

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eleventh
Legislature***

OF THE

STATE OF MAINE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

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FOURTH CONFIRMATION SESSION

(FIRST CONFIRMATION SESSION – SECOND REGULAR SESSION)

May 31, 1984

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FIFTH CONFIRMATION SESSION

(SECOND CONFIRMATION SESSION – SECOND REGULAR SESSION)

July 11, 1984

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THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

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HOUSE

Wednesday, February 29, 1984

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

Prayer by Father Michael McDonald of St. Joseph's Catholic Church, Gardiner.

The Journal of Tuesday, February 28, 1984, was read and approved.

**Papers from the Senate
Non-Concurrent Matter**

Bill "An Act Amending the Charter of the Telephone Workers Credit Union of Maine" (H. P. 1603) (L. D. 2128) which was referred to the Committee on Legal Affairs in the House on February 24, 1984.

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

The House voted to recede and concur.

Communications

The following Communication: (H. P. 1619)

STATE OF MAINE
House of Representatives
Speaker's Office
Augusta, Maine 04333

February 29, 1984

Hon. Edwin H. Pert
Clerk of the House
State House Station 2
Augusta, Maine 04333
Dear Clerk Pert:

This is to notify you that I have today appointed Richard W. Smith, of Woolwich, to serve as a member of the Commission on Governmental Ethics and Election Practices pursuant to my authority under Title 1, M.R.S.A., subsection 1002.

Sincerely,
S/ JOHN L. MARTIN
Speaker of the House

The Communication was read.

The SPEAKER: The pending question is on confirmation. Pursuant to 1 M.R.S.A., Section 1002, this requires a two-thirds vote of all those present and voting. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

108 having voted in the affirmative and none in the negative, the nomination was confirmed.

Sent up for concurrence.

The following Communication: (H. P. 1626)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
MAJORITY OFFICE
AUGUSTA, MAINE 04333

February 28, 1984

Honorable Edwin H. Pert
Clerk of the House
State House
Augusta, Maine 04333
Dear Clerk Pert:

In accordance with 1 M.R.S.A., Section 1002, subsection 1B, I have the honor of presenting to the House of Representatives the nomination of Jerome B. Goldsmith, 116 Hammond Street, Bangor, Maine, to the Commission of Governmental Ethics and Election Practices.

I feel Mr. Goldsmith will contribute a great deal to this Commission and respectfully ask the House to confirm this nomination.

Sincerely,
S/ ELIZABETH H. MITCHELL
Majority Floor Leader

The Communication was read.

The SPEAKER: The pending question is on confirmation. Pursuant to 1 M.R.S.A., Section 1002, this requires a two-thirds vote of all those present and voting. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

111 having voted in the affirmative and none in the negative, the confirmation was confirmed.

Sent up for concurrence.

The following Communication: (H. P. 1627)
STATE OF MAINE
HOUSE OF REPRESENTATIVES
HOUSE MINORITY OFFICE
AUGUSTA, MAINE 04333
February 29, 1984

Honorable Edwin H. Pert
Clerk of the House
State House
Augusta, ME 04333
Dear Clerk Pert:

In accordance with 1 M.R.S.A. Section 1002, subsection 1-B, I have the honor of presenting to the House of Representatives the name of Robert Marden of Waterville for renomination to the Commission on Governmental Ethics and Election Practices.

The Commission has had the benefit of Mr. Marden's ability and experience these past two years, and I believe he will continue to serve in an outstanding manner. Therefore, I respectfully request that the House confirm this nomination.

Sincerely,
S/ LINWOOD M. HIGGINS
Republican Floor Leader

The Communication was read.

The SPEAKER: The pending question is on confirmation. Pursuant to 1 M.R.S.A., Section 1002, this requires a two-thirds vote of all those present and voting. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

108 having voted in the affirmative and none in the negative, the confirmation was confirmed.

Sent up for concurrence.

**Petitions, Bills and Resolves
Requiring Reference**

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

Business Legislation

Bill "An Act to Place Seven Affiliated Boards Within the Department of Business, Occupational and Professional Regulation" (H. P. 1620) (Presented by Representative Rolde of York) (Cosponsors: Senators Sewall of Lincoln, Diamond of Cumberland and Representative Perkins of Brooksville) (Submitted by the Department of Business, Occupational and Professional Regulation pursuant to Joint Rule 24)

Bill "An Act to Separate Seven Affiliated Boards from the Department of Business, Occupational and Professional Regulation" (H. P. 1621) (Presented by Representative Rolde of York) (Cosponsors: Senators Sewall of Lincoln, Diamond of Cumberland, and Representative Perkins of Brooksville) (Submitted by the Department of Business, Occupational and Professional Regulation pursuant to Joint Rule 24)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act to Amend the Criminal Extradition Act" (H. P. 1622) (Presented by Representative Soule of Westport) (Cosponsors: Representative Hayden of Durham and Senator Collins of Knox)

(Ordered Printed)

Sent up for concurrence.

Taxation

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide that, Beginning with the Property Tax Year 1984, All Watercraft as Defined by the Legislature shall be Exempt from Taxation as Personal Property, Provided That Certain Watercraft as Defined by the Legislature shall be Subject to an Excise Tax to be Collected and Retained by the Municipalities. (H. P. 1623) (Presented by Representative Kane of South Portland) (Cosponsors: Representatives Melendy of Rockland, Mitchell of Freeport, and Senator Wood of

York) (Submitted by the Department of Finance and Administration pursuant to Joint Rule 24)

Bill "An Act to Establish Municipal Cost Components for Services to be Rendered in Fiscal Year 1984-85" (Emergency) (H. P. 1624) (Presented by Representative Kilcoyne of Gardiner) (Cosponsors: Senator Twitchell of Oxford and Representative Masterman of Milo)

(Ordered Printed)

Sent up for concurrence.

**Consent Calendar
First Day**

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

(S. P. 709) (L. D. 1955) Bill "An Act to Amend Certain Rules of the Emergency Medical Services" Committee on Health and Institutional Services reporting "Ought to Pass" as amended by Committee Amendment "A" (S-290).

There being no objections, the above item was ordered to appear on the Consent Calendar of Friday, March 2, 1984 under the listing of Second Day.

**Consent Calendar
Second Day**

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

(S. P. 703) (L. D. 1941) Bill "An Act to Appropriate Funds to the Maine State Commission on the Arts and the Humanities for the Maine Touring Artists Program" (Emergency)

(S. P. 653) (L. D. 1844) Bill "An Act to Amend Certain District Court Divisions and Districts" (S. P. 692) (L. D. 1924) Bill "An Act to Appropriate to the Maine State Commission on the Arts and the Humanities Fund for the Management of the Percent for Art Act" (Emergency) (C. "A" S-291)

(H. P. 1442) (L. D. 1887) RESOLVE, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory. (C. "A" H-488)

(H. P. 1564) (L. D. 2073) Bill "An Act to Amend the Statutes Relating to the Approval of Correspondence Schools and Trade and Technical Schools"

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were Passed to be Engrossed or Passed to be Engrossed as Amended in concurrence and the House Papers were Passed to be Engrossed or Passed to be Engrossed as Amended and sent up for concurrence.

Passed to Be Engrossed

RESOLVE, Providing Funds for Portrait of Honorable Lewis O. Barrows. (S. P. 705) (L. D. 1952)

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 Concerning Local Leeway Under The School Finance Law" (H. P. 1565) (L. D. 2074)

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

On motion of Representative Locke of Sebec, tabled pending passage to be engrossed and assigned for Friday, March 2, 1984.

As Amended

Bill "An Act to Amend Certain Sections of the Law Related to the Department of Labor" (S. P. 731) (L. D. 2017) (C. "A" S-292)

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

Representative Ketover of Portland offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-489) was read by the Clerk and adopted.

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

Passed to Be Enacted Emergency Measure

An Act to Authorize the Public Utilities Commission to Return to Firm Customers the Profits from Sales of Gas to Interruptible Users. (H. P. 1578) (L. D. 2088)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 120 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Defining Rehabilitation of Existing Building Projects under the Municipal Securities Approval Program. (S. P. 776) (L. D. 2094)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 119 voted in favor of the 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 Clarify the Procedures to Appeal a Decision of the Workers' Compensation Division. (S. P. 661) (L. D. 1851) (C. "A" S-289)

An Act Concerning Repeal of Commercial Fishing for Atlantic Salmon in the St. Croix River. (S. P. 686) (L. D. 1893)

An Act to Establish the Boundary Between the Town of Burnham in the County of Waldo and the Town of Clinton in the County of Kennebec and Between the Town of Burnham in the County of Waldo and the Town of Pittsfield in the County of Somerset. (H. P. 1389) (L. D. 1814)

An Act to Clarify Return to Work Provisions Under the Workers' Compensation Law. (H. P. 1402) (L. D. 1824)

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:

An Act to Include the Chief Executive Officer of the Finance Authority of Maine as an Ex Officio Corporator of the Maine Development Foundation. (Emergency) (H. P. 1497) (L. D. 1972) (H. "A" H-470)

Tabled—February 27, 1984 by Representative Kelleher of Bangor.

Pending—Passage to be Enacted. (Roll Call Ordered)

The SPEAKER: The pending question is on passage to be enacted. This being an emergency measure, it requires a two-thirds vote of all the members elected to the House. All those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 365

YEA—Ainsworth, Allen, Anderson, Baker, Beaulieu, Benoit, Bonney, Bost, Bott, Brodeur, Carrier, Carroll, D.P.; Carroll, G.A.; Cashman, Chonko, Clark, Cooper, Cote, Cox, Crouse, Crowley, Daggett, Day, Dillenback, Erwin, Gauvreau, Gwadosky, Hall, Handy, Hayden, Hickey, Holloway, Ingraham, Jackson, Jacques, Jalbert, Joseph, Joyce, Kane, Kelleher, Kelly, Ketover, Kiesman, Kilcoyne, LaPlante, Lebowitz, Leloux, Lisnik, Locke, MacBride, MacEachern, Macomber, Manning, Martin, H.C.; Masterton, Matthews, K.L.; Matthews, Z.E.; Maybury, Mayo, McCollister, McGowan, McHenry, McSweeney, Melendy, Michael, Michaud, Mills, Mitchell, E.H.; Mitchell, J.; Moholland,

Murray, Nelson, Norton, Paradis, P.E.; Parent, Paul, Perry, Pines, Pouliot, Racine, Richard, Ridley, Roberts, Rolde, Rotondi, Salisbury, Seavey, Smith, C.B.; Smith, C.W.; Soucy, Stevens, Strout, Swazey, Tammario, Telow, Theriault, Thompson, Tuttle, Vose, Walker, Mr. Speaker.

NAY—Armstrong, Bell, Brown, A.K.; Brown, D.N.; Cahill, Callahan, Connors, Curtis, Davis, Dexter, Drinkwater, Dudley, Foster, Greenlaw, Higgins, L.M.; Livesay, Martin, A.C.; Masterman, McPherson, Murphy, E.M.; Murphy, T.W.; Paradis, E.J.; Perkins, Randall, Reeves, J.W.; Robinson, Roderick, Scarpino, Sherburne, Small, Stevenson, Stover, Wentworth, Weymouth, Willey, Zirkilton.

ABSENT—Andrews, Brannigan, Carter, Conary, Connolly, Diamond, Higgins, H.C.; Hobbins, Mahany, Nadeau, Reeves, P.; Soule, Sproul, Webster.

101 having voted in the affirmative and 36 in the negative, with 14 being absent, the motion did prevail.

Signed by the Speaker and sent to the Senate.

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

Bill "An Act to Amend the Liquor Laws to Permit the Sale of Beer and Wine at Outdoor Stadiums" (Emergency) (S. P. 752) (L. D. 2055) (S. "A" S-287)

Tabled—February 28, 1984 by Representative McSweeney of Old Orchard Beach.

Pending—Passage to be Engrossed. (Roll Call Requested)

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. McSweeney.

Mr. McSWEENEY: Mr. Speaker, Ladies and Gentlemen of the House: This bill has been tabled so many times that you all fell asleep and so I want to have an "ought to pass" on this and would speak briefly on this.

I believe that this is a good bill, very similar to what they have in the civic centers, bowling alleys, tennis clubs and the country clubs throughout the state; therefore, I do not see any reason why we should have spot prohibition put against a baseball team that is going to be a great asset and enterprise to the State of Maine. I don't see any reason why anybody in here should have any reason to vote against it.

I would request a roll call.

The SPEAKER: The yeas and nays have been requested.

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

Mr. STOVER: Mr. Speaker, Ladies and Gentlemen of the House: I think this subject has been covered pretty well but I would like to bring out something that perhaps hasn't been brought out—that this bill does not restrict the sale of alcoholic beverages only to Old Orchard. It also would take in any other outdoor stadium that had a capacity for 5,000 people—you don't have to have 5,000 people there but you have the capacity for it, something like Oxford Speedway or anything like that, so you really open up kind of a Pandora's box here.

I was reading a speech that the President of Bowdoin College made some time ago and I took an excerpt from that and it says this—I am quoting Dr. Greason now, the President of Bowdoin College—"I never cease to be amazed at the irony that the more pressure grows at Bowdoin to expand our programs in environmental studies, the more deeply I wade in empty beer cups as I walk across the campus on Sunday morning." I think that same thing applies here.

We all know the problem, we have recited it many times, of the carnage on our highways, the alcohol-related accidents, and somewhere along the line we have got to face up to it and draw the line somewhere. To take care of this problem, it isn't going to be done by making more accessible the cause of all the problems, and that is imbibing in alcoholic beverages.

I feel that those who voted, and hopefully some more, will go along with us, so let's vote no on this motion before us today.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Dillenback.

Mr. DILLENBACK: Mr. Speaker, Ladies and Gentlemen of the House: I am not going to drag this out but I just want to remind you that this bill would allow beer and wine to be sold in a restricted area behind the stands and there would be no beer sold in the stands.

The other point I want to make is that I think those of you who think you are restricting the use and sale of alcohol is a little bit ridiculous when we allow it in the skating rinks, in the civic centers and other places. But the important point is, if you don't allow this, perhaps you are going to have a greater problem than you have right now, because all they have to do there is put a little restaurant in behind here and then they will be able to serve hard liquor and that is what I do not want to see. I think you would be well advised to pass this bill. If you want to do away with all beer and wine in all other locations, I am sure you would get some support, but this is discrimination and I don't think it is fair.

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

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: I tried to find some way in my conscience I could vote for this bill but after searching for a week I have been unable to.

I see this in a little different light. If one person gets killed as a result of drinking in this park, my conscience would bother me even more because I cannot put a price on a human life whether it is an old person or a young person. If someone knocked me off, that would be all right because I have lived my life and lived it well but some young person might be killed that has not lived their life yet.

As I see it, these ball games are going to be generally on a pretty warm summer day. That is different than some skating rink where it is rather cold outside and they tend to have only a beer or two, but that will not get them home, they have got to have a beer or two more before they get home for sure.

I also looked into the results of who is causing the deaths on the highways. Believe it or not, it is not the guy that is an absolute drunk, not the guy that is loaded with booze, it is the guy that has had a few beers and he is hyped up a little and he has to put the old throttle to it and step on it a little. A real drunk is poking along and leaves the road or bumps into someone and bends their fender. He is paralyzed, he is a drunk, but those are not the people, believe it or not, that are killing people. The statistics show that it is the fellow that has had about four or five beers and he is excited about a ball game or something and he is goosing it along pretty fast down the highway and he is the one that is causing the deaths.

With all these things, I couldn't find any way that I could clear my mind and conscience to vote for this bill. I hope if you looked into it as deep as I did—I was on the committee and I wanted to help this gentleman from Old Orchard Beach because he is a fine gentleman and generally I can support what he wants because he is a reasonable man and I feel the same way about Representative Dillenback, generally I would stand before this House and tell you that he is right, he may be right this time, but I could not clear what they are saying with my conscience.

The SPEAKER: The Chair recognizes the gentleman from Princeton, Mr. Moholland.

Mr. MOHOLLAND: Mr. Speaker, Ladies and Gentlemen of the House: Being a gentleman that doesn't drink, I cannot go along with what Mr. Dudley says because there are more people getting hurt being hit by baseballs and swinging the bats and bats being broken and kids being hit in the head a lot more than there would be with drinking in that park in Biddeford. I am

sure that what little bit you are going to give them there would help them out tremendously. I hope you are in favor of this bill today.

The SPEAKER: The Chair recognizes the gentlewoman from Cape Elizabeth, Mrs. Masterton.

Mrs. MASTERTON: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question through the Chair to anyone who would be able to answer it.

Why do we need a piece of legislation to grant a liquor license or a beer and wine license to the stadium at Old Orchard when other establishments just get liquor licenses from the executive branch? What is the need for legislation? Is it because we are talking about a public place?

The SPEAKER: The gentlewoman from Cape Elizabeth, Mrs. Masterton, has posed a question through the Chair to anyone who may care to answer.

The Chair recognizes the gentleman from Lewiston, Mr. Handy.

Mr. HANDY: Mr. Speaker, Men and Women of the House: To address your question specifically, other places, various class licenses have to serve, for example, meals, not just a sandwich or french fries or hotdogs but they have to be essentially meals and that is why those other places have to come under one type of license, whereas this, again, is a different type of license that would be applicable where they would not have to be required to have available full types of meals.

If I may continue, the Legal Affairs Committee, the majority members as well as the minority members on this particular report, feel very strongly about the way alcohol is abused in this state as all the members here do.

I would submit that those of us on the Majority Report sought to put some safeguards into the bill. We increased the requirement as far as the seating capacity. We have required that the alcohol that is sold be sold in soft containers. The amendment that has been attached requires that the sale take place in a separate area put aside for the consumption of alcohol.

I personally have lost close friends and relatives because of drunk driving, and if there is anyone that should be concerned it should be myself, but I feel that we as legislators can also promote the wise and responsible use of alcohol. I think the reality of the situation is to feel that we can go back to prohibition, is unrealistic in that alcohol is here to stay, so it is incumbent upon us to promote the wise and responsible use of it and I think the safeguards that we put into the new draft do just that. I would hope that you would support the motion to pass this bill.

The SPEAKER: The Chair recognizes the gentleman from Monmouth, Mr. Davis.

Mr. DAVIS: Mr. Speaker, Ladies and Gentlemen of the House: I, too, usually agree with Mr. Dillenback but on this particular issue, we do go in opposite directions.

As the lady who wrote the little letter to the editor in the Maine Sunday Telegram explained—it just seems to me that we could take our children to this ballpark without exposing them to booze.

I remember as a young fellow going to see the old Boston Braves play with my Dad and there was a very vociferous and loud talking gentleman sitting behind us hollering and hooting and really it did upset me; in fact, it kind of scared me. He finally went to sleep. It was a double-header ballgame and halfway through the second game, he came to and starting cheering for the pitcher who had pitched the previous game.

I realize that there's a lot of people who will go to the ballpark who won't abuse it, but there are those who will abuse it. Do you want to subject your young family members to this type of environment? I think that people should be able to go to a ballgame and sit there for a couple of hours and enjoy it without having a drink, so I would hope that you would go along

with Mr. Stover on this vote.

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

Mr. JOYCE: Mr. Speaker, Ladies and Gentlemen of the House: This has been a bill that has divided many of us. I come here every Sunday night to the City of Augusta and for a week I share a one-room apartment on Western Avenue. It is ten and a half feet wide, eighteen feet long. This bill has made me a prisoner in that apartment.

I knew I had to say something today and I have been troubled. I dug out one of my old speeches, one that was entitled: "When is a Skinful Sinful?" I decided that the good people of this House did not need that speech today, I thought I could keep it short and sweet, but I want you to realize how it is to go home after a hard day's work here, back to my ten by eighteen, one-room apartment, and face my seatmate, the prime sponsor of this bill. Believe me, it has not been easy.

When we had that first vote, and he got 91 votes for his cause, we only got 60, the bill didn't get 101, but I have been unable to claim victory in that apartment. Believe me, the hours that he keeps and the hours I keep, I deserve a friendly roommate when I see him and when he is awake. That 91 to 60—I certainly spoke against the bill and I was one of the 60.

I always thought that I should champion the cause of good sportsmanship as I have in the past. What is fair is fair, what is wrong is wrong.

Now this bill could move on its way, if they took the emergency off, and the people would go down there, and I might be one of them, that first day when I feel that great American—150 feet from that stadium there is a monument down there, and I stopped my car one day to show my kids, there is a monument out there 150 feet from that stadium—it's the John McSweeney Gymnasium. We owe that hero this bill.

Yes, they could push this through without the emergency, but what would it amount to? It would amount to that opening day and perhaps an additional 50 to 60 days that that stadium would be dry.

I don't drink beer, and I kind of feel proud of it, but, you know, to my way of thinking when it comes to being a good sport, those people that go down to that ball game, they are entitled to that cold beer. In that month of June, there will be many hot days, and if somebody wants a cold beer, I want them to have it, especially when they had 91 votes.

I want to be fair and I ask that you vote in favor of this bill today. I am against the principle of spreading beer around, but I think in all fairness, those people down there deserve their beer where they could get it two months later anyway.

The SPEAKER: The Chair recognizes the gentleman from Yarmouth, Mr. Ainsworth.

Mr. AINSWORTH: Mr. Speaker, Ladies and Gentlemen of the House: This is a hard one, trying to follow Mr. Joyce across the aisle, an eloquent speaker, and also a man who doesn't drink trying to get up here talking about beer in the stadium.

I hate to think that we are going to take a vote today that might kill off our chances for a professional baseball team. Ladies and gentlemen of the House, you could kill that team. They need everything they can get going for them in order to make this thing work. You have seen it happen at the Civic Center in Portland where people from all over the state come to see the Mariners play and have enjoyed them in the past and are still enjoying them as they have come down the stretch this year.

I hope that you will give this good thought before you make that vote this morning.

Another thing I want to bring to your attention—this is not a Portland bill. I am very thankful to say that. I am glad that they took the team out of Portland. Portland had a

chance to get this team but it went to Old Orchard Beach, and I would like to think that, that southern part of the state would get a break once in awhile, and this is your chance to give them that break.

I hope now that you will really give this another thought and vote for this bill.

The SPEAKER: The Chair recognizes the gentlewoman from Gorham, Ms. Brown.

Ms. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I do not believe that Representative Masterton's question was answered correctly. In fact, I don't think it was answered at all.

I served on the Legal Affairs Committee when I first came down here and I know a little bit about the liquor laws. As I remember it, we do not need any legislation up here to pass this at all. In my opinion, it should be the people of Old Orchard to decide this. It is purely local control.

A roll call has been requested on passage to be engrossed.

More than one fifth of the members present expressed a desire for a roll call, which was ordered.

The SPEAKER: The pending question is on passage to be engrossed as amended in concurrence. All those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 366

YEA—Ainsworth, Armstrong, Beaulieu, Benoit, Bott, Brown, D.N.; Carroll, D.P.; Carroll, G.A.; Cashman, Chonko, Cooper, Cote, Crouse, Dillenback, Gauvreau, Gwadlosky, Hall, Handy, Hayden, Hickey, Hobbins, Jalbert, Joseph, Joyce, Kane, Kelleher, Kelly, Ketover, Kiesman, Kilcoyne, LaPlante, Lehoux, Lisnik, Macomber, Manning, Martin, H.C.; Matthews, Z.E.; Maybury, McCollister, McGowan, McSweeney, Melendy, Michaud, Mills, Mitchell, E.H.; Mitchell, J.; Moholland, Murphy, E.M.; Murray, Norton, Paradis, P.E.; Paul, Perkins, Perry, Pouliot, Racine, Reeves, J.W.; Richard, Ridley, Roberts, Rodrick, Rolde, Rotondi, Salsbury, Soucy, Stevens, Swazey, Tamarro, Telow, Theriault, Tuttle, Willey.

NAY—Allen, Anderson, Bell, Bonney, Bost, Brodeur, Brown, A.K.; Cahill, Callahan, Carrier, Clark, Conary, Conners, Cox, Crowley, Curtis, Daggett, Davis, Day, Dexter, Drinkwater, Dudley, Erwin, Foster, Greenlaw, Higgins, L.M.; Holloway, Ingraham, Jackson, Jacques, Lebowitz, Livesay, Locke, MacBride, MacEachern, Martin, A.C.; Masterman, Masterton, Matthews, K.L.; Mayo, McHenry, McPherson, Murphy, T.W.; Nelson, Paradis, E.J.; Parent, Pines, Robinson, Scarpino, Seavey, Sherburne, Small, Smith, C.B.; Smith, C.W.; Stevenson, Stover, Strout, Thompson, Vose, Walker, Wentworth, Weymouth, Zirkilston.

ABSENT—Andrews, Baker, Brannigan, Carter, Connolly, Diamond, Higgins, H.C.; Mahany, Michael, Nadeau, Randall, Reeves, P.; Soule, Sproul, Webster, The Speaker.

72 having voted in the affirmative and 63 in the negative, with 16 being absent, the motion did prevail.

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

Bill "An Act to Clarify That Notaries Public who do not Maintain a Seal of Office may Take Acknowledgements" (H. P. 1395) (L. D. 1818) (H. "A" H-467)

Tabled—February 28, 1984 by Representative Diamond of Bangor.

Pending—Passage to be Enacted.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

(Off Record Remarks)

On motion of Representative Jalbert of Lewiston,

Adjourned until Friday, March 2, 1984, at 8:30 in the morning.