

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eighth
Legislature***

OF THE

STATE OF MAINE

Volume I

January 5, 1977 to May 25, 1977

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AUGUSTA, MAINE

the Majority Ought to Pass Report.

The PRESIDENT: Is the Senate ready for the question? The pending Motion before the Senate is the Motion by the Senator from Knox, Senator Collins, the Senate accept the Minority Ought Not to Pass Report of the Committee.

A viva voce vote being had,
The Motion to accept the Minority Ought Not to Pass Report does prevail.
Sent down for concurrence.

(Off record remarks.)

Divided Report

The Majority of the Committee on Judiciary on, Bill, "An Act Concerning the Crime of Prostitution." (H. P. 629) (L. D. 770)

Reported that the same Ought to Pass.

Signed:

Representatives:

TARBELL of Bangor
HENDERSON of Bangor
BENNETT of Caribou
BYERS of Newcastle
GAUTHIER of Sanford
ROBBINS of Saco
SPENCER of Standish
DEVOE of Orono

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

Signed:

Senators:

COLLINS of Knox
CURTIS of Penobscot
MANGAN of Androscoggin

Representative:

NORRIS of Brewer

Comes from the House, the Majority Report Read and Accepted, and the Bill, Passed to be Engrossed.

Which reports were read.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Collins.

Mr. COLLINS: Mr. President, I move the Senate accept the Minority Ought Not to Pass Report of the Committee.

The PRESIDENT: The Senator from Knox, Senator Collins, now moves the Senate accept the Minority Ought Not to Pass Report of the Committee.

On Motion of Mr. Conley of Cumberland, tabled for one legislative day.

Pending — The Motion of Senator Collins of Knox that the Senate accept the Minority Ought Not to Pass Report of the Committee.

Divided Report

The Majority of the Committee on Public Utilities, on, Bill, "An Act Protecting Consumers from Termination of Certain Utility Services when such Termination may be Dangerous to their Health." (H. P. 653) (L. D. 796)

Reported that the same Ought Not to Pass.

Signed:

Senators:

CUMMINGS of Penobscot
COLLINS of Aroostook
CARPENTER of Aroostook

Representatives:

McHENRY of Madawaska
KELLEHER of Bangor
BERRY of Buxton
WOOD of Sanford
TARR of Bridgton
CUNNINGHAM of New Gloucester
LUNT of Presque Isle
PEARSON of Old Town
SMITH of Mars Hill

The Minority of the same Committee on the same subject matter Reported that the same Ought to Pass

Signed:

Senators:

NADEAU of Sanford

Comes from the House, the Majority Report

Read and Accepted.

Which reports were read.

Majority Ought Not to Pass Report accepted in concurrence.

Senate

Leave to Withdraw

Mr. Hewes for the Committee on Legal Affairs on, Resolve, Permitting the Use of the name "Maine" for the Maine Association for Human Genetics, (S. P. 195) (L. D. 592)

Reported that the same be granted Leave to Withdraw.

Mr. Pierce for the Committee on Business Legislation on, Bill, "An Act Relating to Conduct of Examinations." (S. P. 321) (L. D. 1078)

Reported that the same be granted Leave to Withdraw.

Mr. Pierce for the Committee on Business Legislation on, Bill, "An Act Pertaining to the Central Licensing Division of the Department of Business Regulation." (S. P. 136) (L. D. 377)

Reported that the same be granted Leave to Withdraw.

Which Reports were Read and Accepted.

Sent down for concurrence.

Divided Report

The Majority of the Committee on Legal Affairs on, Bill, "An Act to Require Subcommittees of the Board of Trustees of the University of Maine and of the Maine Maritime Academy to Hold Open Meetings." (S. P. 157) (L. D. 397)

Reported that the same Ought to Pass in New Draft under new title, Bill: "An Act to Require Committees and Subcommittees of the Board of Trustees of the University of Maine and of the Maine Maritime Academy to Hold Open Meetings." (S. P. 479) (L. D. 1681)

Signed:

Senator:

CARPENTER of Aroostook

Representatives:

COTE of Lewiston
JOYCE of Portland
BIRON of Lewiston
DURGIN of Kittery
GOULD of Old Town
BURNS of Anson
MOODY of Richmond
SHUTE of Stockton Springs

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

Signed:

Senators:

HEWES of Cumberland
CUMMINGS of Penobscot

Representatives:

CARRIER of Westbrook
DUDLEY of Enfield

Which reports were read.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Mr. CARPENTER: Mr. President, I move that the Senate accept the Majority Ought To Pass Report.

The PRESIDENT: The Senator from Aroostook, Senator Carpenter, now moves that the Senate accept the Majority Ought to Pass in New Draft of the Committee. Is this the pleasure of the Senate?

The Chair recognizes the Senator from Aroostook Senator Carpenter.

Mr. CARPENTER: Mr. President, this Bill is the Bill of the Senator from Penobscot, Senator Curtis. Since he is not here today, I would ask somebody to table this Bill pending my motion.

On Motion of Mr. Hewes of Cumberland, tabled two legislative days.

Pending — Motion of the Senator from Aroostook, Senator Carpenter, that the Senate accept the Majority Ought to Pass in New Draft Report of the Committee.

Divided Report

The Majority of the Committee on Liquor Control on, Bill, "An Act Concerning the Penalty for Sale of Alcoholic Beverages to Minors." (S. P. 249) (L. D. 758)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-84).

Signed:

Senators:

LOVELL of York
DANTON of York
LEVINE of Kennebec

Representatives:

CONNERS of Franklin
MARSHALL of Millinocket
NADEAU of Sanford
RAYMOND of Lewiston
MAXWELL of Jay
IMMONEN of West Paris
GRAY of Rockland

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

Signed:

Representatives:

TWITCHELL of Norway
JACQUES of Lewiston
LIZOTTE of Biddeford

Which Reports were read.

On Motion of Mr. Lovell of York, the Senate voted to accept the Majority Ought to Pass, as Amended Report.

The Bill read Once. Committee Amendment "A" was Read.

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

Mr. MERRILL: Mr. President, I would just like to inquire to the Senate, anybody who may care to answer, what the purpose of this Amendment is.

The PRESIDENT: The Senator from Cumberland, Senator Merrill, now poses a question through the Chair.

The Chair recognizes the Senator from York, Senator Lovell.

Mr. LOVELL: Mr. President, to the good Senator from Cumberland, Senator Merrill, the way the Bill was written it did not conform, not only to the liquor laws, but it also did not conform to the Criminal Code. Consequently, the good Senator from Penobscot, Senator Pray, who sponsored the Bill, — we decided it was necessary to have an Amendment to coincide with the Criminal Code and also with the liquor laws.

If the good Senator from Cumberland will read that Amendment, knowing that he is an attorney, I am sure that he will realize that we had to bring in the fact that "knowingly permits a child under the age of 16 to enter or remain in a house of prostitution; or he knowingly sells, furnishes, gives away or offers to sell . . ." so we had to bring this thing in to coincide with the Criminal Code and the liquor laws.

In fact, the defendant, under Section 3, was a parent, foster parent, guardian or other similar person responsible for the long-term general care and welfare of a person under the age of 20, who furnished such a person a reasonable amount of intoxicating liquor in the actor's home and presence. Now actually it seems probably that this long amendment — and it goes on in Section 2 and then in Section 3 we brought back in the penalties that the good Senator from Penobscot, Senator Pray, wanted, mandatory sentences, so forth, as our Legislative Assistant and the Liquor Commission and the Liquor Control Committee felt that this tightened the Bill out the way it should be and it will help enforcement in the State of Maine in regard to the liquor laws.

Committee Amendment "A" adopted.

The Bill, as amended, Tomorrow Assigned For Second Reading.

Second Readers