

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eighth  
Legislature***

OF THE

STATE OF MAINE

**Volume II**

**May 26, 1977 to July 25, 1977**

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**Senate Confirmation Session  
September 16, 1977**

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Complaint Office within the Public Utilities Commission." (H. P. 170) (L. D. 208)

In the House May 19, 1977 Bill Passed to be Engrossed as amended by House Amendment "A". (H-369).

In the Senate May 20, 1977 Majority Ought Not to Pass Report Read and Accepted, in non-concurrence.

Comes from the House, that Body having Insisted.

On Motion of Mrs. Cummings of Penobscot, The Senate voted to adhere.

#### COMMITTEE REPORT

##### House

The Majority of the Committee on Transportation on, Bill, "An Act Relating to the Maine Turnpike Authority." (H. P. 343) (L. D. 388)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-734).

(Signed)  
Senators

GREELEY of Waldo  
MINKOWSKY of Androscoggin  
McNALLY of Hancock

Representatives:

JACQUES of Lewiston  
LITTLEFIELD of Hermon  
HUTCHINGS of Lincolnville  
McKEAN of Limestone  
STROUT of Corinth  
ELIAS of Madison  
BROWN of Mexico

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass as amended by Committee Amendment "B" (H-735).

(Signed)  
Representative:

JENSEN of Portland

Come from the House, Bill Passed to be Engrossed as amended by Committee Amendment "A" as amended by House Amendment "B" (H-881) thereto.

Which Reports were Read.

On Motion of Mr. Speers of Kennebec, Tabled for One Legislative Day, Pending acceptance of either Report.

#### Papers From The House Non-concurrent Matter

"An Act to Provide for no Smoking Areas in All State Offices." (H. P. 818) (L. D. 991)

In the House, June 29, 1977 Passed to be Enacted.

In the Senate June 30, 1977, bill and Papers Indefinitely Postponed, in non-concurrence.

Comes from the House, that Body having Adhered.

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

MR. O'LEARY: Mr. President, I move we adhere.

The PRESIDENT: The Senator from Oxford, Senator O'Leary, now moves that the Senate adhere.

The Chair recognizes the Senator from Kennebec, Senator Speers.

MR. SPEERS: Mr. President, this matter was discussed with considerable clarity earlier this afternoon. I think perhaps the Senate has calmed down somewhat, and in the interest of time I would move that the Senate recede and concur with the House.

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

MR. MANGAN: Mr. President, I request a Division.

The PRESIDENT: A Division has been requested on the Motion.

Will all those Senators in favor of the Motion to recede and concur, please rise in their places to be counted.

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I see the smoke coming up from the teepees around the Chamber here. I wonder if those that are possibly holding them in their hands might just have an apparent conflict of interest.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of the Motion to recede and concur, please rise in their places to be counted.

Will all those Senators opposed to the Motion to recede and concur, please rise in their places to be counted.

11 Senators having voted in the affirmative, and 20 Senators in the negative, the Motion to recede and concur does not prevail.

The Senate voted to adhere.

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

MR. PRAY: Mr. President, having voted on the prevailing side, I move reconsideration and urge the Members of this Body to vote against me.

The PRESIDENT: The Senator from Penobscot, Senator Pray, now moves that the Senate reconsider its action whereby it voted to adhere on L. D. 991.

The Chair recognizes the Senator from Cumberland, Senator Conley.

MR. CONLEY: Mr. President, one final gasp of breath. I move for a Division.

The PRESIDENT: A Division has been requested.

The Chair recognizes the Senator from Kennebec, Senator Speers.

MR. SPEERS: Mr. President, I request a Roll Call.

The PRESIDENT: The Senator from Kennebec, Senator Speers, now requests a Roll Call. In order for the Chair to order a Roll Call, it must be the expressed desire of one-fifth of those Senators present and voting. Will all those Senators in favor of a Roll Call, please rise in their places to be counted.

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

The Chair recognizes the Senator from Penobscot, Senator Pray.

MR. PRAY: Mr. President, I request leave to withdraw my Motion for reconsideration.

The PRESIDENT: The Chair would advise the Senator from Penobscot that his request is out of order. The Roll Call has been ordered.

The pending question before the Senate is the motion by the Senator from Penobscot, Senator Pray, that the Senate reconsider its action whereby it voted to adhere on L. D. 991.

A yes vote will be in favor of reconsideration. A nay vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

#### ROLL CALL

Yeas: Chapman, Collins S.; Conley, Curtis, Greeley, Hewes, Hichens, Minkowsky, Pierce, Redmond, Speers, Usher.

Nays: Carpenter, Collins D.; Cummings, Danton, Farley, Huber, Katz, Levine, Lovell, Mangan, Martin, McNally, Merrill, Morrell, O'Leary, Pray, Snowe, Trotzky.

Absent: Jackson, Wyman.

12 Senators having voted in the affirmative, and 18 Senators in the negative, with 1 Senator being absent, the Motion to reconsider does not prevail.

#### Enactors

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

"An Act Relating to Providing Information Services to Maine Travelers. (H. P. 1505) (L. D. 1738)

On Motion of Mr. Huber of Cumberland, Placed on Special Appropriations Table, Pending Enactment.

"An Act Concerning the Administration of

Laws by the Bureau of Taxation. (H. P. 394) (L. D. 498)

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

#### (Off Record Remarks)

On Motion of Mr. Huber of Cumberland, Adjourned to July 6, 1977 at 10:00 in the morning.