

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Fifth

Legislature

OF THE

STATE OF MAINE

1971

KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Friday, March 26, 1971

Senate called to order by the President.

Prayer by the Rev. Ondon P. Stairs of Augusta.

Reading of the Journal of yesterday.

Joint Order

Out of Order and Under Suspension of the Rules:

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, March 30, at 10 o'clock in the morning. (S. P. 523)

Which was Read and Passed.

Sent down forthwith for concurrence.

House Papers

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

Communications

State of Maine

House of Representatives

Office of the Clerk

Augusta, Maine

March 26, 1971

Hon. Harry N. Starbranch

Secretary of the Senate

105th Legislature

Sir:

The House today voted to Adhere to its action whereby it indefinitely postponed Reports and Bill on "An Act relating to Leave of Absence for Legislative Service by Teachers" (H. P. 505) (L. D. 651)

The House also voted to Adhere to its action whereby Bill "An Act relating to Penalty for Injuring Watercraft and Entering of Watercraft Without Permission" (H. P. 1083) (L. D. 1149) was indefinitely postponed.

Respectfully,

s/BERTHA W. JOHNSON
Clerk of the HouseWhich was Read and Ordered
Placed on File.**Orders**

On motion by Mrs. Carswell of Cumberland,

WHEREAS there is serious public concern as to the administration

and operation of our mental institutions; and

WHEREAS, there is continuing evidence of inability to recruit and retain professional and non-professional staff; and

WHEREAS, there is substantial evidence of sagging morale among dedicated employees to the extent there is reason to believe patient care may suffer; and

WHEREAS, the Baumgarten Report of 1968 brings serious problems to light, with recommendations for change; and

WHEREAS, the public responsibility towards patients in the care and custody of these institutions demands compassionate care of the highest quality and the full protection of the constitutional and civil rights of those committed to our care; now, therefore, be it

ORDERED, the House concurring, that a Special Joint Select Committee of Inquiry be appointed to study, review and analyze the operations, rules, regulations, procedures and programs of the Department of Mental Health and Corrections as they pertain to our mental institutions to ascertain that department appropriations are being administered in an effective and productive manner for the welfare of the citizens of Maine; and be it further

ORDERED, that said committee shall consist of 3 members of the Senate appointed by the President of the Senate and 7 members of the House appointed by the Speaker of the House of Representatives who shall serve without compensation, but shall be reimbursed for their actual expenses incurred in the performance of their duties under this Order; such sums to be paid out of the Legislative Appropriation; and said committee shall elect its own chairman and such other officers as it deems desirable; and be it further

ORDERED, that this special committee report its findings and recommendations forthwith to the 105th Legislature; and be it further

ORDERED that all departments and agencies of State Government shall cooperate with the committee and are directed to provide such technical and other assistance as the committee deems necessary or

desirable to carry out the purposes of this Order, including but not limited to personnel and staff as a part of their regular employment; and be it further

ORDERED, that the special committee shall have the authority to employ professional and clerical assistance as they deem necessary within the limits of funds provided; and be it further

ORDERED, that there is allocated to this special committee from the Legislative Appropriation the sum of \$5,000 to carry out the purposes of this Order.

Which was Read.

On motion by the same Senator, tabled until later in today's session, pending Passage.

Committee Reports House

The following Ought Not to Pass report shall be placed in the legislative files without further action pursuant to Rule 17-A of the Joint Rules: Bill, "An Act Providing Resident State Troopers in Municipalities Having No Organized Police Forces." (H. P. 406) (L. D. 519)

Leave to Withdraw

The Committee on State Government on, Bill, "An Act Increasing the Mileage Allowance for State Employees on State Business." (H. P. 757) (L. D. 1124)

Reported that the same be granted Leave to Withdraw.

The Committee on State Government on, Bill, "An Act Relating to Maternity Leave for State Employees." (H. P. 363) (L. D. 470)

Reported that the same be granted Leave to Withdraw.

Come from the House, the reports Read and Accepted.

Which reports were Read and Accepted in concurrence.

Ought to Pass - As Amended

The Committee on Legal Affairs on, Bill, "An Act Amending and Restating the Act to Incorporate York Institute." (H. P. 349) (L. D. 458)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-67).

The Committee on Business Legislation on, Bill, "An Act Relat-

ing to Rebates for Prospective Purchasers and Consumer's Obligation under Home Solicitation Sales Act." (H. P. 380) (L. D. 495)

Reported that the same Ought to Pass as Amended by Committee "A" (H-63).

The Committee on Business Legislation on, Bill, "An Act Relating to Number of Board of Directors of Maine Fidelity Life Insurance Company." (H. P. 549) (L. D. 725)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-64).

The Committee on Legal Affairs on, Resolve, to Reimburse the Town of Hermon for Support Rendered an Unsettled State Welfare Case. (H. P. 655) (L. D. 886)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-66).

The Committee on Liquor Control on, Bill, "An Act Permitting Class A Taverns to Sell Food." (H. P. 748) (L. D. 1009)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-68).

The Committee on Education on, Bill, "An Act Relating to Subsidy Payments on Expenditures Made for the Education of Handicapped Children." (H. P. 704) (L. D. 947)

Reported that the same Ought to Pass as Amended by Committee Amendments "A" (H-65).

Come from the House, the reports Read and Accepted and the Bills and Resolve Passed to be Engrossed as Amended by Committee Amendments "A".

Which reports were Read and Accepted in concurrence and the Bills and Resolve Read Once. Committee Amendments "A" were Read and Adopted in concurrence and the Bills and Resolve, as Amended, Tomorrow Assigned for Second Reading.

Ought to Pass in New Draft

The Committee on Education on, Bill, "An Act Relating to Financial Assistance to Institutional Teachers in Obtaining Professional Credits." (H. P. 183) (L. D. 241)

Reported that the same Ought to Pass in New Draft Under Same Title. (H. P. 1218) (L. D. 1409)

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 Transportation on, Bill, "An Act Removing Tolls from Bangor-Brewer Bridge." (H. P. 16) (L. D. 25)

Reported that the same Ought to Pass.

Signed:

Senators:

GREELEY of Waldo
JOHNSON of Somerset
KELLAM of Cumberland

Representatives:

WOOD of Brooks
CROSBY of Kennebunk
DUDLEY of Enfield
HALL of Windham
BARNES of Alton
KEYTE of Dexter
FRASER of Mexico

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

Signed:

Representatives:

LEBEL of Van Buren
LEE of Albion
McNALLY of Ellsworth

Comes from the House, the Majority Ought to Pass report Read and Accepted and the Bill Passed to be Engrossed.

Which reports were Read.

Mr. Quinn of Penobscot then moved that the Senate accept the Majority Ought to Pass Report of the Committee.

On motion by Mr. Greeley of Waldo, tabled and specially assigned for April 2, 1971, pending the motion by Mr. Quinn of Penobscot to accept the Majority Ought to Pass Report of the Committee.

Divided Report

The Majority of the Committee on Education on, Bill, "An Act Providing for Scholarships for North American Indians Residing in Maine." (H. P. 260) (L. D. 342)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-74).

Signed:

Representatives:

MILLETT of Dixmont
HASKELL of Houlton
WOODBURY of Gray
LYNCH

of Livermore Falls
BITHER of Houlton
MURRAY of Bangor
TYNDALE

of Kennebunkport
LUCAS of Portland
LAWRY of Fairfield

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass as Amended by Committee Amendment "B" (H-75).

Signed:

Senators:

KATZ of Kennebec
CHICK of Kennebec
MINKOWSKY

of Androscoggin

Representative:

SIMPSON of Standish

Comes from the House, the Majority Ought to Pass as Amended report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-74).

Which reports were Read.

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

Mr KATZ of Kennebec: Mr. President and Members of the Senate: I point out that this bill attempts to set up a scholarship program for North American Indians residing in the State of Maine. The bill has an appropriations tag on it so its ultimate future is a little undecided.

The difference between the two reports is as follows: The majority report not only extends a scholarship opportunity to Indians in post-secondary education but also permits them under certain circumstances to attend private institutions of their choice on a scholarship. So if a Maine Indian, for example, wished to attend for some particular reason Phillips Andover Academy, he would be permitted to under the majority report. The minority report restricts the opportunities to post-

high school educational opportunities.

As a signer of the minority report, I move that the minority report be accepted.

The PRESIDENT: The Senator from Kennebec, Senator Katz, moves that the Senate accept the Minority Ought to Pass as Amended Report of the Committee. Is this the pleasure of the Senate?

The motion prevailed and the Minority Ought to Pass as Amended Report of the Committee was Accepted in non-concurrence.

Thereupon, the Bill was Read Once. Committee Amendment "B" was Read and Adopted in non-concurrence and the Bill, as Amended, Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Labor on, Bill, "An Act to Regulate Industrial Homework." (H. P. 462) (L. D. 590)

Reported that the same Ought Not to Pass.

Signed:

Senators:

TANOUS of Penobscot
MARCOTTE of York

Representatives:

SIMPSON of Millinocket
KELLEY of Machias
BUSTIN of Augusta
LEE of Albion
ROLLINS of Dixfield
LINCOLN of Bethel
GOOD of Westfield

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-78).

Signed:

Senator:

LEVINE of Kennebec

Representatives:

McTEAGUE of Brunswick
GENEST of Waterville
BEDARD of Saco

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

The following Ought Not to Pass reports shall be placed in the legislative files without further action pursuant to Rule 17-A of the Joint Rules:

Bill, "An Act Relating to Amount of Aid for the Aged, Blind or Disabled." (S. P. 28) (L. D. 61)

Bill, "An Act Relating to Budgets of Recipients of Old Age Assistance." (S. P. 29) (L. D. 62)

Sent to the House.

Leave to Withdraw

Mr. Peabody for the Committee on Agriculture on, Bill, "An Act Relating to Boarding of Dogs." (S. P. 139) (L. D. 378)

Reported that the same be granted Leave to Withdraw.

Mr. Katz for the Committee on Education on, Bill, "An Act Relating to Powers and Duties of School Directors." (S. P. 388) (L. D. 1143)

Reported that the same be granted Leave to Withdraw.

Which reports were Read and Accepted.

Sent down for concurrence.

Ought to Pass

Mr. Hoffses for the Committee on Fisheries and Wildlife on, Bill, "An Act Relating to Changes of Fishing Regulations by the Legislature." (S. P. 321) (L. D. 935)

Reported that the same Ought to Pass.

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

Ought to Pass - As Amended

Mr. Johnson for the Committee on Transportation on, Bill, "An Act Relating to the Color of School Buses no Longer Used for School Purposes." (S. P. 210) (L. D. 643)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-46).

Which report was Read.

On motion by Mr. Hichens of York, tabled and specially assigned for March 31, 1971, pending Acceptance of the Committee Report.

Mr. Anderson for the Committee on Fisheries and Wildlife on, Bill, "An Act Permitting the State Park and Recreation Commission to Sell Snowmobile Trail Marking Signs

and Charts." (S. P. 219) (L. D. 665)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-45).

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.

Second Readers

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

House

Bill, "An Act Relating to Issuance of Malt Liquor Licenses." (H. P. 429) (L. D. 563)

Bill, "An Act Authorizing Use of the Name Maine Association of Real Estate Boards." (H. P. 494) (L. D. 635)

Bill, "An Act Prohibiting Beaver Trapping by Nonresidents." (H. P. 590) (L. D. 785)

Bill, "An Act Changing Name of Downeast Association of Independent Schools." (H. P. 602) (L. D. 804)

Bill, "An Act Requiring Childhood Education Programs for Five-Year-Olds." (H. P. 643) (L. D. 873)

Resolve Authorizing the Forest Commissioner to Convey Certain Land in Franklin County. (H. P. 724) (L. D. 969)

Resolve to Reimburse Perley E. Joy of Milo for Loss of Bee Hives by Bear. (H. P. 783) (L. D. 1059)

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

House - As Amended

Bill, "An Act Relating to Retirement Benefits for Forest Rangers under State Retirement System." (H. P. 318) (L. D. 418)

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

Senate

Bill, "An Act Relating to Ice Fishing in the Allagash Waterway." (S. P. 176) (L. D. 528)

RESOLUTION, Proposing a s Amendment to the Constitution to Change the Time for Filing an Initiative Petition. (S. P. 382) (L. D. 1139)

Bill, "An Act Relating to Retirement Allowance for Former Governors." (S. P. 521) (L. D. 1419)

Bill, "An Act Relating to Compensation Payments under Workmen's Compensation Law." (S. P. 522) (L. D. 1420)

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

Sent down for concurrence.

Enactors

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

An Act Relating to Charges for Transporting Milk. (H. P. 515) (L. D. 678)

An Act Increasing the Hundred-weight Fees Payable to Maine Milk Commission. (H. P. 516) (L. D. 679)

An Act to Appropriate Funds for Payment to Veterinarians for Vaccinating Against Brucellosis. (H. P. 626) (L. D. 849)

(On motion by Mr. Sewall of Penobscot, placed on the Special Appropriations Table.)

Which, except for the tabled matter, 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 item of unfinished business:

Bill, "An Act Relating to Payment for Sales of Malt Liquor or Wine in Retail Stores." (H. P. 535) (L. D. 708)

Tabled — March 18, 1971 by Senator Shute of Franklin.

Pending — Assignment for Second Reading.

Mr. Hichens of York then moved that the Bill be Indefinitely Postponed.

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

Mr. SHUTE of Franklin: Mr. President, I would ask for a division on that motion.

The PRESIDENT: A division has been requested.

The Chair recognizes the Senator from Cumberland, Senator Moore.

Mr. MOORE of Cumberland: Mr. President, I would like to have some explanation on the bill, as to why we should indefinitely postpone it or shouldn't.

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

Mr. SHUTE of Franklin: Mr. President and Members of the Senate: L. D. 708 is one of several bills which came before the Liquor Control Committee.

In the 104th Legislature the age requirement for a person to sell liquor in a store was lowered from 18 to 17, and this related to the sale of malt liquors. As one of several bills coming before the Liquor Control Committee, the Committee decided that this was the best of the several vehicles and decided to go along with the lowering of the age to 17.

Now, as each one of you realizes, grocery stores and so - called "Mama and Papa stores", which are open many hours of the day, do employ 17 - year olds as well as the supermarkets at the check - out counters. Many of these stores are permitted to sell wines along with malt liquor. Now, a 17 - year old who is on a check - out counter has to be replaced by an 18 - year old or a 20 - year old when someone comes along with a purchase of wine and it seemed to me and it seemed to the majority of the Committee that this was inconsistent with the law which was already on the books that 17 - year olds are permitted to take sales of malt liquor and not be permitted to take sales for table wines.

The other body attached an amendment onto this bill which would require the lowering from 20 to 17 or 18 years of another person of adult age to be on the premises, and the Committee rejected this and came out with a divided report. The majority favored, of course, the retention of the 17 - year old, but definitely did not want anyone on the premises under the age of 20, a responsible person. Now this objectionable feature has been eliminated by the other body and now the bill, in the Committee's opinion, is ready to be assigned for second reading and passed to

be engrossed. This is the current situation with this document, and we would be opposed to the indefinite postponement of this measure.

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

Mr. HICHENS of York: Mr. President and Members of the Senate: This bill is of great personal interest to me due to the fact that as House Chairman of the Liquor Control Committee during the 103rd and 104th Legislatures similar L.D.'s were considered.

In the 103rd, check-out clerks for beer sales of below 18 years of age was refused. In the 104th, with the sale of wine in the grocery stores pending, much pressure was put on us to lower the age of check - out clerks for the sale of beer to 16 and to forget wine sales altogether. Finally, in a committee of conference I compromised and agreed to 17 - year old check - out clerks, providing that the age would remain at 18 for wine sales. I was assured by one of the men who spoke for the chain stores that as far as he was concerned we could raise the age for wine sales clerks to 20 years old.

This year they came back in and screeched about the inconsistency of our age for check - out clerks, one at 17 and one at 18. If we want to take care of that inconsistency, I would move that we should go back to the 18 - year olds for both check - out clerks and we wouldn't have the inconsistency that now exists.

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

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: I hesitate somewhat to disagree with my good friend and colleague, the Senator from York, Senator Hichens, but I would like to point out a little circumstance that I saw in a chain store here in the City of Augusta just last week.

I was making a small purchase myself and I was waiting for the gentleman just ahead of me at the check - out counter. Now, there was a young lady there who was doing the checking out. I was not aware of her age until she got to

the customer's purchase of a bottle of wine. She took the bottle of wine from its position at the check-out counter, moved it over approximately one foot, said to the customer, "You will have to wait a moment", whereupon she called one of the floorwalkers or assistant managers, whatever, over and this gentleman stepped up to the counter, turned the bottle of wine around, looked at the price tag on the bottle, made the recorded sale on the cash register and immediately stepped back. This young lady again took the bottle of wine and, along with the other items, placed it in the bag. Now, the only thing that this girl did not do was the actual punching of the cash register recording the sale. She handled the bottle of wine prior to the recording, and she packaged the bottle of wine as soon as the man recorded the sale.

I felt at that time that this was a little ridiculous, and I was reminded of this bill before us at the time. So I would hope that you would go along with the majority of the Liquor Control Committee on this particular legislative document. And I do again make my apologies to the good Senator from York, well knowing his position in these matters.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion of the Senator from York, Senator Hichens, that Bill "An Act Relating to Payment for Sales of Malt Liquor or Wine in Retail Stores" be indefinitely postponed. A division has been requested. As many Senators as are in favor of the motion to indefinitely postpone this bill will please rise and remain standing until counted. Those opposed will please rise and remain standing until counted.

A division was had. Five Senators having voted in the affirmative, and twenty-three Senators having voted in the negative, the motion did not prevail.

Thereupon, the Bill was Tomorrow Assigned for Second Reading.

The President laid before the Senate the second term of unfinished business:

Bill, "An Act Relating to Operation of Snowmobiles in Cemeteries." (H. P. 299) (L. D. 399)

Tabled — March 23, 1971 by Senator Quinn of Penobscot.

Pending — Consideration.

Thereupon, the Senator voted to Recede and Concur.

The President laid before the Senate the third item of unfinished business:

SENATE REPORTS — from the Committee on State Government on Bill, "An Act Relating to Disposition of Portion of Fees Collected by Maine State Park and Recreation Commission." (S. P. 20) (L. D. 48) Majority Report, Ought Not to Pass; Minority Report, Ought to Pass with Committee Amendment "A"—Filing S-26.

Tabled — March 23, 1971 by Senator Johnson of Somerset.

Pending — Acceptance of Either Report.

On motion by Mr. Moore of Cumberland, retabled and specially assigned for March 31, 1971, pending Acceptance of Either Report.

The President laid before the Senate the fourth item of unfinished business:

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 23, 1971 by Senator Berry of Cumberland.

Pending — Motion by Senator Martin of Piscataquis to Accept the Minority Ought to Pass Report.

The PRESIDENT: The Chair recognizes the Senator from Washington, Senator Wyman.

Mr. WYMAN of Washington: Mr. President and Members of the Senate: I rise in opposition to the motion of the good Senator from Piscataquis, Senator Martin, to accept the Minority Report on L. D. 196.

The Forestry District was created for the protection of forests from destruction by fire and consists of the unorganized townships, plantations, and fifty-four municipalities.

In the organized towns the tax is assessed upon the value of the land, and this includes dams and powerhouses but it does not include any other structures or buildings. And if this legislature should find that the tax is highly discriminatory to Moose River, it must be equally so to the other municipalities, and perhaps the unorganized townships as well. If this be the case, the state would then be found with what might be called a run on the district, which would leave large areas of the state without forest fire protection.

Now, let us see what happens when we have a forest fire, as in the case of the Centerville fire a few years ago, which cost in excess of \$290,000. The Forestry District paid \$192,000, to cover the cost of this fire in the two towns included in the district, while the cost to the towns outside the Forestry District was \$98,000; \$94,000 of which was eventually paid from the general fund of the State. Had it not been for the existence of the Maine Forestry District, the total appropriation from the general fund of the State of Maine would have been not \$94,000, but \$284,000, more than a quarter of a million dollars.

If my figures are correct, in the case of Moose River the latest Forestry District Tax was \$2,955 per year, of which \$1,093 was paid by one non-resident landholder. This leaves \$1,862 which was paid by the remaining landowners in Moose River, certainly not a large sum. What is at stake here is not simply tax relief to the extent of \$1,862 for the residents of Moose River. What really is at issue is the entire forest fire prevention and suppression program for the State of Maine, and more specifically those sections which find themselves particularly susceptible to a forest fire conflagration and vulnerable by their location to the destructive forces of fire in the big woods.

I would therefore urge you to vote against the motion of the Senator from Piscataquis to adopt the Minority Ought to Pass Report, because what you are voting for is much more than the \$1,862 in taxes for the residents of Moose

River, but instead is, in effect, a vote on the means of fire protection and suppression in the forest areas of this state.

We cannot allow a system which was organized to provide forest fire protection in a vast area of Maine to be eroded by carving out small areas on a piecemeal basis.

This action would set a precedent that might come back to haunt all the taxpayers of Moose River, and the State of Maine in general, if a forest fire were to erupt in that area. Thank you.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Piscataquis, Senator Martin.

Mr. MARTIN of Piscataquis: Mr. President and Members of the Senate: In the absence of several members who have great interest in this problem, I would like someone to table this until next Wednesday.

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

Mr. Graham of Cumberland then moved that the Bill be tabled and Tomorrow Assigned, pending the motion by Mr. Martin of Piscataquis, to Accept the Minority Ought to Pass Report of the Committee.

Thereupon, on motion by Mr. Berry of Cumberland, a division was had. Fourteen Senators having voted in the affirmative, and twelve Senators having voted in the negative, the tabling motion prevailed.

The President laid before the Senate the fifth item of unfinished business:

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)

Tabled — March 24, 1971 by Senator Hoffses of Knox.

Pending — Passage to be Engrossed.

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

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: I have prepared an amendment for this document and I just this morning at my desk here

received a letter from Mr. West of the Attorney General's Department, and he pointed out some minor changes which should be made in the amendment I prepared for introduction. So I hope someone might table this matter until the next legislative day in order that I may have an opportunity to clean this document up before I present it.

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

Thereupon, on motion by Mr. Berry of Cumberland, retabled and Tomorrow Assigned, pending Passage to be Engrossed.

The President laid before the Senate the sixth item of unfinished business:

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

Tabled — March 24, 1971 by Senator Shute of Franklin.

Pending — Adoption of Senate Amendment "A" — Filing S-34.

On motion by Mr. Shute of Franklin, retabled and specially assigned for March 31, 1971, pending Adoption of Senate Amendment "A".

The President laid before the Senate the seventh item of unfinished business:

Ratification Resolution for 18 - Year - Old Vote Amendment. (H. P. 1224)

Tabled — March 24, 1971 by Senator Berry of Cumberland.

Pending — Adoption.

On motion by Mr. Berry of Cumberland, Referred to the Committee on State Government in non - concurrence.

Sent down for concurrence.

The President laid before the Senate the eighth item of unfinished business:

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

Tabled — March 24, 1971 by Senator Berry of Cumberland.

Pending — Passage to be Engrossed.

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

Mr. TANOUS of Penobscot: Mr. President, I had made a motion for indefinite postponement of this and I recall the motion went through. Then, as I remember, Senator Katz of Kennebec wanted to place this matter on the Appropriations Table. If Senator Katz is still of the same mind, I would go along with this, if he desires to make that motion. Otherwise than that, I still would request indefinite postponement on this bill, and so move.

The PRESIDENT: The Chair would inform the Senator that the motion to indefinitely postpone did prevail. The motion to indefinitely postpone was reconsidered and passed. A motion to indefinitely postpone again is not in order.

The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: I think that all of us understand that if this bill is kept alive it will be placed on the Appropriations Table. I move the pending question.

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

The President laid before the Senate the following 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 23, 1971 by Senator Carswell of Cumberland.

Pending — Passage.

Thereupon on motion by Mrs. Carswell of Cumberland the Joint Order was Indefinitely Postponed.

The President laid before the Senate the Joint Order tabled earlier in today's session by Mrs. Carswell of Cumberland, pending Passage.

Thereupon, on motion by Mr. Hichens of York, tabled and specially assigned for March 31, 1971, pending Passage.

Reconsidered Matter

Mr. Tanous of Penobscot moved that the Senate reconsider its ac-

tion of yesterday whereby Bill, "An Act Relating to Service Retirement of Liquor Inspectors", (S. P. 245) (L. D. 706), was Passed to be Engrossed.

On further motion by that Senator, tabled and specially assigned for March 31, 1971, pending the motion to Reconsider.

(Senate at Ease.)

Called to order by the President. Out of order and under suspension of the rules, the Senate voted to take up the following:

Papers From The House

Joint Order

ORDERED, the Senate concurring, that the following be recalled from the Governor's Office to the House: Bill, "An Act Relating to Candidates by Primary Election or Nomination Petition and Time for Filing Nomination Petition." (H. P. 952) (L. D. 990)

(H. P. 1229)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

Enactor

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

Emergency

An Act Creating the Kennebec Sanitary Treatment District. (S. P. 309) (L. D. 953)

This being an emergency measure and having received the affirmative vote of 26 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.

(Off Record Remarks)

The Adjournment Order having been returned from the House, Read and Passed in concurrence, on motion by Mr. Hoffses of Knox,

Adjourned until March 30, 1971 at 10 o'clock in the morning.