

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*One Hundred and Fifth*

*Legislature*

OF THE

STATE OF MAINE

1971

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Wednesday, March 17, 1971  
Senate called to order by the President.

Prayer by the Honorable Elmer H. Violette of Van Buren.

Reading of the Journal of yesterday.

**Papers from the House  
Non-concurrent Matter**

Bill, "An Act Relating to Legislative Counsel or Agents." (S. P. 13) (L. D. 41)

In the Senate March 10, 1971, Passed to be Engrossed.

Comes from the House, the Reports and Bill Indefinitely Postponed in non-concurrence.

(On motion by Mr. Katz of Kennebec, tabled until later in today's session.)

**Non-concurrent Matter**

Resolution, Proposing an Amendment to the Constitution Reducing the Size of the House of Representatives and the Senate. (S. P. 436) (L. D. 1146)

In the Senate March 12, 1971, Passed to be Engrossed.

Comes from the House, the Reports and Resolution Indefinitely Postponed in non-concurrence.

On motion by Mr. Johnson of Somerset, the Senate voted to Recede and Concur.

**Joint Order**

WHEREAS, Nathan A. Farwell was the only United States Senator from Maine to reside in Rockland; and

WHEREAS, his contributions to the State and the Nation deserve to be remembered through his image; and

WHEREAS, his portrait is presently obscured by a coat rack located adjacent to Room 228 at the State House; now, therefore, be it

ORDERED, the Senate concurring, that the Maine Art Commission and Bureau of Public Improvements be directed to relocate the portrait of this distinguished United States Senator to a more honorable and conspicuous location within the State House; and be it further

ORDERED, upon joint passage of this Order, that copies be transmitted forthwith to said Commission and Bureau as notice of the directive contained herein. (H. P. 1134)

Comes from the House, Read and Passed.

Which was Read.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: This is a rather intriguing item. I have heard of portraits being obscured by draperies and curtains, and we here have a portrait of a gentleman that is being obscured by a coat rack.

Some people have obfuscation because of mental problems, others have problems of not receiving publicity, but obviously Senator Farwell has a very, very serious problem here adjacent to Room 228.

In all seriousness, I could think of a few things and a few portraits that could be put together. There are some portraits on the third floor that I would like to see obliterated or draped, however, I am sure that a phone call to the Arts Commission or to B.P.I. would straighten out any problem we have.

I would be interested in any further intelligent debate on the subject, however, I would like to move that this be indefinitely postponed.

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that Joint Order, House Paper 1134 be indefinitely postponed in nonconcurrence. Is this the pleasure of the Senate?

The motion prevailed.

Sent down for concurrence.

**House Papers**

Bills and Resolves today received from the House requiring Reference to Committees were acted upon in concurrence.

**Communications**

**STATE OF MAINE**

Bureau of Public Improvements  
Augusta, Maine 04330

March 16, 1971

To the Senate and House of Representatives of the One Hundred and Fifth Legislature Gentlemen:

In accordance with the provisions of Title 5, M.R.S.A., Section 1742, I present the accompanying Recommended Priorities for Capital Improvement Requests submitted to the One Hundred and Fifth Legislature for the fiscal years 1971-72 and 1972-73.

Respectfully submitted,  
(Signed)

NIRAN C. BATES  
State Director of  
Public Improvements  
(S. P. 466)

Which was Read and with accompanying paper Ordered Placed on File.

Sent down for concurrence.

HOUSE OF REPRESENTATIVES  
Office of the Clerk  
Augusta, Maine

March 16, 1971

Hon. Harry N. Starbranch  
Secretary of the Senate  
105th Legislature  
Sir:

The Speaker today appointed the following Committee of Conference on the disagreeing action of the two branches of the Legislature on:

Bill "An Act relating to Record of Plans by Registers of Deeds" (H. P. 728) (L. D. 816)

Messrs. FRASER of Mexico

DYAR of Strong

CURRAN of Bangor

Respectfully,

(Signed)

BERTHA W. JOHNSON  
Bertha W. Johnson  
Clerk of the House

Which was Read and Ordered Placed on File.

State of Maine  
PROCLAMATION

WHEREAS, on March 17, 1941, the 90th Legislature of the State of Maine passed legislation to establish a permanent maritime academy to be known as the Maine Maritime Academy; and

WHEREAS, March 17, 1971, marks the 30th anniversary of the founding of this fine school; and

WHEREAS, thousands of Maine students, including the present Governor, have received a superior

education through the efforts of the Maine Maritime Academy; and

WHEREAS, the State of Maine has been the beneficiary of incalculable amounts of favorable publicity and goodwill through extensive visits around the world on the Academy Training Ship, "The State of Maine";

NOW, THEREFORE, I, Kenneth M. Curtis, Governor of the State of Maine, do hereby proclaim March 17, 1971, as

MAINE MARITIME ACADEMY DAY

in the State of Maine and urge all our citizens to join in the observance of this day.

Given at the office of the governor at Augusta, and sealed with the Great Seal of the State of Maine, this Sixteenth day of March, in the Year of Our Lord, One Thousand Nine Hundred and Seventy-one, and of the Independence of the United States of America, the One Hundred and Ninety-fifth.

Kenneth M. Curtis

By the Governor

Secretary of State

Which was Read and Ordered Placed on File.

#### Senate Papers Agriculture

Mr. Schulten of Sagadahoc presented, Bill, "An Act to Amend and Rearrange the Arborist Law." (S. P. 467) (L. D. 1580)

Which was referred to the Committee on Agriculture and Ordered Printed.

Sent down for concurrence.

#### Appropriations and Financial Affairs

Mr. Bernard of Androscoggin presented, Bill, "An Act to Establish the Maine Commission on Children." (S. P. 468) (L. D. 1491)

Mrs. Carswell of Cumberland presented, Bill, "An Act to Provide Additional Positions under the Department of Mental Health and Corrections." (S. P. 469) (L. D. 1490)

Which were referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

### Business Legislation

Mr. Kellam of Cumberland presented, Bill, "An Act to Regulate Revolving Credit Accounts." (S. P. 470) (L. D. 1528)

Mr. Katz of Kennebec presented, Bill, "An Act Relating to Coverage of Treatment by Psychologists under Health and Accident Insurance Contracts." (S. P. 471) (L. D. 1495)

Which were referred to the Committee on Business Legislation and Ordered Printed.

Sent down for concurrence.

### Education

Mrs. Carswell of Cumberland presented, Bill, "An Act to Provide Transportation for Blind Adults Attending Educational Facilities." (S. P. 472) (L. D. 1493)

Mr. Katz of Kennebec presented, Bill, "An Act Creating an Advisory Commission for the Study of Public Support for Post-secondary Education in Maine." (S. P. 473) (L. D. 1492)

Which were referred to the Committee on Education and Ordered Printed.

Sent down for concurrence.

### Fisheries and Wildlife

Mr. Bernard of Androscoggin presented, Bill, "An Act Regulating Catching Lobsters for Noncommercial Home Consumption Use." (S. P. 474) (L. D. 1494)

Which was referred to the Committee on Fisheries and Wildlife and Ordered Printed.

Sent down for concurrence.

### Health and Institutional Services

Mrs. Carswell of Cumberland presented, Bill, "An Act Relating to Rules and Regulations for the Inspection and Licensing of Institutions, Agencies and Boarding Homes." (S. P. 475) (L. D. 1529)

Which was referred to the Committee on Health and Institutional Services and Ordered Printed.

Sent down for concurrence.

### Judiciary

Mr. Kellam of Cumberland presented, Bill, "An Act Relating to the Powers of Eminent Domain" (S. P. 476) (L. D. 1530)

Mr. Wyman of Washington presented, Bill, "An Act Relating to the Preparation of List of Prospective Jurors." (S. P. 477) (L. D. 1531)

Mr. Kellam of Cumberland presented, Bill, "An Act Relating to Defenses for Holders of a Retail Installment Sale Agreement." (S. P. 478) (L. D. 1562)

Mr. Tanous of Penobscot presented, Bill, "An Act to Correct Errors and Inconsistencies in the Public Laws." (S. P. 479) (L. D. 1594)

Which were referred to the Committee on Judiciary and Ordered Printed.

Sent down for concurrence.

### Labor

Mr. Violette of Aroostook presented, Bill, "An Act to Amend the Employment Security Law to Conform to Federal Requirements." (S. P. 480) (L. D. 1595)

Which was referred to the Committee on Labor and Ordered Printed.

Sent down for concurrence.

### Legal Affairs

Mr. Bernard of Androscoggin presented, Bill, "An Act Establishing the Lewiston-Auburn Airport Authority." (S. P. 481) (L. D. 1593)

The Same Senator presented, Bill, "An Act to License and Regulate Suppliers of Compressed Air Used in Self-contained Underwater Breathing Apparatus." (S. P. 482) (L. D. 1518)

Mr. Dunn of Oxford presented, Bill, "An Act Relating to Electrical Inspection." (S. P. 483) (L. D. 1563)

Mr. Tanous of Penobscot presented, Bill, "An Act to Amend the Snowmobile Law." (S. P. 484) (L. D. 1592)

Which were referred to the Committee on Legal Affairs and Ordered Printed.

Sent down for concurrence.

### Natural Resources

Mr. Kellam of Cumberland presented, Bill, "An Act Prohibiting the Landing of Supersonic Transport Planes in Maine." (S. P. 486) (L. D. 1456)

Mr. Schulten of Sagadahoc presented, Bill, "An Act Prohibiting the Discharge of Mercury into Waters of the State." (S. P. 487) (L. D. 1457)

Mr. Violette of Aroostook presented, Bill, "An Act Revising the Maine Land Use Regulation Commission Law." (S. P. 485) (L. D. 1503)

Which were referred to the Committee on Natural Resources and Ordered Printed.

Sent down for concurrence.

#### Public Utilities

Mr. Fortier of Oxford presented, Bill, "An Act Creating the Rumford-Mexico Sewerage District." (S. P. 488) (L. D. 1499)

Which was referred to the Committee on Public Utilities and Ordered Printed.

Sent down for concurrence.

#### State Government

Mr. Berry of Cumberland presented, Bill, "An Act Relating to Temporary Loans by the State." (S. P. 489) (L. D. 1381)

Mr. Violette of Aroostook presented, Bill, "An Act Relating to a Department of Natural Resources." (S. P. 490) (L. D. 1440)

Mrs. Carswell of Cumberland presented, Bill, "An Act Relating to Disclosure of Interests under the Right to Know Law." (S. P. 491) (L. D. 1382)

Mr. Chick of Kennebec presented, Bill, "An Act Relating to the Department of Agriculture." (S. P. 492) (L. D. 1500)

Mr. Fortier of Oxford presented, Bill, "An Act Creating the Municipal Assessment Appeals Board." (S. P. 493) (L. D. 1441)

Mr. Tanous of Penobscot presented, Bill, "An Act to Create the Department of Manpower Affairs." (S. P. 494) (L. D. 1421)

Mr. Clifford of Androscoggin presented, Resolution, Proposing an Amendment to the Constitution to Permit Insurance of Payments on Mortgage Loans Made for Service Enterprises and the Preservation of Certain Business Enterprises. (S. P. 495) (L. D. 1383)

Mr. Sewall of Penobscot presented, Bill, "An Act Relating

to the Laws of the Maine Industrial Building Authority." (S. P. 496) (L. D. 1372)

Mr. Harding of Aroostook presented, Bill, "An Act Relating to a Department of Consumer Protection." (S. P. 497) (L. D. 1458)

Mr. Sewall of Penobscot presented, Bill, "An Act to Create the Department of Environmental Protection." (S. P. 498) (L. D. 1459)

Mr. Shute of Franklin presented, Bill, "An Act Conferring Upon Others the Powers Now Vested in the Executive Council." (S. P. 499) (L. D. 1681)

Which were referred to the Committee on State Government and Ordered Printed.

Sent down for concurrence.

#### Taxation

Mr. Martin of Piscataquis presented, Bill, "An Act Relating to Removal of Certain Municipalities from the Forestry District." (S. P. 500) (L. D. 1460)

Mr. Kellam of Cumberland presented, Bill, "An Act Relating to the Sharing of the State Sales Tax Revenue." (S. P. 501) (L. D. 1461)

Mr. Martin of Piscataquis presented, Bill, "An Act to Provide One Property Tax Rate for the Unorganized Territory." (S. P. 502) (L. D. 1521)

Which were referred to the Committee on Taxation and Ordered Printed.

Sent down for concurrence.

#### Transportation

Mr. Greeley of Waldo presented, Bill, "An Act Relating to Real Property Acquisition for Highways." (S. P. 503) (L. D. 1486)

Mr. Kellam of Cumberland presented, Bill, "An Act Relating to Interstate Highway No. 295." (S. P. 504) (L. D. 1487)

Mr. Kellam of Cumberland presented, Bill, "An Act Relating to Interstate Highways No. 95 and 295." (S. P. 505) (L. D. 1488)

Mr. Greeley of Waldo presented, Bill, "An Act Relating to Relocation Assistance in State Highway Projects." (S. P. 506) (L. D. 1502)

Mr. Kellam of Cumberland presented, Bill, "An Act Relating

to the Maine Turnpike Authority.” (S. P. 507) (L. D. 1489)

Which were referred to the Committee on Transportation and Ordered Printed.

Sent down for Concurrence.

### Committee Reports House Ought to Pass

The Committee on Fisheries and Wildlife on, Bill, “An Act Relating to Weekly Closed Season on Taking Alewives in Town of Orland.” (H. P. 129) (L. D. 184)

Reported that the same Ought to Pass.

The Committee on Transportation on, Bill, “An Act Relating to Turn and Stop Signals on Motor Vehicles.” (H. P. 312) (L. D. 412)

Reported that the same Ought to Pass.

The Committee on Transportation on, Bill, “An Act Relating to Definition of Registration under Motor Vehicle Law.” (H. P. 314) (L. D. 414)

Reported that the same Ought to Pass.

The Committee on Liquor Control on, Bill, “An Act to Relieve Pollution Resulting from Malt Liquor Sales.” (H. P. 397) (L. D. 509)

Reported that the same Ought to Pass.

The Committee on Transportation on, Bill, “An Act Relating to Certificate for Transportation of House Trailers.” (H. P. 407) (L. D. 520)

Reported that the same Ought to Pass.

The Committee on Natural Resources on, Bill, “An Act to Amend the Oil and Gas Conservation and Development Control Act.” (H. P. 499) (L. D. 645)

Reported that the same Ought to Pass.

(On motion by Mr. Berry of Cumberland, tabled pending Acceptance of the Committee Report.)

The Committee on Natural Resources on, Bill, “An Act Upgrading the Classification of Certain Waters of the State.” (H. P. 500) (L. D. 646)

Reported that the same Ought to Pass.

(On motion by Mr. Martin of Piscataquis, tabled and specially assigned for March 24, 1971, pending Acceptance of the Committee Report.)

Comes from the House, the reports Read and Accepted and the Bills Passed to be Engrossed.

Which reports were Read and, except for the tabled matters, Accepted in concurrence, the Bills Read Once and Tomorrow Assigned for Second Reading.

### Ought to Pass in New Draft

The Committee on Fisheries and Wildlife on, Bill, “An Act Relating to Cultivation of Fish in Private Ponds.” (H. P. 265) (L. D. 354)

Reported that the same Ought to Pass in New Draft Under Same Title. (H. P. 1107) (L. D. 1168)

Comes from the House, the report Read and Accepted, and the Bill, in New Draft, Passed to be Engrossed.

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

### Divided Report

The Majority of the Committee on Judiciary on, Bill, “An Act Relating to Counsel’s Argument of Monetary Value of Pain and Suffering in Personal Injury Actions.” (H. P. 196) (L. D. 252)

Reported that the same Ought Not to Pass.

Signed:

Representatives:

HEWES of Cape Elizabeth  
CARRIER of Westbrook  
LUND of Augusta  
BAKER of Orrington  
WHITE of Guilford  
PAGE of Fryeburg  
HENLEY of Norway

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

Signed:

Senators:

QUINN of Penobscot  
TANOUS of Penobscot  
HARDING of Aroostook

Representatives:

ORESTIS of Lewiston  
KELLEY of Caribou  
WHEELER of Portland

Comes from the House, the Majority Ought Not to Pass Report Read and Accepted.

Which reports were Read and the Majority Ought Not to Pass Report of the Committee Accepted in concurrence.

### Senate

#### Ought to Pass — As Amended

Mr. Kellam for the Committee on Legal Affairs on, Bill, "An Act Relating to Aids to Navigation and Regulatory Markers and Removal of Hazards for Safe Passage of Watercraft." (S. P. 116) (L. D. 295)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-32).

Which report was Read and Accepted and the Bill Read Once. Committee Amendment "A" was Read and Adopted and the Bill, as Amended, Tomorrow Assigned for Second Reading.

### Divided Report

Six members of the Committee on State Government on, Resolution, Proposing an Amendment to the Constitution to Abolish the Council and Make Changes in the Matter of Gubernatorial Appointments and Their Confirmation. (S. P. 167) (L. D. 489)

Reported in Report "A" that the same Ought to Pass.

Signed:

Senator:

CLIFFORD

of Androscoggin

Representatives:

COONEY of Webster

GOODWIN of Bath

STARBIRD

of Kingman Township

CURTIS of Orono

FARRINGTON

of Old Orchard Beach

Six members of the same Committee on the same subject matter reported in Report "B" that the same Ought Not to Pass.

Signed:

Senators:

JOHNSON of Somerset

WYMAN of Washington

Representatives:

HODGDON of Kittery

DONAGHY of Lubec

MARSTALLER

of Freeport

STILLINGS of Berwick

Which reports were Read.

On motion by Mr. Harding of Aroostook, tabled and specially assigned for March 24, 1971, pending Acceptance of Either Report.

### Second Readers

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

### House

Bill, "An Act to Create an Interstate Boundary Commission to Establish a Marine Boundary Compact between Maine and New Hampshire." (H. P. 685) (L. D. 920)

Bill, "An Act to Cause the Central Register of Attorneys to be Maintained by the Administrative Assistant to the Chief Justice of the Supreme Judicial Court." (H. P. 195) (L. D. 251)

Bill, "An Act Providing for a Feasibility Study of Alternative Methods for Crossing Fore River." (H. P. 404) (L. D. 517)

Bill, "An Act Providing Handrails for Stairs in Public Buildings." (H. P. 1082) (L. D. 1148)

Bill, "An Act Relating to Trespass on Certain State Institutions." (H. P. 1084) (L. D. 1150)

(See action later in today's session.)

Which were Read a Second Time and Passed to be Engrossed in concurrence.

### House — As Amended

Bill, "An Act Relating to Carrying Life Saving Devices in Canoes." (H. P. 115) (L. D. 159)

Bill, "An Act Relating to the Commitment of Persons to Correctional Centers." (H. P. 461) (L. D. 616)

Which were Read a Second Time and Passed to be Engrossed, as Amended, in concurrence.

Bill, "An Act Relating to the Control of Dogs." (H. P. 270) (L. D. 359) Which was Read a Second Time.

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

Mr. HARDING of Aroostook: Mr. President, I move that Bill, "An Act Relating to the Control of



Dogs", be indefinitely postponed, and I would like to speak to my motion.

The PRESIDENT: The Senator from Aroostook, Senator Harding, moves that Bill, "An Act Relating to the Control of Dogs", be indefinitely postponed.

The Senator has the floor.

Mr. HARDING: Mr. President and Members of the Senate: A few days ago we debated another bill whereby this body was getting back into home rule again. I think this is very inadvisable. This is an area where, if the municipalities do not take an interest, there is going to be no control.

Actually, if we were to be factual in this case, and we were to provide legislation for the control of dogs, we should have an appropriation of probably a million or maybe as much as five million dollars, because the fact of the matter is, as you know and I know, that state police officers are not going to chase dogs around the various municipalities to control them.

In order to implement this bill you would have to have dog pounds. There is no appropriation with this bill to build dog pounds. Either the municipalities build the dog pounds or there are no dog pounds. Either the municipalities have a dog constable to chase these dogs or else the dogs are not chased. This is an area which is particularly within the purview of the municipalities and we ought to leave it that way, and not get back into the area of telling these towns and cities what they ought or ought not to do.

There is another provision of this bill which I find very reprehensible, and this is the minimum mandatory fine of \$25 for any violation under this act. This is very bad. I mean, I know older people whose only friend and the only company they have is a dog and, if this dog makes a violation, to subject these people to a \$25 fine is certainly very unreasonable.

This is a very, very bad kind of thing to get back into. We have now passed legislation to give home rule. Let's leave it that way, so that if the municipalities want

a dog ordinance they pass the dog ordinance and they provide the funds to enforce the dog ordinance. Let's not get back into this kind of thing.

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

Thereupon, on motion by Mr. Quinn of Penobscot, tabled and specially assigned for March 24, 1971, pending the motion by Mr. Harding of Aroostook that the Bill be Indefinitely Postponed.

### Enactors

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

An Act to Authorize the Beaver Cove Water Company to Utilize the Water of Moosehead Lake. (H. P. 541) (L. D. 713)

An Act Regulating Imitation Milk and Milk Products. (H. P. 376) (L. D. 491)

An Act to Clarify the Recreation Authority Act. (H. P. 81) (L. D. 121)

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

### Emergency

An Act Relating to Salary of Executive Secretary of the Board of Barbers. (H. P. 65) (L. D. 106)

This being an emergency measure and having received the affirmative votes of 26 members of the Senate, and 5 Senators having voted in the negative, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

### Emergency

An Act Increasing the Number of Members on the Board of Trustees of the Bath Water District. (H. P. 539) (L. D. 712)

This being an emergency measure and having received the affirmative votes of 30 members of the Senate, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

### Emergency

An Act to Validate Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 22. (H. P. 645) (L. D. 875)

This being an emergency measure and having received the affirmative votes of 31 members of the Senate, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

### Emergency

An Act Appropriating Funds for Defaulted Maine Sugar Industries, Inc. Loans. (S. P. 370) (L. D. 951)

Comes from the House having Failed of Enactment.

Mr. Berry of Cumberland moved that the matter be tabled pending Passage.

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

Mr. VIOLETTE of Aroostook: Mr. President, may I inquire through the Chair of the Senator from Cumberland, Senator Berry, if he would assign a time for the tabling of this matter?

Mr. President, I request a division.

The PRESIDENT: The pending question before the Senate is the motion of the Senator from Cumberland, Senator Berry, that An Act Appropriating Funds for Defaulted Maine Sugar Industries, Inc. Loans be placed on the table, pending enactment. A division has been requested. As many as are in favor of the motion of the Senator from Cumberland, Senator Berry, that this bill be placed on the table pending enactment will please rise and remain standing until counted. Those opposed will please rise and remain standing until counted.

A division was had. Sixteen Senators having voted in the affirmative, and fourteen Senators having voted in the negative, the tabling motion prevailed.

### Orders of the Day

The President laid before the Senate the first tabled and specially assigned matter:

House Reports — from the Committee on Taxation on Bill, "An Act to Eliminate Moose River from the Maine Forestry District." (H. P. 141) (L. D. 196) Majority Report, Ought Not to Pass; Minority Report, Ought to Pass.

Tabled — March 10, 1971 by Senator Wyman of Washington.

Pending—Acceptance of Either Report.

Mr. Martin of Piscataquis then moved that the Senate Accept the Minority Ought to Pass Report of the Committee.

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

Mr. BERRY of Cumberland: Mr. President, in deference to the absence of the Senator from Washington, I had thought that this matter would be tabled without any previous action. Consequently, I hope that somebody would table this until next Tuesday.

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

Thereupon, on motion by Mr. Hoffses of Knox, tabled and specially assigned for March 23, 1971, pending the motion by Mr. Martin of Piscataquis to Accept the Minority Ought to Pass Report of the Committee.

The President laid before the Senate the second tabled and specially assigned matter:

Bill, "An Act Limiting the Amount of Money Spent by Candidates Seeking Political Office." (S. P. 398) (L. D. 1011)

Tabled—March 10, 1971 by Senator Shute of Franklin.

Pending — Passage to be Engrossed.

On motion by Mr. Shute of Franklin, retabled and Tomorrow Assigned, pending Passage to be Engrossed.

The President laid before the Senate the third tabled and specially assigned matter:

Joint Order—Relative to Joint Select Committee of Inquiry to Study the Department of Mental Health and Corrections. (S. P. 423)

Tabled—March 11, 1971 by Senator Carswell of Cumberland.

Pending—Passage.

On motion by Mrs. Carswell of Cumberland, retabled and specially assigned for March 23, 1971, pending Passage.

The President laid before the Senate the fourth tabled and specially assigned matter:

Bill, "An Act Relating to Snow Removal on State Highways in Built-up Sections of Certain Municipalities." (H. P. 311) (L. D. 411)

Tabled—March 12, 1971 by Senator Moore of Cumberland.

Pending—Passage to be Engrossed.

Thereupon, the Bill was Passed to be Engrossed in concurrence.

The President laid before the Senate the fifth tabled and specially assigned matter:

Bill, "An Act Relating to Definition of Wholesaler under Liquor Law." (H. P. 1067) (L. D. 1127)

Tabled—March 16, 1971 by Senator Shute of Franklin.

Pending—Passage to be Engrossed.

Thereupon, the Bill was Passed to be Engrossed in concurrence.

The President laid before the Senate the sixth tabled and specially assigned matter:

Bill, "An Act Relating to Licenses for Harness Horse Racing and Stipend Fund." (H. P. 321) (L. D. 430)

Tabled—March 16, 1971 by Senator Chick of Kennebec.

Pending—Motion to Reconsider Enactment.

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

Mr. CHICK of Kennebec: Mr. President and Members of the Senate: I held this bill up because one community thought there might be a conflict and they wanted a chance to look into it. They reported to me this morning that they find it all right, so I hope that the Senate will vote against my motion to reconsider.

The PRESIDENT: The pending question before the Senate is the motion of the Senator from Kennebec, Senator Chick, that the Senate reconsiders its action where-

by this Bill was Passed to be Enacted. As many Senators as are in favor of reconsideration will say "Yes"; those opposed will say "No".

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

The President laid before the Senate the matter tabled earlier in today's session by Mr. Katz of Kennebec:

#### **Non-concurrent Matter**

Resolution, Proposing an Amendment to the Constitution Reducing the Size of the House of Representatives and the Senate. (S. P. 436) (L. D. 1146)

In the Senate March 12, 1971, Passed to be Engrossed.

Comes from the House, the Reports and Resolution Indefinitely Postponed, in non-concurrence.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: This bill has been before us before. It was not well debated. I noticed the action of the other house, and I also read in the paper alternative suggestions that this bill be recommitted to the Committee on State Government. I think that this would serve no useful purpose. I think the purpose of recommitting is for a bill which is tremendously complicated and which a simple amending process can't take care of. So, I would oppose any move to recommit this bill.

I think that the reasons for the opponents, as expressed in the press, pretty clearly indicate that basically some people don't want the bill. I think that the basis on which they don't want the bill is not the content of the bill at all. But it seems to be that there is an area of possible compromise within the bill which will retain the reporting procedure. Consequently, I would like to defer any action on it this morning and hope that someone would table it until Tuesday next.

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

Thereupon, on motion by Mr. Violette of Aroostook, retabled and

specially assigned for March 23, 1971, pending further Consideration.

### Order

Out of Order and under suspension of the rules, on motion by Mr. Levine of Kennebec:

WHEREAS, the Purple Panther Ice Hockey Team of Waterville High School has completed the 1970-1971 season with a record of 27 wins and 1 loss; and

WHEREAS, Waterville High School now holds its third consecutive State of Maine Ice Hockey Championship title; and

WHEREAS, Waterville High School's ice hockey team will represent the State of Maine in the New England Tournament on March 19 and 20, 1971; now, therefore, be it

ORDERED, that we, the Members of the Senate of the 105th Maine State Legislature, extend our heartiest congratulations to Coach Noel "Spat" Roy and his State Championship Team and wish them continued success in their efforts to bring honor to their city, school and State at the New England Tournament; and be it further

ORDERED, that duly attested copies of this Order be transmitted forthwith by the Secretary to the mayor, principal and coach, in token of the sentiments expressed herein.

Which was Read.

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

Mr. LEVINE of Kennebec: Mr. President and Members of the Senate: What is unique about this order is, not so much that Waterville has been winning right along, the unique thing about it is that the coach of our school is just one good guy, one good fellow, that works in a store. He only gets compensated \$1,000 a year for his work and he helps keep our youngsters from the street. For anybody to play on the hockey team, they have strict rules in the school: the boys have to behave, they can't drink, and they don't have time to run around and cause trouble. That is a move in the right direction.

Another thing I wanted to bring out on something else we have done here in the legislature two years ago which has worked out very well, is our action when we passed the Kennebec Vocational School. I am glad to report to this body that after the Department of Education looked it over they found out that it was the most economical school and the best run in the state. So, what I am trying to bring out is that money doesn't always do everything. It is the people that you have interested in it; if they try to do a good job and give of themselves they will do more a lot of times than a lot of money. Thank you.

The PRESIDENT: Is it now the pleasure of the Senate that this order receive Passage?

Thereupon, the Order received Passage.

### Reconsidered Matters

On motion by Mr. Tanous of Penobscot, the Senate voted to reconsider its action of earlier in today's session whereby Bill, "An Act Relating to Trespass on Certain State Institutions", (H. P. 1084) (L. D. 1150), was Passed to be Engrossed.

Thereupon, on further motion by the same Senator, tabled and Tomorrow Assigned, pending Passage to be Engrossed.

Mr. Hichens of York moved that the Senate reconsider its action of yesterday whereby on Bill, "An Act Relating to Health Warnings on Labels on Liquor Bottles", (H. P. 355) (L. D. 475), the Majority Ought Not to Pass Report of the Committee was Accepted.

The same Senator then further moved that the Bill be tabled and Tomorrow Assigned, pending the motion by that Senator to Reconsider.

Thereupon, on motion by Mr. Minkowsky of Androscoggin, a division was had. Twenty-six Senators having voted in the affirmative, and three Senators having voted in the negative, the tabling motion prevailed.

### (Off Record Remarks)

On motion by Mr. Hoffses of Knox,

Adjourned until 9 o'clock tomorrow morning.