

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Ninth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

January 3, 1979 to May 4, 1979

Engrossed as amended by House Amendment "A" (H-43).

Which Report was Read and Accepted in concurrence and the Bill Read Once. House Amendment "A" was Read and Adopted in concurrence, and the Bill, as amended, Tomorrow Assigned for Second Reading.

Ought to Pass in New Draft

The Committee on Local and County Government on, Bill, "An Act Converting Mount Chase Plantation into the Town of Mount Chase." (Emergency) (H. P. 145) (L. D. 163)

Reported that the same Ought to Pass in New Draft under same title. (H. P. 638) (L. D. 764)

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

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

Divided Report

The Majority of the Committee on Education on, Bill, "An Act to Require that Reading be Taught in all Schools in Grades 1 through 12." (H. P. 13) (L. D. 30)

Reported that the same Ought Not to Pass. Signed:

Senators:

TROTZKY of Penobscot
MINKOWSKY of Androscoggin
GILL of Cumberland

Representatives:

CONNOLLY, Jr. of Portland
BEAULIEU of Portland
LEIGHTON of Harrison
DAVIS of Monmouth
FENLASON of Danforth
LOCKE of Sebec
ROLDE of York
BIRT of E. Millinocket
BOWDEN of Standish

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-42).

Signed:

Representative:

LEWIS of Auburn

Comes from the House, the Majority Report Read and Accepted.

Which Reports were Read.

The Majority Ought Not to Pass Report of the Committee. Accepted, in concurrence.

Divided Report

The Majority of the Committee on Labor on, Bill, "An Act to Require Personnel Files to Include Medical Records and Nurses' Station Notes." (H. P. 139) (L. D. 158)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-41)

Signed:

Senators:

SUTTON of Oxford
LOVELL of York
PRAY of Penobscot

Representatives:

WYMAN of Pittsfield
BEAULIEU of Portland
MARTIN of Brunswick
DEXTER of Kingfield
TUTTLE of Sanford
BAKER of Portland
McHENRY of Madawaska
FILLMORE of Freeport

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

Signed:

Representative:

LEWIS of Auburn

Comes from the House, the Majority Report Read and Accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A".

Which Reports were Read.

On Motion by Senator Katz of Kennebec, Tabled 1 Legislative Day, pending Acceptance of Either Committee Report.

Second Readers

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

Senate — As Amended

Bill, "An Act Relating to Supplemental Assessments under the Taxation Statutes. (S. P. 68) (L. D. 105)

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

Sent down for concurrence.

Enactors

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

An Act Concerning Prisoner Participation in Public Works Projects. (H. P. 213) (L. D. 261)

An Act to Amend the Laws Relating to the Maine Historic Preservation Commission. (H. P. 194) (L. D. 243)

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

An Act to Prohibit Smoking at Public Meetings (H. P. 5) (L. D. 11)

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

Senator CONLEY: Mr. President, and Members of the Senate. I find this Bill, that is before us this morning, although its intent may be wanting to deal with the health problem dealing with smoking, I certainly can feel strongly about that, but I feel the imposition of the State, mandating language down to local municipal bodies and making it an infraction of the law, for one to smoke at a public meeting is one, I believe most of the people of this State would not be in favor of.

The other day Senator Minkowsky, the good Senator from Androscoggin, offered an amendment that dealt solely and strictly with the State, I could accept that.

I believe that local communities should be able to make that decision themselves. I believe that perhaps most of your communities would establish such a rule within its chambers if they found smoking to be obnoxious to them in a Public Meeting. Again, I believe there is such a thing, most of us have believed in, as Local Control. It is my feeling that it should be left purely and strictly to local communities to make this decision for themselves.

As I heard a colleague of mine say this morning, "If I am a bad boy, send me to my room, or send me out of the room, but do not send me to the Courtroom." That is what this Bill does! When the vote is taken Mr. President, I request that it be taken by the Yeas and Nays.

The PRESIDENT: A Roll Call has been requested.

The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Senator CARPENTER: Mr. President and Ladies and Gentlemen of the Senate. We have debated this Bill, now on several occasions. I would hope this morning that we would Enact this Bill, and send it on its way.

I think, perhaps, the most apropos comments on the whole issue that I have seen yet, is one that I read in the paper this morning, made by the sponsor of the Bill. In which he says, "another person's right to smoke, stop right at my nose," or right at his nose.

As I stated last week, when I spoke on this issue, I do smoke and I attend probably as many public meetings as most of you. As the good Senator from Cumberland, Senator Conley, just pointed out someone this morning said, "Send me to my room or send me out of the room." I guess that is all this Bill asks, is if you want to smoke, if the urge is that compelling, that you do leave the room.

When I went home last weekend, I was a

little bit surprised at the amount of support I found for this Bill. I had constituent meetings in 3 small towns in my district last weekend. In 2 of those towns, I found a good bit of support for the Bill. One store owner, who sells cigarettes said to me, "I sell a lot of chewing tobacco also. If there were a wide spread practice of people going to public meetings, and not only chewing tobacco, but spitting all over everyone, there would be a great human cry and probably a Bill to prevent it would go through the Legislature without so much as a recorded vote."

I guess all we are asking this morning, we are not asking that the State tell me or you or anyone else, they can or cannot smoke. I saw an account in the paper this morning, by the Senator from Kennebec, Senator Katz, to the effect that: How would we feel if Congress told us we could not smoke? That is not the intent of this Bill, that is not the meaning of this Bill. The Bill simply says that everyone should have the God given right to breathe clean air at a public meeting.

Public Meetings, are by and large, Government Meetings. Why should Government Meetings, why should government be dominated, be run by people who smoke or who do not object to cigarette smoke? Don't the people who have asthmatic conditions, bronchial conditions or allergies, don't they have the right to attend and participate in our government? I think they do.

I do not think this Bill, is nearly as far reaching or as radical as many of the opponents have made it out to be. I think the majority of the people out there, who at this point non-smokers, by the way. I really do think that a majority of the people, think it is a pretty good idea, an idea who's time is well overdo.

I would hope that when the vote is taken this morning on the Roll Call, we show the people in the State of Maine, we not only tell the industrial plants of this State, the paper companies, the starch factories and the other processing plants to clean up the air. We can also tell the people of the State of Maine, the individual people in the State of Maine, that we would like them to do something about cleaning up the air at public meetings. Thank you.

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

Senator DEVOE: Thank you Mr. President, and Members of the Senate. I intend to pair my vote this morning, with the Senator from Kennebec, Senator Ault.

I would like to make some comments on this Bill, It is the beginning of a trend, for the Legislature to send edicts to local units of government. It is a trend, I guess started a few years ago and seems to be in vogue at this point.

Imagine what our constituents would say, if Congress had passed a Law saying that there shall be No Smoking at any unit of government meeting, be it State Legislature, be it Local Selectmen Meeting, or Directors of School Administrative District. The human cry that we would hear, in my opinion would be unbelievable. Looking at Washington from Orono, or Machias, or Portland, or Kingfield, Congress seems a more remote level of government. The most immediate level of government above the Local Communities seems to be the State Legislature.

We are now proposing to Enact a Statute which gives a veto power to one person at a meeting. This Legislature does not act giving anyone except the Governor of the State a veto power. Ordinary laws are passed by a majority vote, emergency laws are passed by a two-thirds vote. It is my recollection of previous reviews of the statute, that nowhere in any of the 39 titles that we have in our Maine Statutes at this point, is there any mechanism setup by which one person out of a small or large number of people is given a veto power. The sponsors of the Bill, and the amendment that is now on the Bill from the Senate simply gives

one person a right to veto and control the habits, be they good or bad; of 20, 30, 40 or 100 other people.

It is for this reason that I am opposed to the Bill, we are beginning to declare at the state level, that it is perfectly all right for one person to veto the actions that may wish to be taken by some other people at a meeting. I would be much happier and much more able to support this bill, if first of all we were limiting at the State level of Government an opportunity to see if by collective action on the local level. Giving local communities and local levels of government, an opportunity to see if by collective action, on the local level, they could do something about it, to accommodate people who wish to smoke or people who resisted the idea of smoking.

We are crossing that hurdle of giving local areas of government any chance to see if anything can be worked out. We are immediately brushing them aside and saying, you shouldn't have that right to see if there is any accommodation that can be reached. Instead we here in Augusta, in our collective wisdom, are going to decide for you that you should not have the opportunity, at a local Selectmens Meeting, to see whether something can be worked out on the local level. For that reason, Mr. President, I wish to register my objection to this Bill. Thank you very much.

The PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Perkins.

Senator PERKINS: Mr. President and Ladies and Gentlemen of the Senate. I listened with interest to the good Senator from Penobscot and would have to agree that we are being invaded by regulations from all levels of government.

I can only harken back to a Sewer Project in a local town which is close to me, which was held up because the funding and the employment did not encompass some of the minorities, the whole project was held up for a matter of months. So I give to you the fact that the Federal does pass on to us regulations.

I hasten to point out to you, that the amendment that I offered does include Local Control. I added this amendment because I felt that the locals should have control. I feel if you do not offer this local control you are depriving these people who find it against their health to attend these meetings. I think when you are not exempting them from their taxes, when they are not able to attend these meetings.

The good Senator, Senator Minkowsky, offered an amendment the other day exempting schools, and educational facilities from this. I would be very remiss if I supported that because 70% of Maine's Total Budget is spent on Education. So 70% of Maine's Budget could not be voted on by people who are allergic or have untoward reactions to smoke.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Lovell.

Senator LOVELL: Mr. President and ladies and Gentlemen of the Senate. I missed the debates on this particular Bill, and I feel that I should express my opinion on this Bill.

When I ran for reelection for the Senate 2 or 4 years ago, I ran on a home rule stand. I think we passed a Bill of some sort for Home Rule.

Let the communities decide what is best for them. Now we have over 400 communities in the State of Maine, with less than a 1,000 population. Should we decide for these communities? Should we decide for these cities?

Since 1820, since Maine became a State, we have allowed smoking in the Senate. Now, if this bill was just not to allow smoking in the Senate, I could stand going without smoking in the Senate, I would go for it.

This is all over the State, this is against Home Rule, I think that probably what expresses my feelings more than anything else is the article I read in the Press Herald Editorial: "The legislative proposal to impose a ban on smoking at all public meetings in the state is a perfect example of an unnecessary intrusion

into our lives by big government.

Don't get us wrong. We see no reason why smoking shouldn't be banned at town meetings, city council sessions and other meetings held in public areas."

"In fact we ban them in Town Meetings in Sanford, and various meetings. But we also see no reason why the decision to ban smoking at such meetings cannot be made at the local level by individual public bodies, rather than to have a blanket ban imposed by state law."

In other words, the state is trying to dictate too much to the towns. This is one instance where Local Control ought to be allowed to function unencumbered by the convulsive regulators in Augusta.

I might say that in the last twelve years, there has been an increase in cigarette sales. I do not know if it is an increase in smoking or just the price increase has brought in more money into cigarette companies, but nevertheless with all the extra smoking our life span is now 10 years longer, than it was 15 years ago.

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

Senator GILL: Members of the Senate. I would like to continue reading from the same article that Senator Lovell has read from.

It goes on to say: "There's no question that smoking is offensive to a growing number of people, and smoking at public meetings can be both annoying and unhealthy for those who do not indulge in the habit."

They go on to say that: "Nevertheless, we wish the Legislature would resist the impulse to regulate the personal habits." I maintain that when did we allow personal habits of people to interfere and restrict participation by the general public, in public matters? 70% of the State's money is spent in Education, and Educational issues are arrived at on the local level, yet we restrict people who are not able to go to public meetings, because of their health.

I was interested this weekend, I received quite a few calls this weekend, I have received a lot of mail on this subject. They are from people who are afflicted, who cigarette smoke does bother when in unventilated rooms, they just can't attend meetings.

I also received calls, advertisers this weekend, it seems very interesting to me, that the lobby that is working on this particular issue is so concerned with the local issue, and not the tobacco at large. I did not hear from advertisers who spoke to me, they were concerned that they were told, that if this Bill passed that in the future what would happen is another Bill would come in to restrict advertising for bill boards, newspapers, radio, etc. This is the tack that is being used.

The people I talked to they pray that they be heard. They want to participate. I might say, I consider all this debate about Local Control to be a Red Herring, which to me shines pretty good in the moonlight, but after awhile becomes very offensive, and differs to a lot of people, it is a health hazard too.

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

Senator HUBER: Mr. President, I request permission to pair my vote with the Senator from Somerset Senator Teague, who if he were here, would be voting Yes on this matter and I would be voting No.

The PRESIDENT: The Senator from Cumberland, Senator Huber, requests Leave of the Senate to pair his vote with the Senator from Somerset, Senator Teague, who if he were here would vote Yea and the Senator from Cumberland Senator Huber would vote Nay.

Is it the pleasure of the Senate to Grant this Leave?

It is a vote.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator KATZ: Mr. President, I ask leave of the Senate to pair my vote with that of Senator Hichens, if the Senator from York were here he would be voting Yea, and I would be voting

Nay.

The PRESIDENT: The Senator from Kennebec, Senator Katz, requests Leave of the Senate to pair his vote with the Senator from York, Senator Hichens, who if he were here would vote Yea and the Senator from Kennebec, Senator Katz, would vote Nay.

Is it the pleasure of the Senate to Grant this Leave?

It is a vote.

The Chair recognizes the Senator from Cumberland, Senator Clark.

Senator CLARK: Mr. President, I ask Leave of the Senate to pair my vote with that of the Senator from York, Senator Danton, who if he were here would be voting Nay and I would be voting Yea.

The PRESIDENT: The Senator from Cumberland, Senator Clark, requests Leave of the Senate to pair her vote with the Senator from York, Senator Danton, who if he were here would vote Nay and the Senator from Cumberland, Senator Clark would be voting Yea.

Is it the pleasure of the Senate to Grant this Leave?

It is a vote.

The Chair recognizes the Senator from Penobscot, Senator Devoe.

Senator DEVOE: Thank you Mr. President. Mr. President, I request Leave of the Senate to pair my vote with the vote of Senator Ault of Kennebec, who if he were here and voting would be voting Yea and I would be voting Nay.

The PRESIDENT: The Senator from Penobscot, Senator Devoe, requests Leave of the Senate to pair his vote with the Senator from Kennebec, Senator Ault, who if he were here would vote Yea and the Senator from Penobscot, Senator Devoe, would be voting Nay.

Is it the pleasure of the Senate to Grant this Leave?

It is a vote.

The Chair recognizes the Senator from Somerset, Senator Redmond.

Senator REDMOND: Mr. President, and Members of the Senate. In view of the fact that I was absent last week, when this Bill was debated. In view of some very strong feelings that I have, and I think that the record would show, that I am a very strong advocate of Local Control, there is no question about that.

However, in recent years, I have discovered the people of Maine and the people of the Nation, have decided to listen to our Health Experts. Coming from rural Maine, it is traditional that there is a sawmill in most every town, this is very important to the bread winners of that town. The Health Experts have told us that it is not right for the sawmill owner to install a boiler and a smoke stack and spread the smoke from the sawdust throughout the village and let the people inhale that smoke, whether they want to or not.

So the State has imposed some regulations that prohibit this, I believe that we are all in accordance with this. I firmly believe that at public hearings or at public meetings, we should not force people to inhale somebody else's smoke which is harmful to their health. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: Mr. President, I ask Leave of the Senate to pair my vote with the Senator from Penobscot, Senator Trotzky, who if he were here he would be voting Yes and I would be voting No.

The PRESIDENT: The Senator from Waldo, Senator Shute, requests Leave of the Senate to pair his vote with the Senator from Penobscot, Senator Trotzky, who if he were here would vote Yea and the Senator from Waldo, Senator Shute, would be voting Nay.

Is this the pleasure of the Senate?

It is a vote.

The PRESIDENT: Is the Senate ready for the question?

A Roll Call has been requested. Under the

Constitution, in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

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

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

The pending question before the Senate is Enactment.

A Yes vote will be in favor of Enactment.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA — Carpenter, Chapman, Collins, Emerson, Gill, McBreairty, Najarian, Perkins, Pierce, Redmond, Silverman, Sutton, Trafton, Usher

NAY — Conley, Cote, Farley, Lovell, Martin, Minkowsky, O'Leary, Pray

ABSENT — None

PAIRED—Huber-Teague; Katz-Hichens; Clark-Danton; Devoe-Ault; Shute-Trotzky.

A Roll Call was had.

14 Senators having voted in the affirmative and 8 Senators in the negative, with 10 Senators pairing their vote, the Bill was Passed to be Enacted.

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

Senator GILL: Mr. President, I ask that this vote be Reconsidered and that we all vote against the motion.

The PRESIDENT: The Senator from Cumberland, Senator Gill, now moves that the Senate Reconsider its action whereby this Bill was Passed to be Enacted.

Will all those Senators in favor of Reconsideration, please say Yes.

Will all those opposed, please say no.

A Viva Voce Vote being had, the Motion to Reconsider does not prevail.

Having been signed by the President was by the Secretary presented to the Governor for his approval.

An Act to Increase Mileage Reimbursement of Witnesses. (H. P. 125) (L. D. 135)

An Act to Increase the Mileage Reimbursement of Jurors. (H. P. 124) (L. D. 131)

On Motion by Senator Huber of Cumberland, Passed on the Special Appropriations Table.

RESOLVE, to Authorize the County of Cumberland to pay \$1,069.72 to Stanley E. Payson of Scarborough and Shirley M. Jordie of Portland. (H. P. 19) (L. D. 36)

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

Emergency

An Act Converting Long Island Plantation into the Town of Frenchboro. (H. P. 51) (L. D. 60)

Emergency

An Act to Conform the Acknowledgment Provision of the Recording Statute to the Uniform Recognition of Acknowledgments Act. (H. P. 158) (L. D. 186)

These being emergency measures and having received the affirmative votes of 25 Members of the Senate, were Passed to be Enacted, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

Orders of the Day

The President laid before the Senate the First Tabled and specially assigned matter:

House Reports — from the Committee on Legal Affairs — Bill, "An Act Relating to Payment for Sales in Retail Stores under the Liquor Laws." (H. P. 6) (L. D. 12) Majority Report — Ought to Pass as Amended by Committee Amendment "A" (H-37); Minority

Report — Ought Not to Pass

Tabled — February 28, 1979 by Senator Katz of Kennebec

Pending — Acceptance of Either Report

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: I move the Senate Accept the Minority Ought Not to Pass Report.

The PRESIDENT: The Senator from Waldo Senator Shute, moves that the Senate Accept the Minority Ought Not to Pass Report of the Committee.

The Chair recognizes the Senator from Cumberland, Senator Huber.

Senator HUBER: Mr. President and Members of the Senate: I hope the Senate will not Accept the Ought Not to Pass Report and instead will Accept the Ought to Pass Report. As I hope, at the appropriate time, to present an amendment to this Bill, which I believe will make it more palatable, to those who presently oppose it.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from York, Senator Farley.

Senator FARLEY: I request that the Secretary Read the Report. The Committee Report was Read.

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Shute.

Senator SHUTE: Mr. President, Ladies and Gentlemen of the Senate: This Bill has been in here before, this is not the first time, that it has been in the Legislature. Over the past 10 years the age of the checkout person has dropped from 20 down to 18 down to 17. I wonder where you stop, on the age of the checkout person for liquor and wine.

The age of the supervisor in the store has also dropped. That has dropped from the age 20 down to the age 18. Yet in the last session of the Legislature, we raised the age people have to be, to buy wine and beer and liquor. We have raised it from 18 up to 20, yet at the same time we are lowering the age of the people, who can make the decision, as to who is going to check this out of the store.

Now under the Liquor Laws the supervisor in charge, the person 18 years old, in charge of the 17 year old checking out, they do not have to be in immediate charge of that person, all they have to be is in the store, in a supervisory capacity.

Now I know some of the arguments we heard in Committee, on this Bill, was it slows people up at the checkout counters. It sure does, slows you up just about 15 seconds, while somebody comes over to ring the sale, if the cashier happens to be 16 or under. But I did not hear anyone bring up the fact it slows you up about 10 minutes, while somebody makes out a Master Charge Account, Bank Americard Charge Account, or some of these Charge Accounts that really slow you up in a store.

The original Bill, of course, called that any minor could sell liquor at the checkout counter, 12, 13, 14 year olds, that was not taken to kindly too, by most members of the Committee. It was agreed, I guess, to some extent 16 year olds would be acceptable this year, and take care of the other problems another year. Thank you very much.

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

Senator HUBER: I would like to point out that the Amendment, I would like to have the opportunity to present, would increase the age of the manager supervising the checkout employees, from the present age 18 years to 20 years.

This would have the effect of taking the managers age out of the immediate peer group, of the checkout person, and I think in fact this would be tightening control in this area. The overall effect of the Bill, then would be, reducing the age of the potential checkout person from 17 to 16, but increasing the age of the

manager from 18 to 20. I hope the Senate will oppose the present Motion.

The PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Perkins.

Senator PERKINS: Mr. President, Ladies and Gentlemen of the Senate: I would rise to point out, in the State of Massachusetts, in the last 10 days, we have had 6 teenagers killed in automobile accidents, where the blood levels of alcohol was well above that of total intoxication.

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

Senator PRAY: Mr. President and Members of the Senate: I am going to oppose the present motion and go along with the suggestion of the Senator from Cumberland, Senator Huber.

I think we do have a situation here we should address, and we should not confuse it with consumption of alcohol or the teenage drinking problems we have addressed in the past. Basically the merits of the Bill, as it is before us and the situation which it deals with.

I have heard the comments made in reference to this slowing up check-out counters. So I take it basically we are talking about the number of chain stores or grocery stores of a large proportion. I think we also have to stop and consider, which we often do, those small businesses around the State which operate during the summer, usually hiring high school students to work, the situation that we put these facilities in as well.

I personally liked the original Bill, but I can buy the amendment Senator Huber proposes to offer, if we do reject the existing report and pass the Majority Ought to Pass Report. I would hope the members of the Senate would allow that courtesy, go along so we could address the amendment or other amendments that may come forth, to deal with the issue and deal with it in that light. Thank you.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Lovell.

Senator LOVELL: Mr. President, as Past Chairman of the Liquor Control Committee, I think without question, the good Senator from Waldo, Senator Shute, would rather see the age of 20, than the age of 17, which the Majority Report calls for.

Now I do not have a copy of that particular Bill, but I think this Bill should be tabled. Let Senator Huber put on an amendment of 20 years of age, that is the proper age. Now if the age is 17 or 18 kids who know the fellow real well, 15 and 16 they are coming in and they are going to let them have liquor. The fellow who is 20 years old, the older you get them, I think, you are better off.

That is why I worked so hard to raise the drinking age from 18 to 20, and I think Senator Shute feels the same way, so I would hope somebody would table this Bill, so this amendment could be put on by Senator Huber.

The PRESIDENT: Is the Senate ready for the question?

The pending question before the Senate is the Motion by the Senator from Waldo, Senator Shute, the Senate Accept the Minority Ought Not to Pass Report of the Committee.

The Chair will order a Division.

Will all those Senators in favor of Accepting the Minority Ought Not to Pass Report, please rise in their places to be counted.

The Chair recognizes the Senator from Aroostook, Senator Caprenter.

Senator CARPENTER: I request a Roll Call.

The PRESIDENT: A Roll Call has been requested.

Under the Constitution in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

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

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