

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eleventh  
Legislature***

OF THE

**STATE OF MAINE**

**Volume I**

**FIRST REGULAR SESSION**

**December 1, 1982 to May 13, 1983**

**HOUSE**

Wednesday, March 16, 1983

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

Prayer by Father Raymond Bertrand of St. John's Catholic Church, Bangor.

The journal of yesterday was read and approved.

**Papers from the Senate**

The following Joint Resolution: (S. P. 396)

WHEREAS, in the death of Napoleon L. Nadeau, who served 28 years in the Maine House of Representatives, on Sunday, February 27, 1983, at Biddeford, the people of Maine lost an active and well-known, devoted public servant and friend; and

WHEREAS, the dedicated services which Napoleon Nadeau rendered to his community; church; the State of Maine; the many civic organizations in which he actively participated, encouraged and supported; and to the promotion of Franco-American causes to which he devoted much of his life; and

WHEREAS, his unfailing commitment, unselfish dedication and support of those activities and organizations will be greatly missed by those who were privileged to know and serve with him; now, therefore, be it

RESOLVED: That we, the Members of the First Regular Session of the 111th Legislature, pause in our deliberations to acknowledge and recognize the many services and contributions the late Representative Nadeau has made, particularly to his community which he so ably represented for those many years, and as having served the fourth longest term of any State Representative; and express our deep respect and affection for one of our former members; and be it further

RESOLVED: That an engrossed copy of this resolution be immediately transmitted to his bereaved family in testimony of the sympathy and compassion which we share with them in their grief.

Came from the Senate read and adopted.

In the House, under suspension of the rules, the Joint Resolution was read and adopted in concurrence.

Bill "An Act Authorizing a Bond Issue in the Amount of \$3,500,000 for the Purposes of Constructing Additional Facilities at the Maine Correctional Center" (S. P. 367) (L. D. 1141)

Bill "An Act Concerning Payments to Boarding Care Facilities" (S. P. 368) (L. D. 1142)

Bill "An Act Appropriating Funds for Petitioning Against Damage Due to Foreign Imports" (Emergency) (S. P. 369) (L. D. 1143)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs and ordered printed.

In the House, were referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill "An Act to Regulate Gymnastic Instructors" (S. P. 381) (L. D. 1173)

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

In the House, was referred to the Committee on Business Legislation in concurrence.

Bill "An Act to Provide Transportation to Nonpublic School Students" (S. P. 370) (L. D. 1144)

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

In the House, was referred to the Committee on Education in concurrence.

Bill "An Act to Allow the Training of Bear Dogs" (S. P. 371) (L. D. 1145)

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

In the House, was referred to the Committee on Fisheries and Wildlife in concurrence.

Bill "An Act to Improve Maine's Dental Health" (S. P. 372) (L. D. 1146)

Came from the Senate referred to the Committee on Health and Institutional Services and ordered printed.

In the House, was referred to the Committee on Health and Institutional Services in concurrence.

Bill "An Act to Enable Claimants to Process Small Claims Locally" (S. P. 373) (L. D. 1147)

Came from the Senate Referred to the Committee on Judiciary and ordered printed.

In the House, was referred to the Committee on Judiciary in concurrence.

**Reports of Committees****Unanimous Leave to Withdraw**

Report of the Committee on Judiciary reporting "Leave to Withdraw" on Bill "An Act Concerning Attorneys' Employees Acting as Private Investigators" (S. P. 154) (L. D. 444)

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

**Ought to Pass in New Draft under New Title**

Report 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" (S. P. 229) (L. D. 673) reporting "Ought to Pass" in New Draft under New Title Bill "An Act Concerning Sales Prices of Spirituous and Vinous Liquors, Except Table Wine, Sold by State Agency Liquor Stores" (S. P. 385) (L. D. 1165)

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed as amended by Senate Amendment "A" (S-24).

In the House, the Report was read and accepted in concurrence, the New Draft read once. Senate Amendment "A" (S-24) was read by the Clerk and adopted in concurrence and the New Draft assigned for second reading tomorrow.

**Divided Report**

Majority Report of the Committee on Taxation on Bill "An Act to Provide an Income Tax Checkoff for Voluntary Support of Nongame Wildlife Management" (S. P. 122) (L. D. 298) reporting "Ought to Pass" in New Draft (S. P. 380) (L. D. 1151)

Report was signed by the following members: Senators:

TEAGUE of Somerset,  
TWITCHELL of Oxford  
WOOD of York

— of the Senate.

Representatives:

ANDREWS of Portland  
BROWN of Bethel  
CASHMAN of Old Town  
DAY of Westbrook  
HIGGINS of Portland  
INGRAHAM of Houlton  
KANE of South Portland  
MASTERMAN of Milo  
McCOLLISTER of Canton

— of the House.

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

Report was signed by the following member: Representative:

KILCOYNE of Gardiner

— of the House.

Came from the Senate with the Majority "Ought to Pass" in New Draft Report read and accepted and the New Draft passed to be engrossed.

In the House: Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Higgins.

Mr. HIGGINS: Mr. Speaker, I move the Major-

ity "Ought to Pass" Report.

The SPEAKER: The gentleman from Portland, Mr. Higgins, moves that the Majority "Ought to Pass" Report be accepted in concurrence.

The Chair recognizes the gentleman from Gardiner, Mr. Kilcoyne.

Mr. KILCOYNE: Mr. Speaker, Ladies and Gentlemen of the House: I was the only member of the Taxation Committee that opposed a voluntary checkoff on the state income tax return to allow people to contribute to a nongame wildlife program if a refund was due them. Despite our legislative mandate to preserve a nongame species, this bill is not the answer to their financial woes. It is a backdoor approach to an important issue.

A nongame program should be funded through the General Fund or some other way, because other groups will come forward asking for the same privilege that we are giving the nongame group. And, Mr. Speaker, if I am not out of order, we will be seeing amendments and bills shortly from other groups seeking their place on the State of Maine income tax return. The door will be open if this bill is passed.

I would ask you to please protect an over \$200 million document, and that is the income tax return. And when the vote is taken, I ask for a roll call.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Higgins.

Mr. HIGGINS: Mr. Speaker and Members of the House: This bill would add one line to our current tax form. It would simply state "Contribution to Maine Endangered and Nongame Wildlife Fund," and after that have various amounts of dollars which could be contributed.

This would be one of the simplest, straightforward lines on the income tax form that we have. The addition of this to the total number of words on the form would be rather miniscule in my opinion. If Maine's tax form will be cluttered by this, I think it is because of what we already have on the form, it already is cluttered to some degree.

Neither will passing this bill lead to a flood of other causes being placed on the tax form. This bill deals with nongame wildlife and nothing else. If other people want other causes on the tax form, I think it is up to them to find a sponsor for a bill, bring it before the Taxation Committee, and let us deliberate on it.

It is up to this body to decide this issue here today. I think if you were at the hearing, the Taxation Committee room was more than filled by supporters of this bill. I think that the people of Maine want it, and I wonder how they would react if we said no to this bill and left the political party checkoff on the form? Twenty other states have a wildlife checkoff, and I think the experience there has shown that no flood of additional causes will be placed on the tax form and no mass taxpayer confusion has resulted in these other states.

For that reason, I hope you will accept the Majority "Ought to Pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. MacEachern.

Mr. MacEACHERN: Mr. Speaker, Ladies and Gentlemen of the House: I have to concur wholeheartedly with the previous speaker. This bill would fill a long vacant void in our wildlife management program. The Fisheries and Wildlife Department has traditionally been charged with management of all wildlife, whether it be game or nongame; yet, they have received no compensation at all from the state.

This is a voluntary program. It permits people who are not necessarily hunters or fishermen or trappers of whatever to contribute something toward the proliferation of wildlife. I just feel that it is the most sensible approach that anybody could make. It is strictly voluntary and gives the opportunity to people who don't necessarily buy a hunting or fishing license or buy rifles or ammunition and so forth,

the bird watchers, the Audubon Society, any of these other people, an opportunity to contribute to the wildlife of our state. I feel it is a very good piece of legislation and I feel that everybody should support this.

The SPEAKER: A roll call has been requested. 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 gentleman from Portland, Mr. Higgins, that the Majority "Ought to Pass" Report be accepted in concurrence. All those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA—Ainsworth, Allen, Anderson, Andrews, Armstrong, Bell, Bonney, Bost, Bott, Brannigan, Brodeur, Brown, D.N.; Brown, K.L.; Callahan, Carroll, D.P.; Carter, Cashman, Chonko, Clark, Conary, Connors, Connolly, Cooper, Cote, Cox, Crouse, Crowley, Curtis, Daggett, Day, Dexter, Diamond, Dillenback, Drinkwater, Erwin, Foster, Greenlaw, Hall, Handy, Hickey, Higgins, H.C.; Higgins, L.M.; Hobbins, Ingraham, Jacques, Joseph, Kane, Kelleher, Kelly, Ketover, Kiesman, Lebowitz, Lehoux, Lisnik, Livesay, Locke, MacBride, MacEachern, Manning, Masterman, Masterton, Matthews, K.L.; Matthews, Z.E.; Maybury, McCollister, McGowan, McSweeney, Michael, Michaud, Mitchell, E.H.; Mitchell, J.; Moholland, Murray, Murray, Nadeau, Nelson, Paradis, E.J.; Paradis, P.E.; Parent, Paul, Pouliot, Richard, Ridley, Roderick, Rolde, Rotondi, Scarpino, Seavey, Smith, C.B.; Sproul, Stevens, Stevenson, Stover, Tammaro, Telow, Theriault, Tuttle, Vose, Webster, Wentworth, Willey, Zirkilton, The Speaker.

NAY—Baker, Beaulieu, Cahill, Carroll, G.A.; Davis, Dudley, Gauvreau, Gwadnosky, Holloway, Jackson, Joyce, Kilcoyne, Lewis, Macomber, Martin, A.C.; Martin, H.C.; Mayo, McHenry, McPherson, Melendy, Perkins, Perry, Pines, Racine, Randall, Reeves, J.W.; Salsbury, Smith, C.W.; Soucy, Strout, Swazey, Thompson, Walker, Weymouth.

ABSENT—Benoit, Brown, A.K.; Carrier, Hayden, Jalbert, LaPlante, Mahany, Norton, Reeves, P. Roberts, Sherburne, Small, Soule, Studley.

Yes, 103; No, 34, Absent, 14.

The SPEAKER: One hundred and three having voted in the affirmative and thirty-four in the negative, with fourteen being absent, the motion does prevail.

Thereupon, the New Draft was read once and assigned for second reading tomorrow.

#### Non-Concurrent Matter

Bill "An Act to Strengthen the Penalties for Misuse of Narcotics by Health Professionals" (H. P. 858) (L. D. 1108) which was referred to the committee on Health and Institutional Services in the House on March 8, 1983.

Came from the Senate referred to the Committee on Judiciary in non-concurrence.

In the House: On motion of Mrs. Nelson of Portland, the House voted to recede and concur.

#### Non-Concurrent Matter Tabled and Assigned

Bill "An Act to Prevent Abuses in Certain Land Installment Contracts" (H. P. 853) (L. D. 1103) which was referred to the committee on Business Legislation in the House on March 8, 1983.

Came from the Senate referred to the Committee on Judiciary in non-concurrence.

In the House: On motion of Mr. Brannigan of Portland, tabled pending further consideration and tomorrow assigned.

#### Non-Concurrent Matter

Bill "An Act to Permit the Petition of Local Referendum by the State Liquor Commission" (S. P. 224) (L. D. 661) on which the Minority "Ought Not to Pass" Report of the Committee on Legal Affairs was read and accepted in the House on March 14, 1983.

Came from the Senate with that Body having adhered to its previous action whereby the Majority "Ought to Pass" as amended by Committee Amendment "A" (S-19) Report of the Committee on Legal Affairs was read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-19) in non-concurrence.

In the House:

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

Mr. COX: Mr. Speaker, I move that the House recede and concur.

The SPEAKER: The Chair recognizes the gentleman from West Bath, Mr. Stover.

Mr. STOVER: Mr. Speaker, Ladies and Gentlemen of the House: This is a bill whereby the Liquor Commission could bypass the petition process. It was decisively defeated in this House last Monday. I hope you will reaffirm that stand today by voting no on the pending motion.

I ask for a division, Mr. Speaker.

The SPEAKER: The pending question is on the motion of the gentleman from Brewer, Mr. Cox, that the House recede and concur. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

19 having voted in the affirmative and 94 having voted in the negative, the motion did not prevail.

Thereupon, the House voted to adhere.

#### 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:

##### Energy and Natural Resources

Bill "An Act to Make Allocations from the Low-level Waste Siting Fund for the Fiscal Years Ending June 30, 1984, and June 30, 1985" (Emergency) (H. P. 933) (Presented by Representative Mitchell of Freeport) (Cosponsors: Senator Kany of Kennebec and Representative Dexter of Kingfield) (Submitted by the Department of Finance and Administration pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

##### Fisheries and Wildlife

Bill "An Act to Permit Hunting with a .22 Caliber Rifle during Raccoon Hunting Season" (H. P. 934) (Presented by Representative Jackson of Harrison)

(Ordered Printed)

Sent up for concurrence.

##### Appropriations and Financial Affairs

Bill "An Act to Adjust Annually the Aid to Families with Dependent Children's Standard of Need to Eliminate Inflation-induced Decreases in Recipients' Standard of Living" (H. P. 935) (Presented by Representative Connolly of Portland) (Cosponsor: Senator Brown of Washington)

Committee on Health and Institutional Services was suggested.

On motion of Mr. Carter of Winslow, the Bill was referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence.

##### Judiciary

Bill "An Act to Revise Certain Sections of the Probate Code" (H. P. 936) (Presented by Representative Soule of Westport)

(Ordered Printed)

Sent up for concurrence.

#### Labor

Bill "An Act Concerning Charges to Agricultural Seasonal Employers for Benefits Paid to Unemployed Workers" (H. P. 937) (Presented by Representative Callahan of Mechanic Falls) (Cosponsors: Senator Dow of Kennebec, Hobbins of York, and Representative McCollister of Canton)

(Ordered Printed)

Sent up for concurrence.

#### Legal Affairs

Bill "An Act to Create a Statewide Task Force on Arson" (Emergency) (H. P. 938) (Presented by Representative Nadeau of Lewiston) (Cosponsors: Representative Lisnik of Presque Isle, Hobbins of Saco, and Senator Carpenter of Aroostook)

(Ordered Printed)

Sent up for concurrence.

#### Local and County Government

Bill "An Act to Permit any Municipality with a License Ordinance to Deny a License to any Corporation, Company, Firm or Individual who is Delinquent in Paying any Personal Tax" (H. P. 939) (Presented by Representative McSweeney of Old Orchard Beach)

Bill "An Act to Allow the Election of Members of the Board of Assessment Review" (H. P. 940) (Presented by Representative Soule of Westport)

(Ordered Printed)

Sent up for concurrence.

#### Taxation

Bill "An Act to Reform the Maine Corporate Income Tax Law" (H. P. 941) (Presented by Representative Higgins of Portland) (Cosponsor: Senator Wood of York)

(Ordered Printed)

Sent up for concurrence.

#### Study Report

##### Committee on Education

Representative Locke from the Committee on Education to which was referred by the Legislative Council the study relative to Residential Placements have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill "An Act to Amend the Protection and Advocacy Agency for the Developmentally Disabled in Maine Statutes" (H. P. 932) (L. D. 1177) be referred to this Committee for public hearing and printed pursuant to Joint Rule 19.

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

#### House Reports of Committees

##### Unanimous Ought Not to Pass

Representative Hayden from the Committee on Judiciary on Bill "An Act to Permit the Appeal of Denials of the Suppression of Evidence by Criminal Defendants" (H. P. 576) (L. D. 724) reporting "Ought Not to Pass"

Representative Crouse from the Committee on Education on Bill "An Act to Govern the Cost of Transportation for Athletes and other Students Participating in School-sponsored Extracurricular Activities" (H. P. 606) (L. D. 754) reporting "Ought Not to Pass" Were placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

##### Unanimous Leave to Withdraw

Representative Carter from the Committee on Appropriations and Financial Affairs on RESOLVE, Authorizing the Department of Educational and Cultural Services to Charge Indirect Costs of Administration to Non-General Fund Accounts and to Expend such Collections for Administrative Support (H. P. 668) (L. D. 851) reporting "Leave to Withdraw"

Representative Brannigan from the Committee on Business Legislation on Bill "An Act

to Amend the Maine Insurance Guaranty Association Act" (H. P. 451) (L. D. 552) reporting "Leave to Withdraw"

Representative Pouliot from the Committee on Business Legislation on Bill "An Act Regarding Requirements to Reactivate an Inactive Real Estate Agent License" (H. P. 537) (L. D. 690) reporting "Leave to Withdraw"

Representative Pouliot from the Committee on Business Legislation on Bill "An Act to Reduce Oversight Responsibilities of the Superintendent of Insurance with Respect to the Maine Self-Insurance Guaranty Association" (H. P. 457) (L. D. 559) reporting "Leave to Withdraw"

Representative Gwadosky from the Committee on State Government on Bill "An Act to Change the Definition of Full-time Officers in the Mandatory Officer Training Law" (H. P. 559) (L. D. 771) reporting "Leave to Withdraw"

Representative Cooper from the Committee on State Government on Bill "An Act Concerning the Power of State Commissioners to Terminate Unclassified Employees" (H. P. 704) (L. D. 893) reporting "Leave to Withdraw"

Representative Gwadosky from the Committee on State Government on Bill "An Act to Provide for Competitive Bidding of Public Improvements" (H. P. 705) (L. D. 894) reporting "Leave to Withdraw"

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

#### **Ought to Pass**

##### **Pursuant to Joint Order H. P. 159**

Representative McHenry from the Committee on Local and County Government on RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Oxford County for the Year 1983 (Emergency) (H. P. 942) (L. D. 1211) reporting "Ought to Pass" — pursuant to Joint Order (H. P. 159)

Report was read and accepted and the Resolve read once.

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

#### **Consent Calendar**

##### **First Day**

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

(S. P. 225) (L. D. 662) Bill "An Act to Expand the Scope of the State Salary Commission to include Members of the Judiciary, Constitutional and Legislative Officers" — Committee on State Government reporting "Ought to Pass"

(S. P. 256) (L. D. 801) Bill "An Act Concerning the Hours during which an Agency Liquor Store may be Open" — Committee on Legal Affairs reporting "Ought to Pass"

No objections being noted, the above items were ordered to appear on the Consent Calendar of March 17, under the listing of the Second Day.

#### **Consent Calendar**

##### **Second Day**

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

(H. P. 267) (L. D. 327) Bill "An Act to Revise the Laws Pertaining to Prejudgment Attachment, Execution of Judgments, Disclosure of Assets and Exemptions"

(H. P. 488) (L. D. 585) Bill "An Act to Authorize a Self-liquidating Bond Issue for Lincoln County for Renovation of and Addition to the Lincoln County Jail and Public Safety Facility" (C. "A" H-64)

(H. P. 626) (L. D. 778) Bill "An Act to give Alternates the right to Vote on a School Board" (C. "A" H-65)

No objections having been noted at the end of the Second Legislative Day, the House Pap-

ers were passed to be engrossed or passed to be engrossed as amended and sent up for concurrence.

#### **Passed to be Engrossed**

Bill "An Act to Amend the Provisions of the Medical Eye Care Program" (S. P. 376) (L. D. 1123)

Was reported by the Committee on Bills in the Second Reading, read the second time, and passed to be engrossed in concurrence.

#### **Second Reader Tabled and Assigned**

Bill "An Act to Clarify Municipal Regulation of Motor Vehicles on Ice-covered Bodies of Water" (H. P. 915) (L. D. 1168)

Was reported by the Committee on Bills in the Second Reading and read the second time.

On motion of Mr. McHenry of Madawaska, tabled pending passage to be engrossed and tomorrow assigned.

Bill "An Act to Prohibit the Commercial Sale of Chain Saws and Skidders not Equipped with Spark Arresters" (H. P. 379) (L. D. 462)

Was reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed and sent up for concurrence.

#### **Passed to be Enacted Emergency Measure**

An Act to Establish a Sign on the Maine Turnpike for Bates College (S. P. 108) (L. D. 261) (S. "A" S-18 to C. "A" S-14)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 125 voted in favor of same and 2 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### **Passed to be Enacted**

An Act to Change Price Posting Requirements for Beer and Table Wine Suppliers (S. P. 223) (L. D. 660) (C. "A" S-15)

Was 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:

Bill "An Act to Require the Proceedings of Nonprofit Hospitals to be Open to the Public" (H. P. 825) (L. D. 1065) — In House, Referred to the Committee on Health and Institutional Services on March 4, 1983. — In Senate, Referred to the Committee on Judiciary in non-concurrence.

Tabled—March 15, 1983 by Representative Nelson of Portland.

Pending—Further consideration.

On motion of Mrs. Nelson of Portland, the House voted to recede and concur.

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

SENATE REPORT—"Refer to the Committee on Business Legislation" Committee on Legal Affairs on Bill "An Act to Provide for the Use of Major Credit Cards at Selected State Liquor Stores" (S. P. 160) (L. D. 448)

Tabled—March 15, 1983 by Representative Mitchell of Vassalboro.

Pending—Acceptance of Committee Report.

On motion of Mrs. Mitchell of Vassalboro, retabled pending acceptance of the Committee Report in concurrence and tomorrow assigned.

The Chair laid before the House the following matter:

Bill "An Act to Require Liquor Price Equity at

Certain Border Area Liquor Stores" (H. P. 271) (L. D. 331) — In House, Majority "Ought Not to Pass" Report accepted on March 7. — In Senate, Minority "Ought to Pass" Report accepted and the Bill passed to be engrossed as amended by Senate Amendment "A" (S-20) in non-concurrence.

Tabled—March of, 1983 by Speaker Martin of Eagle Lake.

Pending—Ruling of the Chair pursuant to Joint Rule 21.

The SPEAKER: The Chair would advise the members of the House that this is in violation of the rules. The Bureau of Alcoholic Beverages estimates that the amendment adopted by the other body would result in a loss of revenue to the General Fund of \$11 million per year, assuming no increase in sales. In order to produce additional revenue to offset the decrease, the current sales of liquor would have to be increased from \$65,940,000 to \$120 million per year.

The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, a point of parliamentary inquiry?

The SPEAKER: The gentleman may state his inquiry.

Mr. KELLEHER: Mr. Speaker, I know and respect the rule and I had no doubt how the Chair was going to rule, at least I didn't think I had any doubt, but is that a Joint Rule?

The SPEAKER: The Chair would answer in the affirmative.

Mr. KELLEHER: Very good, thank you.

The SPEAKER: The Chair would advise the gentleman that if no one questions the rule, there is no question.

On motion of Mr. Cox of Brewer, the House voted to recede from its action whereby the Majority "Ought Not to Pass" Report was accepted.

On further motion of the same gentleman, the Minority "Ought to Pass" as amended by Committee Amendment "A" (H-40) report was accepted in concurrence.

Committee Amendment "A" (H-40) was read by the Clerk and indefinitely postponed in concurrence.

Senate Amendment "A" (S-20) was read by the Clerk.

Mr. Cox of Brewer offered House Amendment "A" to Senate Amendment "A" and moved its adoption.

House Amendment "A" to Senate Amendment "A" (H-69) was read by the Clerk and adopted.

Senate Amendment "A" as amended by House Amendment "A" thereto was adopted.

The Bill was passed to be engrossed as amended by Senate Amendment "A" as amended by House Amendment "A" thereto in non-concurrence and sent up for concurrence.

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

On motion of Mr. Vose of Eastport, Adjourned until nine o'clock tomorrow morning.