

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fifth  
Legislature*

OF THE

STATE OF MAINE

Volume II

May 5, 1971 to June 15, 1971

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Monday, May 10, 1971

Senate called to order by the President.

Prayer by the Rev. Fr. Louis J. Fortier of Augusta.

Reading of the Journal of yesterday.

**Papers From The House  
Joint Resolution**

WHEREAS, the people of Maine and the Nation pay tribute to great American citizens on notice of their birthdates, and

WHEREAS, the people of Maine and the Nation hold in especial high esteem this great Nation's living former Presidents, and

WHEREAS, the birthdate of one of the Nation's greatest former Presidents is May 8, 1971,

NOW THEREFORE BE IT RESOLVED, that the 105th Maine Legislature publicly congratulate former President Harry S. Truman on his 87th birthday with the special wish for continued good health and happiness in the future;

AND BE IT FURTHER RESOLVED, that a copy of this Resolution be suitable printed, signed by the sponsor of this Resolution, the Speaker of the House, the President of the Senate and the Governor, the Great Seal of the State of Maine be affixed, and the official copy sent to former President and Mrs. Harry S. Truman, Independence, Missouri.

(H. P. 1310)

Comes from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

**Communications**

State of Maine  
House of Representatives  
Office of the Clerk  
Augusta, Maine

May 7, 1971

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

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

Bill "An Act relating to Comparative Negligence in Civil Actions" (S. P. 227) (L. D. 673)

Mr. LUND of Augusta

Mrs. WHITE of Guilford

Mr. CARRIER of Westbrook

Bill "An Act Establishing an Open Season on Moose" (H. P. 1287) (L. D. 1686)

Messrs. PARKS of Presque Isle  
FINEMORE

of Bridgewater

BOURGAIN of Fort Kent

Bill "An Act Providing Professional Immunity to Nurses in Emergency Cases" (H. P. 149) (L. D. 204)

Messrs. HASKELL of Houlton

PAGE of Fryeburg

McTEAGUE of Brunswick

Bill "An Act Providing for Records of Sales of Used Merchandise" (H. P. 490) (L. D. 631)

Messrs. CARTER of Winslow

LUND of Augusta

HENLEY of Norway

Bill "An Act to Provide Transportation for Blind Adults Attending Educational Facilities" (S. P. 472) (L. D. 1493)

Messrs. MILLETT of Dixmont

HASKELL of Houlton

MURRAY of Bangor

Respectfully,

(s)

BERTHA W. JOHNSON

Clerk of the House

Which was Read and Ordered  
Placed on File.

**Orders**

On motion by Mr. Greeley of Waldo,

ORDERED, the House concurring, that the Legislative Research Committee be authorized and directed to study the subject matter of Bill: "AN ACT Providing for a Staggered System for Registration of Motor Vehicles", House Paper 1203, Legislative Document 1654, introduced at the regular session of the 105th Legislature to determine whether the best interests of the State would be served by adoption of such legislation; and be it further

ORDERED, that the Secretary of State be directed to provide such technical advice and other assistance as the Committee deems necessary or desirable to carry out

the purposes of this Order; and be it further

ORDERED, that the Committee report the results of its study to the 106th Legislature; and be it further

ORDERED, upon joint passage, that a copy of this Order be transmitted immediately to the Secretary of State as notice of the pending study.

(S. P. 576)

Which was Read.

On motion by Mr. Berry of Cumberland, placed on the Special Legislative Research Table.

#### **Committee Reports House**

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 State Aid for Driver Education." (H. P. 663) (L. D. 974)

Bill, "An Act Appropriating Funds for State Government Internship Program." (H. P. 323) (L. D. 432)

Bill, "An Act Relating to Compensation for Full-time Deputy Sheriffs and Chief Deputies of Penobscot County." (H. P. 736) (L. D. 998)

Bill, "An Act Relating to Compensation for Full-time Deputy Sheriffs of Lincoln County." (H. P. 59) (L. D. 100)

Bill, "An Act Relating to Expiration Date of Motor Vehicle Registrations." (H. P. 792) (L. D. 1068)

Bill, "An Act Relating to Provisional Motor Vehicle Operator's License." (H. P. 713) (L. D. 972)

Bill, "An Act Regulating the General Highway Fund." (H. P. 1199) (L. D. 1650)

Bill, "An Act Relating to Procedure for Securing Specially Designed Motor Vehicle License Plates for State Officials." (H. P. 754) (L. D. 1023)

#### **Leave to Withdraw**

The Committee on Labor on, Bill, "An Act Providing that Minimum Wages in Maine be the Same as Federal Standards." (H. P. 232) (L. D. 314)

Reported that the same be granted Leave to Withdraw.

The Committee on Labor on, Bill, "An Act Relating to Entitlement to Compensation and Services under the Workmen's Compensation Act." (H. P. 463) (L. D. 591)

Reported that the same be granted Leave to Withdraw.

The Committee on Labor on, Bill, "An Act Relating to Compensation for Nonassenting Employer under Workmen's Compensation Law." (H. P. 1120) (L. D. 1539)

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.

#### **Leave to Withdraw - Covered by Other Legislation**

The Committee on County Government on, Bill, "An Act Increasing Salaries of Full-time Deputy Sheriffs." (H. P. 638) (L. D. 868)

Reported that the same be granted Leave to Withdraw, Covered by Other Legislation.

The Committee on Labor on, Bill, "An Act Relating to Minimum Wages as Affected by the Average Weekly Wage in Maine." (H. P. 233) (L. D. 315)

Reported that the same be granted Leave to Withdraw, Covered by Other Legislation.

The Committee on Labor on, Bill, "An Act Relating to Minimum Wages as Affected by the Federal Retail Consumer Index." (H. P. 231) (L. D. 313)

Reported that the same be granted Leave to Withdraw, Covered by Other Legislation.

Come from the House, the reports Read and Accepted.

Which reports were Read and Accepted in concurrence.

#### **Ought to Pass.**

The Committee on County Government on, Bill, "An Act Relating to Fees for Recording Divorce Decrees." (H. P. 639) (L. D. 869)

Reported that the same Ought to Pass.

The Committee on Health and Institutional Services on, Bill, "An Act to Authorize a Food Stamp Program in Somerset County." (H. P. 1087) (L. D. 1476)

Reported that the same Ought to Pass.

The Committee on Health and Institutional Services on, Bill, "An Act to Authorize a Food Stamp Program for Piscataquis County." (H. P. 1143) (L. D. 1584)

Reported that the same Ought to Pass.

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

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

#### **Ought to Pass - As Amended**

The Committee on Appropriations and Financial Affairs on, Resolve, Appropriating Funds for Swimming Pool at Pineland Hospital and Training Center. (H. P. 411) (L. D. 538)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-229).

Comes from the House, the report Read and Accepted and the Resolve Passed to be Engrossed as Amended by Committee Amendment "A".

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

#### **Ought to Pass in New Draft**

The Committee on Judiciary on, Bill, "An Act to Prohibit Chain Letters, Pyramid Clubs and Other Similar Devices." (H. P. 631) (L. D. 861)

Reported that the same Ought to Pass in New Draft Under New Title: "An Act to Prohibit Pyramid Clubs and Other Similar Devices" (H. P. 1306) (L. D. 1712)

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 Labor on, Bill, "An Act Relating to Earnings Requirement and Penalty Period for Benefits under Employment Security Law." (H. P. 772) (L. D. 1038)

Reported that the same Ought Not to Pass.

Signed:

Senator:

TANOUS of Penobscot

Representatives:

SIMPSON of Millinocket

LEE of Albion

ROLLINS of Dixfield

GOOD of Westfield

LINCOLN of Bethel

KELLEY of Machias

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

Signed:

Senator:

MARCOTTE of York

Representatives:

McTEAGUE of Brunswick

BUSTIN of Augusta

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 to Amend the Eating Place Licensing Law." (S. P. 316) (L. D. 930)

Bill, "An Act to Revise Certain Provisions for Registration of Professional Social Workers." (S. P. 343) (L. D. 1014)

Bill, "An Act Appropriating Moneys for Additional General Purpose Educational Subsidies to Certain Units for the Fiscal Year 1970-1971." (S. P. 387) (L. D. 1142)

Sent to the House.

#### **Leave to Withdraw**

Mr. Hichens for the Committee on Health and Institutional Ser-

vices on, Bill, "An Act Relating to Nonprofit Hospital and Medical Service." (S. P. 19) (L. D. 47)

Reported that the same be granted Leave to Withdraw.

Mr. Wyman for the Committee on State Government on, Bill, "An Act Relating to Disposition of Taxes Collected in Indian Township, Washington County." (S. P. 26) (L. D. 59)

Reported that the same be granted Leave to Withdraw.

Mr. Tanous for the Committee on Labor on, Bill, "An Act Increasing Benefits for Particular Injuries and Permanent Impairment under the Workmen's Compensation Law." (S. P. 154) (L. D. 423)

Reported that the same be granted Leave to Withdraw.

Mr. Bernard for the Committee on Fisheries and Wildlife on, Bill, "An Act to Repeal Provisions for Municipal Ordinances Relating to Shellfish and Marine Worms." (S. P. 423) (L. D. 1526)

Reported that the same be granted Leave to Withdraw.

Which reports were Read and Accepted.

Sent down for concurrence.

#### **Leave to Withdraw - Covered by Other Legislation**

Mr. Quinn for the Committee on Legal Affairs on, Bill, "An Act Relating to Temporary Registrations for Snowmobiles." (S. P. 235) (L. D. 697)

Reported that the same be granted Leave to Withdraw, Covered by Other Legislation.

Which report was Read and Accepted.

Sent down for concurrence.

#### **Ought to Pass**

Mr. Kellam for the Committee on Legal Affairs on, Bill, "An Act Relating to Maine Department, The American Legion." (S. P. 536) (L. D. 1616)

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 Notice of Suspension of Motor Vehicle Driving Privileges." (S. P. 396) (L. D. 1174)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-151).

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.

#### **Ought to Pass in New Draft**

Mr. Johnson for the Committee on Transportation on, Bill, "An Act Relating to Relocation Assistance in State Highway Projects." (S. P. 506) (L. D. 1502)

Reported that the same Ought to Pass in New Draft Under New Title: "An Act Relating to Relocation Assistance and Land Acquisition in State Highway Projects" (S. P. 573) (L. D. 1717)

Mr. Chick for the Committee on Agriculture on, Bill, "An Act Establishing Licensing for the Marketing of Potatoes." (S. P. 401) (L. D. 1117)

Reported that the same Ought to Pass in New Draft Under Same Title. (S. P. 574) (L. D. 1718)

Which reports were Read and Accepted, the Bills in New Draft Read Once and Tomorrow Assigned for Second Reading.

#### **Divided Report**

The Majority of the Committee on County Government on, Bill, "An Act Authorizing Counties to Establish and Operate Parks, Playgrounds and Open Areas." (S. P. 380) (L. D. 1135)

Reported that the same Ought Not to Pass.

Signed:

Senators:

PEABODY of Aroostook  
DANTON of York  
MARTIN of Piscataquis

Representatives:

WIGHT of Presque Isle  
DYAR of Strong  
HAWKENS of Farmington  
IMMONEN of West Paris  
CHURCHILL of Orland  
MILLS of Eastport  
BERNIER of Westbrook  
KELLEHER of Bangor  
KELLEY of Southport

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

Signed:

Representative:

PONTBRIAND of Auburn

Which reports were Read.

Mr. Bernard moved that the Senate Accept the Minority Ought to Pass Report of the Committee.

On motion by Mr. Peabody of Aroostook, a division was had. Seven Senators having voted in the Affirmative, and sixteen Senators having voted in the negative, the motion to Accept the Minority Ought to Pass Report of the Committee did not prevail.

Thereupon, the Majority Ought Not to Pass Report of the Committee was Accepted.

Sent down for concurrence.

#### Divided Report

The Majority of the Committee on Legal Affairs on, Bill, "An Act Relating to Contracts of Teachers with Municipalities." (S. P. 183) (L. D. 535)

Reported that the same Ought Not to Pass.

Signed:

Senator:

QUINN of Penobscot

Representatives:

BRAWN of Oakland

SILVERMAN of Calais

GAUTHIER of Sanford

PECTEAU of Biddeford

EMERY of Rockland

CURTIS of Bowdoinham

COTE of Lewiston

CROSBY of Kennebunk

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

Signed:

Senators:

KELLAM of Cumberland

CLIFFORD

of Androscoggin

Representatives:

SMITH of Dover-Foxcroft

NORRIS of Brewer

Which reports were Read.

On motion by Mr. Johnson of Somerset, tabled and specially assigned for May 12, 1971, pending Acceptance of Either Report.

#### Second Readers

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

#### House

Bill, "An Act Relating to Benefits for Widows of Coastal Wardens and Fish and Game Wardens." (H. P. 217) (L. D. 284)

Bill, "An Act Eliminating Restriction on Unemployment Benefits for Military Retirees." (H. P. 623) (L. D. 833)

Bill, "An Act to Correct an Ambiguity in Procedure for Recording Municipal Charters and Amendments." (H. P. 815) (L. D. 1088)

Resolve Relating to Retirement and Pension of Norman F. Hanson of Eliot. (H. P. 794) (L. D. 1070)

Bill, "An Act to Set Reasonable Fees for Recording and Issuing Certain Documents." (H. P. 1031) (L. D. 1418)

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

#### House—As Amended

Bill, "An Act to Improve the Efficiency and Fairness of the Local Welfare System." (H. P. 741) (L. D. 1003)

(On motion by Mr. Berry of Cumberland, tabled and Tomorrow Assigned, pending Passage to be Engrossed.)

Bill, "An Act Providing for Prescription of Generic Drugs Rather Than Brand Names." (H. P. 879) (L. D. 1200)

Bill, "An Act Relating to Planning Board Vacancies." (H. P. 966) (L. D. 1326)

Bill, "An Act to Clarify the Law Relating to Nonvoters Speaking at Town Meetings." (H. P. 1075) (L. D. 1467)

Which were Read a Second Time and, except for the tabled matter, Passed to be Engrossed, as Amended, in concurrence.

#### Senate

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)

Which was Read a Second Time.

On motion by Mr. Dunn of Oxford, tabled until later in today's session.

Bill, "An Act Relating to Emergency Authority of Public Utilities Commission Relative to Motor Vehicles for Hire." (S. P. 571) (L. D. 1715)

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

Sent down for concurrence.

#### Senate—As Amended

Bill, "An Act Relating to Retirement of Penal and Correctional Institution Personnel." (S. P. 352) (L. D. 1018)

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

Bill, "An Act Relating to Payments for Sustenance During Rehabilitation under Workmen's Compensation Law." (S. P. 319) (L. D. 933)

Bill, "An Act Increasing Salaries of Official Court Reporters." (S. P. 171) (L. D. 523)

Which were Read a Second Time and, except for the tabled matter, Passed to be Engrossed, as amended.

Sent down for concurrence.

#### Enactors

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

An Act Relating to Suspension of Motor Vehicle Operator's License and Registration. (S. P. 192) (L. D. 553)

An Act Relating to Fees and Compensation of the State Board of Administrators of Medical Care Facilities. (S. P. 238) (L. D. 754)

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

An Act Providing Educational Assistance for Certain Widows, Wives and Children of Veterans and Wives and Children of Prisoners of War. (S. P. 560) (L. D. 1700)

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

An Act to Pay for One Hundred Percent of Health Insurance Plans for State Employees. (H. P. 364) (L. D. 471)

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

An Act Relating to Permits for Carrying Concealed Weapons. (H. P. 495) (L. D. 636)

An Act Repealing the New England Welfare Compact. (H. P. 603) (L. D. 805)

An Act Relating to Nonlapsing Funds for Maine School Building Authority. (H. P. 1008) (L. D. 1387)

An Act Relating to Use of Hypodermic Syringes. (H. P. 1019) (L. D. 1398)

An Act Relating to Winter Maintenance of State Aid Highways and Town Ways by Municipalities. (H. P. 1296) (L. D. 1697)

(On motion by Mr. Greeley of Waldo, placed on the Highway Appropriations Table.)

Which, except for the tabled matters, were passed to be Enacted and, having been signed by the President, were by the Secretary sent to the Governor for his approval.

#### Emergency

An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1972 and June 30, 1973. (H. P. 289) (L. D. 389)

This being an emergency measure and having received the affirmative votes of 27 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.

#### Orders of the Day

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

HOUSE REPORTS — from the Committee on Education on Bill, "An Act Relating to School Construction Aid for all Administrative Units." (H. P. 737) (L. D. 999) Majority Report, Ought to Pass; Minority Report, Ought Not to Pass.

Tabled — May 5, 1971 by Senator Katz of Kennebec.

On motion by Mr. Katz of Kennebec, retabled and specially assigned for May 12, 1971, pending Acceptance of Either Report.



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

Bill, "An Act to Create a School Administrative District for the Town of Orono." (H. P. 804) (L. D. 1077)

Tabled — May 5, 1971 by Senator Quinn of Penobscot.

Pending — Motion by Senator Quinn of Penobscot to Reconsider Acceptance of the Majority Ought Not to Pass Report.

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

Mr. QUINN of Penobscot: Mr. President, the Senator from Penobscot, Senator Tanous, is interested in this bill, and I note his absence, so I hope someone would table this bill until Wednesday next.

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

Thereupon, on motion by Mr. Katz of Kennebec, retabled and specially assigned for May 12, 1971, pending the Motion by Mr. Quinn of Penobscot to Reconsider Acceptance of the Majority Ought Not to Pass Report of the Committee.

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

HOUSE REPORT—Ought to Pass with Committee Amendment "A" Filing H-222 from the Committee on Legal Affairs on Bill, "An Act Revising the Harbor Master Law." (H. P. 1058) (L. D. 1449)

Tabled — May 7, 1971 by Senator Kellam of Cumberland.

Pending — Acceptance of Report.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I pointed out one or two features of this particular bill last Friday, and Senator Kellam of Cumberland was kind enough to table it for me.

I talked with one or two of the legal people in the Senate here, and I would just very briefly point out, after I make a motion that the bill be indefinitely postponed, what some of these points are.

The points briefly are that we are giving too much authority to an individual here and not defining his duties or limiting his area of responsibility, and assessing far too serious penalties on the situation involved. Very briefly, for instance, it says the harbor master shall have the authority to remove from the waters of his jurisdiction any boat violating such rules and regulations, and then it says that the municipality shall provide a penalty of not more than \$100, plus costs, for such violation. That is rather an odd way to impose a penalty. Then it says whoever violates the order of the harbor master—this must be an additional penalty—shall be deemed guilty of a misdemeanor and, upon being convicted, shall be punished by a fine of not less than \$25, nor more than \$1,000, or by an imprisonment of not more than 60 days, or by both.

I would maintain to this body that any crime having to do with boats in a harbor hardly could be worth \$1,000 and 60 days in jail upon the complaint of a harbor master.

Then one of the more practical objectionable features in the bill is that upon an hour's notice the boat must be moved and, if this is not done within two hours, the harbor master can commandeer a crew and move it. Then, of course, there are penalties on top of this.

So I don't see the purpose of the bill. We have pretty good laws on the books now providing for the control of our harbors. We have harbor masters appointed by the selectmen and the city officials. I know in Portland there is no problem running the harbor, nor in the smaller harbors either around the state. So I hope you would support my motion which I would make, Mr. President, that the bill be indefinitely postponed.

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that Legislative Document 1449, Bill, "An Act Revising the Harbor Master Law", be indefinitely postponed.

The Chair recognizes the Senator from Cumberland, Senator Kellam.

Mr. KELLAM of Cumberland: Mr. President and Members of the

Senate: Just to explain the bill very, very briefly, it does give some authority to the smaller communities to have a person who is more in the nature of a constable than what they probably need for a harbor master, but it does give them some power to regulate what they feel is a problem. For that reason, I was amenable to going along with the committee report of Ought to Pass. Other than that, I have no strong feelings about the bill.

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

Mr. CLIFFORD: Mr. President and Members of the Senate: Just to brief the members of the Senate on the background, this bill came out of committee unanimous Ought to Pass. And after looking at the bill a second or third time myself I have some feeling about this, and I think that I would go along with the Senator from Cumberland, Senator Berry, on his proposal that we indefinitely postpone this matter.

I think this got by me anyway without my really studying the bill, and I think it does give this man far too much power for a man in his position. Another thing I find is that there is nothing in the bill which would require this man to have any sort of police training at all and, for that reason, I would go along with Senator Berry's motion to indefinitely postpone.

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

Mr. CONLEY of Cumberland: Mr. President and Members of the Senate: It is becoming quite apparent that the oxygen is becoming lax in all rooms of the fourth floor.

The PRESIDENT: The pending question before the Senate is the motion of the Senator from Cumberland, Senator Berry, that Bill, "An Act Revising the Harbor Master Law," be indefinitely postponed. As many Senators as are in favor of the motion to indefinitely postpone this bill will please say "Yes"; those opposed, "No".

A viva voce vote being taken, the bill was Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

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

SENATE REPORTS — from the Committee on State Government on Bill, "An Act Establishing a Maine State Liquor Control Board." (S. P. 300) (L. D. 857) Majority Report, Ought Not to Pass, Minority Report, Ought to Pass.

Tabled — May 7, 1971 by Senator Berry of Cumberland.

Pending — Motion by Senator Hichens of York to Accept the Minority Ought to Pass Report.

On motion by Mr. Wyman of Washington, retabled and Tomorrow Assigned, pending the motion by Mr. Hichens of York to Accept the Minority Ought to Pass Report of the Committee.

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

Bill, "An Act Repealing Certain Procedure for Registration of Voters." (H. P. 187) (L. D. 244)

Tabled — May 7, 1971 by Senator Hoffses of Knox.

Pending — Enactment.

On motion by Mr. Berry of Cumberland, retabled and Tomorrow Assigned, pending Enactment.

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

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)

Pending — Passage to be Engrossed.

Mr. Dunn of Oxford then presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-153, was Read.

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

Mr. VIOLETTE of Aroostook: Mr. President, may I pose an inquiry to Senator Dunn or to anyone else here who has the knowledge as to what is the ceiling now on the authority of the MIBA to make loans? Is it \$80,000,000 or is it a lower figure? I would hesitate to accept this amendment unless it were a reduction in the authorized capacity of the Maine Industrial Building Authority to authorize loans.

The PRESIDENT: The Senator from Aroostook, Senator Violette, has posed a question through the Chair which any Senator may answer if he desires.

The Chair recognizes the Senator from Oxford, Senator Dunn.

Mr. DUNN of Oxford: Mr. President and Members of the Senate: The ceiling on the MIBA is in the constitution at \$80,000,000 at the present time. This was, as possibly most of you will remember, raised from, I think, \$40,000,000 to \$80,000,000 when we were talking about the Bath Shipyard, and I think it was \$32,000,000 was the figure that they might possibly be involved with. So this is still more than it was before we began to consider the Bath Shipyard.

At the present time MIBA has authority of \$80,000,000, the Recreational Authority has \$17,000,000, the Student Loans has \$1,000,000, and the Maine State Building Authority has \$20,456,000. Now, that makes a total of \$118,456,000. While it is quite possible that very little of the bonds will ever be sold, it is still a charge against the credit of the state. It seemed to me that it would be advisable to hold this down just a little bit, and \$50,000,000 is still more than we had on the books prior to the action taken to possibly help out the Bath Shipyard.

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

Mr. VIOLETTE of Aroostook: Mr. President and Members of the Senate: I think the Maine Industrial Building Authority is an extremely valuable vehicle in the work which our state does with regards to attracting and assisting

in the creation of jobs and employment opportunities in our state. I think they are a responsible body. I don't think that they would authorize loans unless they felt that they are doing the best job that is possible.

When I look at the list of whoever is on this, the members of this Commission, every one of them seem to be pretty competent bankers, the type of men that if I walk into their bank asking for a couple of thousand dollar loan they would turn me over three or four times and ask me a lot of questions before they would approve a loan. I would hate to see our state here take a step backwards in this area, and I would oppose the amendment and I hope that we would not accept it.

I see that there is another amendment here which undoubtedly will be offered by Senator Berry with regards to the removal of "preservation" in the language, and this was debated at some length last week. I would have no objection to that type of language, which appears to be objectionable to some people, and I would certainly be willing to go along with that amendment, but I would hope that we would not accept this amendment. I would hope that we would defeat it.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Dunn.

Mr. DUNN of Oxford: Mr. President and Members of the Senate: I do not question the capability of the men or the personnel in the MIBA, although we do know that we are caught in one occasion here. But I think that all of us realize that at the moment we have been working probably for the last ten years under an economy, well partially based on war, and carrying things forward in that line, and as this war winds down certainly there is going to be a change in the whole picture financially. I think we would be well advised if we kept our loans and our liabilities down to a reasonable level. I would request a division on the vote.

The PRESIDENT: A division has been requested.

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I would reluctantly oppose the amendment. I think that the action which is before the legislature in cutting down the maximum amount of individual loans takes care of the real nub of the problem. I know recently we seem to have had a spate of problems with some individual MIBA loans, but this is bound to happen. I think that by controlling the amount of a loan itself is where we have the problem, and not the total amount of the loan. So, I would hope that we wouldn't adopt the amendment, and I feel that Senator Dunn's concern is really being taken care of where we proposed to limit severely the amount of money that can be placed with one exposure.

The PRESIDENT: Is the Senate ready for the question: The pending question before the Senate is the Adoption of Senate Amendment "A".

A division has been requested. As many Senators as are in favor of the adoption of Senate Amendment will please rise and remain standing until counted.

A division was had. Ten Senators having voted in the affirmative, and seventeen Senators having voted in the negative, Senate Amendment "A" failed of Adoption.

Mr. Berry of Cumberland then presented Senate Amendment "B" and moved its Adoption.

Senate Amendment "B", Filing No. S-154, was Read.

The PRESIDENT: The Chair recognizes the same Senator.

Mr. BERRY: Mr. President and Members of the Senate: This takes out of the bill the provision that existing industries in the state could receive financial assistance. This was objected to by some members of the Senate in the debate last Friday. I would hope that it would make the whole package a little bit more palatable.

Now, Senator Sewall has very kindly just furnished me information with relation to Senator Dunn's amendment. MIBA now has \$41,000,000 of loans or commitments out, so that the amendment which we have just defeated would have only left a leeway of \$9,000,000 more.

Thereupon, Senate Amendment "B was Adopted and the Bill, as Amended, Passed to be Engrossed. Sent down for concurrence.

The President laid before the Senate the mater tabled earlier in today's session by Mr. Hoffses of Knox:

Bill, "An Act Relating to Retirement of Penal and Correctional Institution Personnel." (S. P. 352) (L. D. 1018)

Pending — Passage to be Engrossed.

Mr. Hoffses of Knox then presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-152, was Read and Adopted.

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

Adjourned until 9 o'clock tomorrow morning.

On motion by Mr. Hoffses of Knox,