Bill "An Act to Improve Agency Rulemaking by Mandating Procedures to Analyze the Availability of more Flexible Regulatory Approaches for Affected Businesses, Organizations and Governmental Jurisdictions" (H. P. 1217) (Presented by Representative Hanson of Kennebunkport)

Bill "An Act to Provide for Legislative Review of Proposed Agency Rules" (H. P. 1218) (Presented by Representative Carter of Winslow) (Cosponsors: Representatives Diamond of Bangor and Dexter of Kingfield and Senator Perkins of Hancock) (Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act to Change the Method of Taxing Nuclear Power Plants" (H. P. 1219) (Presented by Representative Diamond of Bangor) (Cosponsor: Representative Hayden of Durham)

Bill "An Act to Tax Gas Guzzlers" (H. P. 1220) (Presented by Representative Michael of Auburn) (Cosponsor: Representative Mitchell of Freeport)

(Ordered Printed)

Sent up for concurrence.

Study Report

Committee on Transportation

Representative Carroll from the Committee on Transportation to which was referred the study relative to Clarify the Statutory Provisions for the Registration of Motor Vehicles in Maine, pursuant to Joint Order H. P. 1958 have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill "An Act to Clarify the Statutory Provisions for the Registration of Motor Vehicles in Maine" (H. P. 1214) (L. D. 1382) be referred to this Committee for public hearing and printed pursuant to Joint Rule 18.

Report was read and accepted, the Bill referred to the Committee on Transportation, ordered printed and sent up for concurrence.

Orders

On motion of Representative McSweeney of Old Orchard Beach, it was

ORDERED, that Representative Linwood M. Higgins of Scarborough be excused March 20 for Legislative Business.

AND BE IT FURTHER ORDERED, that Representative Swift Tarbell of Bangor be excused March 20 for Legislative Business.

Special Sentiment Calendar

In accordance with House Rule 56, the following items (Expressions of Legislative Sentiment)

Recognizing:

Beverly W. Spencer, Esq., on his retirement as Old Town City Attorney, having faithfully served in that capacity for the past 23 years; (H. P. 1212) by Representative Pearson of Old Town. (Cosponsors: Representative Paradis of Old Town and Senator Sewall of Penobscot)

Westbrook High School Girls' Basketball Team, coached by Archie Manoogian, 1981 State Class A Champions, their 4th consecutive title; (S. P. 502)

Gardiner High School Tigers Hockey Team, coached by Norm Gagne, 1981 State Class B champions; (S. P. 508)

Shaw's Supermarket for their decision to sell only Maine-produced chicken; (S. P. 509)

Arle Keddrel, of Bangor, who has retired after 21 years of service to the City of Bangor; (H. P. 1221) by Representative Diamond of Bangor.

Walter Cronkite, who retired as CBS Evening News Anchorman, for the contribution he has made to our State and Nation; (H. P. 1222) by Representative Nadeau of Lewiston.

J.M.B. basketball team, which won the 1981 Lewiston Tournament of Champions basketball championship; (H. P. 1223) presented by Representative Nadeau of Lewiston.

Robert Chenard, of Kennebunkport, member of Troop 351, who has attained the high rank and distinction of Eagle Scout; (H. P. 1224) by Representative Hanson of Kennebunkport.

In Memory of: Mrs. Helen Lavallee of Winthrop, a beloved community servant; (H. P.

1226) by Representative Davis of Monmouth. (Cosponsor: Senator Ault of Kennebec)

There being no objections, these items were considered passed or adopted in concurrence or sent up for concurrence.

House Reports of Committees

Ought Not to Pass

Representative Murphy from the Committee on Education on Bill "An Act to Permit Schools to Suspend a Student's Right to Ride a School Bus for Disciplinary Reasons" (H. P. 491) (L. D. 543) reporting "Ought Not to Pass"

Representative Carrier from the Committee on Judiciary on Bill "An Act Requiring Imprisonment for Persons Refusing to Pay Fines" (H. P. 177) (L. D. 197) reporting "Ought Not to Pass"

Were placed in the Legislative Files without further action pursuant to Joint Rule 22, and sent up for concurrence.

Leave to Withdraw

Representative Hall from the Committee on Energy and Natural Resources on Bill "An Act to Provide for State Enforcement of Plumbing Code" (H. P. 911) (L. D. 1077) reporting "Leave to Withdraw"

Representative Theriault from the Committee on Education on Bill "An Act to Permit a Person, other than the Superintendent of Schools, to Keep a Record of Meetings of a School Administrative District" (H. P. 656) (L. D. 756) reporting "Leave to Withdraw"

Representative Carter from the Committee on Appropriations and Financial Affairs on Bill "An Act to Appropriate Funds to the State Library for the Purchase of 50 Copies of the 'The Journals of John E. Godfrey of Bangor'" (H. P. 817) (L. D. 971) reporting "Leave to Withdraw"

Representative Diamond from the Committee on State Government on Bill "An Act Concerning the Publication of Statements of Intent Concerning Referendum Issues" (H. P. 674) (L. D. 778) reporting "Leave to Withdraw"

Reports were read and accepted and sent up for concurrence.

Passed to be Engrossed

Representative Twitchell from the Committee on Taxation on Bill "An Act Converting Great Pond Plantation into the Town of Great Pond and Removing Great Pond from the Forestry District" (Emergency) (H. P. 287) (L. D. 369) reporting "Ought to Pass" as amended by Committee Amendment "A" (H-118)

Report was read and accepted and the Bill read once. Committee Amendment "A" read and adopted.

Under suspension of the rules, the Bill was read a second time, passed to be engrossed as amended and sent up for concurrence.

By unanimous consent ordered sent forthwith to the Senate.

Ought to Pass

Pursuant to Joint Order H. P. 264

Representative Armstrong from the Committee on Local and County Government on RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Lincoln County for the Year 1981 (Emergency) (H. P. 1213) (L. D. 1381) Reporting "Ought to Pass"—pursuant to Joint Order (H. P. 264)

Report was read and accepted, the Bill read once and assigned for its second reading tomorrow.

Divided Report

Majority Report of the Committee on Agriculture, reporting "Ought to Pass" as amended by Committee Amendment "A" (H-114) on Bill "An Act to Improve the Marketing of Maine Agricultural Products" (H. P. 308) (L. D. 380)

Report was signed by the following members:
Senators:

WOOD of York
HICHENS of York
SHUTE of Waldo

—of the Senate.

Representatives:

SHERBURNE of Dexter
MAHANY of Easton
NELSON of New Sweden
SMITH of Island Falls
CALLAHAN of Mechanic Falls
MICHAEL of Auburn
LOCKE of Sebec
LISNIK of Presque Isle

— of the House.

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.

Report was signed by the following members:

Representatives:

McCOLLISTER of Canton
CONARY of Oakland

— of the House.

Reports were read.

On motion of Mr. Mahany of Easton, the Majority "Ought to Pass" Report was accepted, and the Bill read once. Committee Amendment "A" (H-114) was read and adopted and the Bill assigned for second reading tomorrow.

Consent Calendar

First Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the First Day:

(H. P. 659) (L. D. 762) Bill "An Act to Require Primary Suppliers to Report Deliveries of Petroleum Products to the Office of Energy Resources" (Emergency)—Committee on Energy and Natural Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-117)

(H. P. 334) (L. D. 373) Bill "An Act to Exempt Deeds of Distribution from the Real Estate Transfer Tax"—Committee on Taxation reporting "Ought to pass"

(H. P. 607) (L. D. 684) Bill "An Act to Provide for a Transition before the Attorney General takes Office"—Committee on State Government reporting "Ought to Pass"

(H. P. 638) (L. D. 728) Bill "An Act to Clarify and Make Consistent Appeal Procedures in the Employment Security Law"—Committee on Labor reporting "Ought to Pass" as amended by Committee Amendment "A" (H-119)

No objections being noted, the above items were ordered to appear on the Consent Calendar of March 24, under listing of Second Day.

Consent Calendar

Second Day

In accordance with House Rule 49, the following item appeared on the Consent Calendar for the Second Day:

(H. P. 896) (L. D. 1063) Bill "An Act to Provide for an Annual Report by the Board of Trustees of the Maine State Retirement System to the Legislature"

No objections having been noted at the end of the Second Legislative Day, the House Paper was passed to be engrossed and sent up for concurrence.

Passed to be Engrossed

Amended Bill

Bill "An Act to Clarify Food Stamp Allotment Calculations in Cases of Immediate Economic Loss" (S. P. 257) (L. D. 739) (C. "A" S-55)

Bill "An Act to Enable Eastern Maine Medical Center to File Articles of Incorporation under the Maine Nonprofit Corporation Act" (Emergency) (H. P. 650) (L. D. 755) (C. "A" H-113)

Were reported by the Committee on Bills in the Second Reading, read the second time, the Senate Paper was passed to be engrossed as amended in concurrence and the House Paper was passed to be engrossed as amended and

sent up for concurrence.

Passed to be Enacted

An Act Providing for a Period of Silence in Public Schools (S. P. 272) (L. D. 699) (S. "A" S-40)

An Act to Revise the Law Relating to the Licensing of Private Investigators (H. P. 185) (L. D. 257) (C. "A" H-96)

An Act to Revise the Law Relating to the Licensing of Private Security Guards (H. P. 285) (L. D. 332) (C. "A" H-97)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Orders of the Day

The Chair laid before the House the first tabled and today assigned matter:

RESOLVE, Authorizing the Bureau of Public Lands to Convey the State's Interest in Certain Public Lands in Milford, Penobscot County (H. P. 315) (L. D. 345)

— In House, Passed to be Engrossed on March 12.

— In Senate, Passed to be Engrossed as Amended by Senate Amendment "A" (S-52) on March 16.

Tabled — March 19 by Representative Mitchell of Vassalboro.

Pending — Further consideration.

On motion of Mr. Hall of Sangerville, the House voted to adhere.

The Chair laid before the House the second tabled and today assigned matter:

SENATE REPORT — "Ought to Pass" — Committee on Aging, Retirement and Veterans on Bill, "An Act to Amend the Group Life Insurance Program for State Employees and Teachers" (S. P. 301) (L. D. 845)

Tabled — March 20 by Representative Davies of Orono.

Pending — Acceptance of Committee Report.

On motion of Mrs. Kany of Waterville, retabled pending acceptance of the Committee Report and tomorrow assigned.

The Chair laid before the House the following matter:

Bill "An Act to Amend the Provisions Relating to the Maine School Management Association" (H. P. 1088) (L. D. 1307) which was tabled earlier in the day and later today assigned pending further consideration.

On motion of Mr. Connolly of Portland, the House voted to recede and concur.

(Off Record Remarks)

On motion of Mrs. Roberts of Buxton,
Adjourned until ten o'clock tomorrow morning.