

# 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

Volume II

May 5, 1971 to June 15, 1971

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Friday, May 14, 1971  
Senate called to order by the President.

Prayer by The Honorable Gerard P. Conley of Portland.

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 adjourns, it adjourns to Monday, May 17, at 1 o'clock in the afternoon, and when the Senate adjourns, it adjourns to Monday, May 17, at 3 o'clock in the afternoon.

(S. P. 583)

Which was Read and Passed.

Sent down forthwith for concurrence.

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

Bill, "An Act Relating to Voters Resigning or Removed from the Voting List." (S. P. 561) (L. D. 1701)

In the Senate May 3, 1971, Passed to be Engrossed.

Comes from the House, Passed to be Engrossed as Amended by House Amendment "A" (H-254) in non-concurrence.

Thereupon, the Senate voted to Recede and Concur.

**Non-concurrent Matter**

Bill, "An Act Relating to Disposition of Portion of Fees Collected by Maine State Park and Recreation Commission." (S. P. 20) (L. D. 48)

In the Senate April 29, 1971, Passed to be Engrossed as Amended by Committee Amendment "A" (S-26) and Senate Amendment "A" (S-55) as Amended by House Amendment "A" (H-125) Thereto and Senate Amendment "B" (S-122), in non-concurrence.

Comes from the House, having Failed of Passage to be Engrossed as Amended by House Amendment "A" (H-246). That Body having Insisted and Asked for a Committee of Conference.

On motion by Mr. Berry of Cumberland, the Senate voted to

Insist and Join in a Committee of Conference.

The President Appointed on the part of the Senate the following Conferees:

Sensors:

MOORE of Cumberland  
DUNN of Oxford  
FORTIER of Oxford

**House Papers**

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

**Communications**

State of Maine  
Senate Chamber  
President's Office  
Augusta, Maine 04330

May 13, 1971

Mr. Harry N. Starbranch  
Secretary of the Senate  
Augusta, Maine

Dear Mr. Starbranch:

Pursuant to Senate Paper 541, I hereby appoint the following to a Special Joint Select Committee to Study the Creation of an International Conference Center on Peaks Island:

Senator Richard N. Berry  
Senator Catherine Carswell  
Senator Gerard P. Conley

Pursuant to Senate Paper 566, I hereby appoint the following to a Joint Interim Committee to study the financial impact upon the State of Maine of Senate Paper 524, Legislative Document 1519, "AN ACT Relating to Payment of Expenses of Supreme Judicial Court and the Superior Court by the State":

Senator Wakine G. Tanous  
Senator Floyd L. Harding

Respectfully,

s/KENNETH P. MacLEOD  
President of the Senate

Which was Read and Ordered Placed on File.

State of Maine  
House of Representatives  
Office of the Clerk  
Augusta, Maine 04330

May 13, 1971

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

Sir:

The Governor of the State having returned to the House:

"An Act Creating York County Commissioner Districts" (H. P. 553) (L. D. 729)

with his objections to the same, the House proceeded to vote on the question

"Shall the Bill become a law notwithstanding the objections of the Governor?"

A yea and nay vote was taken; 75 members voted in the affirmative and 49 in the negative, and accordingly the Bill failed to become a law and the veto was sustained.

Respectfully,  
s/BERTHA W. JOHNSON  
Clerk of the House

Which was Read and Ordered  
Placed on File.

#### **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 Deposit of Animal Waste on Land or in Waters." (H. P. 893) (L. D. 1213)

Bill, "An Act Appropriating Funds for Planning a State-wide Integrated Corrections System." (H. P. 1085) (L. D. 1474)

Resolve Appropriating Funds to the University of Maine for Maine Public Broadcasting Network. (H. P. 255) (L. D. 337)

Resolve to Provide Funds for Purchase of Aerial Ladder Fire Truck for State Buildings. (H. P. 127) (L. D. 182)

Bill, "An Act Relating to Presumption of Operation of Motor Vehicles by the Registered Owner." (H. P. 1071) (L. D. 1463)

Bill, "An Act Relating to Municipal Excise Taxes on Boats and Motors." (H. P. 1004) (L. D. 1366)

#### **Leave to Withdraw**

The Committee on Judiciary on, Bill, "An Act Repealing Limitation on Number of Examinations for Admission to Practice Law." (H. P. 880) (L. D. 1201)

Reported that the same be granted Leave to Withdraw.

The Committee on Natural Resources on, Bill, "An Act to Pro-

vide for Landscaping of Parking Areas." (H. P. 916) (L. D. 1262)

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 Natural Resources on Bill, "An Act Relating to the Management of Solid Waste." (H. P. 466) (L. D. 594)

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

The Committee on Natural Resources on, Bill, "An Act Revising the Waste Discharge Licensing Procedures of the Environmental Improvement Commission." (H. P. 1174) (L. D. 1625)

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 Appropriations and Financial Affairs on, Bill, "An Act Appropriating Funds for the Completion of Renovating Kupelian Hall, Pineland Hospital and Training Center." (H. P. 409) (L. D. 536)

Reported that the same Ought to Pass.

The Committee on Appropriations and Financial Affairs on, Bill, "An Act Relating to Committees on Status of Women, Children and Youth, and the Aged." (H. P. 477) (L. D. 618)

Reported that the same Ought to Pass.

The Committee on Appropriations and Financial Affairs on, Resolve, Providing Funds for Development of Fort Point State Park, Stockton Springs. (H. P. 799) (L. D. 1072)

Reported that the same Ought to Pass.

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

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

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

The Committee on Health and Institutional Services on, Bill, "An Act Relating to Transportation of Seriously Injured People Directly to a Hospital." (H. P. 1051) (L. D. 1443)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-237).

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

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

#### **Ought to pass In New Draft**

The Committee on Legal Affairs on, Bill, "An Act Revising the Laws Relating to Logs and Lumber." (H. P. 271) (L. D. 360)

Reported that the same Ought to Pass in New Draft Under Same Title. (H. P. 1314) (L. D. 1722)

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.

The Committee on Natural Resources on, Bill, "An Act Providing for the Protection of Coastal Wetlands." (H. P. 945) (L. D. 1304)

Reported that the same Ought to Pass in New Draft Under Same Title. (H. P. 1299) (L. D. 1704)

Comes from the House, the report Read and Accepted and the Bill in New Draft Passed to be Engrossed as Amended by House Amendment "B" (H-243).

Which report was Read and Accepted in concurrence and the Bill in New Draft Read Once. House Amendment "B" was Read and Adopted in concurrence and the Bill, as Amended, Tomorrow Assigned for Second Reading.

#### **Divided Report**

The Majority of the Committee on County Government on, Bill, "An Act to Place Full-time Deputy Sheriffs under Personnel Law." (H. P. 431) (L. D. 566)

Reported that the same Ought Not to Pass.

Signed:

Senators:

PEABODY of Aroostook  
DANTON of York  
MARTIN of Piscataquis

Representatives:

CHURCHILL of Orland  
PONTBRIAND of Auburn  
DYAR of Strong  
MILLS of Eastport  
BERNIER of Westbrook  
HAWKENS of Farmington  
KELLEY of Southport

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

Signed:

Representatives:

WIGHT of Presque Isle  
KELLEHER of Bangor  
IMMONEN of West Paris

Come from the House, the Reports and Bill Indefinitely Postponed.

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

#### **Divided Report**

The Majority of the Committee on Public Utilities on, Bill, "An Act Relating to Public Utilities Providing Gas Service and Valves on Their Distribution and Service Lines." (H. P. 946) (L. D. 1305)

Reported that the same Ought Not to Pass.

Signed:

Senators:

MOORE of Cumberland  
VIOLETTE of Aroostook

Representatives:

BERUBE of Lewiston  
MARSH of Hampden  
BARTLETT

of South Berwick

**SHUTE**

of Stockton Springs

**MOSHER** of Gorham**TYNDALE**

of Kennebunkport

**CONLEY**

of South Portland

**RAND** of Yarmouth

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

Signed:

Senator:

Representatives:

**MARCOTTE** of York

Representatives:

**WILLIAMS** of Hodgdon**EMERY** of Auburn

Comes from the House, the Minority Ought to Pass report Read and Accepted and the Bill Passed to be Engrossed as Amended by House Amendment "A" (H-255).

Which reports were Read.

On motion by Mr. Berry of Cumberland, tabled and specially assigned for May 18, 1971, pending Acceptance of Either Report.

**Divided Report**

The Majority of the Committee on Judiciary on, Bill, "An Act Relating to Immunity of Government Employees under Civil Defense Law." (H. P. 1117) (L. D. 1537)

Reported that the same Ought Not to Pass.

Signed:

Senators:

**TANOUS** of Penobscot**QUINN** of Penobscot**HARDING** of Aroostook

Representatives:

**WHITE** of Guilford**HEWES**

of Cape Elizabeth

**BAKER** of Orrington**KELLEY** of Caribou**WHEELER** of Portland**CARRIER** of Westbrook**ORESTIS** of Lewiston

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-258).

Signed:

Representatives:

**HENLEY** of Norway**PAGE** of Fryeburg**LUND** of Augusta

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.

**Divided Report**

The Majority of the Committee on Health and Institutional Services on, Bill, "An Act to Abolish Claim by State Against Estates of Deceased Recipients of Aid to the Aged, Blind or Disabled." (H. P. 455) (L. D. 610)

Reported that the same Ought to Pass.

Signed:

Senators:

**HICHENS** of York**GREELEY** of Waldo

Representatives:

**BERRY** of Madison**DYAR** of Strong**McCORMICK** of Union**CLEMENTE** of Portland**DOYLE** of Bangor**LESSARD** of Lisbon**CUMMINGS** of Newport

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

Signed:

Representatives:

**PAYSON** of Falmouth**LEWIS** of Bristol

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

Which reports were Read.

On motion by Mr. Dunn of Oxford, tabled and Tomorrow Assigned, pending Acceptance of Either Report.

**Divided Report**

The Majority of the Committee on Judiciary on, Bill, "An Act Regulating Handguns." (H. P. 150) (L. D. 205)

Reported that the same Ought Not to Pass.

Signed:

Senators:

**TANOUS** of Penobscot**HARDING** of Aroostook**QUINN** of Penobscot

**Representatives:**

HENLEY of Norway  
PAGE of Fryeburg  
WHITE of Guilford  
BAKER of Orrington  
CARRIER of Westbrook

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass in New Draft Under Same Title. (H. P. 1320) (L. D. 1725)

Signed:

**Representatives:**

LUND of Augusta  
WHEELER of Portland  
HEWES  
of Cape Elizabeth  
ORESTIS of Lewiston  
KELLEY of Caribou

Comes from the House, the Reports and Bill Indefinitely Postponed.

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

**Divided Report**

The Majority of the Committee on County Government on, Bill, "An Act Relating to Office Hours of County Commissioners." (H. P. 554) (L. D. 730)

Reported that the same be granted Leave to Withdraw.

Signed:

**Senators:**

PEABODY of Aroostook  
DANTON of York  
MARTIN of Piscataquis

**Representatives:**

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

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

Signed:

**Representative:**

MILLS of Eastport

Comes from the House, the Majority Leave to Withdraw report Read and Accepted.

Which reports were Read, and the Majority Leave to Withdraw Report of the Committee was Accepted in concurrence.

**Committee of Conference Report**

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill, "An Act Reclassifying the Waters of Lake Auburn and Little Wilson Pond, Androscoggin County." (H. P. 606) (L. D. 808) ask leave to report: that the Senate recede and concur with the House in passing the Bill to be Engrossed without Amendment.

On the part of the House:

PONTBRIAND of Auburn  
BROWN of York  
AULT of Wayne

On the Part of the Senate:

SCHULTEN of Sagadahoc  
GRAHAM of Cumberland  
BERNARD

of Androscoggin  
Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed.

Which report was Read and Accepted in Concurrence.

Thereupon, the Senate voted to Recede and Concur.

**Senate**

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 to Provide Relief from Local Restrictions Hampering Construction of Low and Moderate Income Family Housing." (S. P. 439) (L. D. 1266)

Sent to the House.

**Leave to Withdraw**

Mr. Hichens for the Committee on Health and Institutional Services on, 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)

Reported that the same be granted Leave to Withdraw.

Which report was Read and Accepted.

Sent down for concurrence.

**Ought to Pass**

Mr. Hichens for the Committee on Taxation on, Bill, "An Act to Increase Amount of Real Estate Tax Exemption for Paraplegic Veterans." (S. P. 368) (L. D. 1107)

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. Clifford for the Committee on Legal Affairs on, Bill, "An Act to Amend the Snowmobile Law." (S. P. 484) (L. D. 1592)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-164)

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

#### **Divided Report**

The Majority of the Committee on Judiciary on, Bill, "An Act Increasing Salaries of Justices of the Supreme Judicial Court and the Superior Court and Judges of the District Court." (S. P. 392) (L. D. 1170)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-165)

Signed:  
Senators:

TANOUS of Penobscot  
QUINN of Penobscot  
HARDING of Aroostook

Representatives:  
HEWES

of Cape Elizabeth  
KELLEY of Caribou  
WHITE of Guilford  
ORESTIS of Lewiston  
BAKER of Orrington  
LUND of Augusta  
WHEELER of Portland

The Minority of the same Committee on the same subject reported that the same Ought to Pass as Amended by Committee Amendment "B" (S-166)

Signed:

Representatives:

HENLEY of Norway  
PAGE of Fryeburg  
CARRIER of Westbrook

Which reports were Read.

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

session, pending Acceptance of Either Report.

#### **Divided Report**

The Majority of the Committee on Judiciary on, Bill, "An Act to Provide for the Interception of Wire and Oral Communications." (S. P. 390) (L. D. 1145)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-167)

Signed:

Senators:

TANOUS of Penobscot  
QUINN of Penobscot

Representatives:

WHITE of Guilford  
HENLEY of Norway  
BAKER of Orrington  
PAGE of Fryeburg  
HEWES

of Cape Elizabeth  
LUND of Augusta

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

Signed:

Senator:

HARDING of Aroostook

Representatives:

WHEELER of Portland  
KELLEY of Caribou  
CARRIER of Westbrook  
ORESTIS of Lewiston

Which reports were Read.

Mr. Tanous of Penobscot moved that the Senate Accept the Majority Ought to Pass as Amended Report of the Committee.

On motion by Mr. Harding of Aroostook, tabled and specially Assigned for May 18, 1971, pending the motion by Mr. Tanous of Penobscot to Accept the Majority Ought to Pass as Amended Report of the Committee.

#### **Second Readers**

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

#### **House**

Bill, "An Act Relating to Annual Fee for Town Forest Fire Wardens." (H. P. 178) (L. D. 236)

Resolve providing Funds for Improvement of West Quoddy Head State Park Access Road. (H. P. 410) (L. D. 537)



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

Bill, "An Act Repealing the Prohibition Against Public Dancing on Sunday." (H. P. 855) (L. D. 1180)

Which was Read a Second Time.

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

Mr. Clifford of Androscoggin then requested a division on the vote.

On further motion by Mr. Hichens of York, a Roll Call was had.

### ROLL CALL

YEAS: Senators Anderson, Carswell, Chick, Dunn, Fortier, Greeley, Hichens, Quinn, Shute, Wyman, and President MacLeod.

NAYS: Senators Bernard, Berry Clifford, Conley, Danton, Graham, Harding, Hoffses, Johnson, Katz, Kellam, Levine, Martin, Minkowsky, Peabody, Schulten, Sewall, Tanous, and Violette.

ABSENT: Senators Marcotte and Moore.

A roll call was had. Eleven Senators having voted in the affirmative, and nineteen Senators having voted in the negative, with two Senators absent, the motion did not prevail.

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

Bill, "An Act to Amend the Ogunquit Village Corporation Charter to Equitably Allocate School and Other Common Costs with the Town of Wells." (H. P. 1092) (L. D. 1480)

Which was Read a Second Time.

Mr. Clifford of Androscoggin then presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-161, was Read.

The PRESIDENT: The Senator has the floor.

Mr. CLIFFORD: Mr. President and Members of the Senate: With reference to this amendment, I told you the other day that the dispute between the Ogunquit Village Corporation and the Town of Wells has been settled. And this amendment, along with the bill, embodies the terms of that settlement and, hopefully, this will be the end of this dispute and we won't see this

Village Corporation and this Town back in the Legislature.

Thereupon, Senate Amendment "A" was Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

### House—As Amended

Bill, "An Act Relating to Steel Guardrails on the Maine Turnpike." (H. P. 619) (L. D. 830)

Which was Read a Second Time.

Mr. Danton of York then presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-170, was Read and Adopted.

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

Senate Amendment "B", Filing No. S-171, was Read and Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

Bill, "An Act Relating to Permits by Sheriffs to Tow Unregistered Motor Vehicles." (H. P. 830) (L. D. 1121)

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

### Senate

Bill, "An Act Relating to Appropriation and Allocations to the Governor's Committee on Employment of the Handicapped." (S. P. 214) (L. D. 660)

Bill, "An Act Relating to Disability Retirement and Retirement Allowances under State Retirement System." (S. P. 243) (L. D. 704)

Bill, "An Act Relating to Powers of Liquor Inspectors Concerning Disorderly Conduct." (S. P. 378) (L. D. 1114)

Bill, "An Act to Provide Hospital Administrators under the Department of Mental Health and Corrections." (S. P. 578) (L. D. 1726)

Bill, "An Act Relating to Authority of Trustees." (S. P. 579) (L. D. 1727)

Bill, "An Act Relating to Imposition of Sentence to the State Prison." (S. P. 580) (L. D. 1728)

Bill, "An Act to Amend the Arborist Law." (S. P. 581) (L. D. 1729)

Bill, "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies, Furnishings, Studies, Histories and Amendments for the Fiscal Years Ending June 30, 1972 and June 30, 1973." (S. P. 582) (L. D. 1730)

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

Sent down for concurrence.

#### Senate—As Amended

Bill, "An Act Relating to Preference to Maine Workmen and Contractors." (S. P. 163) (L. D. 485)

Mr. Tanous of Penobscot then presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-172, was Read.

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

Mr. TANOUS of Penobscot: Mr. President and Members of the Senate: I don't know if you recall, but yesterday when this bill came up for acceptance of the committee report, I had signed the Ought Not to Pass Report on this particular bill, but permitted Senator Marcotte from the Labor Committee to accept the Minority Ought to Pass Report with, of course, in mind that I would offer the amendment which is before you, which was my objection to the bill originally. This refers to your bare minimum rate of wages that is paid on construction in the State of Maine where it involved state funds in the amount of over ten thousand dollars.

The first part of that particular bill, Section 1, is the housekeeping part. We are changing locality to mean the entire state rather than just by areas wherein the fair minimum wage has up to now been computed. And this is only, incidentally, in the construction field of buildings that the State of Maine is involved in through state funds. The Number 7 in Section 1, where it seeks to bring into the law also the construction of buildings which involve municipal construction, public institutions or municipal or quasi-municipal corporations, this I felt was an undue burden that we would be putting on local

communities because many, many of the local communities employ people that are on welfare, so to speak, and they hire them for the type of work where you don't need any special training. It doesn't have a great effect on the economy or anything else in that area, because all of your contractors in the State of Maine, all of your construction workers, are earning, in my opinion, far over and above the fair minimum wage as computed in the State of Maine. Thank you.

The PRESIDENT: Is it now the pleasure of the Senate to adopt Senate Amendment "A"?

Thereupon, Senate Amendment "A" was Adopted, and the Bill, as Amended, Passed to be Engrossed.

Sent down for concurrence.

Bill, "An Act Adopting Air Quality Regions." (S. P. 409) (L. D. 1224)

Which was Read a Second Time and 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 Providing for Clinical Treatment and Rehabilitation of Alcoholics. (S. P. 3) (L. D. 17)

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

An Act Relating to Board of Visitors for Each State Institution Under the Department of Mental Health and Corrections. (S. P. 431) (L. D. 1245)

An Act Relating to Fees for Recording Divorce Decrees. (H. P. 639) (L. D. 869)

An Act Relating to Requirement of Schools of Barbering and Training for Registration as a Barber. (H. P. 740) (L. D. 1002)

An Act to Authorize a Food Stamp Program in Somerset County. (H. P. 1087) (L. D. 1476)

An Act to Prohibit Pyramid Clubs and other Similar Devices. (H. P. 1306) (L. D. 1712)

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.

Resolve, Appropriating Funds for Swimming Pool at Pineland Hospital and Training Center. (H. P. 411) (L. D. 533)

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

Resolve, Appropriating Moneys for the Acquisition of Property at Meddybemps by the Atlantic Sea Run Salmon Commission. (S. P. 198) (L. D. 583)

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

Mr. VIOLETTE of Aroostook: Mr. President and Members of the Senate: I rise really not to oppose the bill, Appropriating Moneys for the Acquisition of Property at Meddybemps by the Atlantic Sea Run salmon commission, and I think it is a laudable effort. I think the bill was sponsored by Senator Wyman from Washington

I recall in other years I think we have also appropriated some money for another stream in Hancock County on legislation sponsored by my good friend from Hancock, Senator Anderson. The preservation, or the restoration of the sea run salmon in Maine, to allow not only our citizens but really attracting people from outside the state to visit Maine, and to have the opportunity to take this tremendous game fish is really laudable, and I voted for this legislation.

The reason why I wanted to make some remarks on it is that we are restoring them and at the same time we are allowing some of our people to harvest and to catch Atlantic salmon for the enjoyment of our own people as well as for those people who visit our state.

We had a bill that went through the Senate a few days ago which the sponsor of this legislation, as well as my good friend from Hancock, Senator Anderson, opposed violently, and that was to allow other people in Maine the opportunity to harvest and enjoy the

hunting of a small number of moose. We, in Aroostook County, in the northern part of the State where we have such a high concentration of this animal, we have supported their efforts to restore this game fish which is unquestionably the greatest game fish that our fishermen can enjoy catching. I had the thrill of catching my first Atlantic salmon last summer on the Mirimachi River, and it certainly was the greatest thrill that I have enjoyed as a fishermen in my lifetime, so I can understand the enjoyment the people have of it. And I have supported this legislation because I think it is wonderful.

It does grieve me that these same people cannot somewhat expand their minds and allow us to do the same thing in our own counties, in our own areas of the state where we don't have to restore them. Actually they have been restored, and they won't allow us to enjoy the same opportunities with regards to this magnificent game animal, but we support them here to allow them to enjoy that same sport with regards to another game species in their own parts of the state.

Lastly, I visited a friend of mine in Washington last December, and I had just returned from a hunting trip in the Allagash, and I had taken a beautiful buck and I photographed it, and when I got there I told him about it and he asked me if I brought him some deer meat and I told him that I had no way of transporting it. And he told me himself that he didn't like to kill deer but he had just been hunting geese in Maryland and he treated me at his home with a wild geese dinner. I asked him, as I ask these same people here, whether or not he thought the geese prized their lives less than deer did. He didn't answer me, and I ask the same question here, in the spirit of sportsmanship, whether they feel that the Atlantic Salmon when they are caught prize their lives less than the moose when they are shot.

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

Thereupon, on motion by Mr. Sewall of Penobscot, placed on the the Special Appropriations Table.

### Emergency

An Act to Create the Bangor Parking Authority. (S. P. 890) (L. D. 1229)

This being an emergency measure and having received the affirmative votes of 29 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 Make Allocations from the Department of Inland Fisheries and Game Receipts for the Fiscal Years Ending June 30, 1972 and June 30, 1973. (S. P. 569) (L. D. 1710)

This being an emergency measure and having received the affirmative votes of 29 members of the State 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 State Government on Bill, "An Act Establishing a Human Rights Commission." (H. P. 507) (L. D. 659) Majority Report, Ought to Pass with Committee Amendment "A" Filing H-245; Minority Report Ought not to Pass.

Tabled — May 13, 1971 by Senator Clifford of Androscoggin.

Pending — Acceptance of Either Report.

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

Mr. JOHNSON of Somerset: Mr. President and Members of the Senate: I move that we accept the Majority Ought to Pass Report of the Committee, but I would like to say, very briefly and unemotionally, what the facts are that I have as to what this bill does.

It sets up a five man commission which will hear complaints in the area of fair employment, fair housing and public accommodations. It has nothing to do with any legal matters or any court suits, which can still be brought. This board would arbitrate and conciliate these differences without going to any court. It is believed that in other areas where this has occurred 90 to 95 per cent of these complaints on discrimination have been resolved.

The PRESIDENT: The Senator from Somerset, Senator Johnson, moves that the Senate accept the Majority Ought to Pass as Amended Report of the Committee in concurrence. Is this the pleasure of the Senate?

The motion prevailed and the Bill was Read Once.

Committee Amendment "A" was Read and Adopted in concurrence and the bill, as Amended, Tomorrow Assigned for second reading.

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

Bill, "An Act Providing for Double Compensation for Injuries to Minors under Workmen's Compensation Law if Employment in Violation of Law." (S. P. 334) (L. D. 980)

Tabled — May 13, 1971 by Senator Berry of Cumberland.

Pending — Passage to be Engrossed.

On motion by Mr. Wyman of Washington, tabled and specially assigned for May 18, 1971, pending Passage to be Engrossed.

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

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

Tabled — May 13, 1971 by Senator Berry of Cumberland.

Pending — Enactment.

On motion by Mr. Berry of Cumberland, retabled and specially assigned for May 18, 1971, pending Enactment.

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

SENATE REPORT — Ought to Pass from the Committee on Natural Resources on Bill, "An Act Phasing out Log Driving in the Inland Waters of the State." (S. P. 451) (L. D. 1297)

Tabled — May 13, 1971 by Senator Wyman of Washington.

Pending — Acceptance of Report. Thereupon, the Ought to Pass Report of the Committee was Accepted, the Bill Read Once and Tomorrow Assigned for Second Reading.

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

Bill, "An Act Establishing Licensing for the Marketing of Potatoes." (S. P. 574) (L. D. 1718)

Tabled — May 13, 1971 by Senator Berry of Cumberland.

Pending — Passage to be Engrossed.

Thereupon, the Bill was Passed to be Engrossed.

Sent down for concurrence.

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

Bill, "An Act Relating to Notice of Suspension of Motor Vehicle Driving Privileges." (S. P. 396) (L. D. 1174)

Tabled — May 13, 1971 by Senator Katz of Kennebec.

Pending — Passage to be Engrossed.

On motion by Mr. Johnson of Somerset, and under suspension of the rules, the Senate voted to reconsider Adoption of Committee Amendment "A".

The same Senator then presented Senate Amendment "A" to Committee Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-163, to Committee Amendment "A" was Read and Adopted, and Committee Amendment "A", as Amended by Senate Amendment "A" thereto, was Adopted and the Bill, as Amended, Passed to be Engrossed.

Sent down for concurrence.

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

Bill, "An Act Relating to Costs of Investigation Where Permanent Injunction Is Issued under Unfair Trade Practices Law." (S. P. 331) (L. D. 978)

Tabled — May 13, 1971 by Senator Harding of Aroostook.

Pending — Motion by Senator Katz of Kennebec to Suspend Rules to Reconsider Enactment.

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

Mr. KATZ of Kennebec: Mr. President, I move the pending question. I understand the Senator from Aroostook, Senator Harding, will offer an amendment after this motion.

The PRESIDENT: Is it now the pleasure of the Senate that the rules be suspended and the Senate reconsider its action whereby this bill was passed to be Enacted.

The motion prevailed.

Thereupon, under further suspension of the rules, the Senate voted to reconsider its action whereby the Bill was Passed to be Engrossed.

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: By way of explanation, I think the good Senator from Kennebec, Senator Katz, had intended to offer the Judiciary Committee an amendment to a bill which we had in order to give the Attorney General a little more flexibility in regard to investigating certain unfair practices insofar as trade is concerned. This didn't get to the committee in time and the amendment at this time is Senate Amendment "A", Filing No. S-168.

Now, under this bill, ordinarily the Attorney General would have to give a ten-day notice before he could proceed with an injunction. This bill provides that in case you might have a fast out-of-state operator, or someone else that the Attorney General would like to get an immediate injunction against, that he can proceed without that notice, upon a showing of facts by

affidavit that immediate and irreparable harm will occur to the consumers of this state.

This has been checked by the Attorney General's office, it has been checked with twelve members of the Judiciary Committee, and surprisingly enough they were all in concurrence, and I don't know if that is good or bad, but anyway it seems to me it would be helpful if we adopted this amendment. So I would at this time offer Senate Amendment "A" and move its adoption.

Senate Amendment "A", Filing No. S-168 was Read and Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

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

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

Tabled — May 13, 1971 by Senator Quinn of Penobscot.

Pending — Enactment.

Thereupon the Bill was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

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

Bill, "An Act Increasing Salaries of Justices of the Supreme Judicial Court and the Superior Court and Judges of the District Court." (S. P. 392) (L. D. 1592)

Pending — Acceptance of Either Report.

Thereupon, the Majority Ought to Pass as Amended Report of the

Committee was Accepted and the Bill Read Once.

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

Mr. Shute of Franklin was granted unanimous consent to address the Senate.

MR. SHUTE: Mr. President and Members of the Senate: The Senators will notice that they had on their desks as they arrived today a very attractive tie pin. It doesn't carry the name of any particular firm on it, so it should be cherished by all of you, I am sure. It comes as a special gift of the Maine Law Enforcement Group and this is brought here at the request of Representative Stillings, who is a member of the Law Enforcement Association of Maine, which is a group of law enforcement officers at the state and local level, and it includes Fish and Game wardens and Sea and Shore Fisheries wardens as well. I am sure many of you have had the occasion to speak before members of this group.

In addition to the tie clasp for the male members, Senator Carswell has received, I am sure, a special gift denoting their interest in the lady member of the Senate.

I am sure that our only jeweler Senator, who is not present at the moment, has a plethora of these little gadgets and would like to give up his tie clasp to our very affable Sergeant-at-Arms, who has expressed regrets at not receiving one of these. Thank you.

(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 May 17, 1971, at 3 o'clock in the afternoon.