

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh  
Legislature*

OF THE

STATE OF MAINE

**Volume II**

May 21, 1975 to July 2, 1975

**Index**

KENNEBEC JOURNAL  
AUGUSTA, MAINE

Danton, Graham, Johnston, Marcotte, Merrill, O'Leary, Pray, Reeves.

NAYS: Senators Berry, R.; Clifford, Collins, Corson, Cummings, Curtis, Gahagan, Greeley, Hichens, Huber, Jackson, Katz, McNally, Roberts, Speers, Thomas, Trotzky, Wyman.

ABSENT: Senator Graffam.

A roll call was had. 13 Senators having voted in the affirmative, and 18 Senators having voted in the negative, with one Senator being absent, the motion did not prevail.

Thereupon, on motion by Mr. Conley of Cumberland, the Senate voted to Insist and Ask for a Committee of Conference.

#### Non-concurrent Matter

Bill, "An Act to Require Returnable Beverage Containers." (H. P. 1609) (L. D. 1888)

In the Senate May 29, 1975, Bill and accompanying papers, indefinitely postponed in non-concurrence.

Comes from the House, Passed to be Engrossed as Amended by Senate Amendments "A" (S-208) and "B" (S-209) and House Amendment "D" (H-597) in non-concurrence.

Mr. Thomas of Kennebec moved that the Senate Recede and Concur and subsequently requested a roll call.

The PRESIDENT: A roll call has been requested. 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 until counted.

Obviously one-fifth having arisen, a roll call is ordered.

The Chair recognizes the Senator from York, Senator Roberts.

Mr. ROBERTS: Mr. President, I wish permission to pair my vote with that of Senator Graffam. If he were here, he would be voting against the motion, and I am voting for the motion.

The PRESIDENT: The Senator from York, Senator Roberts, now requests permission to pair his vote with the Senator from Cumberland, Senator Graffam, who, if he were here, would be voting against the bill, and the Senator from York, Senator Roberts, would be voting for the bill. Is it the pleasure of the Senate to grant this leave?

It is a vote.

The Chair recognizes the Senator from Penobscot, Senator Curtis.

Mr. CURTIS: Mr. President, I rise to make some comments about this bill before we finally vote upon it. I was well aware and surprised, and I guess shocked, at the last vote that this body took on the issue. What surprised me was perhaps not so much the shifts in the votes by some of the members of this body, but the apparent reluctance on the part of this body to recognize what so many people in the State of Maine are coming to realize, and that is that we are in a challenging time, a transitional time, when the future is imposing upon us and we should be very concerned about our non-renewable resources. So that this bill, which I have discussed before on the floor as being an anti-litter measure, and which it is indeed, is also a bill which is really one for the future.

I don't think that we have the capacity to continue in this state operating on the concept of unlimited growth, and I wonder if it is about time that this Senate helps to establish what should be our priority values. It is not just a question of

accumulation of goods, it is a question of how we use our resources and concern for future generations. And I guess I am as much a victim of this kind of consumption mentality as perhaps anybody else. I have two cars and I buy and use a number of non-returnable beverage containers at the present time. But speaking for myself, and I know an awful lot of my constituents, I think it is about time we were prepared to start adjusting our lives to what is going to have to be the new priorities of the future.

I was talking to one of the retail outlets in my town, and the folks there were concerned, and I am sure rightly so, about the problems of storage if we go to a requirement for returnable bottles. I listened for a while and I went into the store and shopped there myself, and I was concerned about their comments, and yet I thought that it was about time that that store and many others throughout this state took a little more positive attitude. And when that store can tell me that it is able to find space for 1,500 cases of cold beer but cannot find space to accept any returnable bottles, then I think it is time for this Senate to start looking at some of these priorities that face the State of Maine and start suggesting in a stronger fashion than we have in the past that it is time to take some action.

Now, two years ago we considered this matter in the legislature, and there was a good deal of thought that it was time to wait and see what the results in Vermont and Oregon might be. Well, two years have passed and about the only change that I have been able to identify is that the people who communicate to me, who have lived in Vermont and Oregon and now reside in my district, are stronger proponents than ever that that is a good system and the right way to go. The other change I suppose would be that the Vermont Legislature has strengthened its law.

There is a cost factor involved, but I think it is again time that we realized there are perhaps savings involved with returnable containers as well as costs. When a large manufacturer of soft drinks can offer its returnable cases at 60 cents less per case than it does its non-returnables, you know there must be a saving there. There certainly will be a saving to municipalities which are so concerned about the skyrocketing costs of operating their solid waste disposal systems, and there certainly will be a savings to the people who in the past have had to clean up their own front yards, their own roadsides, and there certainly will be a saving to the state.

Again, I think of an advertisement that I heard just recently on the radio from the Dr. Pepper Company, which is offering a special arrangement for charitable groups who return bottle caps from the Dr. Pepper bottles. If you collect enough bottle caps and turn them in, they you can obtain a benefit for your charitable organization. They don't offer to provide a benefit if you turn in the whole bottle, just the caps. At least that is perhaps a little step in the right direction of solving our solid waste problem, but if this kind of sales gimmick can be used, how much better off we would be if we tried to retain, recycle, and re-use those bottles.

Finally, I guess I would like to talk for just a minute about the referendum issue because I know that is one that has been of a lot of concern to us. If this issue passes now, there is little doubt in my mind, and I don't think there is much doubt in

anybody's mind here, that the bill will not become law until the people have an opportunity to vote on it. If we don't put the referendum issue on it, the folks who are opposed to the law will quickly and effectively -- and they have every right to do that, and I applaud them for taking it will effectively stop the enactment of that law until the people have an opportunity to vote, just like we did with the truck weight bill a year ago.

However, if we do not pass it, the people who would like to see that same issue placed before the general populace in a general vote, and who are in favor of the returnable bottle bill, would not have an opportunity to get that issue before the people until an election in 1977. So I would suggest that we have already waited two years, and it is time for this legislature to finally take some action.

So, Mr. President, I guess it is clear the way I am going to vote, and I hope that this Senate does not at this crucial moment, when we have an opportunity to do something, stop this legislation from becoming enacted.

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

Mr. COLLINS: Mr. President, one of the advantages of our federal system of government is that we can experiment with new laws state by state and see how they work out. I remember the verse I learned as a schoolboy, "Be not the first by whom the new is tried, nor yet the last to lay the old aside." I am impressed with the experience of Oregon and Vermont and I will support this bill. I believe that, in the words of a constituent of mine, it will improve the appearance of our roadsides and the safety of our roadsides, and will help to teach and reward the conservation of resources, especially for our children.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Reeves.

Mr. REEVES: Mr. President and Members of the Senate: I would like to remind the Senate that 12 of the 13 members of the Business Legislation Committee voted in favor of this bill after considerable study and after a public hearing attended by some 1500 people. And as a member of that committee, I have already voted on the record for this bill four times, which I believe is more than any other member of the Senate.

I see this bill doing good things in Maine. We would become a clean state, and I am told it could bring more jobs. Maybe it would hurt, at least temporarily, a bottle or can manufacturer in Illinois, or wherever, at least until he can switch production to canning jars, which is something that I need and can't get.

I am told of an article in the Wall Street Journal about a second side effect this bottle bill brought to Oregon. That is that the Budweiser Company and other national companies decided it was no longer worthwhile to ship the empties back and forth from Los Angeles to Oregon, and so the local breweries got the business. So I think it is possible Maine could get a brewery and jobs out of this.

One final note: Sometime ago I offered to report on the lobbying expenses incurred on both sides of this issue. I have a report. I had to estimate a small part of these figures, and I was not able to obtain a complete accounting at this time. That won't come until this summer. But my report at this point is as follows: Expenses in favor of this bill are \$3,900, and expenses

against are \$36,000. Thank you, Mr. President.

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

Mr. DANTON: Mr. President and Members of the Senate: I am glad the Senator from Kennebec, Senator Reeves, got up and enlightened us on the committee hearing. My information is that he has attended very few of the hearings; I am glad he attended that one. As far as the lobbying expenses go, I am glad he said it was just his own estimate. I am surprised he stopped at \$36,000. It probably should have been \$136,000.

Mr. President and Members of the Senate, I am not going to vote for this bill, and I am going to tell you why I am not going to vote for it. One, I am not in a retail store business, so I don't have to worry about the bottles. But I just don't think it is right that the State of Maine and the State of Vermont have a returnable bottle bill, and New Hampshire, Massachusetts, Rhode Island, Connecticut — I believe there are 47 states that don't have the bill. We should turn this bill down and get to our Congress and have them make it the law of the land. That is what we need. Have all our businessmen, our distributors, our retailers, have them all on an even keel.

I don't think it is fair for any man that has invested his money to become a distributor of beer or cold drinks, or whatever the case may be, and today pass a bill like this here and perhaps put him out of business because that brewery just tells him "I am sorry, I am not going to ship you any more product into the State of Maine", and there goes his investment.

Now, I think there is something about trying to be fair here. I think our Congress, our Senator Muskie, Hathaway, Representatives Cohen and Emery, that is their job in Washington, to take and pass a bill that will apply throughout this entire country. Never mind taking and putting the burden on us in our state legislatures and taking and hurting our small retailers.

Senator Curtis got up and mentioned stocking beer. Sure, they stock beer, but of the amount of beer they are stocking now they will only be stocking half of that beer, and the rest will be empty bottles. And for them to continue the same amount they will have to take and build additions onto their buildings. That is another thing we are doing to the businessman.

I think we have to at some time or another in our legislative careers try to do the responsible thing, and the responsible thing is to turn this bill down and let Congress enact a bill. Don't you think I get upset when I drive down the road and see cans and bottles on the side of the road? I get as upset as anyone in this State of Maine, but I know that this isn't the right bill.

How about vendors that have taken and invested money in machines that have aluminum cans in them? One vendor called me up, and there will be 26 people out of work if this bill becomes a law. This is no time for us to put people out of work, when we have committees on jobs going around the state telling the citizens of this state how many jobs they are going to create. And I would like to ask the Senator from Kennebec, Senator Reeves, how did he vote when we tried to make an allowance for a brewery to have a tax exemption so they could locate in this state? If we are going to talk, then let's talk the way we should talk. Let's not talk from both sides of our mouths. Let's not go around saying we want jobs and then vote

in every possible manner not to have any jobs. I hope this bill is defeated.

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

Mr. CARBONNEAU: Mr. President, I do concur with the remarks made by Senator Danton, and I would like to throw out a few things here that I heard this morning, or in rebuttal of same.

The good Senator Curtis mentioned something about an outfit that was able to store 1,500 cases of cold beer. Now, he is stating in fact that if we devote only half of that space to cold beer that we could have cold empty bottles. Now, I don't think that is right. Those cases are in the store at a big cost — you know it and I know it — and people want their beer cold when they come into a store. They don't want to see just a bunch of bottles and cans.

As for the committee hearing, it was mentioned by the good Senator from Kennebec, Senator Reeves. Yes, there was about 2,000 people there, I think, and the big, vast majority were people against this bill, but apparently the committee did not hear them. They heard only the other side.

Now, as for cleaning up the highways, I submit to you — I said it before and I will say it again — pass this bill and it is not going to make one bit of difference on the highways. The people that throw cans out of the windows and people that throw bottles out of the windows will keep on throwing them out, and that is an established fact both in Oregon and Vermont. So I urge you to vote against this bill.

The PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Cianchette.

Mr. CIANCHETTE: Mr. President, I would like to pose three questions through the Chair to any Senator who may care to answer, and I think for the record it would be good if somebody would answer these three questions.

No. 1, is it true if this bill is passed that foreign distributors may put non-returnable containers, either cans or bottles, on the shelf without a deposit on the bottles? Is that a fact or is it not a fact? If this is true, is it not also true that we are discriminating against U.S. business? I would like to have the answer to that question.

I would like to have an answer to the question — I would like to have it discussed here just a little bit, and I would like to really know what do the grocers, or I expect it is grocery stores that are going to take back cans — I understand that under this bill they are going to have a nickel minimum deposit on the cans — when a businessman takes back these cans, physically what does he do with them? Now, we understand that these cans may be picked up beside the road — that is the idea of the nickel deposit — and certainly if these cans have laid beside the road they are going to be collecting bugs and everything else, and these are picked up in a burlap bag or cardboard box, or whatever, and taken to a grocer. Maybe he is on Main Street, maybe has a little corner store, and maybe he has a supermarket, but I would like to have the answer to the question of what does he do with those cans after they have been returned? I hope he wouldn't put them in his store.

Then we heard the other day congratulations to the Business Legislation Committee. This is question No. 3. I can commend them also for working hard and diligently and long hours

to put out a bill, and I know they did well and they have been very busy, so I in no way want to let my remarks condemn the Business Legislation Committee. But I would like to know did the Business Legislation Committee take the time to consider thoroughly alternatives to this type of legislation for getting the job done; namely, the Washington State Litter Act.

Mr. President, I hope those three questions will be answered this morning.

The PRESIDENT: The Senator from Somerset, Senator Cianchette, has posed a question through the Chair to any Senator who may care to answer.

The Chair recognizes the Senator from Kennebec, Senator Thomas.

Mr. THOMAS: Mr. President, I can definitely answer No. 1. Imported beers, although they will not be required to use a refillable container, will be required to put a minimum of a 5 cent deposit on the container. Since refilling the same container more than once reduces the cost of beverages, American beer will be significantly cheaper than imported brands which will not be refillable in their containers. Therefore, rather than causing a hardship on domestic breweries, this provision would in fact create an economic incentive for buying American beer rather than imported beer.

As for question No. 3, I think the Senator answered it himself the other day when he referred to two years ago the promise that was made to him about a little bill.

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

Mr. JOHNSTON: Mr. President, Senator Reeves has mentioned the hearing which the Business Legislation Committee had for the bottle bill and there were 1,500 people there. You don't predicate, at least I don't, a decision on what to do with a bill with regard to how many people show up for it and how many people show up against it, but the obvious sentiment at the hearing was against the bill. His remarks relating to the 12 to 1 report which came out of the committee are somewhat misleading. It was 11 to 1 to 1. It was 11 ought to pass with the amendment for a referendum, one ought to pass with practically a new draft of the bill, and one ought not to pass.

Now, we deliberated for some weeks over this piece of legislation in the Business Legislation Committee and a great many concessions were made. These concessions were made not to the integrity of the bill but to the integrity of the committee. At one time in our deliberations I polled that committee as to how they would report just the bill; no amendment for referendum, but just the bill as it was written, and it was 8 to 5 ought not to pass. As we got further along in the deliberations, it became obvious to all of us that we could have thirteen reports on this bill, so we made concessions, and we reported it out the way we did so that we could give the legislature something to consider with some sort of unification.

The good Senator from Cumberland, Senator Berry, made it clear to me in this body when he made the statement that with respect to the referendum and the amendment, and the amendment offered in this body and the statement of fact thereto, that the statement of fact should read that this amendment is to kill the bill, when he was speaking about the referendum, so he made up my mind for me. If this bill doesn't deserve to pass this body, if it doesn't deserve to pass the Maine Senate, then it doesn't deserve to

become law in this state. It is a discriminatory bill and I am not going to vote for it.

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

Mrs. CUMMINGS: Mr. President and Members of the Senate: This weekend it was all I could do to stay home. In fact, if I hadn't been really feeling very brave I would have left. I have never had the telephone ring so often and I have never had such emotional telephone calls. I didn't know bottles could make people so emotional. Of course, this isn't it; it is the litter.

One of the things that has come up when I have been looking into what would happen to this state if the bill does go through is that I have checked with several grocery stores, those that have returnable bottle beverages in their stores, and those bottles are not bought. The convenience of the customer comes ahead of their desire to keep the roads clean or to keep the dumps free of extra bottles. I think that the time has come not for a referendum, which will be intensified in emotion far beyond what I had this weekend, but I think the time has come to have every store perhaps be forced to carry both returnable and non-returnables, and let people have a referendum that will really show how they truly feel according to how they purchase their beverages. If they buy the bottles that cost a nickel more originally and then get it back when they return them, then we will know that is what they would like us to do. If they don't do that, and they continue to buy the throwaways, then I think it is obvious that that is what they want to do. I don't think we should force them to do something until we have given them a chance to say what they want, but not in a referendum which will be just one big emotional splurge after another, with lots of money spent and lots of charges.

We have had, as you know, many conflicting statements of fact coming from very reputable sources, and somebody is not telling the truth. And just because we get it here, it will be greatly intensified to go throughout the state, and I am not going to vote for the referendum.

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

Mr. CARBONNEAU: Mr. President and Members of the Senate: Let me tell you a little tale of experience that I have had for over some forty years connected with bottles, empty bottles and full bottles.

Back about 15 or 20 years ago the situation of non-returnables came into being. I remember in my particular outlet I would have, for instance, four rows up one side of one size, and next to it I would have one row of non-returnables. The four rows were returnables. Over the years as we went along, we would take two rows of non-returnables and two rows of returnables. And then one row of returnables against three rows of non-returnables. Why did we do that? Space in a store, no matter where it is, costs a lot of money. It has got to bring in X number of dollars; otherwise, you devote that space to something else that will sell. What does not sell, you remove it from the shelves and you put something else in there. That money has got to turn over. When you have an industry that shows one-half of 1 percent net profit at the end of the year, mister, you have got to make every foot of space in your store count.

Well, then we found out that the people, the people themselves, according to what Senator Cummings was just saying, they made the choice years ago, and still in some places returnable bottles are available, so you can buy them or leave them. But most people leave them. Why should we legislate for people and tell them what they are going to buy, how they are going to buy it, and what they are going to pay for it? We are not here for this kind of work. This is a housecleaning bill and it does not deserve to go on the books.

I suggest to you that the majority of the people in this state, and in this country for that matter, prefer the non-returnables. So let's try to find some viable ways of cleaning up our areas without legislating them to buy a product in a form that they don't want.

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

Mr. CONLEY: Mr. President and Members of the Senate: First of all, I am addressing the Senate as the Senator from Cumberland, and not as the minority floor leader.

I would like to tell the Senate about what happened to me last Friday evening when I got home. As we all know, we got out of here pretty late last Friday afternoon, and I think by the time I got home it was somewhere around 7 o'clock. I had no sooner stepped in through the door when I got a phone call from a very good friend of mine who said "Jerry, I will never vote for you again." I asked him why, and he said "Well, primarily because you voted against the bottle bill. You were bought. You were bought off by the lobby to vote against the bill."

Well, we have read a lot and heard a lot about the lobby during this session of the legislature, and I can tell you that without any question — you can ask the lobby, whatever they are, all of them, whatever group they are lobbying for, ask them to take a poll of how they rate Jerry Conley on the side of the lobby, and I wouldn't be a bit surprised if you would find me right down at the bottom of the ladder — but I strongly resent anybody saying that I have ever been bought. I look upon the lobby as doing a very valuable job here, whether I agree with them or disagree with them, but I hate for my personal integrity to be attacked by some citizen who reads the newspaper and reads the loose talk of the language that it uses so frequently.

I am against this bill, and I am against it for many reasons. Last Saturday I took a little trip downtown, and I ran into a lady who said to me "Senator Conley, how are you on the bottle bill?" And I said "I am voting against it." She said, "Well, I am glad to know that." I said, "Well, why?" It sort of struck me because I thought everybody, from what we read about it, was overwhelmingly in support of it. She said "Because I have a number of children and all I can picture is someone else's children or my children running out to pick up a bottle and running up the street with it to the store, falling, being cut, and so forth." Now, that is the viewpoint of a mother. Perhaps it is a weak one, but it is the viewpoint of a mother.

The second reason I personally have is that there have been studies and surveys made as to a returnable bottle bill, and what percentage of litter is removed from the public highways? What percentage of litter is removed from the public highways? I think it is a very, very high

figure, about 80 percent or better, that still remains, that is still there. That reminds me of the old argument that I have heard back through the years of people who went into public housing and how the establishment has always looked down upon those people in public housing because they say look at the pigpen that is down there, or we can't expect anything different; we can put them in palaces and in two weeks the place will be a shambles. That is what you hear. Perhaps even some of us are guilty of making those remarks, but that doesn't mean that that statement is totally erroneous because in some cases it is true. But it breaks down to those individuals who are not tidy, who could care less, who will continue to go on in their sloppy manner. And that is exactly what this bill is all about. We shouldn't be talking about returnable bottles. What we should be talking about is a strong litter enforcement bill.

Why do we limit it just to bottles? Why don't we take in the canned vegetables? We talk about energy and recycling. Are the city dumps going to be any less covered with cans? Are they going to be less covered with bottles? Not really. We certainly know about all the various outlets there are up here on Western Avenue. I guess we have got Carrolls, we have got McDonalds, we have got the Dairy Queen, and so forth. They are littered all over the state. Everyone goes in on Sunday afternoon or a nice warm day and picks it up, and I am sure that the majority of people dispose of the containers in receptacles when they are through with them, the proper receptacles. But littering is littering, and there is not much you can do unless you really have strong enforcement of the present statute that is on the books. Strong enforcement.

I think, as the good Senator from Aroostook clearly stated, that the bill is discriminatory. It strikes out against one economic segment in our community.

Now, we have been told that irrespective of what happens here today, or what happens in this legislature, eventually this bill is going to go to referendum. I am against the bill, as I have stated, because I thought it was honestly — honestly — going to do the job that we are concerned about I would vote for it. It is not, we know it is not, and I think in a sense, because the legislature takes a very strong, positive view on this thing, that it is a sham on the public of this state. And I wish we would all re-examine our conscience or our position as to whether or not we can honestly say that this bill, if it should become law, would serve the purpose of those who intend it to do so. I don't believe it will, and because I don't believe it will, and because I believe that it is strongly adverse to a lot of little storeowners in the state, plus a large segment of industry, I think the bill should not pass.

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

Mr. JACKSON: Mr. President and Members of the Senate: I have been sitting back and listening quite intently to the debate as it has been going on this morning about jobs, about small businesses, about the expansions, and the litter problem that exists. I think everybody realizes that we have a problem with litter. And the problem is not only with returnable containers; it is with solid waste, as far as your orange juice cans, your milk jugs, or whatever the case may be.

But I think one thing that we all ought to take into consideration is what effect this is going to have on the State of Maine. And what I mean is economically, what effect is it going to have on the State of Maine. For a state which is considered vacationland, we have people come from all over the United States and other parts of the world for the summer and they spend time here, so I ask you what is going to happen to the State of Maine and its revenue derived through the sales tax on these liquids in these containers which are consumed by these people that travel here? We have a mass of people that come from Massachusetts, Rhode Island, Connecticut and New Hampshire that come over here.

As the good Senator from Saco mentioned, Vermont has passed a returnable container law, but New Hampshire has failed to enact it and Massachusetts has failed to enact it. Now, I ask you what is going to happen to these stores which are within thirty miles of that New Hampshire border, and what effect this is going to have on the Maine sales tax that is derived from these sales?

Another point is that they talked about jobs. I employ four people, and I would dare say that a good many small stores that are in my district up and down that New Hampshire border employ anywhere from two to four people, and if this bill passes, then these stores will not be employing people because I say their sales are going to drop so that they are either going to have to get rid of people or go out of business. I have not checked to see what the facts are on the Vermont border as to how many stores have closed. I did check with one store and he stated that his sales on beverages have dropped 70 percent.

Now, if we pass a law like this, where it is just mainly for the State of Maine — and I agree with Senator Danton that there should be national legislation to cover this, where everybody would be treated equally — then the fact is that with the New Hampshire border all the way down across, they are going to sit right there, those state line stores, and stores inside New Hampshire are going to take business away from Maine businesses. And you talk about jobs. Well, these jobs are already in existence. We don't have to sit here and predict how many more jobs we are going to have by having returnable containers; I think we ought to look at how many jobs we are going to lose. And these are times when we can't afford to lose jobs.

Talking about expansions, I am in the process right now of putting 16 by 40 feet on my store, and if you don't think the costs are astronomical today to do that, I submit to you that maybe you ought to come up and sign the contracts with me and you guys can make the payments.

I am going to vote against the amendment and the bill.

The PRESIDENT: Is the Senate ready for the question? A roll call has been requested. 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 until counted.

Obviously more than one-fifth having arisen, a roll call is ordered. The Chair will restate the question. The pending question before the Senate is the motion by the Senator from Kennebec, Senator Thomas, that the Senate recede and concur with the House. A "Yes" vote will be in favor of

receding and concurring; a "No" vote will be opposed.

The Secretary will call the roll.

#### ROLLCALL

YEAS: Senators Berry, R.; Collins, Corson, Curtis, Graham, Greeley, Hichens, Huber, Katz, McNally, Merrill, Reeves, Thomas, Trotzky, Sewall.

NAYS: Senators Berry, E.; Carbonneau, Cianchette, Clifford, Conley, Cummings, Cyr, Danton, Gahagan, Jackson, Johnston, Marcotte, O'Leary, Pray, Speers, Wyman.

A roll call was had. 15 Senators having voted in the affirmative, and 16 Senators having voted in the negative, with two Senators having paired their votes, the motion did not prevail.

Mr. Danton of York then moved that the Senate Adhere.

Mr. Collins of Knox subsequently moved that the Senate Insist and Ask for a Committee of Conference.

On motion by Mr. Danton of York, a division was had. 15 having voted in the affirmative, and 16 having voted in the negative, the motion did not prevail.

The PRESIDENT: Is it now the pleasure of the Senate to Adhere?

The Chair recognizes the Senator from Knox, Senator Collins.

Mr. COLLINS: Mr. President, I ask for a roll call.

The PRESIDENT: The Senator from Knox, Senator Collins, has now requested a roll call on the motion to adhere. 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 on the motion to adhere please rise in their places until counted.

Obviously more than one-fifth having arisen, a roll call is ordered.

The Chair recognizes the Senator from Knox, Senator Collins.

Mr. COLLINS: Mr. President, I ask permission to pair my vote with Senator Graffam, who, if he were here, would vote in favor of the motion to adhere, and I shall be voting against it.

The PRESIDENT: The Senator from Knox, Senator Collins, now requests permission to pair his vote with the Senator from Cumberland, Senator Graffam, who, if he were here, would be voting for the motion to adhere, and the Senator from Knox, Senator Collins, would be voting against the motion to adhere. Is it the pleasure of the Senate to grant this leave?

It is a vote.

The pending question before the Senate is the question of the Senate adhering to its former action. A "Yes" vote will be in favor of the Senate adhering; a "No" vote will be opposed.

The Secretary will call the roll.

#### ROLLCALL

YEAS: Senators Berry, E.; Carbonneau, Cianchette, Clifford, Conley, Cummings, Cyr, Danton, Gahagan, Jackson, Johnston, Marcotte, O'Leary, Pray, Speers, Wyman.

NAYS: Senators Berry, R.; Corson, Curtis, Graham, Greeley, Hichens, Huber, Katz, McNally, Merrill, Reeves, Roberts, Thomas, Trotzky.

A roll call was had. 16 Senators having voted in the affirmative, and 14 Senators having voted in the negative, with two Senators pairing their votes, the motion prevailed.

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

Mr. MARCOTTE: Mr. President, having voted on the prevailing side, I now move we reconsider and hope you vote against me.

The PRESIDENT: The Senator from York, Senator Marcotte, now moves that the Senate reconsider its action whereby it adhered to its former action. All those Senator in favor of reconsideration will say "Yes"; those opposed will say "No".

A viva voce vote being taken, the motion did not prevail.

#### Joint Order

WHEREAS, there have been many bills introduced this session concerning the election laws of this State; and

WHEREAS, some of these bills interact with other introduced bills in possibly unforeseen ways, some of these will duplicate parts of other bills and many of these bills represent differing legislative policies concerning the conduct of state and local elections; and

WHEREAS, it is desirable to have one uniform legislative policy concerning the election laws of Maine; and

WHEREAS, it is desirable that the Joint Standing Committee on Election Laws, which is currently studying this problem, needs more time during the interim to reach a set of firm conclusions; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Council be authorized, through the Joint Standing Committee on Election Laws, to continue to examine the election laws of this State as provided in Title 21 of the Maine Revised Statutes and related Titles for the purpose of ascertaining as economically as possible all necessary repealers, amendments and modifications of existing laws as, in the judgment of the Council, are necessary and appropriate; and be it further

ORDERED, that the Council report the results of its findings, together with any proposed recommendations and necessary implementing legislation, to the next special or regular session of the Legislature; and be it further

ORDERED, upon passage in concurrence, that suitable copies of this order be transmitted forthwith to said agencies as notice of this directive. (H. P. 1646)

Comes from the House, Read and Passed.

Which was Read.

Thereupon, on motion by Mr. Speers of Kennebec, tabled pending Passage.

#### Joint Order State of Maine

In The Year Of Our Lord One Thousand Nine Hundred And Seventy-five.

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Coach John Coughlin and the Cony Rams Baseball Team Kennebec Valley Conference Baseball Champions of the Academic Year 1975

We the Members of the House of Representatives and Senate do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the